



# RMMRU

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## Human Security Concerns: Trafficked Women and Children from India

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## **The Case of Women and Children Trafficked from India**

### **1. Introduction**

The concept of security has already been divided into traditional and non-traditional discourse. The last one basically deals with human security, which depends on so many factors. Trafficking in women and children, however, one of the concerns of human security. In this context, this study tries to explore the scenario of trafficking in women and children in India and examines to what extent trafficking relates to human security concern in India.

This study would provide policy makers of India with pragmatic, action-oriented recommendations to adopt a policy on the trafficking issue.

#### **1.1 Objectives of the study**

Though this study deals with several issues such as relationship of human security and trafficking in different stages in India, security concerns within and outside of the country, state and non-state actors of trafficking in India etc. Although, it has three main objectives:

- a) To look into trafficking nexus operatives in India.
- b) To look into the vulnerabilities of the Indian victims (women and children) of trafficking.
- c) To look into the attitude of the state towards these victims. Especially to try to find out whether the state of India treats these victims as a threat to security of the state or not.

## 1.2 Operational definition

- ***Child***

The term has not been defined in the Indian Penal Code (IPC). The Immoral (Prevention) Act, 1956 defines a child as a person who has not completed the age of sixteen (16). The act also distinguishes between a minor and a major. The Juvenile Justice Act, 1986 gives a different definition of a juvenile (child) with respect to gender. A boy who has not attained sixteen (16) years and a girl who has not attained eighteen (18) years is referred to as a juvenile in the Act.

- ***Prostitution***

The Immoral Trafficking (Prevention) Act, 1956 defines the term as sexual exploitation or abuse of persons for commercial purposes.

- ***Trafficking***

The Immoral Trafficking (Prevention) Act, 1956 does not define the term trafficking though section Five (5) refers to persons procuring with or without the person's consent, inducing or taking a person from one place to another to become an inmate of or frequent a brothel for purpose of prostitution or carry on prostitution. Sections 372 and 373 of IPC also address the problem of trafficking especially the selling, disposing or letting to hire and buying, hiring or obtaining possession of minors (below the age of 18) to be employed or used for prostitution or illicit intercourse with any person or unlawful or immoral purpose or knows that it is likely that the person may be used for the aforesaid purposes.

- **Abuse**

The exact term as such is not defined in the IPC though sections 319, 320, 351, 498A related to hurt, grievous hurt, assault and cruelty by husband or relatives of husband may be used to address cases pertaining to abuse. Section 319 relates to hurt which is defined as causing body pain, disease and infirmity to any person. Section 320 states that grievous hurt is inflicted when the person is emasculated, permanent privation of sight of either eye, hearing of either ear, permanent impairing and privation of any members or joint, permanent disfiguration of head or face, fracture of dislocation of bone or tooth is caused. Grievous hurt is also inflicted when the sufferer's life is endangered and feels severe body pain or is unable to follow ordinary pursuits in the space of twenty (20) days. Section 351 states that assault is any gesture or preparation, which induces any person present to apprehend or believe that criminal force, will be used against him/her. Section 498A states that the husband or relatives of the husband subjecting the wife to cruelty shall be punished.

- **Rape**

Section 375 states that rape is committed when sexual intercourse with a woman takes place: (i) against her will; (ii) without her consent; (iii) when consent is given in fear of death or hurt; (iv) consent is given when the woman believes that the man is her husband whereas the man knows that he is not; (v) consent is given when the woman is unsound of mind, intoxicated and is unable to understand the nature and consequences of that which she has given consent to; (vi) with or without the consent of the woman when she is under sixteen (16) years of age.

### 1.3 Research methodology

This study followed both quantitative and qualitative research approaches with especial reference to participatory observation method.

- **Primary information**

This study collected the primary data from several sources.

Firstly, we talked to three leading NGOs in India to understand the phenomenon and to gain the experiences of those NGOs in this connection. These included: Sanlaap, Women's Interlink Foundation and Centre for Community Development.

Secondly, we talked to Thirteen (13) victims with a pre-structured questionnaire. Among them eleven (11) were victims of cross-boarder trafficking and two (02) were victims of internal trafficking. This is shown in the table below.

**Table 1.3.1**  
**The categories of trafficked in persons**

Category	Frequency	Percentage
Cross-border trafficking	11	84.62
Internal trafficking	02	15.38
Total	13	100.00

Among these eleven victims of cross-border trafficking, three (03) were women who were forced to prostitution and eight (08) were children who were forced to begging in Middle-East. Again, among eight children, five (05) were boys and three (03) were girls. The two victims of internal trafficking were girl when trafficked and were forced to prostitution. The number of the respondents and the

category of works that they were forced to do and their division of sex are shown in the tables below.

**Table 1.3.2**  
**The sex division of the respondents**

<b>Category</b>	<b>Frequency</b>	<b>Percentage</b>
Female	08	61.54
Male	05	38.46
Total	13	100.00

**Table 1.3.3**  
**The number of the respondents and the category of works**  
**they were forced to do**

<b>Category of works</b>	<b>Frequency</b>	<b>Percentage</b>
Begging	08	61.54
Prostitution	05	38.46
Total	13	100.00

The eleven victims of cross-boarder trafficking were locked in the villages of Dolyuwa, Zhunka, Beldanga, Bohrampur etc. of the Murshidabad district of West Bengal. Later, we visited a Shelter Home run by 'Sanlaap', where we interviewed two (02) women who were victims of internal trafficking. We did it to understand the phenomenon of internal trafficking in India and, to compare the dimensions of internal trafficking with the international trafficking.

Thus, in total we interviewed 13 trafficked victims and talked to the members of three NGOs in India. We, however, were not in a position, which bound us to strictly stick on the questions of the questionnaire. Rather, we tried more to look into deeply on any views that they tried to express.

- ***Secondary information***

We reviewed several literatures on trafficking issues from different books, journals and leading national dailies in India. The literatures included case studies, articles, news, research reports, seminar reports, Government Notifications, Ordinances, Acts and other National laws and concerned International laws. We also reviewed a documentary on child trafficking. In this connection we used the documentation centres of Centre for Community Development, Sanlaap and Women's Interlink Foundation.

## **2. Trafficking in Indian context**

Trafficking is a very common phenomenon in India. India is not only a receiving country but it is a transit and sending country also. In India, trafficking takes place for different purposes including prostitution, sale of organs or cheap or bonded labour.

- ***Scenario***

The trafficking scenario in India is quite grave. Within the country, trafficking demands are for children mainly. Girls and women are also continuously trafficked from neighbouring poor countries like Bangladesh and Nepal.

- ***Number***

It is difficult to have the data on numbers but several reports estimate that 100,000 to 160,000 Nepalese girls are working at a time in Indian brothels. More than 150 to 200 women and children are coming to India every month.

- ***Types of work they are forced to perform***

Young girls are sold for prostitution, cheap labour and now-a-days sale of organs is also becoming a good business. In one hand, Male children are generally further trafficked to the Middle East as jockeys for camel races, beggars and house servants.

On the other hand, the brothels of India are full with minor girls working as sex slaves. Young girls are lured through marriage, assurance of jobs and brought to India for prostitution, to work in Churi factories as bonded labour, in brick kilns and to work as house maids or construction workers.

- ***Source countries/destination countries***

It has already been said that India is a receiving, sending and transit country. It receives thousands of young girls and women who come to look for jobs from Bangladesh and Nepal and finally join prostitution after rape and related torture. Generally, Bangladeshi women are trafficked to India through the bordering districts of Satkhira, Jessore, Jhenidah, Meherpur, Rajshahi, Nawabgunj and Joypurahat. They work in thousands as prostitutes and cheap or bonded labour.

Women and children from within India are trafficked to the Middle East for beggary and prostitution. They are also sent to Pakistan.

- ***Trafficking process***

The process of trafficking is quite organised, vulnerable families are identified by local recruiters and one of the above mentioned reasons are applied as bait. Traffickers then move Young women and children and they change hands in the border of countries. A new set of people takes over when they enter India and

everything happens without any paper work. If they do have any documents or papers or any identification cards, it remains in the hands of the traffickers. Hence, if caught these women and children remain stateless persons.

### **3. Laws**

There are available Conventions, Constitutional provisions and legal instruments on trafficking issue in India. Following is a list for quick reference and action.

#### **3.1. National law**

- ***The Immoral Traffic (Prevention) Act, 1956***

The Government of India enacted the Suppression of Immoral Traffic in Women and Girls Act 1956. The Act was amended in 1986 and retailed as the Immoral Traffic (Prevention) Act, 1956. The amended Act widened the scope of the law to cover both the sexes exploited sexually for commercial purposes and provided inter-alia, enhanced penalties for offences involving children and minors. It continued to prohibit prostitution in its commercialised form without rendering prostitution per se are offence.

The Immoral Traffic (Prevention) Act, 1956 prescribes stringent action against those inducing children (below 16 years) and minors (16 to 18 years) in the offence of procuring, inducing or taking a person for the sake of prostitution. If the offence has been committed against a child, the punishment is rigorous imprisonment for a term of not less than 7 years that may extend to life. If the victim is a minor, the punishment is from 7-14 years. The Act further provides that where any person is found with a child in a brothel, it shall be presumed, unless the contrary is proved, that he has committed an offence of detaining a person in premises where a prostitution is carried on. Similarly, where a child or minor found in a brothel, on medical examination, detected to have been sexually abused, it shall be presumed, unless the contrary is proved, that the child or minor has been

detained for purposes of prostitution or, as the case may be, has been sexually exploited for commercial purposes. The punishment consists of imprisonment of either description for a term which shall not be less than 7 years, but which may be for life or for a term which may extend to 10 years and shall also be liable to fine, with a prostitution for less than 7 years under special circumstances.

- ***Indian Penal Code***

The Indian Penal Code includes offences, among others, relating to exposure and abandonment of child under 12 years by parent or person having care of its wrongful restraint or wrongful confinement; kidnapping, abduction, slavery and forced labour and sexual offences. Of particular significance are offences relating to kidnapping, from lawful guardians (Section 361); kidnapping, abducting or inducing woman to compel her marriage (Section 366); procreation of minor girl (Section 366A); importation of girl from foreign country (Section 366B); selling minor for purposes of prostitution (Section 372); buying minor for purpose of prostitution (Section 373); rape (Section 377).

- ***The Juvenile Justice Act, 1986***

The Juvenile Justice Act, 1986 has elaborate provisions for the care, protection treatment, education, vocational training, development and rehabilitation of children rescued from those procuring, inducing or taking persons for the sake of prostitution and detaining persons in premises where prostitution is carried on. Such children are covered under the definition of "neglected juvenile which means, inter-alia, a juvenile who lives in a brothel or with a prostitute or frequently goes to any place used for the purpose of prostitution or is found to associate with any prostitute or any other person who lives an immoral, drunken or depraved life. Besides the police, any person or organisation authorised by the State Government may bring such a neglected juvenile before the Juvenile Welfare Board for a differential handling, processing and placement with a fit-person or a fit-institution, failing which, in a juvenile home.

### 3.2 International Conventions

- ***Universal Declaration of Human Rights, 1948***

Adopted and proclaimed by United Nations General Assembly Resolution 217 A(III) on 10 December 1948.

#### ***Article 4***

No one shall be held in slavery or servitude: Slavery and the slave trade shall be prohibited in all their forms.

- ***Convention of the Elimination of all forms of Discrimination Against Women, 1979***

Adopted and opened for signature, ratification, and accession by United Nations General Assembly resolution 34/180 on 18 December 1979. Entered into force on 3 September 1981 in accordance with Article 27 (I).

#### ***Article 6***

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

- ***Convention of the Rights of the Child, 1989***

Adopted by the United Nations General Assembly on 20 November 1989. Entered into force on 2 September 1990 in accordance with Article 49 (1).

### ***Article 11***

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

### ***Article 34***

States Parties shall undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- a. The inducement or coercion of a child to engage in any unlawful sexual activity;
- b. The exploitative use of children in prostitution or other unlawful sexual practice;
- c. The exploitative use of children in pornographic performances and materials.

### ***Article 35***

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction, the sale of or traffic in children for any purpose or in any form.

- ***Forced Labour Convention of ILO***

***Article 1***

Each member of the International Labour Organisation that ratifies this Convention undertakes to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.

***Article 4***

The competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.

- ***Convention for the Suppression of the Trafficking in Persons and of the Exploitation for the Prostitution of others***

***Article 1***

The parties to the present Convention agree to punish any person who, to gratify the passions of another:

1. Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;
2. Exploits for the prostitution of another person even with the consent of that person.

***Article 17***

The parties to the present Convention undertake, in connection with immigration and emigration, to adopt or maintain such measures as are required....to check the traffic in persons of either sex for the purpose of prostitution.

In particular they undertake:

1. To make such regulations as are necessary for the protection of immigrants or emigrants... In particular, women and children, both at the place of arrival and departure and while en route...

### **Article 19**

The parties....undertake.....

1. Pending the completion of arrangements for the repatriation of destitute victims of international traffic in persons for the purpose of prostitution, to make suitable provisions for their temporary care and maintenance...
- *Supplementary Convention on the abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery:*

### **Article 1**

Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about the complete abolition or abandonment of the following institutions and practices...

- a. Debt bondage...
- b. Serfdom.....
- c. Any institution or practice whereby:

1. A woman, without the right to refuge, is promised or given in marriage on payment of consideration in money or in kind to her parent, guardian, family or any other person or group.

- **SAARC Convention 2002**

The salient points of the SAARC Convention 2002 are:

- a) Child means a person who has not attained the age of 18 years.
- b) Trafficking means the moving, selling or buying of women and children for prostitution within and outside the country for monetary or other considerations with or without consent of the person subjected to trafficking.
- c) Measures to provide mutual legal assistance in respect of investigation, inquiries, trails or other proceedings.
- d) Provisions for extradition or prosecution.
- e) Measures to prevent and interdict trafficking in women and children, including bilateral mechanisms to effectively implement the provisions of the Convention as well as promoting awareness through the media.
- f) Care, treatment, rehabilitation of victims through the establishment of protective homes and shelters.

#### **4. Case Studies**

We said earlier that we have studied 13 cases in this research. Hereinafter, please find the socio-economic background of the interviewee, factors that contributed to their trafficking, their decision to move and modus operandi to their trafficking, their security concerns, and the attitude of the state towards them.

##### **4.1. Socio-economic Background of the Interviewees**

As we said earlier, we have talked to 13 trafficked victims. Among them 11 were the victims of cross-boarder trafficking and 2 were victims of inter-state trafficking

within India. All of them, however, represent lower socio-economic strata in terms of their age, marital status, educational status and occupation.

- ***Age of the victims***

Most of our interviewees are teenagers. Their age differences are presented in table 4.1.1.

**Table 4.1.1**  
**Age differences of the interviewees**

Age group	When interviewed		When trafficked	
	Frequency	Percentage	Frequency	Percentage
0-14 years of age	2	15.38	9	69.23
15-18 years of age	3	23.07	3	23.07
19-25 years of age	6	46.15	0	0.00
Above 25 years of age	2	15.40	1	7.70
Total	13	100.00	13	100.00

According to above table, 46.15% interviewees are from <19-25> years age group, 23.07% from <15-18> years age group, 15.40% are above 25 years of age and 15.38% are from <0-14> years of age. But the case was different when they had been trafficking; most of them were very young in age. Table shows that 69.23% trafficked in women and children belong to <0-14> years age limit, 23.07% belong to <15-18> years age limit and only 7.70% belong to above 25 years age limit when they were trafficked in. This means the rate of trafficking in children is much higher than trafficking in women.

- **Marital status**

According to our study maximum victims of trafficking were unmarried when they had been trafficked in. They are currently unmarried too. Table 4.2 shows the statistics of marital status of the victims of trafficking, when they were trafficked in and when they were interviewed.

**Table 4.1.2**  
**Marital status of the victims**

Category	When trafficked		When interviewed	
	Frequency	Percentage	Frequency	Percentage
Married	2	15.40	2	15.40
Unmarried	11	84.60	11	84.60
Total	13	100.00	13	100.00

We can see that the frequency and percentage of the marital status of the victims are same in comparison to their pre-trafficking and post trafficking period. It is 15.40% in case of married and 84.60% in case of unmarried. This study identifies two reasons behind this phenomenon:

- a) Trafficking network demands mainly children and unmarried women.
- b) Society refuses to accept the trafficked victims. As a result no body wants to marry with a victim of trafficking.

- **Educational status**

**Table 4.1.3**  
**Educational status of the victims**

Category	When trafficked		When interviewed	
	Frequency	Percentage	Frequency	Percentage
Primary	8	61.54	5	38.46
Secondary	0	0.00	4	30.77
Nil	5	38.46	4	30.77
Total	13	100.00	13	100.00

According to the table 4.1.3, the educational standard of the victims is quite low. This study finds that 38.46% victims had no education and 61.54% had only primary education, when they had been trafficked in. And, only a few of them could able to continue their study in post-trafficking period, as 30.77% of them is still with nil education, 38.46% with primary education and 30.77 % victims could reach to Secondary level of general education.

- **Occupation**

**Table 4.1.4**  
**Occupation of the interviewee**

Category	When trafficked		When interviewed	
	Frequency	Percentage	Frequency	Percentage
Student	8	61.54	9	69.23
Small business	0	0.00	1	7.70
Petty trading	3	23.0	0	0.00
Housemaid	2	15.40	0	0.00

Others	0	0.00	3	23.07
Total	13	100.00	13	100.00

Occupational status of the victims, when trafficked and when interviewed, represents their lower socio-economic background. Table 4.1.4 shows the statistics respectively. Thus, we can see that among the victims, 61.54% were students prior to trafficking currently which raised to 69.23%, none of their occupation were small business prior to trafficking but now 7.70% are doing so, 15.40% of them were housemaids prior to trafficking but now they shifted to another occupation.

- **Income**

We tried to understand the economic condition of the victims. So we looked into the monthly income of the respondents and their families. The following tables show the data.

**Table 4.1.5**  
**Monthly income of the respondents prior to trafficking**

Income (Rupee)	Frequency	Percentage
Nil	09	69.23
0-200	03	23.07
300-500	01	7.70
Total	13	100.00

**Table 4.1.6**  
**Monthly income of the family of the respondents prior to trafficking**

Income (Rupee)	Frequency	Percentage
1000-1200	09	69.23
1201-1500	03	23.07
1501-2000	01	7.70

Total	13	100.00
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According to the above two tables, majority of the victims which is 69.23% had no income prior to their move. One of the hidden causes is that eight (08) of them were disabled children. The monthly income of their families was also lowest according to the category of income presented in the table.

**Table 4.1.7**  
**Monthly income of the respondents in the place of destination**

Category	Income (Rupee)	Frequency	Percentage
Begging in Middle-East	15000-20000	08	61.54
Prostitution in Middle-East	40000-50000	03	23.07
Prostitution in India	10000-15000	02	15.39
Total		13	100.00

The above table shows that the victims had a very good income in the place of destination. But they said that they were not beneficiaries of that income as the money was not in their hands. Their employers mainly enjoyed the income.

**Table 4.1.8**  
**Monthly income of the respondents (Current)**

Income (Rupee)	Frequency	Percentage
Nil	02	15.38
400-500	3	23.07
600-800	6	46.15
1500-2000	2	15.40
Total	13	100.00

**Table 4.1.9**  
**Monthly income of the family of the respondents (Current)**

<b>Income (Rupee)</b>	<b>Frequency</b>	<b>Percentage</b>
1200-1500	02	15.38
1800-2000	3	23.07
2500-3000	6	46.15
3500-4000	2	15.40
Total	13	100.00

The above two tables show that the current economic condition of the victims of trafficking and their families continues to remain poor. We can see from the tables that their move had virtually no impact on the development of the economic condition of their family because, they were unable to send remittance.

#### **4.2. Factors that contributed to their trafficking**

- ***Supply Side***

There are certain factors from the supply side that pushing the children and women in trafficking. This study finds the following casual factors that contributed to trafficking of women and children:

- a) Poverty
- b) Secondary status within the family.
- c) Unfamiliar relation with the family members.
- d) Customs like dowry
- e) Discrimination against socially marginalised classes
- f) Displacement
- g) Family preference to the male child

- h) Customary prostitution among certain tribes
- i) Religious sanction like *Devdasis*.

- ***Demand Side***

This study finds the following factors and sectors that create demand of trafficking in women and children:

- a) Urban households requiring cheap domestic labour
- b) Industries that require cheap labour and nimble fingers at work such as matches, fireworks, carpet making, country cigarette manufacture, gem polishing etc.
- c) Demand for young girls in prostitution.

According to a current study (India) of the approximate 9,00,000 prostitutes, some 30% are children. And the number of girls below 14 years engaged in prostitution is increasing at the rate of 8.10% per annum. The following three causes are lying behind this:

1. It is easier to force them into submission with use or threat of physical violence.
  2. A myth that sex with virgins is a sure cure for impotence and STDs, is very strong in these parts of the world.
  3. The fear of HIV/AIDS has raised the demand for very young girls in the mistaken belief that they present a much lower risk of infection.
- d) Children are being used as attractions in sex tourism.
  - e) Demand for young children as camel jockeys in the Middle East.
  - f) For the purpose of begging in temple towns and even in Mecca and other Gulf countries. Among our 13 interviewees, 9 of them were involved in begging and

4 of them were involved in prostitution after becoming trafficked victims. Table 4.2.1 shows the statistics.

**Table 4.2.1**  
**Occupation after becoming trafficked victims**

<b>Category</b>	<b>Frequency</b>	<b>Percentage</b>
Begging	9	69.23
Prostitution	4	30.77
Total	13	100.00

#### **4.3. Decision to move**

But the thing is the above causes do not always bound children and women to move out of the family, rather some times they willingly do it and as a result becomes victims of trafficking. According to this study, 69.23% victims' movement was voluntary movement and 30.77% victims were compelled to move. This statistics has been shown in table 4.31.

**Table 4.3.1**  
**Decision to move**

<b>Was the move voluntary?</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	9	69.23
No	4	30.77
Total	13	100.00

#### **4.4 Modus operandi of trafficking**

Actually, there is no statistical data are available on who are the traffickers or the parties to the process. This study, however, finds that generally family, friends, lovers and even parents, labour contractors, someone who promises marriage or actually gets married to later traffic the victim, are the parties in the process. This study also finds that the traffickers work in collusion with the police, pimps, politicians, rich businessmen and family members. In the process, the women and children are kidnapped or sold directly for payment/recruited under the garb of legitimate employment with the promise to send huge money on a monthly basis.

#### **4.5. Security concerns of trafficked in persons**

Trafficked in persons are very much vulnerable and insecure in many ways. This research paper, however, has examined the security concerns of trafficked in persons into four major aspects:

- Security concerns in the place of destination,
- Security concerns after rescued and returned in the place of origin,
- Health insecurity.

These points are described hereinafter.

##### **• Security concerns in the place of destination**

We have asked our respondents that what problems they faced in the place of destination. In reply, we got different categories of responses, which has been presented in the table 4.5.1.

**Table 4.5.1**  
**Problems faced by the victims in the place of destination**

Category	Frequency	Percentage
Unfamiliar environment	1	7.70
Alienation from family and friends	2	15.40
Virtual imprisonment	3	23.07
Physical insecurity	1	7.70
Wage insecurity	1	7.70
All of the mentioned	5	(approximately) 38.43

Total	13	100.00
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The data given in the table shows the sources of insecurity for the trafficked in persons in the place of destination. Five categories of problems have been mentioned in the table, which a victim of trafficking generally faces in the place of destination. We, however, can see, on one hand, 7.70% interviewees felt physical and wage insecurity and according to them the environment in the place of destination was unfamiliar. 15.40% felt alienation from family and 23.07% felt that they were virtually imprisoned. On the other hand, approximately 38.43% respondents mentioned that they felt all of the five categories of insecurity in the place of destination.

We also asked the interviewees about the greatest insecurity in the place of destination and all of them replied that it was both workplace and home. This study finds that the nature of insecurities at workplace is included violence by employers, violence by customers, sexual abuse, non-payment of wages and mental torture. 30.77% interviewees said that the nature of insecurity at the workplace was sexual abuse. On the other hand, 69.23% interviewees said that the nature of insecurity at the workplace involved Violence by employers & customers, non payment of wages, mental torture. Table 4.5.2 shows the statistics.

**Table 4.5.2**  
**Insecurities at workplace**

Category	Frequency	Percentage
Violence by employers & customers, non payment of wages, mental torture	9	69.23
Sexual abuse	4	30.77
Total	13	100.00

In reply to another question, the interviewees said about the sources of insecurities at home. 69.23% interviewees said that violence, intimidation and harassment were the principal sources of insecurity at home. On the other hand, 30.77% respondents said that sexual abuse was the main source of insecurity at home. Table 4.5.3 shows the data.

**Table 4.5.3**  
**Insecurities at home**

<b>Category</b>	<b>Frequency</b>	<b>Percentage</b>
Violence, intimidation, harassment	9	69.23
Sexual abuse	4	30.77
Total	13	100.00

This paper finds that on one hand, sexual abusing at home in the place of destination is one of the common problems to those victims of trafficking who are forced to prostitution. On the other hand, other kinds of violence, harassment and intimidation at home in the place of destination are common problems to those trafficked in persons who are forced to begging.

This paper also finds that the following security concerns remain common to every trafficked in person in the place of destination.

- a) Poor nutrition, unhygienic living conditions.
- b) Non payment of wages due to the absence of formal contact between the employer and the trafficked in person.
- c) Debt burden.
- d) Use of physical violence.
- e) Alien environment and unfamiliar language and culture that serves as an effective deterrent to her plans of escape or for help.
- f) The constant threat of or actual sexual abuse and exploitation.

- g) Sometimes they fall prey to or are induced towards drug abuse.
- h) Total neglect of their health, education and other basic rights.

- **Security concerns after rescued and returned to the place of origin**

The victims of cross-boarder trafficking are remaining vulnerable to their society even after rescued and returned to their respective place of origin. This time, rather, they are more insecure in some cases in comparison to their position in the place of destination. To learn about their concerns, we have asked several questions to the victims of trafficking. In reply they have unfolded various aspects of their concerns. These have been presented in the subsequent tables.

**Table 4.5.4**  
**Present financial security**

<b>Higher than pre-trafficked state</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	3	23.07
No	10	76.93
Total	13	100.00

Table 4.5.4 shows the statistics about the financial security of the rescued or returnee victims of trafficking. We asked the interviewees, whether their' present financial security was higher than pre-trafficked state or not. In reply only 23.07% respondents said yes and 76.93% respondents said no, which were three multiple larger than the first. It means still they are financially vulnerable.

Another security concern for the rescued or returnee trafficked in persons includes their social status. Indian society, especially in the West Bengal dose not easily except victims of trafficking. Even in many case victims' family rejects their

accession to the family. Table 4.5.5 shows some data on social security of the trafficked in persons after rescued and returned in the place of origin.

**Table 4.5.5**  
**State of current social security of the returnees**

<b>Enhanced than pre-trafficked period</b>	<b>Frequency</b>	<b>Percentage</b>
Yes	4	30.77
No	9	69.23
Total	13	100.00

The respondents were asked that whether their' current social security had enhanced than pre-trafficked period or not. We can see in the table that 69.23% respondents said no in reply and only 30.77% respondents said yes. Noting that, these 30.77% respondents were representing those, who had been involved in begging in the place of destination and whose parents had involved in some extents with their trafficking. However, the causes of this enhancing of social security of the trafficked in persons have described in table 4.5.6.

**Table 4.5.6**  
**Causes of enhancing social security**

<b>Category of causes</b>	<b>Frequency</b>	<b>Percentage</b>
Financial Independence	2	(approximately) 15.37
Increased self confidence	1	7.70
Increment of social status	1	7.70
Total	4	30.77

According to the above table, among of 30.77% respondents, 15.37% respondents said that their social security had been enhanced, as they became

more independent financially. One respondent, representing 7.70% of total respondents said that her self-confidence has increased. Another respondent representing 7.70% of total respondents said that his social status had been increased, as his neighbours had known him as 'Haji'. This case is really interesting. The boy had been trafficked to Mecca, Saudi Arabia when he was merely a child, and he had used to beg over there. But his village neighbours believed when he had been in Mecca, he performed the holy 'Haj' (the Islamic pilgrimage).

In an another table we can, however, depict the causes of current social insecurity of the trafficked in persons rescued and returned in the place of origin.

**Table 4.5.7**  
**Causes of social insecurity**

<b>Category</b>	<b>Frequency</b>	<b>Percentage</b>
Social rejection	6	(approximately) 46.17
Stigmatisation	3	23.06
Total	9	69.23

Table 4.5.7 shows that a total of 23.06% interviewees said that their social insecurity has increased as the society rejected them. Another 23.06% interviewees said that they had become more vulnerable social stigmatisation.

So, we can say that in general the victims of trafficking are socially unsecured in various ways in the post trafficking period in his place of origin.

- **Health Insecurity**

This is one of the crucial security concerns of the victims of trafficking. In our study, we, however, found that two (02) respondents were HIV infected among the

13 victims of trafficking in total. These two were forced to prostitution. According to their statements, they got infected by their foreign customers. Others were sick seasonally and they had no serious diseases in the place of destination. But they said that none of them got proper treatment in the place of destination while they were sick.

#### **4.6. Attitude of the State towards the victims**

This study finds that the attitudes of the receiving sending states towards the victims of trafficking are not questionable. They act according to their state's law. In our study we have found no cases where the receiving states misbehaved with the victims. But still some of the states have a few scopes to change their approach to the victims.

States attitudes towards trafficked in persons are mainly revealed through attitude of the law enforcement agencies. And in this study, we have found, the attitudes of the Indian law enforcement agencies, which is the place of origin, are questionable to the victims. While we were talking to the representatives of the NGOs, they told us that the attitude of the Indian police and other law enforcement agencies are going to be changed positively to the trafficked in persons. But while we were talking to the victims, they told us that still the attitude of the police and other law enforcement agencies are intolerable. According to the statement of the victims, Indian law enforcement agencies never showed any respect towards them. Even if the victims raised questions on the attitude of the lower Court of India. One of such kind of incidents was revealed by one of our respondents from SANLAAP shelter home. She told us that when the police arrested her with some other call girls, they took them to the custody and scolded and beaten. Police charged them for involving in unsocial activities without hearing their sorrows. Then their blood has been tested in order to identify the HIV positive sex workers. She, however, was found as an HIV positive person. Later the police took her to the court in charge of prostitution without license but the Judges virtually gave them no option to say anything, they showed no sympathy to her, rather they scolded her saying that she contaminating the HIV/AIDS in the society.

This study finds that on one hand, the victims of trafficking did not get any State support upon their return. On the other hand, the State of India treats the trafficked in women and children as a threat to security.

## **5. National Action in Combating Trafficking in India**

The Government of India is currently seriously considering ratifying the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, which was adopted by the UN General Assembly in May 2000. It has started the process to ratify the ILO Convention (No. 182) on the Worst Forms of Child Labour (sale and trafficking of children is considered a slavery-like practice and is forbidden by Convention 182). The Government is also in the process of ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Crime.

Within its borders, the Government of India has followed up the World Congress against Commercial Sexual Exploitation of Children at Stockholm by--

- Drawing up a National Plan of Action (in 1998) and constituting a National Advisory Committee to combat trafficking, rehabilitate victims of trafficking and commercial sexual exploitation and improve legal and law enforcement systems to strengthen the fight.
- Setting-up State Advisory Committees on Trafficking for the same purpose, devolving authority and seeking to mobilise greater State resources in the fight against trafficking.
- Reviewing the existing legal framework including the Immoral Trafficking Prevention Act (ITPA), Indian Penal Code (IPC) and enacting the Juvenile Justice Act (JJA) 2000 and the Indian Information Technology Act, 2000 which declares online pornography a punishable offence (Section 67).

- Undertaking regional efforts, in alliance with NGOs, to create greater awareness of the dimensions of trafficking and increase sensitivity to victims among government departments, the police and judiciary, as well as within civil society at large.
- Enacting legislation to prohibit *Devdasi* and *Jogin* traditions of sexual exploitation.
- Profiling NGOs that are engaged in tracing trafficking and helping to rehabilitate victims.
- Creating schemes of assistance for NGOs to combat trafficking in source areas, traditional areas and destination areas through efforts to prevent, rescue and rehabilitate.
- Initiating a new scheme called SWADHAR for women in difficult situations applicable to victims of trafficking.
- Co-operating with the Asian Development Bank to conduct a survey on regional cross-border trafficking.

In addition, the National Human Rights Commission (NHRC) of India, in association with UNIFEM, has initiated a survey of trafficking, across national boundaries and within the country. The study will also investigate the causal and behavioural aspects of all agents in trafficking.

The NHRC, together with the National Law School, is also engaged in preparing manuals for judicial officials, focusing particularly on the judges at the district and *taluka* (lower administrative block) levels. The Government of India, jointly with UNICEF is simultaneously preparing a similar manual for police personnel. The Government, in association with Tata Institute of Social Science, is also creating a manual for training social workers in dealing with issues of trafficking. Alongside, the Department of Women and Child Development (DWCD) of the Union

government is considering a manual to sensitise medical professionals, against focusing on audiences at the district and taluka levels.

But perhaps most significant for those at the ground level, the government has begun the process of creating a network of special police officers to monitor trafficking.

However, the modalities for setting up a monitoring agency, as suggested by Radhika Comaraswamy, Special Rapporteur on Human Rights appointed by the UNHCHC, are still being deliberated. The government is also in the process of finalising the norms for a National Commission for Children and drafting a Policy and Charter for Children, ensuring children's right to survival, health and nutrition, care and education...and to be protected from exploitation.

Certain landmark legal cases have influenced the government decisions and plans of action, for example in the 1990 case of *Vishal Jeet vs. Union of India*, in which the Supreme Court directed the government to undertake steps much in keeping with the Comaraswamy recommendations that came nearly a decade later. In the 1997 case of *Gaurav Jain vs. Union of India* too, the Supreme Court directives echoed the same sentiments.

The former case led to the government constituting the Central Advisory Committee on Child Prostitution in 1994 and the latter to the formation of the Committee on Prostitution, Child Prostitution and Child Prostitutes in 1997 which formulated the National Plan of Action.

Government and NGOs alike are paying increased attention till now to the linkages between poverty and trafficking for purposes other than sexual exploitation. As with trafficking for sexual exploitation, the numbers of victims are not known. The trafficking in young boys as jockeys for camel racing, from Bangladesh via India to West Asia is by now well known, and believed to have been stopped. But the numbers of young women, some below 18, who are illegally trafficked as domestic maids, are only suspected.

## 6. Conclusion and Recommendation

Trafficking in women and children is the gravest form of abuse and exploitation of human beings. The co-modification of human beings, a clear component of trafficking, is the extreme manifestation of human exploitation. The abusers, including the traffickers, the recruiters, the transporters, the sellers, the buyers, the 'end-users' etc. exploit the vulnerability of the trafficked person. Recent trends show alarming increase of trafficking in women and children, particularly of the girl children. It is said that human trafficking has become more lucrative than illicit trade in weapons.

Trafficking in human beings takes place not only for sexual exploitation but also for other types of exploitation. The sexual exploitation category includes trafficking for prostitution, commercial sexual abuse, paedophilia, pornography, cyber sex, and different types of disguised sexual exploitation that take place in some of the massage parlours, beauty parlours, bars, and other manifestations like call-girl racket, 'friends-clubs' etc. Non-sex-based trafficking could be for different types of servitude, like domestic labour, industrial labour, adoption, organ transplant, camel racing, marriage related rackets etc.

### ***A look into the existing scenario of law enforcement***

Police is the main law enforcement agency in India. However, labour laws do fall under the domain of the labour department. Similarly JJ Act and other social legislation expect positive intervention from the Department of Welfare, Department of Women and Child and the Department of Home. Let us take a look at the figures reported in the publication 'Crime in India 1999' published by the National Crime Records Bureau, New Delhi.

*The total number of persons arrested*

*under ITPA in India during 1999:*                      14799

<i>Number of males</i>	<i>1574 (10.6 % of the total)</i>
<i>Number of females</i>	<i>13225 (89.4 % of the total)</i>

Why 90% of arrested persons are females? Moreover the number of women arrested under ITPA in the following states is largely disproportionate to the number of men arrested, and is much more than the national average. (Source: *Crime in India, 1999*)

<b><i>State/City</i></b>	<b><i>Total No. of arrests</i></b>	<b><i>No. of women arrested</i></b>
<i>Karnataka</i>	<i>2557</i>	<i>2272</i>
<i>Maharashtra</i>	<i>2149</i>	<i>1980</i>
<i>Tamil Nadu</i>	<i>6567</i>	<i>6495</i>
<i>Uttar Pradesh</i>	<i>130</i>	<i>104</i>
<i>West Bengal</i>	<i>134</i>	<i>115</i>
<i>Delhi</i>	<i>193</i>	<i>161</i>
<i>Pondicherry</i>	<i>126</i>	<i>90</i>
<i>Chennai City</i>	<i>3349</i>	<i>3349</i>
<i>Bangalore</i>	<i>867</i>	<i>804</i>
<i>Coimbatore</i>	<i>266</i>	<i>266</i>
<i>Mumbai</i>	<i>2008</i>	<i>1901</i>
<i>Surat</i>	<i>605</i>	<i>505</i>

Except Assam, Bihar, Haryana, Jammu & Kashmir, Madhya Pradesh and Punjab, other states had arrested more number of women than men. However, the Crime in India does not specifically explain the reasons for the less number of female arrestees in these states either. It is, therefore, matter of study.

## ***Recommendations***

Effective implementation of the existing law requires several steps, which include the following:

- ❑ Sensitisation of all concerned in the criminal justice system, including judicial officers, prosecutors, medical experts and trafficking related police officers.
- ❑ Proper training of all the concerned people on the latest provisions of trafficking related laws, rulings of the Supreme Court and High Courts, child friendly procedures, gender sensitive procedures etc.
- ❑ Partnership with the NGOs must be ensured through the notification of the Advisory Body and their involvement in law enforcement, rescue, prevention, counselling, rehabilitation, reintegration, social empowerment etc.
- ❑ Ensuring accountability of law enforcement agencies and other related agencies.
- ❑ Prevention of trafficking should not only involve. This involves not only preventive steps of law enforcement but also address the vulnerability factors, including development, economic empowerment and social empowerment of women and children.
- ❑ Human Rights approach in dealing with the issues: The Human Rights of trafficked persons should be at the centre of all efforts in preventing and combating trafficking and all measures taken to protect, assist and provide redress and relief to victims. Therefore, law enforcement, preventive actions and anti-trafficking measures should be such that they keep in perspective the Human Rights and dignity of survivors and vulnerable sections of the society.

- Holistic approach in rescue, rehabilitation and reintegration of victims.

### ***The Holistic Model***

Holistic connotes multi-dimensional, multi-centric and yet integrated approach in dealing with the issues concerned. In context of victims of trafficking, usually addressed as survivors, this signifies much more than the immediate requirements of an ordinary human being. It calls for specific and detailed attention to the trafficked victim, with a Human Rights perspective, embedded in a rehabilitative paradigm.

In order to comprehend the requirements of a holistic policy, one needs to understand the very needs of the survivor. In fact, based on the experiences of law enforcement, coupled with that shared with the survivors and the NGOs concerned, the needs of the survivor could be arraigned in a '**need hierarchy**'. The hierarchy, starting with the most important need, is shown as below:

- Psychological relief, especially with respect to empathetic hearing, emotional integration and de-traumatisation.
- Physical relief, which includes getting out of the messy ambience, wearing proper apparel and transportation to an appropriate, safe place.
- Attention to other Human Rights concerns, like safety/protection, privacy, freedom to speak out etc.
- No re-victimisation.
- Social reintegration, especially in the context of possible social ostracism by the community.
- Protection against harassment and harm (fear of reprisal) from the abusers or his accomplices
- Exemplary punishment of the abuser, conspirator, abettor, etc.

- Economic assistance and economic rehabilitation

The list is not exhaustive, but is illustrative. There could be many more needs and requirements and the priority also may change with reference to the context and the individual concerned.

### ***Rationale for a holistic approach***

Concerted efforts, made in an integrated manner, form the essence of a holistic approach. Since this approach addresses all aspects in their entirety, the correlation of these factors contribute to the cumulative outcome in the best possible way, keeping in view the best interest of the survivor. The following are a few of the benefits that would accrue from a holistic approach:

- Facilitates the best interest of the victim, keeping in view the need hierarchy explained above.
- Ensures that the actions and activities are in tune with the rights of the survivors.
- Provides adequate focus to the different and special needs of the survivors, who have been debased and traded like commodity.
- Facilitates simultaneous involvement of the entire system and, thereby, the survivors can hope to get the best possible services.
- Alerting and activating the community means creating public awareness which, in turn, would contribute to prevention of trafficking and prevention of re-trafficking of the survivors.
- The law enforcement machinery gets sensitised and activated. The co-operation of the other stakeholders facilitate proper and timely law enforcement, which could, in turn, help to combat the organised nexus and

rackets in trafficking. This would also contribute to the efficiency and effectiveness of the criminal justice system.

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## **Appendix: Selected Case Studies**

### **Case study 1**

This is a sad story of a village woman. Let us call her Rahima. She was a girl of 16 and very poor when trafficked. She lived in a small hut and used to work in the neighbours hut.

Her employer who she called her uncle's daughter lives in Saudi Arabia. The Uncle was the middleman, and a trafficker from Saudi Arabia rang and promised money and jewellery and a better life, and she was eventually persuaded to leave her homeland, and went without informing her mother. She went to Mumbai by train and then was put on a plane to Saudi Arabia where the middle man received her. The first week went fine, and she received very good treatment. But after seven days she was forced to do sex work, and was beaten if she tried to resist, she had to satisfy 10-12 customers a day.

She had to take special drugs to make her fat to attract customers, and was constantly under surveillance, she managed one day to escape and found a bank where she met some Indians They told her to go the police who put her in jail for 2 weeks. Then with the help of the embassy she was sent home to Mumbai. She had to beg in Mumbai to earn money to get back home.

Once she got home local journalists came to her and she filled a police case. The Middleman threatened her and she was afraid, the case is still pending. She was afraid to talk to us and indeed, the middle man was hanging around and also threatened us.

## Case Study 2

Sakina lived in a remote village of Murshidabad. She was a housewife and she was passing her days happily. But one day she burnt herself while she was cooking. After recovering, she found that most of the part of her body had burnt. She became ugly and unable to hard work. As a result her husband married another woman as he was unhappy to live with a burnt wife like her. She did not demonstrate rather controlled herself to the decision of her husband, as she thought that she really became unfit for the family.

One day one of the village people came to their home and said to her " I know you are thinking that you are good for nothing for your family but do you know you can contribute to your family by earning a lot of money? And, in this way you can improve the economic condition of your family." In reply, she smiled and said that it was totally impossible for a disabled person like me. But that man denied her excuse and proposed her to go for begging in Middle East. At the outset Sakina refused his proposal in apprehension of impossibility. The man, however, never mined and used to come frequently. Finally, the villager, who actually was an active member of the trafficking network existing at that village, succeed to manage her and her family's consent to his proposal. It was the then prevailing bitter condition of her life, which hasten her to take the decision to go abroad for begging.

Then came the question of traveling cost. She did not have enough money in her hands to travel outside the country. That why she fell into deep thoughts on how she could manage her traveling cost. But the trafficker assured her that it would not be a problem. He said to her "I shall bear your traveling cost and may pay me later when you will earn a lot." So she had to pay and did nothing in the process. The trafficker did everything including getting passport and visa. He managed a Hajj Visa and made her his sister. In this way during the Hajj he was trafficked her to Saudi Arabia for begging.

Sakina had a lot of sufferings in the place of destination. The trafficker sold her to an Arabian man whose business was to rear beggars for begging. She had to work 10 to 12 hours per day but got to have only two meals. According to her statement she earned a good amount of money per month, which was equivalent to 12000 Indian Rupee. But she could not remit home as her employer took all her income. Her main source of insecurity was the police, as she knew that her profession was illegal. One-day police raided the area where she was begging along with other partners. Everyone escaped but she failed and had been caught by the police. Then the police sent her to jail where she had been treated normally. After a few months the Saudi authority sent her to India.

The trafficker by this time gave some money to her husband, which did not realize the promise he made but was a handsome amount. Her family members were happy with that money. Though she got nothing sustainable for herself with the experience of trafficking although she have not been found unhappy.

### **Case Study 3**

Mini (not the real name) was 12 years old, unmarried, unemployed when trafficked. She did not receive any formal education at that time. Her relationship was good like with her family members prior to her move and she got well along with her neighbours too.

She did not have any income too. The economic condition of her family was very poor. This situation compelled her move. In the hope of earning a better livelihood her mother motivated her to move. But it was actually an external factor what influenced her decision to move. One of the villagers who was actively involved with the trafficking network approached her. The man promised to Mini's mother that if she allowed her child to beg in Saudi Arabia, she could earn 10,000 Indian Rupee per month. Moreover, he promised to render immediately some gold ornaments to her. The whole family was very much happy at the proposal.

She undertook the journey from home with a group of 5 people including the person who made the offer and helped others find job abroad. The composition of the group was mixed, including both male and female. Everyone in the group was from her community and were well known to her. The group seemed organised in the sense that they operated under some kind of leadership. She, however, had to make no payment in the process.

She travelled from her home to the place of destination by air and by public carrier. She was scared but treated well during her journey. She, however, did not try to seek help from anyone as it was known to her where and why she is going. No law enforcement agencies stopped her as she had her passport. But she did not know whether the passport was fake or legal.

After reaching in the place of destination, i.e., Saudi Arabia, she faced a lot of problems including unfamiliar environment, alienation from family and friends, virtual imprisonment, physical insecurity and wage insecurity. At home in the place of destination she experienced the greatest insecurity where her employer was used to beat her regularly. And, in the street, police was the principal source of insecurity. As her job was illegal and she had no formal contract with her employer for her work. She had to work 12 hours in a day and she did not get any time to rest. She earned handsome money per month which is equivalent to nearly 12000 Indian Rupee but she could not remit any part of her earnings from the place of destination. Her employer had taken all of her earnings. Things were going in this way for about one year.

One day the police arrested her as she failed to show any legal documents like passport or visa. The police took her to custody but did not torture. Then the Saudi Police contacted with the Indian High Commission to arrange her return. In this way she returned home and she was happy upon her return. Her family and community also received her gladly. She, however, did not get any medical support, counselling and legal aid, and employment opportunities, while in Saudi Arabia.

Now Mini is 17 years old. She is still unmarried and unemployed. She was trafficked with new hopes and aspiration but trafficking had no positive impact to her family as still the economic condition of her family is still not well off. Her experience of trafficking enhanced no social status rather it worsened her social position.

#### **Case Study 4**

Lakshmi was 10 years old when she went to Mumbai from a village of Uttar Pradesh with her mother. Her mother was in acute trouble after her father's death, as the man left no property and wealth for his family. As a result they got to have hardly once a day with the help of the relatives. In this circumstance, her mother was frantically looking for a job. It was, however, very difficult to find a suitable job at that rural area.

One day a "kind" village man (trafficker) proposed her mother to provide a job in Mumbai. At the outset her mother was confused about the offer. But later she had no alternative but to agree with the proposal. The trafficker took Lakshmi and her mother to Mumbai port. The man sold them in a nearby brothel locally called as Kamathipura.

She had to take first client at the age of 12. Sometimes she and her mother had to entertain the same client. According to her statement there were many teenage prostitutes at Kamathipura. There was no protest by local people or, no timely rescue by police.

Days were miserable for Lakshmi and her mother at the brothel. They had to work almost everyday. They earned a handsome amount but could not enjoy a different life style. They had to pay a lot to the owner of the brothel. They lived in a tiny room with two other prostitutes. When a client came, others left the room or joined accordingly. Sometimes they had to go with their clients outside of the brothel but they had virtually no way to flee. When they became ill, they had little scope for

treatment. Her mother died in a road accident when she was 14. In the mean time a client with HIV infected her. She always tried to flee from the brothel. Later she was rescued by some of the NGO personnel. Presently she is residing at a SANLAAP's shelter home. She likes to watch television.

### **Case Study 5**

Farid was only 8 when he had been trafficked. He was then a student and studying grade I. Later he, however, studied up to grade IV. He could not recall the exact figure of the monthly income of his family prior his trafficking, as he was a mere boy at that time. But he could recall that the economic condition of his family was very bad at that time. Total number of his family members was eight (as in members belonging to the same household unit and eating at the same hearth). There was none, except him, in his family who has been trafficked or migrated abroad. He had a good relationship like with his family members prior to his move. He also got well along with his neighbours and he had some friends in his community.

Farid's move was voluntary. Due to extreme family poverty he got tempted by an offer made by one of his relatives. The man who approached him promised that he will have well paid jobs in the place of destination and 5000 Indian Rupee in cash before leaving the place of origin. His family was happy at the proposal. At the outset, he was not very much interested to move. It was his parents who thought that his move could be positive in betterment of the economic condition of his family. However, finally he became interested to move.

He undertook the journey from home with individuals who have already made similar trips but he did not have to make any kind of payment in the process. There were five males in the group including him but no one in the group from his community or village. The group seemed organised in the sense that they operated under some kind of a leadership. He travelled by train from his village to Kolkata. Then he moved by bus from Kolkata to Mumbai. Finally he went by air, which was a public carrier, from Mumbai to Saudi-Arabia. During the journey he

was treated well but the state of his mind was scared at that time. He did not try to seek help from anyone, as it was a voluntary move.

After landing in the place of destination, i.e., Saudi Arabia, he faced no insecurity except the police. At home in the place of destination he was ok. But, in the street, police was the principal source of insecurity as his job was illegal. He had to work 8-10 hours in a day. He, however, got time to rest during work hours. He earned handsome money per month which is equivalent to nearly 10000 Indian Rupee but He could not remit home any of his earnings from the place of destination. His employer had taken all of his earnings. Things were going on in this way for about two years.

Finally, the police arrested him as he failed to show any legal documents like passport and visa. The police took him to custody but behaved normal. He was in jail for about three months. Then the Saudi Police sent him to India through Indian High Commission in Saudi Arabia. In this way he returned home but he was not so happy upon his return. He thought that he was better off in Saudi Arabia. His family and community, however, received him gladly when he returned. He did not get any medical support, counselling and legal aid, or even employment opportunities from the government of India.

Now he is 20 years old and unmarried. Still he has no income as he has no occupation at all. He is planning to join with his brothers in Kolkata where they are working in a garment factory and doing embroidery. Currently, the monthly income of his family is 3000 Indian Rupee, which is better of than the condition prevailing prior to his trafficking. According to his statement, trafficking had a better impact on food, housing, health and security of his family.

### **Case Study 6**

Malek was 10 years old and unemployed when trafficked. He was in grade III at that time. His relationship was good with his family members prior to his move and he also got along well with his neighbours. He had some friends too in his community. But the economic condition of his family was not so good and they barely could manage their meals twice a day. This situation compelled him to move. The hope of earning a better livelihood his family members motivated him to move. But it was actually an offer by another person that influenced his decision to move. One of the village people who actively involved with the trafficking network made the approach. The man promised to his family that if they allowed Malek to beg in Saudi Arabia, he could earn 12,000 Indian Rupee per month. Malek's family was very much happy about promises that were made.

He undertook the journey from home with a group of 4 people including the person who approached him. The composition of the group was mixed, including both male and female. Everyone in the group was from his village. The group seemed organised in the sense that they operated under some kind of leadership. He, however, did not make any payment in the process.

He travelled from his home to Kolkata by state bus, and from Kolkata to Mumbai by bus too. Then he travelled from Mumbai to the place of destination by air. He was a little bit scared but felt well during his journey. He, however, did not try to seek help from anyone as it was known to him that where and why he was going. No law enforcement agencies stopped him as he had passport and visa. But he did not know whether the passport was fake or legal.

After landing in the place of destination, i.e., Saudi Arabia, he faced serious problems including unfamiliar environment, alienation from family and friends, virtual imprisonment, physical insecurity and wage insecurity. He experienced the greatest insecurity at home in the place of destination, where his employer had used to beat him. The police, however, was the principal source of insecurity at the street as his employer took his passport. He had to work 10 hours in a day and he did not get any time for rest during work. He earned a good amount of money per month which was equivalent to nearly 12000 Indian Rupee but he could not remit home any of his earnings from the place of destination, because

his employer had taken all of his earnings. Things were going on in this way for about one and half year.

One day he was arrested by the police as he failed to show any legal documents like passport and visa. The police took him to custody but behaved well. Then the Saudi Police contacted with the Indian High Commission and requested to take him to home. In this way he returned home and he was happy upon his return. His family and community also received him gladly when he returned. He, however, did not get any medical support and employment opportunities, as others trafficked in person like him did not get too.

Now Malek is a young man of 20 years. He is unmarried. He is not engaged with education and he is still unemployed thus his current monthly income is nil. He moved to earn a better livelihood but trafficking had no positive impact to his livelihood strategy as still the economic condition of him and his family is not well off. His experience of trafficking enhanced no social status rather it worsened the social position of his parents as village people say them greedy parents, who did not hesitate to sell his son to live better.