

HUMAN TRAFFICKING IN INDIA

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Human trafficking is the world's largest and fastest growing global organized crime. Human trafficking in India is a major issue. India is considered as a source, destination, and transit country for men, women, and children subjected to forced labour and sex trafficking. According to statistics, forced labour constitutes India's largest trafficking problem in debt bondage (also including inherited from previous generations). They forced to work in brick kilns, agriculture, rice mills and embroidery factories. It involves the use of force, fraud or coercion to obtain labour or sex act.

Every year, millions of men, women and children are trafficked from around the world. It is considered as modern slavery and till date there is no concrete study or research is done. The laws are not stringent enough to reduce the crime. The other main issue involved in Human Trafficking is the lack of awareness among people. People involved are not aware about the very fact of trafficking and what are the consequences of this and where to report and what are the basic steps to be taken to prevent the same.

Human trafficking is a hidden crime as victims rarely come forward to seek help because of the language barriers, fear of law enforcement and fear of the traffickers. They are afraid of the traffickers and going through a traumatic phase in life with other hindrances.

INTRODUCTION

"She is not a commodity, she is not for sale. Human Trafficking is a shame to Humanity."

Human Trafficking is a modern-slavery. Around 1.2 million children are trafficked every year. It is the third largest organised crime after drugs and the arms trade across the globe. The United Nations defines Trafficking, "Trafficking is any activity leading to recruitment, transportation, harbouring or receipt of persons, by means of threat or use of force or a position of vulnerability". Trafficking is defined as trade of men, women and children for the purpose of sexual slavery, forced labour or commercial sexual exploitation for the trafficker or others. Around 80% of the Human Trafficking around the globe is done for sexual exploitation and the other 20% involves bonded labour, forced marriages.

India is considered as a hub for Human Trafficking in Asia. As per the statistics of the Ministry of Women and Child Development[1], told Parliament that 19,223 women and children were trafficked in 2016 against last year 15,448 in 2015. The highest number of victims recorded in the eastern state of West Bengal. The National Crime Records Bureau[2] (NCRB) data shows that there is 25 per cent rise in trafficking cases in India. The National Crime Records Bureau (NCRB) said there were 6,877 cases related to human trafficking last year against 5,466 in 2014, with the highest number of cases reported in the northeast state of Assam, followed by West Bengal[3]. The data also showed that 43 per cent of the 9,127 victims were below the age of 18. The crimes included buying and selling of a minor girl for sexual intercourse, slavery, sexual intercourse, forced marriage, etc. India needs more than stringent laws to combat or fight this mammoth problem, but there are many areas which require to be worked upon for bringing his problem under control.

Stringent laws may solve this ever rising problem to a certain extent but the basic problem lies in the lack of awareness. There is a huge need for better amenities at the trafficking units. Another major issue is the manner in which the trafficking units function. Though, Human Trafficking is one of the major problems in India till date no research or any concrete study has been conducted on the causes or the exact number of trafficked women and children in India.

KINDS OF HUMAN TRAFFICKING

Trafficking involves any activity leading to recruitment, transportation, harbouring or receipt of persons, by means of threat or use of force or a position of vulnerability for the purpose of sexual slavery, forced labour or commercial sexual exploitation for the trafficker or others.

There are different purposes of trafficking. The first kind involves trafficking of children for exploitation or to be forced into labour, sexual slavery, servitude, removal of organs, early marriage, begging, illicit international adoption, etc. The traffickers attack the basic problem faced by the parents of the children, i.e. poverty issues or lack of basic amenities, etc. The traffickers take advantage of the same and force or manipulate the parents to sell their children to traffickers in order to pay off debts or gain income. They are also deceived or manipulated concerning the prospects of training their children for a better life. As a result, parents sell their children into labour, sex trafficking or illegal adoptions around the globe.

The other kind of trafficking is sex trafficking. Sex trafficking affects people at a large scale worldwide. The escape is difficult and dangerous because the victims find themselves in coercive or abusive situations. As a result of this fear and power of the traffickers the consequences of escaping of the victims are dangerous and might lead to their death eventually. It involves physical coercion, sexual coercion, deception, bondage or abuse of power. The victims are promised work in domestic or service industry but later on forced or coerced into sex work by threatening their life and families. They are beaten and locked up under harsh circumstances and are forced to earn money through prostitution. Once the fear of the traffickers is developed inside the victim's mind, the victim gives up on their freedom and eventually start working and accepting and believing their fate as it is. Sometimes the victims are stuck in foreign land and due to lack of knowledge of the foreign language or the law system they fear taking steps for rescuing themselves.

The other reason of trafficking is forced marriage. A forced marriage is defined as a marriage in which one or both the parties involved in the marriage are coerced or forced into such relationship and it is done out of their freely given consent. It means the victim is sold or transferred or inherited into a certain marriage without their consent. Forced marriages lead to another form of marriage. For example, if a women or child is trafficked and then sent to abroad for a forced marriage and then repeatedly she is compelled or forced to get engaged in a sexual conduct or act with the person she is married to, then this eventually leads to sex trafficking as a result of forced marriage.

Labour trafficking is considered as a different form of trafficking. Labour trafficking is the activity leading to recruitment, transportation, harbouring or receipt of persons, by means of threat or use of force or a position of vulnerability for the purpose of forced labour and services. This involves involuntary servitude, bonded labour, child labour, domestic servitude, etc. The migrant workers and indigenous people are at a higher risk of becoming the victims of labour trafficking.

Trafficking for organ trade is another harsh reality or form of human trafficking. It can be done in different forms. Like in some cases, the victim is compelled or forced into giving up their organs. While in some other cases, due to lack of basic amenities or drenched in poverty the victims agrees to sell an organ in exchange of money or goods. But the harsh reality is that they are not paid or are paid less hence increasing their problems. In some cases, the victims have no knowledge of removal of their organs as they are under the affect of some drug or the victim is treated for another medical problem or illness rather for their real illness or problem. The migrant workers, illiterate people and homeless persons

are at the higher risks of vulnerability in this form of human trafficking.

WHY TRAFFICKING EXISTS?

The basic reason of existence of human trafficking is that it is market driven criminal industry that is based on the principles of supply and demand, exactly like it happens in the case of drugs or arms trafficking. This does not exist solely because many people lack awareness and are vulnerable to exploitation but because of many other factors which are the traffickers perceive.

Poverty and lack of educational and economic opportunities in hometowns may lead women to voluntarily migrate and then be involuntarily trafficked into sex work. Further globalization opened up national borders to greater exchange of goods and capital thus increasing labour migration. Even corrupt and inadequate trained police officers can be complicit in sex trafficking and commit violence against sex workers, including the trafficked victims. Criminalization of sex work may also foster the underground for sex work and enable sex trafficking.

The two main reasons or the observations made by the traffickers involve low risks and higher profits. The human traffickers perceive that there is little risk involved as the laws are not stringed and there is lack of awareness as a result of which a lot of cases are still pending in the court and people are highly vulnerable to get compelled or forced into human trafficking. The other factors that are inclusive of low risks are lack of law enforcement, scare resources and social blaming of victims in return.

The other reason or observation is high profits involved. The market is created by the people who are demanding for such services to exploit people for commercial sex acts or other reasons. And, when people are willing to buy people from such industries the traffickers involved create a profit incentive and tend to increase their revenue by one or another.

CONSEQUENCES FOR VICTIMS

The victims face threats of violence from people involved in this industry, for example, customers, pimps, brothel owners, traffickers and even from the corrupt law enforcement officials. As a result of this, the victims are drenched in fear and the danger involved in escaping makes them helpless. The complicated legal status, fear of arrest, emotional trauma and language barriers add up to the difficulties faced by the victims. The victims of human trafficking are exposed to physical and psychological stress. They suffer social alienation in

their home country as well as in the host country. Many victims face criminal sanctions as they are forced into drug trafficking and little assistance and social services are provided to the trafficked victims.

Psychological coercion used by the traffickers on the trafficked victims increase the stress through threats, fear, emotional and physical violence. The tactics used by the traffickers to lure the minor girls into sex industry often involve false promises of love, marriages, security and protection. This form of coercion creates a trauma bond in the victim's life as she is attached to her perpetrator and this is called as Stockholm syndrome. And the very goal of the trafficker is to turn the victim into a slave and to implement this trafficker uses such psychological syndromes to weaken the victim from the very core. The other tactics used includes exposing the victims to the use of drugs or alcohol, keep them in isolation, withhold food, deprive them of sleep, sexual abuse, repeated rape, physical assault, etc. And these tactics leave an everlasting effect on the victim and their lives. The victims accept them as their fate as the feeling of self-blame drench deep down causing them to stop from escaping from the circumstances eventually.

Sex trafficking increases the risk of contracting HIV/AIDS. The pandemic of HIV/AIDS can be both a cause and consequence of this type of human trafficking. The birth of children as a result of repeated sex and forced sexual intercourse causes proliferation of HIV/AIDS in them too. Thus the pandemic spreads as a rampant disease. The lack of awareness of such disease or the precautions to be taken makes it worse for the trafficked victims. The trafficked victims are not aware of the disease itself firstly and diagnosing the same and the treatment is done under very rare circumstances. This leads to the growth of the pandemic as well as the demand of new sex slaves.

"Padmavathi, a woman in her twenties, stood in a huge, noisy railway station feeling overwhelmed and lost. With her baby son, she had left her village to come to one of India's biggest cities, Hyderabad. As she wandered around, she was approached by a man who offered her dinner and a place to stay. He seemed nice and I was beyond desperate, so I accepted."[4] These are the words of a victim of human trafficking Padmavathi.

LAWS IN INDIA

In India, the trafficking in persons for commercial sexual exploitation, forced labour, forced marriages and domestic servitude is considered as an organized crime. The Government of India applies the Criminal Law (Amendment) Act 2013, active from February 3, 2013 as well as Section 370 and 370A IPC, which defines human

trafficking and "Provides stringent punishment for human trafficking; trafficking of children for exploitation in any form including physical exploitation; or any form of sexual exploitation, slavery, servitude or the forced removal of organs." The SAARC Convention on the prevention of Trafficking in Women and Children was implemented as a Regional Task Force.

CONCLUSION AND SUGGESTIONS

Trafficking is one of the fastest growing and profitable countries. The trafficking strategies and programs have been inadequate to stop the expansion. The laws should be stringent and strict enough to report such crimes and the traffickers should be prosecuted and an example should be set in front of the society that they fear committing such crimes. It is an underworld, a taboo subject and society keeps it hidden and there is lack of help from authorities. The Department of Justice, Department of Health and Human Services, Department of Education working with other agencies should increase awareness of commercial sexual exploitation and sex trafficking of minors. Under such awareness programme, training should be given to parents, caregivers, teachers, students, etc. Public awareness campaigns should be done in different institutions. All national, state, local, tribal and territorial jurisdictions should develop policies and laws that redirect victims and survivors of commercial sexual exploitation and sex trafficking. The agencies should strengthen and implement laws that hold exploiters, traffickers and solicitors accountable for their role in commercial sexual exploitation and sex trafficking of minors. The society should understand that the victims are not to be blamed for the crime committed. They should be supported and assistance should be provided for coping up with the social trauma and psychological stress. Learn the indicators of human trafficking so you can help identify a potential trafficking victim. Volunteer and support anti-trafficking efforts in your community. Agencies should provide jobs, internships, skills training and other opportunities to trafficking survivors. Establish a university club to raise awareness about human trafficking and initiate action throughout your local community. The media should effectively and responsibly report stories of human trafficking survivors as media plays an enormous role in shaping perception and guiding the public.

REFERENCES

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