

Curbing Human Trafficking—Need for Collective Effort

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Creating an awareness of gender issues among women, sharing information with them on related laws and legal rights, and building their confidence to demand action, as a collective, from the officials are some of the ways by which the heinous crime of human trafficking is being addressed in the tribal areas of Madhya Pradesh

INTRODUCTION

Human trafficking is prohibited by domestic and international laws, and yet thousands fall victim to the organized crime of human exploitation. Trafficking of women and children is a grave crime, extending beyond boundaries and jurisdictions. Capitalizing on economic desperation, low levels of literacy, and deep-seated gender inequality, traffickers prey on individuals most vulnerable to exploitation.

The Trafficking Protocol is an international agreement under the UN Convention against Transnational Organized Crime (CTOC), signed on 25 December, 2003. It defines human trafficking as “the recruitment, transfer, transportation, harbouring and receipt of persons, by means of blatant force or violence, or subtle inducements that capitalize on an individual’s vulnerability to achieve consent.” It is marked by the intent to coerce, deceive and exploit.

CONTEXT

Human trafficking affects every country in the world, regardless of socio-economic status, history or political structure. Human traffickers cash in on a lucrative international market for trade in human beings, based on the demand for commercial sex and cheap labour.

An estimated 20.9 million men, women and children are trafficked for commercial sex or forced labour around the world today. Victims are trafficked both within and across international borders. Migrants and internally displaced persons are particularly vulnerable.

There is a growing recognition of the links between labour trafficking, the regulation of supply chains, and the power of the consumer to end widespread exploitation by choosing goods that are not tainted by forced or child labour. The US Department of Labour has identified 122 such goods that are produced using forced labour, child labour, or both.

In India, trafficking is a rapidly growing crime, especially for sex trade. In the last decades, there have been thousands of such cases. In 2012, as many as 3,554 incidents of crimes relating to human trafficking were reported in the country, an increase of 1.1 per cent over

the previous year (3,517) and a sharp increase of 17.3 per cent over 2008.

Table 1 lists the details of the reported crimes from 2008 to 2012, along with the percentage variation, year 2012 over 2011.

According to the report of the National Crime Records Bureau (NCRB), 10,493 human trafficking cases were registered and 5,931 persons were convicted, for the period January 2010 to December 2012. These statistics, however, do not tell the real picture because the grass-roots reality is that most cases go unreported; we can, therefore, assume that the figures are much higher than listed.

Table 1: Incidence of Various Crimes under Human Trafficking during 2008–12

No.	Crime	Year					Percentage Variation in 2012 over 2011
		2008	2009	2010	2011	2012	
1	Procurement of minor girls	224	237	679	862	809	-6.1
2	Import of girls from foreign countries	67	48	36	80	59	-26.3
3	Selling of girls for prostitution	49	57	130	113	108	-4.4
4	Buying of girls for prostitution	30	32	78	27	15	-44.4
5	Immoral trafficking	2,659	2,474	2,499	2,435	2,563	5.3
	Total	3,029	2,848	3,422	3,517	3,554	1.1

Source: NCRB, 2012

Table 2: Trafficking in India from 2010–12

Crime	Cases Registered	Cases Charge-sheeted	Cases Convicted	Persons Arrested	Persons Charge-sheeted	Persons Convicted
Immoral trafficking	7,497	6,921	2,789	22,408	21,193	5,931
Buying of minor girls for prostitution	120	85	7	182	139	10
Selling of minor girls for prostitution	351	198	9	450	308	22
Procurement of minor girls	2,350	1,525	103	2,342	2,033	136
Import of girls from foreign countries	175	131	19	348	360	24
Total number of crimes committed under human trafficking	10,493	8,860	2,927	25,730	24,033	6,123

Source: NCRB, 2012

Trafficking in Madhya Pradesh (MP)

Tribals form 20 per cent of the population in MP; of these 97.6 per cent reside in rural areas and are poor. Beset by extreme poverty, the desire for urban life, and a fragile voice and community structure, tribal girls easily fall prey to traffickers. Trafficking is a crime that affects people closely; yet it is not recognized as a crime and not taken very seriously, either by the families or by the police in areas such as Betul, Mandla, Dindori and many other districts of the state.

As per the data of the MP Legislative Assembly booklet, Hifazat, 8,345 children were reported missing in MP in 2011, of which 5,271 were

girls. As many as 3,303 people remained untraced over the year. According to Hifazat, between 2004 and 2011, as many as 65,559 children were reported missing, of which 34,572 were girls. Government records reveal that 10,298 children remain untraced. Of this figure, 40 per cent of the cases of missing children, (of which 37 per cent are untraced), were reported from the 21 tribal districts of MP.

Women and girls are trafficked for the purposes of prostitution, forced marriage and domestic work that often entail sexual abuse. Women and girls are mainly sold as commercial sex

Table 3: Data of Trafficking Crimes in Madhya Pradesh, 2011–12

Crime	Cases Registered	Cases Charge-sheeted	Cases Convicted	Persons Arrested	Persons Charge-sheeted	Persons Convicted
Immoral trafficking	56	55	36	343	343	109
Buying of minor girls for prostitution	2	2	0	5	5	0
Selling of minor girls for prostitution	10	12	3	43	43	14
Procurement of minor girls	59	49	7	76	76	19
Import of girls from foreign countries	56	53	1	207	207	3
Total crimes committed under human trafficking	183	173	47	674	674	145

Source: NCRB, 2012

workers. The skewed sex ratio (because of sex selective foeticide and infanticide) is an important reason for trafficking in states where the sex ratio is very poor, especially in the North Indian states such as Punjab, Haryana and Rajasthan. Many incidents have come to light of women from the poverty stricken belt of India being sold as brides into forced marriages. Young girls and their families are also lured away from home with promises of good jobs, and then placed as domestic help in urban areas for very low wages. This trend is increasing, with the demand for domestic help in urban areas and the unrestricted migration of girls from tribal and poverty stricken areas to distant places. The traffickers lure the girls, promising to marry them or to give them better job opportunities.

The attitude of the police and the administration is, at best, complacent. They do not prioritize trafficking as an offence. In many cases, the victims themselves are harassed and marginalized by the police. The legal framework is not well-defined and the many statutes in The Immoral Traffic Prevention Act (IMTA) create more confusion and, thus, lead to its misuse. Combating and preventing human trafficking requires a holistic approach by all those affected by it. It needs coordinated action on prosecution, prevention and protection, and, above all, awareness among the people, especially the girls and their parents. This rapidly growing heinous crime needs to be brought to light through advocacy. It is as important as rape, and yet there is no policy to deal with it.

According to NCRB, Betul is one of the most-affected districts of the country, in terms of crimes against women. The area reported the highest number of rape cases in the last ten years in India, which itself explains the status of women in this district, where the tribal population is 40 per cent. Many times voices

are raised by civil society organizations, the opposition, women's organizations, etc., but no action is taken on the ground. The biggest hurdle is the response of the police and the administration, which is, by and large, apathetic.

In April 2013, the disappearance of a minor girl and her sister-in-law turned out to be a case of human trafficking. Gitabai, one of the survivors, escaped from the clutches of the traffickers and narrated her story to SHG members. Although she had managed to run away, her minor sister-in-law, Mangli, is still with the traffickers and her whereabouts are unknown.

The SHG members took this matter to the Narmada Mahila Sangh (NMS), which went to the police station to register a case under the appropriate section of the Indian Penal Code (IPC). However, this was not easy because the police refused to register the case. Gitabai's family was threatened by them, resulting in the family having to hide in Itarsi. Despite the non-cooperation and the hostile attitude of the administration and the police, the local Federation was finally able to register the case. However, the police still did not take any action and the offender was not arrested.

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Meanwhile, Gitabai and her family continued to receive threats. NMS then made the matter public and took it to the media. It approached all the officials of the police and the administration, and any other person of influence, who could help resolve the issue. The women leaders of NMS took the

support of the villagers and made it a state-level issue. Finally, two of the accused were arrested and the girl was rescued and brought back home. Investigations in this case, have encouraged people from other villages to seek police action, and 11 more cases have come to light and are now being investigated.

ISSUES WHEN DEALING WITH CASES OF TRAFFICKING

The Attitude of the Community

There have been cases when a girl has eloped with a man and come back after he refused to marry her. The then punishes the girl by forcing her to marry a widower, an aged man, a physically disabled person, etc. If the girl returns after living with someone of a different caste or community, a ritual called Jaat Milauni has to be performed, in which the family of the girl has to lay out a feast for the whole community. This is a huge burden for the family, which already has been through humiliation in the community. Such rituals hamper rescue operations; this is one of the biggest challenges as far as the rehabilitation of girls is concerned. Often, the girls do not return to their village for fear of not being accepted by the community.

GITABAI'S ESCAPE

When we first met Gitabai, she was scared to even look directly at us. Her voice was so low that it was barely audible. Her husband too hesitated to share the details of what had happened. Somtibai, a Community Service Provider, made her comfortable asked her to narrate the chain of events. She spoke of it in bits and pieces and, as with many other victims of trafficking, her story was bloodcurdling.

Gitabai got married to Basant of Jamundhana village in 2008 when she was 18 years old. She gave birth to a daughter after one year of marriage, and to a baby boy after another year. Basant was a daily wage labourer and Gita's in-laws were very poor (they didn't even have their own place to live). Basant was addicted to alcohol, and once inebriated, used to beat Gita. There was sometimes no money at home, even for food.

One summer morning, their relative Kapoor and two people came to her home. Kapoor introduced the two as a bank official and a contractor. They said that they were just passing through Jamundhana and had stopped to drink water. They said they were working in the area and, in passing, mentioned that they were looking to get married but were not finding a proper match. They wanted a girl who was beautiful and young. They asked the family to help them.

This was the first meeting. After that, they began coming to her home regularly. Their way of living, their money and their status overawed Gitabai. Mangli, her sister-in-law, became attracted to one of them called Manoj. Nobody noticed this except Gitabai. Manoj promised Mangli that he would marry her. He then asked her to persuade Gitabai to marry his friend Madan because he was interested in her. He promised her that they would both be well supported.

Mangli shared this with Gitabai, and began to convince her that a better future awaited her with these men. All this happened when Basant was away in Bangalore for work at that time. All the conditions were favourable. One day, the women left their home with Manoj and Madan. On the very first night they were separated, drugged and then raped.

After a few days, Gitabai realized her mistake and asked Madan to let her go back home. Madan insisted that he wanted to marry her. There were other family members of Madan present, who confirmed to her his intentions and also promised her that they would bring her children to her, once the marriage was solemnized. She spent some days there. After a week, the effects of the drugs wore out and she became fully conscious. She started to cry, insisting that she wanted to go home.

Madan told her that that was no longer possible and that she would have to spend her life with him. He then asked his parents to take care of her as she might try to run away. His mother and sisters kept an eye on her. In fact, she had to take her bath in front of them because they would not leave her alone at all. After one month, in mid-December, she

somehow managed to contact her husband, Basant, over the phone and pleaded with him to come and fetch her. She told him she was being held captive in Bhangia village.

Basant contacted Bhaura chowki for help but the police asked for a bribe. After taking money from Basant, they went to Bhangia village and contacted Gitabai. All the family members of Madan insisted that she had come of her own free will and forced her to give a statement stating this; the police returned, unable to bring her back with them.

After a few days of the incident, Madan told Gitabai that they needed to go to Niwai in Rajasthan for a wedding. There she met with another girl from Betul and came to know that they had been brought to Rajasthan, to be sold as brides.

Gitabai pleaded with Madan to take her back and that she would marry him and work like a slave for him. Madan agreed but when he asked the people in Rajasthan to cancel the deal, they refused and locked both of them in a room. The two managed to escape after three days when they were taken out of the room for some food. They ran to a nearby police station. The police gave them Rs 150 for food and put them on a train for Bina station.

They returned to Bhangia on 24 March. Madan asked her to marry him. She said that she was ready but wanted her children with her. On 29 April, Madan agreed, and she contacted her husband to ask for her children. They decided to meet at Gitabai's maternal home in Basaniya, where Basant would bring the children.

Madan decided to go alone for the children. When Madan left home, Gitabai called her husband again and told him that Madan was alone and that he should do something. Basant and two other people of Jamundhana caught Madan when he arrived and asked him to bring back Gitabai. Trapped, Madan called his home and asked them to send Gitabai.

She was lucky to have come back. She then took the assistance of her SHG to find Mangl.

The Attitude of the Police

"Nahin bhaiyya, hamein nahin dhoondna apni ladki ko, agar wahan jayenge to police wale hamein bahut maareng, wo to kismat mein hua to khud hi aa jayegi. (No brother, we do not want to find our daughter. The police will beat us. If we are lucky, she will come back on her own)." This was the response of the father of a girl who had been trafficked. The police had beaten him just because he had wanted to file an F.I.R of his missing daughter.

In Gitabai's case too, instead of registering her case, the police threatened her family, which made them run away from the village. This is the typical response of the police to the community, especially the poor, and in cases of violence against women. Often, the police stand by the oppressor/perpetrator/criminal and work as their agents; and they seem to have enough support from senior officials. The unresponsiveness of the police serves the criminals who then commit crimes without any

fear. To deal with the situation, the first and foremost task is to make the police responsible and sensitive.

The Attitude of the Administration

On 12 April, 2013, around 40–50 women visited the District Collector's office, to follow-up on Gitabai's case. The Collector refused to meet them but then later called them. When NMS members asked him to take action on the case and rescue the minor girl, he flung their application away and asked Gitabai in a harsh tone, *"Kyon, kya kami thi tumhen jo bhag gayin? Do-do bachchon ki amma hokar bhag jaati hain mahilayen aur baad mein aa jaati hain ki ye hua, wo hua. Tera pati kahan hai?"* (What was it that you didn't have that you ran away from home? Even after being a mother of two children, these women run away and then come to us and say that they were abducted. Where is your husband?) He then turned to the husband and humiliated him, *"Kyon kya kami thi tere mein jo teri patni bhag gayi?"* (What was wrong with you that your wife ran away?)

The NMS women asked him to at least listen to the case. He replied, *"Main chehra dekhkar hi samajh jaata hoon do minute mein ki kya sachchai hai; jao achche se likhkar lao apni baat aur S.P. se mil lo, phir dekhte hain ki kya kahani hai tumhaari.* (I can look at a face for two minutes and gauge the truth. Go and write your application properly and meet the SP; then we will see what your story is.)

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The women were highly demotivated and inconsolable after being humiliated so badly. If this is the response of the District Collector, how can villagers expect any issues to be raised or even heard? The people are afraid to go to these officers for fear of humiliation. This brings questions to mind as to what

kind of a country we are living in? What can be done when the authorities are so insensitive? Is there any hope that things will get any better? Which direction are we heading in, as a community? And above all, are we safe?

Initiatives by PRADAN

PRADAN has been working with women's groups in Betul and NMS and has been active in flagging issues of atrocities against women. The issue of trafficking was not brought to light until recently when women spoke about this issue in SHG and Cluster meetings. This took place after the women underwent a series of deliberations and training programmes on issues of gender and equality. Until recently, these cases were treated as elopements, in which women or girls went willingly with the traffickers. Family members too did not make an effort to find the girls who went missing not did they discuss it with other villagers because they feared humiliation. However, now women are raising their voices against the issue and have realized that women and girls are victims of deceit.

Girls who have returned are now being heard. They narrate how they were lured with a promise of a better future, and then sold and resold, beaten, bruised and raped repeatedly. When they somehow escape from the clutches of the traffickers and return home, they are treated as outcastes and humiliated by the villagers and not accepted by their own families.

PRADAN professionals, in their work with women on the issues of gender and their attempt at obtaining equal rights for women, found it difficult not to address the issue of trafficking. Trafficking is a crime and a social issue. Young girls and women are increasingly becoming victims and because no steps have been taken, such cases are on the rise.

To begin with, PRADAN organized meetings with women in 28 villages to understand the problem. There were 13 cases in these villages of girls and women found missing.

PRADAN, now in partnership with other civil society organizations such as Action-Aid and Pradeepan, is conducting a fact-finding study in the area. Although the study is yet to be completed, the facts that are emerging are very disturbing. The context, the trend, the pattern and the responses of the community, the police and the administration about trafficking are becoming clearer. Based on this, PRADAN is formulating ways to approach the issue of trafficking, generating awareness about it as well as helping in rehabilitating victims. Information about each case has been gathered, in order to follow it up further and help the family take it forward.

Many young girls become target, of the traffickers because of their vulnerability. Traffickers are able to manipulate them and lure them with promises of a better future or a better job in the city. The cases that we came across were mostly where the victim travelled willingly with the abductor as she was unaware of his intentions.

The issue of trafficking is not one-dimensional but involves the community and the administration. Many young girls become a target of the traffickers because of their vulnerability. Traffickers are able to manipulate them and lure them with promises of a better future or a better job in the city. The cases that we came across were mostly where the victim travelled willingly with the abductor because she was unaware of his intentions.

PRADAN's approach is to create a favourable environment and put in place mechanisms, to adequately assist and protect the victims of trafficking as well as create awareness among people about such crimes. It is equally important to recognize the need for protecting trafficked survivors as well as sensitizing the community so that the victims are accepted by their families and are able to lead normal lives.

PLANS

Awareness generation and sensitization

- ♦ Generating awareness in NMS members as well as SHGs on the issue of trafficking and its implications on women and young girls. Sensitization and awareness programmes for girls, especially teenagers, through training programmes, posters, films, campaigns and theatre forums
- ♦ Awareness and sensitization of the community through the 'Theatre of Oppressed' forums at the village level, mainly to make people aware of such crimes and to provoke them into taking precautions against them in their village

- ♦ Awareness of the community about social norms that are against women/girls and how these dogmas are contributing to the girls being easily lured away to escape their life in the village. Also, counselling the community to accept the victims when they return
- ♦ Awareness of the community about suspicious people and their activities in the village
- ♦ Sensitization workshops for the police, the Anti-human Trafficking Cell and the Administration through training programmes as well as discussion forums, to combat human trafficking.

Capacity building

- ♦ Developing understanding of legal issues among PRADAN staff
- ♦ Capacity building of the paralegals developed by PRADAN, to understand the legalities when dealing with such cases
- ♦ Capacity building of NMS as well as SHG members, to address these issues

Tracking cases

- ♦ Documentation of people migrating from villages, the agents and the destinations
- ♦ Follow-up of all cases through NMS
- ♦ Networking with like-minded organizations and people, working on the same issues.
- ♦ Counselling victims, helping them overcome trauma and creating an environment so that they are able to lead normal lives again within the family

Accomplishments so far:

- ♦ The SHG women, trained on legal issues by PRADAN, have started following up these cases and have also started discussing the issue of trafficking in villages, clusters and other forums of the community. This has helped create awareness among people, has made them take precautions, and register cases with the police and bring them to the knowledge of the media.
- ♦ This is the biggest challenge the women have taken up, facing strong resistance from the police, the administration and, in some cases, the local politicians. They have taken the help of the Federation, have met the Superintendent of Police, the Collector and the media. They have found strength in the collective. Around 150 women went to the District Office and met with officials, introduced the parents of the victims to the officials and presented them with details of the cases in writing. They demanded action by the police, which took place only after they put pressure on them and after meeting many other officials of the state.
- ♦ Many cases are now registered, with the paralegals following up on these, going from the villages to the police station to the Court and also further, if needed.
- ♦ A strong network of civil society organizations such as PRADAN, Pradeepan, Action-Aid, the Women's Federation-NMS, and also some like-minded officials, journalists and social workers has been established, to deal with trafficking in Betul district.

- ♦ Three girls were rescued and many others have been identified, and there is a hope that they will be found. Eight cases, which had not been filed earlier, are now registered with the police, who seem to be making efforts to trace the missing. An Anti-human Trafficking Cell has now been formed, following a demand for it by NMS.
- ♦ One more gang of traffickers has been unearthed through the efforts of the NMS. The case against the gang has been registered and the members have been jailed.
- ♦ A theatre group has been formed with the help of experts from the 'Theatre of Oppressed' and has started conducting forums in villages to create awareness and to sensitize the community.