

Human Trafficking: An Overview with Special Emphasis on India and West Bengal

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Abstract: Human Trafficking is the third most registered international crime worldwide after drug and weapon trafficking. It is the major crime in India also. In India, poverty, lack of education, urbanization, low valuation of girls etc. are identified as the main causes of human trafficking. The government of India as well as West Bengal and several NGOs try to combat trafficking but it is unstoppable. Legal fight against human trafficking in India is inadequate. So, to fight out this social crime, growing awareness is extremely necessary. Side by side, literacy rate should also be increased as a preventive measure to this crime. This research article focuses on three bases i) Global Basis ii) Indian Basis and iii) Basis of West Bengal in recent time perspective.

Keywords: Human Trafficking, Sex Tourism, Mutilation, 3P Index, Tire Placement, Laws

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I. INTRODUCTION

Human Trafficking is the trade of humans, most commonly for the purpose of forced labour, sexual slavery or commercial sexual exploitation for the traffickers or others. Human Trafficking is a global crisis that is linked to the current move of globalization in the sex industry involving women and children (Hogue,2010). As a result the rate of human trafficking increases with the growth of urbanization and industrialization. It is considered as the fastest growing criminal industry in the world. It is the third largest organised crime after drugs and arms trade across the globe. (Nirmala, 2013)

Human Trafficking is defined as the movement of victims usually women and children, across borders legally or illegally (Rahman, 2011). Central Intelligence Agency of the United States indicates that almost 100,000 people may be trafficked into the United States each year (Richard, 2000)

According to the UN Palermo Protocol –“ The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or the use of force or other form of coercion, of abduction, of fraud or deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payment or benefits to achieve the consent of a person having control over another person for the purpose of exploitation of prostitution of others or other form of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

It is a matter of great disgrace to every Indian as lots of women and children are being trafficked every day in India. The problem of trafficking in India in general, and West Bengal in particular, is the most important social issue in recent times (Ghosh and Kar,2008). Nowadays it has become a very easy task to sell child and woman as well as to traffick them to other countries. It is a regular incident happening from one state to another state, from one region to another region, and sometimes from one district to another district. The rackets to traffick women and children make their way to India from neighbouring countries violating the laws of the country and this crime is one of the most detestable activities, which is really a matter of grave concern to every conscious Indian.

The research article is an attempt to explore the causes and mode of human trafficking mainly women and children globally and special reference in India and West Bengal. This paper deals with some measures to stop this social crime.

II. OBJECTIVE

The main objectives of the research article are given below ---

- 2.1) To focus the causes and mode of human trafficking globally and special reference in India as well as in West Bengal and comparison between them.
- 2.2) To analyse the present condition of human trafficking in the world and India as well as in West Bengal.
- 2.3) To analyse the measures taken by the Govt. to stop this social crime.

- 2.4) To find the way out to solve the problem.
- 2.5) To analyse the role of NGO to combat human trafficking.
- 2.6) To focus the role of society and their views.

III. METHODOLOGY

- 3.1) The present article is mainly based on secondary data which have been taken from District Census Handbook, Statistical Abstract state wise National Crime Record Bureau(NCRB), global statistical data from Department of States, USA and United Nations Office on Drugs and Crime (UNODC)
- 3.2) This present paper is also based on information which has been taken from previous research paper mainly based on global impact of ' Human Trafficking' with special reference in India and West Bengal.
- 3.3) Human trafficking conditions are described in 24 pgs(S) and Nadia districts in West Bengal.
- 3.4) Census and crime data have been analysed.
- 3.5) Some qualitative and quantitative methods have been used to search the present situation and problem of human trafficking in India.

IV. CAUSES

The main causes of human trafficking are as follows:

- 4.1. Poverty :** Poverty is a major factor in human trafficking industry. The victims look for any means to get out of the curse of poverty. These helpless condition of the victims gives ample scope to the traffickers to entrap the victims in their nets. The traffickers lure the victims with better life facilities by way of moving to foreign countries. Large populations of Albania, Belarus, Bulgaria, China, Nigeria, Thailand and Ukraine are affected by extreme poverty and exploited by Traffickers (Wright, 2015).
- 4.2. Political Condition :** Political instability, militarism, generalized violence or civil unrest increase in trafficking as well. The destabilization and scattering of population increase their vulnerability to unfair treatment and abuse via trafficking and forced labour.
- 4.3. War:** A large number of children who have lost their family members in war are vulnerable to trafficking. Armed conflicts lead to massive gross displacement of people.
- 4.4. Social and cultural practices:** Most of the women and girls are generally exploited and abused due to social and cultural practices and are forced to live in perilous condition. They are more vulnerable to human trafficking as they get little opportunity of upward mobility. In our society a single mother, divorced woman, widowed and sexually abused woman and young girls are easy prey to the traffickers because of the social stigma.
- 4.5. Demand Of Cheap Labour:** Demand of cheap labour particularly in restaurants and kitchens help traffickers to exploit employees who are often initially promised a safe work space and a steady salary, though they are paid less than minimum wage and are forced to work on overtime. As the victims of trafficking are unable to protest for having very few alternatives, the business owners never cease to practise these illegal norms . According to ILO there are more than 11.7 million people working as forced labour in Asia for specific reason (Nirmala, 2013).
- 4.6. Child Marriage:** In our country child marriage is the easiest way of human trafficking. In village community it is a matter of shame for the poor parents who are unable to arrange the marriage of their daughter. So they easily accept the offer of the traffickers who approach the poor families with marriage proposal without dowry, rather with cash rewards (between Rs. 1000- Rs. 5000 on an average). After marriage, the girls are sold and resold until they reach ultimate destination. In South Africa range between 28,000 and 30,000 persons approximately half of whom are between 10-14 years of age, half of whom are between 15-18 years of age are trafficked for commercial sex (Redlinger, 2004).
- 4.7. Mutilation :** People are trafficked for their organs , particularly kidneys. It is a rapidly growing field of commercial activity. The life of the victim is at risk as operations are carried out in clandestine conditions with no medical care at all. According to NCRB (2015), 15 cases were registered under the Transplantation of Human Organ Act, 1994 in India.
- 4.8. Sex-Tourism:** In recent time globalization has played an important role for the growth of tourism business and entertainment industries. As a result, sex related trades like sex tourism have grown rapidly. At the same time rising male migration to urban areas as well as stressful working of the BPO sector workers have also contributed to growing demand for commercial sex in the cities. Statistics say that many women are trafficked from Philipines , Thailand to Netherland and Spain for sex tourism. The communication revolution occurred with the development of internet, increases the growth of sex tourism industry (Jefferys, 2010).
- 4.9. Child Labour:** Child labour means work performed by a child under the age of 14 for economic purpose. Children are deprived of their childhood and regular attendance to school. Though all the work done by children is not detrimental or exploitive, but this practice is hazardous and harmful to the physical and mental health of a child. Across the globe, traffickers supply child for use in forced labour activities. Some of the children are

trafficked into the commercial sex industry. In Ghana about one in every six children ages 4-17 is engaged in child labour (Kudlac, 2015).

4.10. Migration: Migration means the movement by people from one place to another with an objective mind. When people take irregular means for migration, they are easily victimised by human traffickers which poses a great danger to children and young woman in particular. Migrants from Bangladesh are sometimes trafficked and sold into prostitution or forced labour.

4.11. Other causes

4.11.1. Economic Cause:

4.11.1.1 Economic Inequality 4.11.1.2 Land Reform-Large scale agriculture, resource grabbing, food security, mechanization of agriculture 4.11. 1.3 Wage and labour repression-unemployment, decent job or job without dignity, labour binding agreements 4.11.1.4 Climate change and environmental degradation: Rising sea level, drought, flood, deforestation, commercial over fishing, mining, commodification of nature 4.11. 1.5 Expenses of providing required benefits to regularly employed workers.

4.11.2. Social Exclusion and gender discrimination cause:

4.11.2.1 Gender inequality-Gender based wage gaps 4.11.2.2 Violence against women and girls-Armed conflict, crises and instability 4.11. 2.3 Denial of women’s rights to-education, health, participation, credit, skill, poverty and productive assets. 4.11. 2.4 Multiple form of discrimination-Caste system, racism 4.11. 2.5 Weakness of social protection-Passage and enforcement of protective legislation, meaningful punishment of perpetrators, education/information for awareness, willingness to report criminal action, training of law enforcement. 4.11. 2.6 Lack of skill and income opportunities for women in rural areas 4.11. 2.7 Pressure to collect money for dowry which leads to sending daughter to distance place for work 4.11. 2.8 Lack of education and health care 4.11. 2.9 Lack of respect for person 4.11.2.10 Undocumented status of immigrants 4.11.2.11 City-life dream 4.11.2.12 Dysfunctional families 4.11. 2.13 Devdasi tradition 4.11.2.14 Violent behaviour in the home and on TV 4.11.2.15 Drug and alcohol addiction 4.11. 2.16 Disintegration of social protection network 4.11.2.17 A culture that accepts treating people, especially women and children as object 4.11.2.18 Pornography, promoted and available globally.

4.11. 3. Political, legal and conflicts cause-

4.11.3.1 Corruption- Organized crime, border controls 4.11.3.2 Increased militarization-Arm conflict , resource curse in extractives, refugees 4.11.3.3 Legal-Access to justice, rule of law, statelessness 4.11.3.4 A lack of anti-trafficking legislation .

V. PROCESS

The whole process of human trafficking consists of 3 stages. The first stage is “Source Region or Origin”. Source Region or Origin is such a place from where persons are trafficked by traffickers. Origin may be small villages, towns for domestic trafficking or may be a country for internationally trafficking (Najar, 2014). The second stage is “Transition Stage” where the victims stay for few days or few months. The Transit may also become an origin for next transportation (Najar,2014). The last or final stage is “Destination Stage” where victims are finally transferred to owner (Fig:2, Zero traffick,2013)

VI. PURPOSE

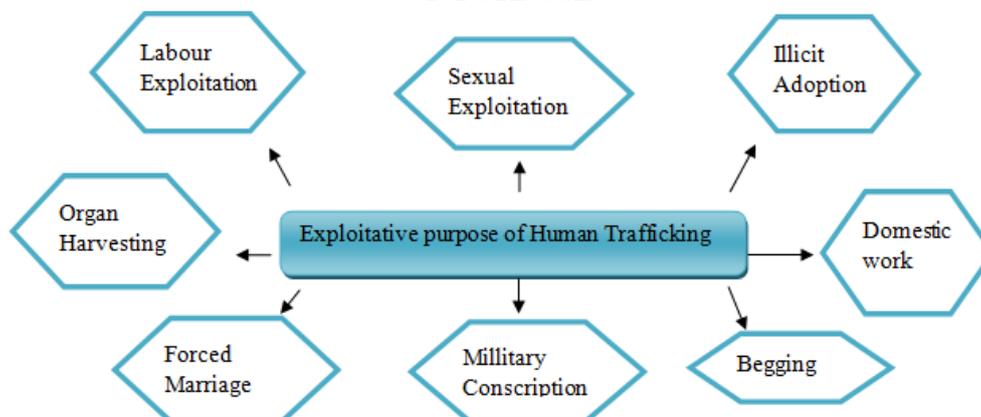


Fig 1: Flow chart of some exploitative purpose of human trafficking

VII. EFFECT

7.1. Emotional Effect- The victims who are trafficked into the commercial sex industry and are forced to have sex with many persons are broken with very low self- esteem, ashamed and are very angry if the perpetrator is trusted. Their feeling of severe guilt, depression, anxiety leads them to attempt suicide.

7.2. Physical/ Health Effect- Victims are physically abused by traffickers. They are capable to carry Sexual Transmitted Infections like HIV/AIDS. Physical torture and deprivation are applied on the victims for taking charge of them and preventing them from escaping.

7.3. Social Effect- As the victims of trafficking, are unable to lead a family life for a long period and are cutoff from normal social activities possible adjustment for them would be difficult. Their progress is delayed even when all is in place for their rehabilitation and reintegration because of the stigma put on them by the society.

7.4. Economic Effect- Although human trafficking is a high profit and low risk adventure, the perpetrators mortgage the life of adults and children for their selfish gains. Human Trafficking ruins the future of any society for which a large number of people can not work effectively. The situation worsens when women and children are most affected.

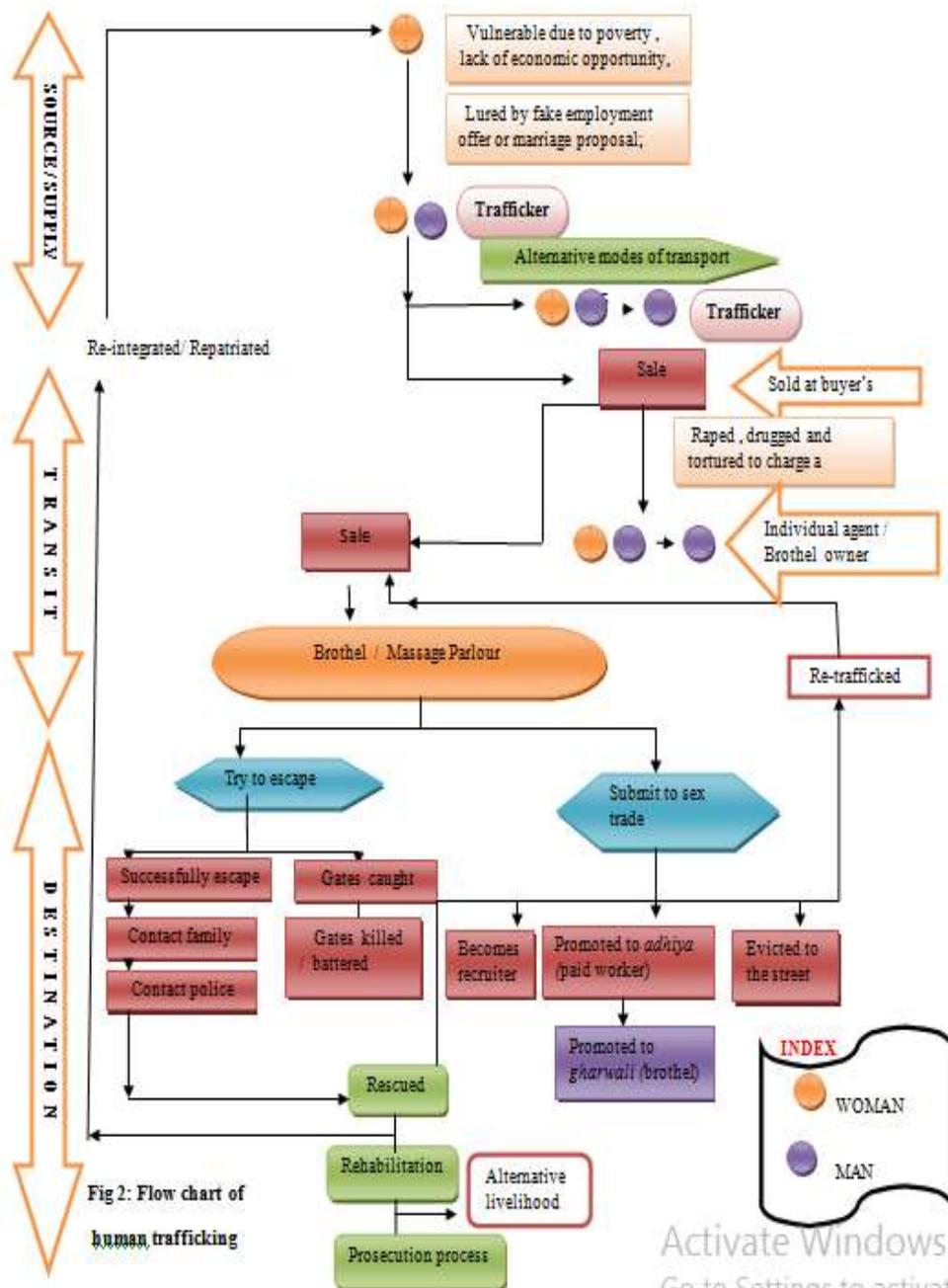


Fig 2: Flow chart of human trafficking

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VIII. LEGAL APPROACH

Mary Robinson, The UN High Commission for Human Right in her message in connection with the meeting of Adhoc committee on their elaboration of a convention against Transnational Organized Crime, Vienna, July 1999 emphasized that human right must be at the care of any credible anti-trafficking strategy and efforts must be initiated to protect and promote the human rights of the victims of trafficking at all level. (Nirmala,2013)

International Law is clear on the point that all states have a legal responsibility to protect and promote the right of all persons within their jurisdiction. The responsibility translates into a legal obligation on govt. to work towards eliminating trafficking and related exploitation. That means developing effective law enforcement structures and weapons to fight organized crime.

8.1. Legal Framework to address Trafficking in India:

8.1.1. Article 23 of the Constitution: Guarantees right against exploitation, prohibits trafficking human beings and forced labour and makes their practice punishable under law.

8.1.2 Article 24 of the Constitution: Prohibits employment of children below 14 years of age in factories, mines or other hazardous employment.

8.1.3 Indian Penal Code (IPC): There are 25 provisions relevant to trafficking; significant among them are:

8.1.3.1. Section 366A- Procurement of a minor girl (below 18 years of age) from one part of the country to the another is punishable.

8.1.3.2. Section 366B- Importation of a girl below 21 years of age is punishable

8.1.3.3. Section 372- Selling of girls for prostitution

8.1.3.4. Section 373- Buying of girls for prostitution

8.1.3.5. Section 374- Provides punishment for compelling any person to labour against his will

8.1.3.6. Human Trafficking(Section 370 and 370A IPC) after enactment of the criminal law (amendment) Act ,2013, the Bureau has also started collecting data under this section

8. 2. Major Act to prohibit trafficking in India

8.2.1. Trafficking in Women and Girls Act in 1956 popularly known as SITA: SITA is broadly defined prostitution as selling of sex by a female in return of money.

8.2.2. Child Labour (Protection and Regulation)Act,1986: Prohibits employment of children in certain specified occupation and lay down conditions of work of children.

8.2.3. Immoral Traffic (Prevention)Act,1956 (ITPA): Punish those who are engaged in the business of trafficking in women and girls for immoral purpose.

8.2.4. Information Technology Act,2000: Penalizes publication or transmission in electronic form of any material which is lascivious or appeals to prurient interest or if its effect in such as to tend to deprive and corrupt persons to read, see or hear the matter contained or embodied therein. The law has relevance to addressing the problem of pornography. India also adopted a code of conduct for Internet Service Providers with the objective to enunciate and maintain high standard of ethical and professional practice in the field of Internet and related services. (Khan,2011)

8.2.5. Juvenile Justice (Care and Protection of children) Act,2000:

- Enacted in consonance with the convention on the Rights of the child(CRC)
- Consolidates and amends the law relating to juveniles in conflicts with law and to children in need of care and protection.
- The law is specially relevant to children who are vulnerable and are therefore likely to be inducted into trafficking.

8.2.6. Karnataka Devdasi (Prohibition of Dedication) Act,1982: Act of dedication of girls for the ultimate purpose of engaging them in prostitution is declared unlawful-whether the dedication is done with or without consent of the dedicated persons.

8.2.7. Andhra Pradesh Devdasi (Prohibiting Dedication) Act,1989: Penalty of imprisonment for three years and fine are stipulated in respect of who performs, promotes, abets or takes part in Devdasi dedication Ceremony.

8.2.8. Goa Children's Act,2003:

- Trafficking is specially defined
 - Every type of sexual exploitation is included in the definition of sexual assault
 - Responsibility of ensuring safety of children
- Bonded labour is specially prohibited under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

8.3. Other Important Act:

8.3.1 Probation of Offenders Act ,1985

8.3.2 Indecent Representation of Women (Prohibition) Act,1986

8.3.3. The Child Marriage Restraint Act,1929

8.3.4.The Narcotic Drugs and Psychotropic Substances (NDPS)Act,1985

8.3.5..The Prevention of Corruption Act,1988

8.3.6.The Children(Pledging and Labour) Act,1986

8.3.7.The Bonded Labour System (Abolition)Act,1976

8.3.8.The Transplantation of Human Organ Act,1994

8.3.9..Prohibition of Child Marriage Act,2006

In December 2015, as a result of public interest litigation, The Supreme Court directed the Central govt. to develop comprehensive anti-trafficking legislation by June 2016.

8.4. International Law: International law lay down standards that have been agreed upon by all countries. The following are the most important International Conventions regarding trafficking children:

8.4.1.The Convention of the Right of the Child,1989

8.4.2.The Optional Protocol to the Convention on the Right of the Child on the Sale of Children, Child Prostitution and Child Pornography,2000

8.4.3.The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) ,1979

8.4.4.The Protocol to Prevent , Suppress and Punish Trafficking in Persons, Especially Women and Children.

8.4.5. Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with special reference to Foster placement and adoption Nationally and Internationally,3 December, 1986

8.4.6..SAARC Convention on Regional Arrangement for the Promotion of Child Welfare, 2002.

IX. GLOBAL ANALYSIS

Today human trafficking is a global problem. According to the U.N.Office on Drugs and Crimes, approximately 510 distinct human trafficking routes are identified. Although trafficking occurs globally but patterns and volume may vary. Among them some main international human trafficking routes are figured.(Fig:3)

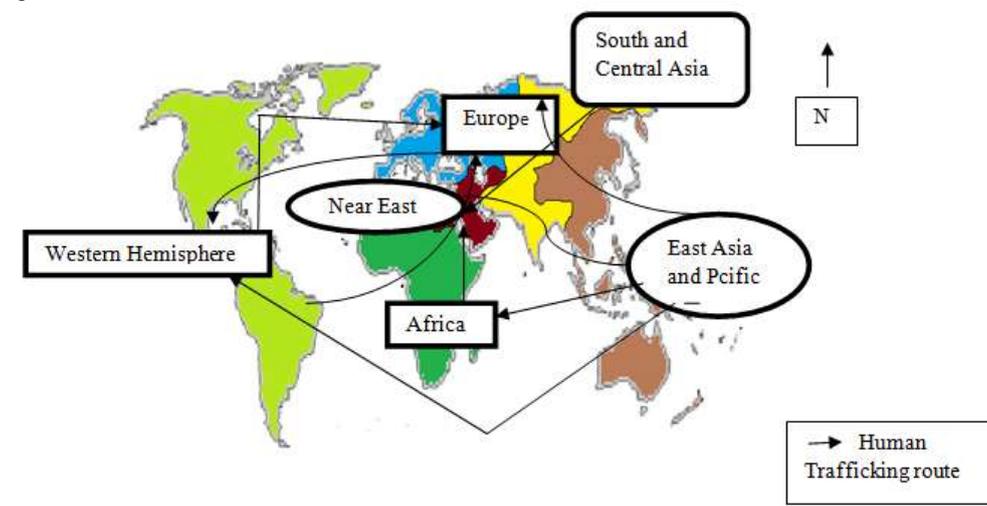


Fig 3: Main International Human Trafficking Route

X. PRESENT SCENARIO OF HUMAN TRAFFICKING IN INDIA AND WEST BENGAL

India is a source, destination and transit country of men, women and children subjected to forced labour and sex trafficking. Some NGOs and media report that girls are sold and forced to conceive and deliver babies for sale. Some children reportedly as young six years old are forcibly removed from their families and forced by separatist groups such as the Maoists in Bihar, Chattisgarh, Jharkhand, Maharashtra, West Bengal and Odisha to act as spies, couriers, plant improvised explosive devices and fight against the govt.(Department of States,USA,2016).

Experts estimate millions of women and children are victims of sex trafficking in India.80% of human trafficking across the world is done for sexual exploitation and rest is for bonded labour and India is considered as the hub of this crime in Asia (Nirmala,2013). The total 1,092 traffickers are involved in India (Sen and Nair, 2004). According to Walk Free Foundation Global Survey Index,2014,India is home to an estimated 14 million victims of human trafficking, including victims of sex trafficking, bonded labour, child labour, domestic servitude and forced marriage.(Vidushy,2016).Prime source and destinations for domestic trafficking victims include Kolkata, Mumbai, Delhi, Gujrat, Hyderabad and for international human trafficking prime source and destination includes Nepal, Bhutan, Bangladesh, UAE, Finland, Malaysia etc.(Fig:4). The India-Nepal Border; Nepali women and girls increasingly subjected to sex trafficking in Assam and other cities such as Nagpur and

Pune. Following the April 2015, Nepal Earthquake, Nepali women who transit through India are increasingly subjected to trafficking in the Middle East and Africa. (Department of State, USA., 2016). In 2011 about 35,000 children were reported missing and more than 11,000 out of these were from West Bengal (Nirmala, 2013).

West Bengal is the centre of human trafficking for domestic slavery in India today. With no law pertaining to placement agencies in West Bengal, children and women continue to fall prey to illegal recruitment agencies that entice them with false job offer and then trap them into domestic slavery. Prime source for human trafficking victims include Maharashtra, Uttar Pradesh, Bihar, Assam and Meghalaya and prime destination for human trafficking victims include Maharashtra, Chattisgarh, Nepal, Bihar, Delhi, Tamilnadu etc. regarding human trafficking in West Bengal (Fig:5). Out of total 8,132 cases of human trafficking recorded in 2016 in India. West Bengal has topped the list in the state. In West Bengal 3,576 cases were registered. According to the NCRB, Assam and West Bengal account for 40% of all crime related to Human Trafficking. The United Nations Office on Drug and Crime states that out of over 19,000 children and women who went missing from West Bengal in 2011, only 6,000 have been traced. Poverty, domestic violence, abuse and the absence of opportunity and freedom, breeds conditions for the growth of such rackets. Recent report says that The Kidnapper or “*chele dhora*” has been a device used by generation of families in West Bengal to scare wandering children into coming back home at a certain time or from straying. The other narrative that has survived generation of relating is the snatching of unattended babies by *sanyasis*. In popular imagination, the suitably clad ascetic is both anonymous and dangerous. (Mukherjee, 2016) In recent year, there have been too many exposes on how badly shelters and homes are run. In 2012, there was the Gurap home in Hooghly, for women who were mentally ill and had been rescued. The home’s backyard and adjacent open spaces were used to bury inconveniently dead inmates. In 2016, there were reports of the painfully humiliating treatment of the mentally ill in West Bengal best known hospital, Lumbini Park. Tanuja Khatun, 18 years old, threatened action against a man after it was revealed that he was trying to lure a girl for a job in the national capital. She has helped save as many as 32 girls from trafficking, enabled reunification of more than 15 trafficked girl children with their families and prevented seven child marriages. Saluting her spirit, Tanuja was given a special award for her bravery.

Sonagachi, Kolkata’s infamous red light area, keeps growing even though it is monitored and is the work site of an internationally acclaimed NGO run by women who once worked in the sex trade, the Durbar Mahila Samanwaya Committee. Clearly the trade in women and girls has not declined. The supply chain and the demand are clearly more robust than the capacity of Durbar to control the trade. West Bengal’s share of the trade in humans is now about one-fifth or 20% of the detected cases in India. The geographical location of West Bengal therefore makes it a vulnerable location for trafficking. (Ghosh and Kar, 2008).

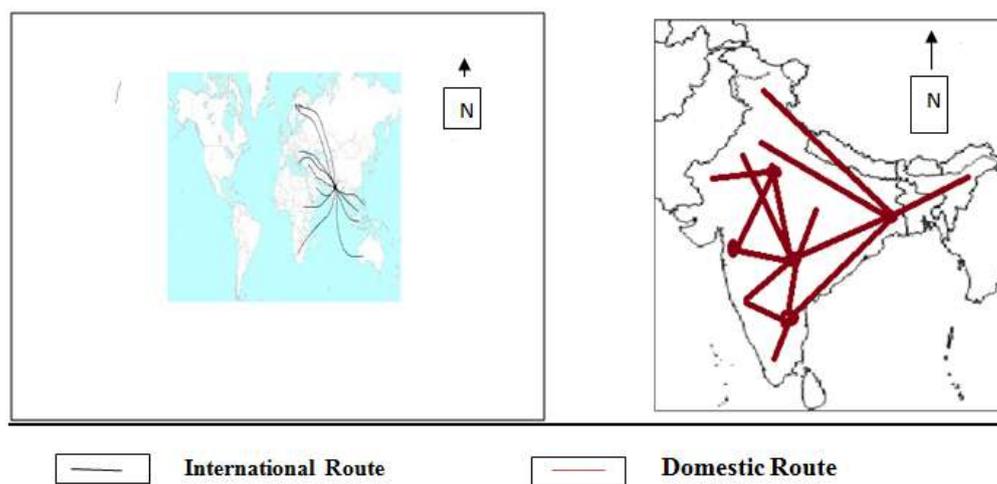


Fig 4: International and Domestic human trafficking route

Administrative capacity to tackle trafficking is seriously inadequate. West Bengal has 2,217 km of borders with Bangladesh. This porous border with Bangladesh with few official check posts is particularly a thorny problem. On the other side West Bengal has 92 km of borders with Nepal and 175 km with Bhutan. But there are 14 entry points with Nepal. Hence it is often difficult for BSF to keep a close look and demarcate persons from other migrants and trespassers. An activist who has worked with the police in South 24 Parganas, where Sundarban is located, revealed painful details of how poorly the anti-trafficking machinery in the state was equipped to deal with the magnitude of the problem. The main problems are lack of money, resource and the capacity to handle the rescue mission. Report says Children’s Group (linked with Integrated Child Protection

Scheme) started in 2004 in the Sandeshkhali-Canning area, are now also present in Kolkata, Malda. Most of the rescued children are given training in special centers before they are taken to schools. Hriday Ghosh, head of Dhagogia Social Welfare Society, partner of NGO save the children in Sandeshkhali says that the situation has improved there and that many traffickers have shifted base.(Hindusthan Times Report).

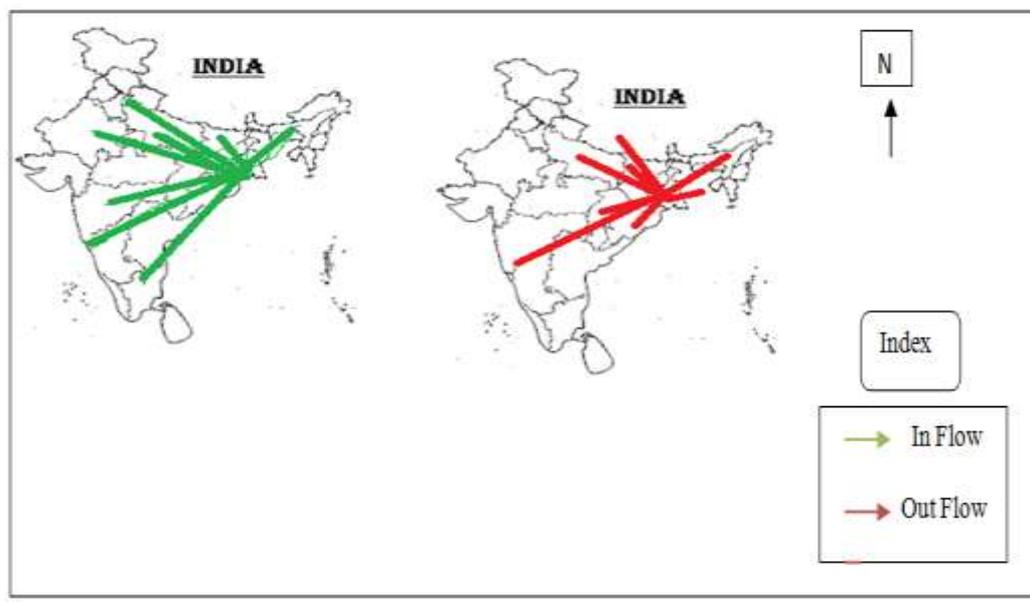


Fig 5: In-flow and Out-flow of human trafficking in West Bengal

The police of Kakdwip police station rescued a young girl who was trafficked in Pune by a young man and was forced to take part in commercial sex business in a red-light area at Pune. The police also rescued other victims who were inhabitants of Kakdwip, Mandir Bazar, Basirhat and Kanthi. There was a nurse among them. They all were enticed by the traffickers to earn high salary. The rescued women were 22-25 years of age. The police were investigating to identify the perpetrators. The girl of Narayanpur at Kakdwip informed her father secretly over phone and her father contacted the police of Kakdwip accordingly. The police decided to go to Pune with the help of a local voluntary organization “Chetana”. A police team reached Pune under the leadership of Tanumoy Das, the sub-inspector of Kakdwip police station. There they took the help of a Pune based voluntary organization. After a series of raids in the red-light areas the police got information about that young girl of Kakdwip at last. What was strange was that the police found a group of 30 young bengalee girls with her, who were also trafficked. But the police could rescue only four due to legal problems.

From Table 1. We can give a clear idea about the total missing and rescue report in Nadia district of West Bengal where a double of amount of female missing cases were reported with respect to male during 2016. The rescued proportion were also given a same trend in female cases during same year: —

Table 1: Missing and rescue report of Nadia District, West Bengal, 2016

Criteria	Male	Female	Children
Missing	741	1476	210
Rescued	385	742	147

XI. RESULT AND DISCUSSION

11.1. 3P Anti-trafficking Policy Index- The 3P Index assess the effectiveness of governmental policies against human trafficking in three main areas: Prosecution, Protection and Presentation (3Ps), (Cho,2012). The ranking of country and policy score are published every year. In 2015, the global average of the anti-trafficking policy score was 9.02 on a scale from 3 to 15 and higher score reflects a better policy out come. Which increase from 2014 but decrease than 2013. In 2015 the average score of Prosecution was 2.99 which decrease from 2014 and 2013. The average score of Protection was 2.75 which increase from 2014 and 2013. But in the case of Prevention the score increase from 2014 but decrease from 2013 (Fig 6). From the above discussion it is notified that the rate of meaningful policy action to combat human trafficking has grown very slower . So human trafficking related crimes are increasing day by day.

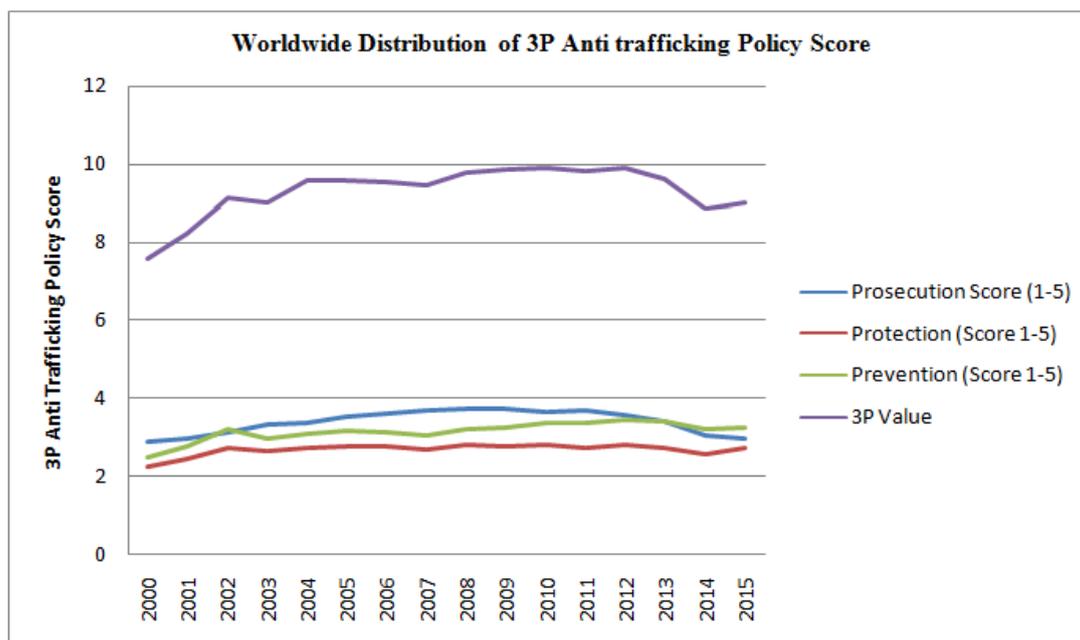


Fig 6: Distribution of Anti-trafficking Policy Score 2000-2015

11.1.1. Anti-trafficking policy guideline- The main informational source for the coding is The Annual Reports of Trafficking in Persons (United States, State Department)

11.1.1.1. Prosecution (P) –

Score 5: The country has a legislative measure specifically prohibiting trafficking in persons and; the law is fully enforced in the form of investigations, prosecutions, convictions and punishment of such offenders.

Score 4: The country has a legislative measure specifically prohibiting trafficking in persons; BUT the law is not fully enforced in the form of investigations, prosecutions, convictions and punishment of such offenders.

Score 3: The country does NOT have a legislative measure specifically prohibiting trafficking in persons; But applies some other relevant laws (such as laws against rape, slavery, exploitation, abuse or human right violation) to punish offenders of such crimes; the law is fully enforced in the form of investigations, prosecutions, convictions and punishment of such offenders.

Score 2: The country does NOT have a legislative measure specifically prohibiting trafficking in persons; But applies some other relevant laws to punish offenders of such crimes; the law is not fully enforced in the form of investigations, prosecutions, convictions and punishment of such offenders.

Score 1: The country does NOT have a legislative measure specifically prohibiting trafficking in persons and no other law is applied; and there is no evidence of punishment for such a crime at all.

11.1.1.2. Protection (P₁)-

Score 5: The country does not punish victims of trafficking for acts related to the situation being trafficked; does not impose the self-identification of victims; and exerts STRONG efforts to give victims information on, and assistance for, relevant court and administrative proceeding, as well as support for the physical, psychological and social recovery of victims such as housing (shelter), medical assistance, job training, (temporal) residence permit, and other assistance for rehabilitation and repatriation.

Score 4: The country does not punish victims of trafficking for acts related to the situation being trafficked; does not impose the self-identification of victims; and exerts MODERATE efforts to give victims information on, and assistance for, relevant court and administrative proceeding, as well as support for the physical, psychological and social recovery of victims such as housing (shelter), medical assistance, job training, (temporal) residence permit, and other assistance for rehabilitation and repatriation.

Score 3: The country does not punish victims of trafficking for acts related to the situation being trafficked; does not impose the self-identification of victims; and exerts LIMITED efforts to give victims information on, and assistance for, relevant court and administrative proceeding, as well as support for the physical,

psychological and social recovery of victims such as housing (shelter), medical assistance, job training, (temporal) residence permit, and other assistance for rehabilitation and repatriation.

Score 2: The country fails to ensure that victims of trafficking are punished for acts related to the trafficking itself or to consequences of being trafficked; and there is limited assistance and support for court proceeding and the recovery of victims.

Score 1: The country punished victims of trafficking in persons for acts related to the situation being trafficked; and does not provide any assistance and support.

11.1.1.3. Prevention(P₂)-

Score 5: The country demonstrates VERY STRONG efforts preventing trafficking in persons, such as implementing public and media campaigns for anti-trafficking awareness; training government and military officials (including peace keepers); facilitating information exchange among relevant authorities; monitoring borders, train station, airport etc; adopting national action plans for combating trafficking in persons; promoting cooperation with NGOs and international organizations in the country; and facilitating bilateral and/or multilateral cooperation with other governments.

Score 4: The country demonstrates STRONG efforts preventing trafficking in persons, such as implementing public and media campaigns for anti-trafficking awareness; training government and military officials (including peace keepers); facilitating information exchange among relevant authorities; monitoring borders, train station, airport etc; adopting national action plans for combating trafficking in persons; promoting cooperation with NGOs and international organizations in the country; and facilitating bilateral and/or multilateral cooperation with other governments.

Score : 3The country demonstrates MODEST efforts preventing trafficking in persons, such as implementing public and media campaigns for anti-trafficking awareness; training government and military officials (including peace keepers); facilitating information exchange among relevant authorities; monitoring borders, train station, airport etc; adopting national action plans for combating trafficking in persons; promoting cooperation with NGOs and international organizations in the country; and facilitating bilateral and/or multilateral cooperation with other governments.

Score : 2The country demonstrates LIMITED efforts preventing trafficking in persons, such as implementing public and media campaigns for anti-trafficking awareness; training government and military officials (including peace keepers); facilitating information exchange among relevant authorities; monitoring borders, train station, airport etc; adopting national action plans for combating trafficking in persons; promoting cooperation with NGOs and international organizations in the country; and facilitating bilateral and/or multilateral cooperation with other governments.

Score 1: The country demonstrates NO efforts preventing trafficking in persons. (Cho et al., 2016)

11.2. Tire Placement- Department of State, USA places each country onto one of four tires, as mandated by the Trafficking Victims Protection Act(TVPA). This placement is based more on the extend of government action to combat trafficking.

11.2.1. Tire 1- Countries whose government fully meet the TVPA's minimum standard (Prohibit trafficking, punishment sex traffickers, serious and sustain effort to eliminate trafficking).

11.2.2. Tire 2- Countries whose government do not fully meet the TVPA's minimum standard, but are making significant efforts to meet those standard.

11.2.3.Tire 2 Watch List- Countries whose government do not fully meet the TVPA's minimum standard, but are making significant efforts to meet those standard AND:

11.2.3.1. The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing.

11.2.3.2. There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigation, prosecution and convictions of trafficking crime, increased assistance to victims and decreasing evidence of complicity in severe forms of trafficking by government officials.

11.2.3.3. The determination that a country is making significant efforts to meet the minimum standard was based on commitments by the country to take additional future steps over the next year.

11.2.4. Tire 3- Countries whose government do not fully meet the minimum standard and are not making significant efforts to do so.

(Trafficking in person report,2016)

Table 2 Tire wise and 3P Index wise distribution of country of Africa

	TIRE 2				TIRE 2 WATCH LIST					TIRE 3				SPECIAL CASE					
	P	P ₁	P ₂	3P		P	P ₁	P ₂	3P		P	P ₁	P ₂	3P		P	P ₁	P ₂	3P
Angola	2	3	3	8	Benin	2	2	2	6	Comoros	1	2	2	5	Somalia	1	2	2	5
Burkina Faso	3	3	3	9	Congo, Democratic Rep. Of	2	2	2	6	Central African Republic	2	2	2	6					
Botswana	3	3	4	10	Congo, Republic of	1	2	2	5	Equatorial Guinea	1	1	2	4					
Chad	3	2	2	7	Cote d'Ivoire	3	2	3	8	Eritrea	1	1	1	3					
Ethiopia	4	3	4	11	Gabon	2	3	3	8	The Gambia	2	2	3	7					
Liberia	2	3	2	7	Ghana	3	2	4	9	Guinea-Bissau	2	3	2	7					
Kenya	4	3	4	11	Guinea	1	2	2	5	Mauritania	2	2	2	6					
Madagascar	3	3	4	10	Mali	2	2	2	6	South Sudan	1	2	2	5					
Mauritius	2	2	3	7	Mozambique	3	2	3	8	Sudan	3	2	3	8					
Namibia	2	2	3	7	Niger	2	3	4	9	Zimbabwe	2	2	3	7					
Nigeria	4	3	4	11	Rwanda	2	4	4	10	Burundi	1	2	2	5					
Sierra Leone	3	3	3	9	Senegal	2	4	3	9	Djibouti	2	1	2	5					
South Africa	3	3	4	10	Tanzania	3	3	3	9										
Uganda	3	3	3	9	Seychelles	2	2	2	6										
Zambia	3	2	2	7	Cabo Verde	2	3	2	7										
Togo	4	3	3	10	Cameroon	3	3	4	10										
Lesotho	3	3	4	10															
Malawi	4	2	3	9															

Source-Department of States, USA

Table 3 Tire wise and 3P Index wise distribution of country of East Asia and Pacific

	TIRE 1				TIRE 2					TIRE 2 WATCH LIST					TIRE 3				
	P	P ₁	P ₂	3P		P	P ₁	P ₂	3P		P	P ₁	P ₂	3P		P	P ₁	P ₂	3P
Australia	3	4	4	11	Fiji	2	3	3	8	China (PRC)	4	3	4	11	Burma	4	3	4	11
Korea, South	5	4	5	14	Indonesia	4	2	3	9	Kiribati	1	1	2	4	Korea, North	1	1	1	3
New Zealand	3	3	4	10	Japan	4	3	4	11	Laos	4	3	3	10	Marshall Islands	2	1	3	6
Philippines	5	4	5	14	Macau	2	3	4	9	Malaysia	3	3	4	10	Papua New Guinea	2	2	2	6
Taiwan	5	3	4	12	Micronesia	3	2	2	7	Solomon Islands	1	2	3	6					
					Mongolia	4	2	4	10	Thailand	5	3	4	12					
					Palau	3	2	1	6	Tonga	2	2	2	6					
					Vietnam	4	3	4	11	Hong Kong	3	2	3	8					
					Singapore	3	3	4	10										
					Cambodia	2	2	4	8										
					Timor-Leste	3	3	3	9										

Source-Department of States, USA

Table 4 Tire wise and 3P Index wise distribution of country of Europe

TIRE 1	TIRE 2				TIRE 2 WATCH LIST				TIRE 3										
	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P			
Austria	5	5	5	15	Albania	4	3	4	11	Bulgaria	4	3	4	11	Belarus	2	3	3	8
Belgium	4	5	5	14	Aruba	2	4	4	10	Serbia	4	2	3	9	Russia	1	1	2	4
Cyprus	4	4	4	12	Azerbaijan	5	4	4	13	Ukraine	4	3	4	11					
Czech Republic	4	4	4	12	Bosnia & Herzegovina	4	3	3	10										
Denmark	5	3	4	12	Croatia	3	5	5	13										
Finland	3	3	5	11	Curacao	2	3	4	9										
France	3	4	5	12	Estonia	4	4	4	12										
Georgia	3	4	4	11	Greece	4	3	4	11										
Germany	5	3	4	12	Hungary	4	3	4	11										
Iceland	2	4	4	10	Kosovo	4	4	4	12										
Ireland	2	3	5	10	Latvia	3	4	4	11										
Italy	5	3	3	11	Luxembourg	3	3	2	8										
Lithuania	4	3	4	11	Macedonia	3	3	3	9										
Netherlands	5	3	4	12	Malta	2	3	3	8										
Norway	4	4	3	11	Moldova	4	3	3	10										
Poland	5	3	4	12	Montenegro	2	3	5	10										
Portugal	3	4	4	11	Romania	5	3	4	12										
Slovakia	4	3	4	11	Turkey	4	3	3	10										
Slovenia	3	3	4	10															
Spain	5	5	5	15															
St. Maarten																			
Sweden	3	3	4	10															
Switzerland	3	3	3	9															
United Kingdom	5	5	5	15															
Armenia	4	5	5	14															

Source-Department of States, USA

Table 5 Tire wise and 3P Index wise distribution of country of Near East

TIRE 1	TIRE 2				TIRE 2 WATCH LIST				TIRE 3				SAPECIAL CASE											
	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P								
Israel	3	3	4	10	Bahrain	4	3	4	11	Kuwait	3	3	4	10	Algeria	2	1	3	6	Libya	1	1	1	3
					Egypt	3	3	2	8	Qatar	3	3	2	8	Iran	1	1	2	4	Yemen	1	1	2	4
					Iraq	1	1	3	5	Oman	3	3	3	9	Syria	1	1	1	3					
					Jordan	5	3	4	12	Saudi Arabia	4	3	3	10										
					Morocco	1	2	3	6	Tunisia	2	3	4	9										
					United Arab Emirates	3	3	4	10															
					Lebanon	3	1	3	7															

Source-Department of States, USA

Table 6 Tire wise and 3P Index wise distribution of country of South and Central Asia

TIRE 2	TIRE 2 WATCH LIST				TIRE 3									
	P	P ₁	P ₂	3P	P	P ₁	P ₂	3P						
Bangladesh	3	3	3	9	Afghanistan	4	2	3	9	Turkmenistan	3	2	3	8
Bhutan	1	2	2	5	Maldives	2	2	2	6	Uzbekistan	5	2	3	10
India	4	2	4	10	Pakistan	4	2	3	9					
Kazakhstan	4	4	3	11	Sri Lanka	2	2	4	8					
Kyrgyzstan	3	1	3	7										
Nepal	4	2	4	10										
Tajikistan	4	3	3	10										

Source-Department of States, USA

Table 7 Tire wise and 3P Index wise distribution of country of Western Hemisphere

TIRE 1				TIRE 2				TIRE 2 WATCH LIST				TIRE 3							
	P ₁	P ₂	P ₃	3P		P	P ₁	P ₂	3P		P	P ₁	P ₂	3P		P	P ₁	P ₂	3P
Bahamas	2	5	4	11	Argentina	4	3	3	10	Antigua & Barbuda	2	4	3	9	Belize	3	2	2	7
Canada	3	4	4	11	Barbados	2	4	4	10	Bolivia	3	2	3	8	Haiti	3	2	4	9
Chile	3	4	4	11	Brazil	4	2	3	9	Costa Rica	2	3	4	9	Suriname	3	3	3	9
Colombia	4	3	3	10	Ecuador				9	Cuba	4	3	3	10	Venezuela	2	3	2	7
United States of America	5	3	5	13	Dominican Republic	3	4	3	10	St. Vincent & The Grenadines	2	3	4	9					
					Guatemala	5	3	5	13	St. Lucia	2	3	3	8					
					Guyana	3	2	2	7	Trinidad & Tobago	3	3	4	10					
					Honduras	4	2	4	10										
					Jamaica	3	4	3	10										
					Mexico	4	3	4	11										
					Nicaragua	4	2	2	8										
					Panama	3	2	4	9										
					Paraguay	4	3	3	10										
					Peru	3	3	4	10										
					Uruguay	3	3	3	9										
					El Salvador	4	2	4	10										

Source-Department of States, USA

From table 2-7 we have tried to find out the relationship between the 3P index and 4 tier systems with global aspect. The worst situation was found in Somalia, Yemen and Libya where the countries fell under special case with poor law and order system and lowest value of 3P index. Apart from this the various continental regions are shown in various tables. From table 2 Africa without tier 1, though the country like Ethiopia, Kenya and Nigeria with a value of 3P index were 11. While in table 3 among South Asian country highest value of 3P were found in South Korea and Philippines with 14. In table 4 the European countries like Austria, Spain and UK with a value of 15 of 3P index. In table 5 tier 1 only one country is there ie, Israel with a value 10, while Jordan, Baharin and UAE fall under tier 2 but with moderate value of 3P like 12, 11 and 10 respectively. In table 6 there was no such country with tier 1 like Africa where Kazakhstan with highest value of 3P with 11 and India and Nepal with 10. Table 7 shows as Western hemisphere where USA in tier 1 with highest value of 3P with 13 and Guatemala in tier 2 with 13 also.

From above view it can be told that India is not under a good situation with respect to global scenario, so more law and order should be imposed rigidly to combat with human trafficking.

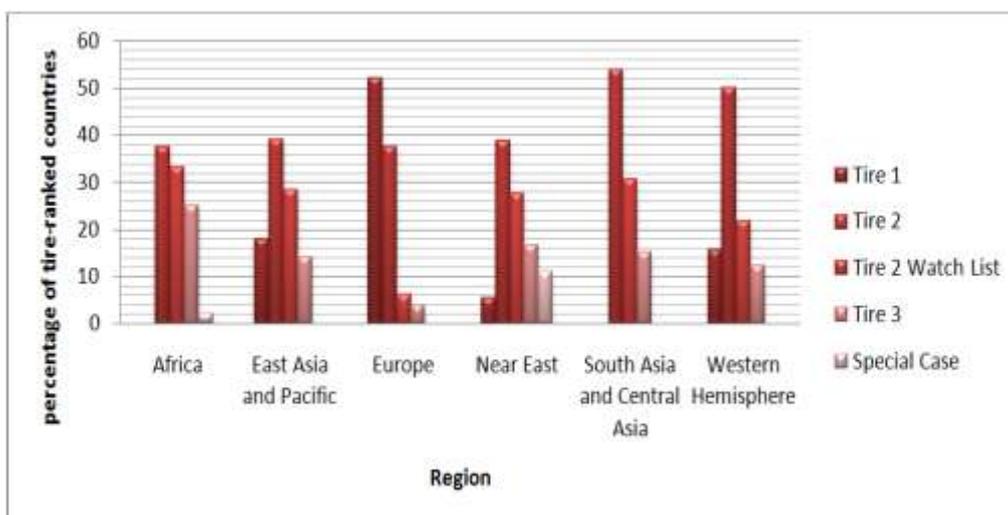


Fig 7: Regional Distribution of Percentage of Tire-Ranked Countries of The World

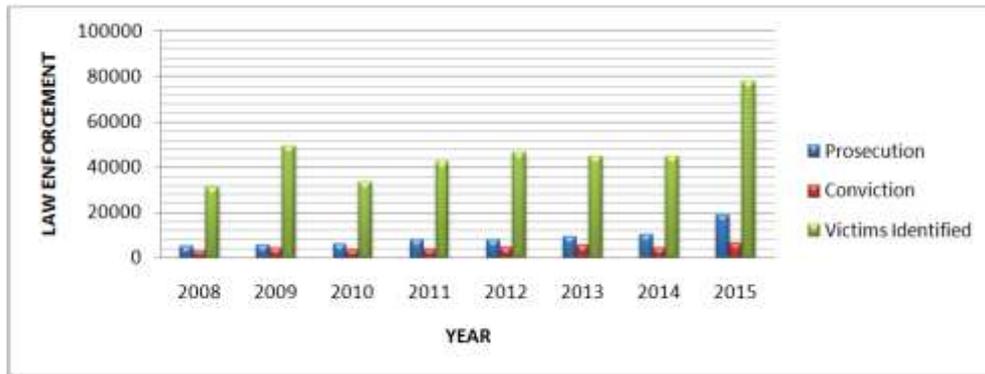


Fig 8: Global Law Enforcement

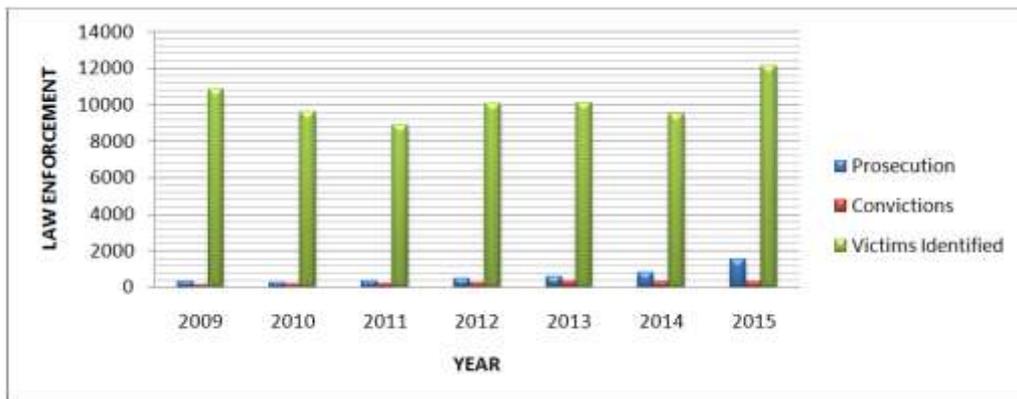


Fig 9: Law Enforcement of Africa

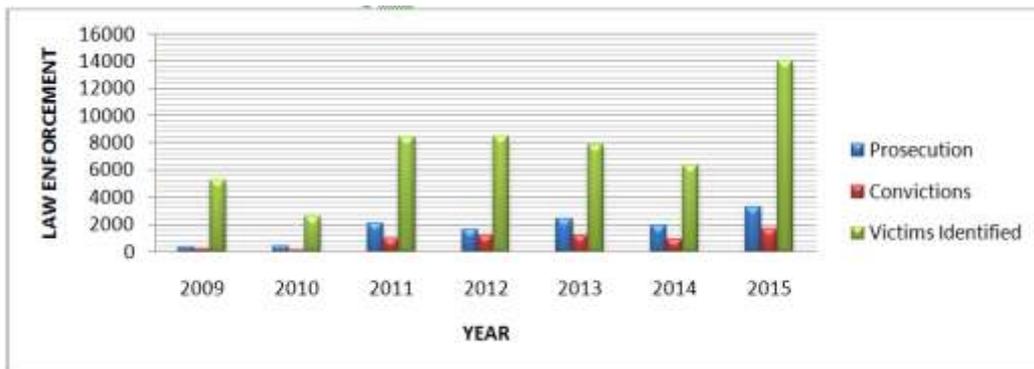


Fig 10: Law Enforcement of East Asia and Pacific Region

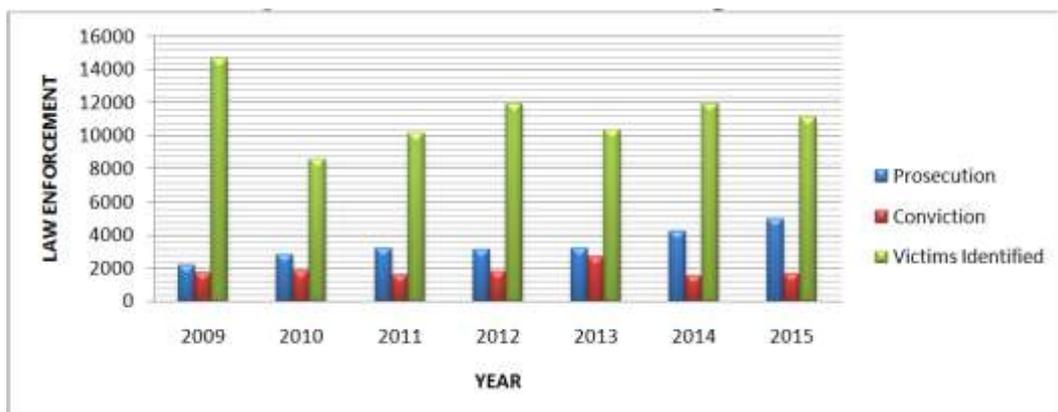


Fig 11: Law Enforcement of Europe

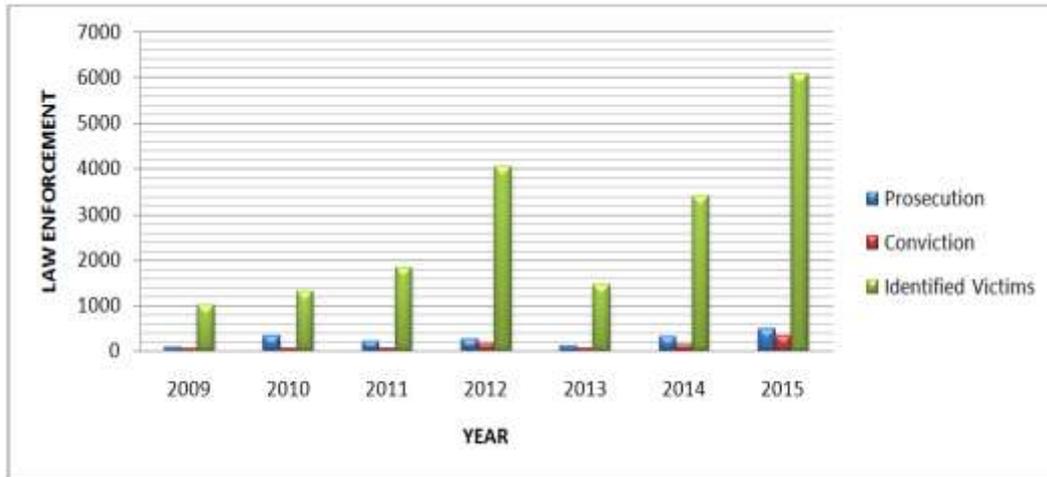


Fig 12: Law Enforcement of Near East

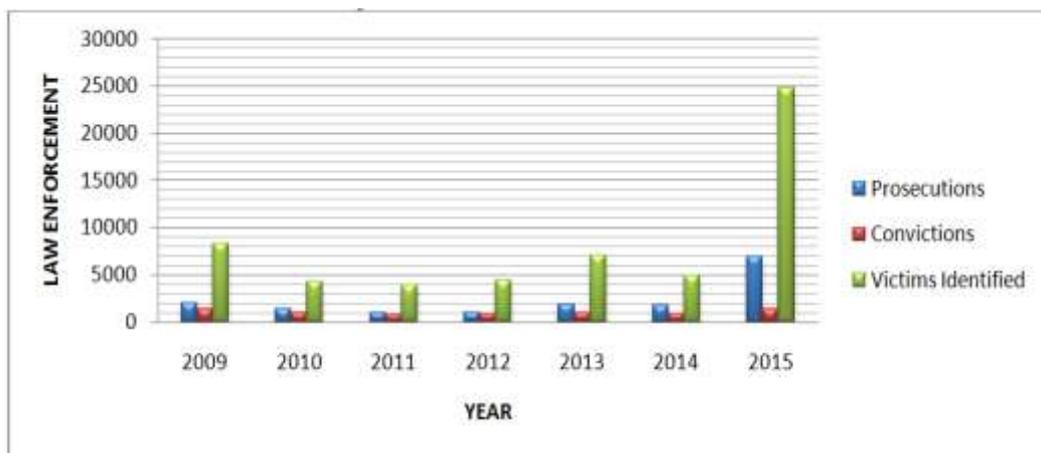


Fig 13: Law Enforcement of South and Central Asia

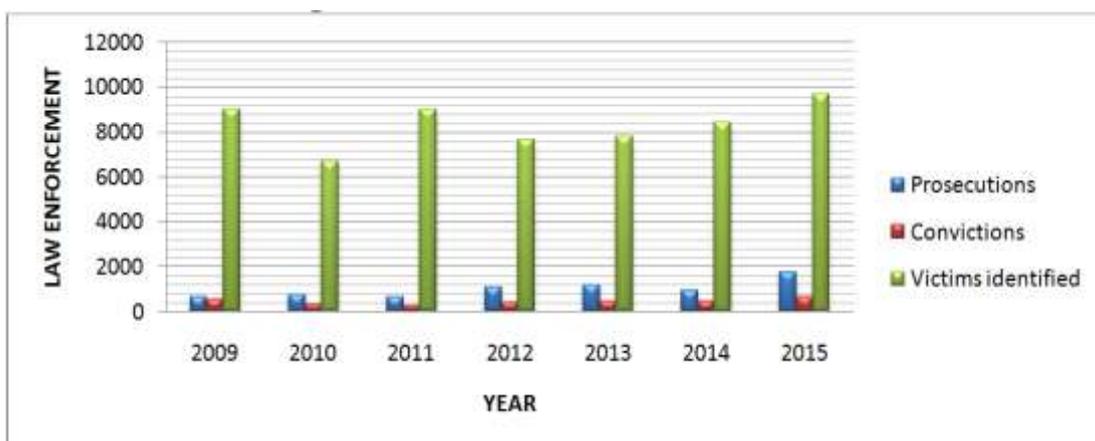


Fig 14: Law Enforcement of Western Hemisphere

Law enforcement situation of any country is an indicator of human trafficking (Rudolph and Schneider, 2017).The total world wide victim identified in 2015 were 80000. Among which in Africa this was 12000, East Asia 14000, Europe 11000 in 2015 where it was 15000 in 2009, so there is a decreasing number of victim identified with respect to 2009. In Near East the number was 6000 in 2015, while in South and Central Asia that is our own continental region with a concerning value of 25000 and in Western hemisphere there was 10000 victim identified with a moderate same value since 2009.

There is overall 32% of world victims were found in our continental region in 2015 which is alarming to our future if immediate action is not taken.

Table 8: Purpose of International Human Trafficking from India as a Source Region

Source region	Destination Region	Purpose
India	Tanzania	Forced Agricultural Labour and Forced Prostitution
	UAE	Camel jockeys
	Kuwait	Domestic work
	Uganda	Commercial sexual exploitation
	Pakistan	Sexual exploitation and Involuntary servitude
	Fiji	Commercial sexual exploitation and Forced labour
	Finland	Forced labour
	Malaysia	Forced agricultural and industrial labour
	Austria	Commercial sexual exploitation
	Norway	Forced labour
	Belgium	Forced labour and forced sexual exploitation
	Nepal	Forced labour in brick field
	Greece	Forced agricultural labour
	Italy	Sexual exploitation and forced labour
	Bhutan	Domestic work
	Cyprus	Forced labour and forced prostitution
Singapore	Sexual exploitation	
South Africa	Sexual exploitation, forced labour and domestic work	

Source-Child Trafficking in India

Table 9 : Crime head wise incidence of various crimes under Human Trafficking in India During 2010-2015

Sr. No.	Crime Head	Years						% increase (+)/decrease (-) in 5 year
		2010	2011	2012	2013	2014	2015	
1	Procuration of minor girls (Sec. 366-A IPC)	679	862	809	1224	2020	3087	354.6
2	Importation of girls from foreign country (Sec. 366B IPC)	36	80	59	31	13	06	-83.3
3	Selling of minor for prostitution (Sec. 372 IPC)	130	113	108	100	82	111	-14.6
4	Buying of minor for prostitution (Sec. 373 IPC)	78	27	15	6	14	11	-85.9
5	Immoral Trafficking (Prevention) Act 1956	2499	2435	2563	2579	2617	2641	5.7
6	Human Trafficking (Sec. 370 & 370A IPC)	-	-	-	-	720	1021	
	Total Cases of Human Trafficking	3422	3517	3554	3940	5466	6877	100.9

Source-NCRB 2015

Table 10: Crime head wise incidence of various crimes under Human Trafficking in West Bengal During 2010-2015

Sl.N o.	Crime Heads	Years						% increase (+)/decrease (-) in 5 year
		2010	2011	2012	2013	2014	2015	
1	Procuration of minor girls (Sec. 366-A IPC)	200	298	369	486	852	1003	401.5
2	Importation of girls from foreign country (Sec 366B IPC)	08	0	12	09	04	04	-50
3	Selling of minors for prostitution (Sec. 372 IPC)	115	87	56	69	67	91	-20.9
4	Buying of minor for prostitution (Sec. 373 IPC)	48	0	03	01	01	0	-100
5	Immoral Trafficking (Prevention) Act 1956	56	96	109	104	117	107	91
6	Human Trafficking (Sec. 370 & 370 A IPC)	----	----	-----	----	55	50	
	Total cases of human trafficking	427	481	549	669	1096	1255	193.9

Source-NCRB 2015

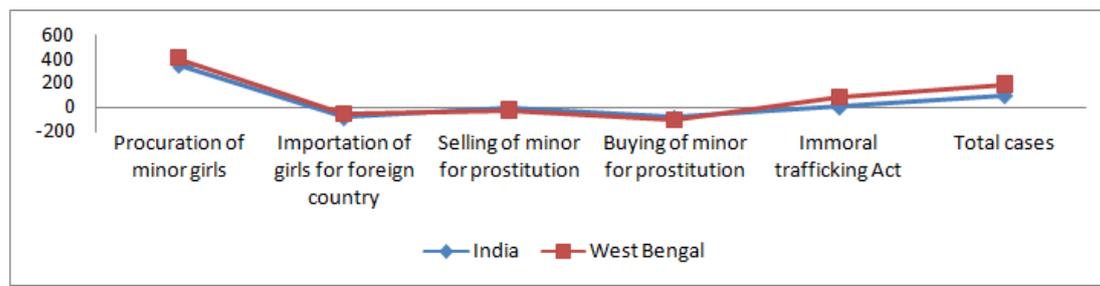


Fig 15: Comparison Percentage of Human Trafficking Cases Increase and Decrease in 5 years between India and West Bengal.

In figure 15 we put the value of % of increase and decrease within recent five years (2010-2015) data taken from table no 9 and 10. Here a clear trend of increasing value of total cases were significantly higher in case of West Bengal with respect to India overall where India with 100.9 while West Bengal with 193.9.

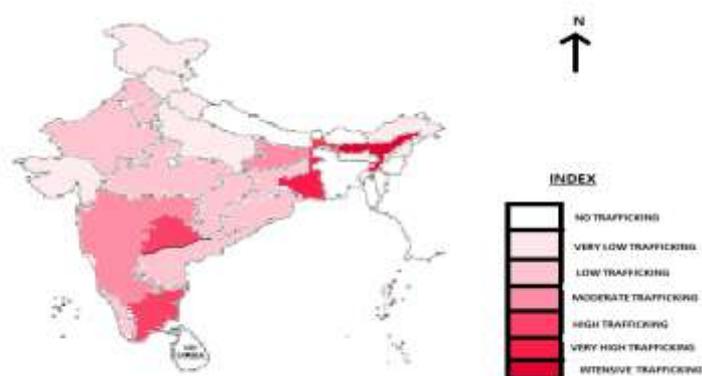


Fig 16: Distribution of Percentage of Human Trafficking in India

In this map we have tried to show the statewise trend of human trafficking. Assam involves intensive trafficking, West Bengal with very high, and Telengana and Tamilnadu with high trafficking rate. Manipur, Mizoram, Sikkim (States) and Lakshadweep (UT) report no trafficking case.

Table 11: Crime head wise incidence (state wise and Union Territory/UT wise) during 2015

Sl.No	Crime Head	State (Ranking)		UT (Ranking)	
		Highest	Lowest	Highest	Lowest
1	Procurement of minor girls(Sec.366A IPC)	Assam (1303)	Gujrat,Uttar pradesh Jammu and Kashmir,Utrakh and (1)	Chandigarh (7)	-----
2	Importation of girls from foreign country(Sec.366B IPC)	West Bengal (04)	Uttarkhand (02)	-----	-----
3	Selling of minor for prostitution (Sec.372 IPC)	West Bengal (91)	Maharastra (1)	Delhi (6)	-----
4	Buying of minor for prostitution (Sec.373 IPC)	Maharastra (07)	Telengana (01) & Haryana (01)	-----	-----
5	Immoral Trafficking (Prevention) Act 1956	Tamil Nadu (511)	Jammu and Kashmir (1)	Chandigarh (4)	Puducherry, A&N (1)
6	Human Trafficking(Sec. 370&370A IPC)	Telengana (226)	Arunachal Pradesh , Nagaland (1)	Delhi (78)	Daman &Diu (1)

Table 12 : Act wise incidence of Human Trafficking 2010-2015

Sl. No.	Name of Act Of Human Trafficking	Year						% variation in 2015 over 2014
		2010	2011	2012	2013	2014	2015	
1	Indecent Representation of Women (Prohibition) Act-1986	895	453	141	362	47	40	-14.9
2	Information Technology Act, 2000	-----	-----	-----	-----	7201	8045	11.7
3	Juvenile Justice (Care and Protection of Children) Act, 2000	-----	-----	-----	-----	1315	1457	10.8
4	The Transplantation of Human Organ, 1994	-----	-----	-----	-----	02	15	650
5	Prohibition of Child Marriage Act,2006	60	113	169	222	280	293	4.6
6	Bonded Labour System (Abolition)Act,1976	-----	-----	-----	-----	70	92	31.4
7	NDPS Act,1985	29576	25785	29247	34668	46923	50796	8.2

Source- NCRB 2015

Table-13: State ranking according to act wise incidence in 2015

Sl. No	Name of Act	State Ranking		UT Ranking	
		Highest	Lowest	Highest	Lowest
1	Indecent Representation of Women (Prohibition) Act, 1986	Andhra Pradesh (12)	West Bengal, Punjab, Madhya Pradesh(1)	Puducherry (1)	-----
2	Information Technology Act,2000	Uttar Pradesh (2161)	Karnataka (1414)	Delhi UT (98)	Daman &Diu (1)
3	Juvenile Justice (Care and Protection of Children)Act, 2000	Maharastra (251)	Bihar, Chattisgarh, Tripura (1)	Delhi (114)	Chandigarh (15)
4	The Transplantation of Human Organ, 1994	Karnataka (12)	Punjab,Tamil Nadu, West Bengal (1)	-----	-----
5	Prohibition of Child Marriage Act, 2006	Tamilnadu (77)	Uttarakhand, Orissa, Jharkhand, Himachal Pradesh (1)	A&N (1)	-----
6	Bonded Labour System (Abolition) Act, 1976	Uttar Pradesh (31)	Himachal Pradesh, Kerala and Chattisgarh (1)	Delhi UT (4)	-----
7	NDPS Act, 1985	Maharastra (18,979)	Sikkim (1)	Delhi UT (277)	Daman &Diu (1)

Source-NCRB 2015

Table 14: Act wise incidence of various crime under human trafficking in West Bengal in 2015

Sl.No.	Name of the Act	No. of cases in 2015
1	Indecent Representation of Women (Prohibition) Act, 1986	1
2	Information Technology Act, 2000	259
3	Juvenile Justice (Care and Protection of Children) Act ,2000	24
4	The Transplantation of Human Organ, 1994	1
5	Prohibition of Child Marriage Act, 2006	40
6	Bonded Labour System (Abolition) Act, 1976	0
7	NDPS Act, 1985	1292

Source- NCRB 2015

Table 15: Incidence of Kidnapping & Abduction of Women and Girl in India 2015

Sl. No.	Mode of Kidnapping and Abduction	No. of Cases
1.	For Adoption	668
2.	For Begging	37
3.	For Camel Ranching	0
4.	For Illicit Intercourse	3,338
5.	For Marriage	31,829
6.	For Prostitution	129
7.	For Ransom	774
8.	For Revenge	433
9.	For Sale	30
10.	For Selling Body Parts	2
11.	For Slavery	11
12.	For Unlawful Activity	1,203
13.	For Murder	1,183
14.	For Other Purpose	43,362

Source- NCRB 2015

XII. PROSECUTION FOR INDIA

Indian government does not take any step to combat human trafficking. The bulk of bonded labour of India was trafficked for Middle East to emerge economics of Middle East illegally (Waghmode et al., 2014)

XIII. PROTECTIONS FOR INDIA

India's effort to protect victims of trafficking varies from state to state but, remains inadequate in many places. The NCRB reported the government's identifications of at least 6,216 victims in 2014: 3,332 sex trafficking, 279 bonded labour and 2,605 unorganized victims. In 2009, MHA non-binding directive advises state officials to use SOPs for proactive victim identification and a referral to protection service; however it is not clear if all the 29 states would utilize such SOPs. The central govt. issued several directives to state and district level law enforcement to carry out operations to rescue and rehabilitate missing and exploited children. During the reporting period, the govt. reported its rescue of 19,742 children, some of whom may have been subjected to forced labour and sex trafficking. Some state and district level law enforcement activity, partnered with NGOs, is asked to identify, rescue, and provide rehabilitation service to victims.

The Ministry of Women and Child Development (MWCD) continued to fund NGO run shelter and rehabilitation service for women and children through the *Ujjawala* programme specifically for female sex trafficking victims and the *Swadhar* programme for women in difficult circumstances. Central govt. funding for MWCD grants to states has decreased slightly in the 2015-16 fiscal year. In September 2015, the govt. suspended several govt. social welfare officers and two superintendents at a shelter home for women in Delhi for dereliction of duty and mismanagement as conditions in the shelter were found unhygienic, and the women lacked clean water and adequate food. Some victims had to wait for months for transfer from temporary "transit homes" to shelter providing long term care due to shortage of govt. fund, shelter staff or police escorts. Child victims who were placed in private shelters or govt. juvenile justice homes, received largely the same govt. services as adults.

Rescued bonded labours are entitled to have "release certificates" enabling them to receive govt.-funded compensation and services. Many victims received certificates at or soon after their rescue, especially in areas where there was significant coordination between the govt. and NGOs. Others experienced lengthy delays before obtaining the certificates. Foreign sex trafficking victims were confined to the govt. aftercare homes until repatriation and were not permitted to work in the local economy. In June 2015, the Governments of India and Bangladesh signed a Memorandum of Understanding (MOU) on human trafficking and protecting victims.

NGOs in several states reported police and prosecutors were increasingly aware of the need to identify trafficking survivors as victims and not as defenders; however, the govt. did, in certain cases, continue to penalize victims as a result of inconsistent identification and screening efforts. The govt. revised this policy in 2015 to allow these victims and their families to renew their passport and travel if the documentation of the victims turned out to be true and the Indian Government could determine the persons to be trafficking victims.

XIV. PREVENTION FOR INDIA

The government increased efforts to prevent human trafficking. In May 2015, MWCD and Ministry of Railways signed an MOU with an NGO for the protection of unaccompanied children at railway stations. During the reporting period, 20 railway stations hosted NGO staff to provide immediate support to unaccompanied children, who might be missing, abandoned, or runaways and are vulnerable to exploitation including trafficking. In November 2015, MWCD and the railway ministry launched a project to supply posters

to railway stations advising the public to call the National Childline Hotline if they encounter an unaccompanied child.

In August 2015, in response to public interest litigation filed in 2004, the National Legal Services Authority submitted a report to the Supreme Court with recommendation for the prevention of trafficking for commercial sexual exploitation and the rescue and rehabilitation of victims. Based on the recommendation, the Supreme Court directed the govt. to establish a central organized anti-crime agency by December 1, 2016, to investigate human trafficking cases and rescue and rehabilitate victims. During 2015, the govt. made a Central Advisory Committee to combat trafficking to women and children for commercial sexual exploitation that led agency on trafficking issues. The govt. did not have a national action plan. Some state govt. had action plans and taskforce to combat trafficking; during the reporting period both Uttar Pradesh and West Bengal established anti-trafficking taskforces. Uttar Pradesh officially launched, whereas West Bengal drafted an action plan only.

MOIA (Ministry of Overseas Indian Affairs) launched eMigrate, an online system for registering over 20,000 domestic agents in India and 7,000 foreign agencies during the reporting period. MOIA continued to provide counseling and other resources to those considering migrant work at five resource centres in Chennai, Gurgaon, Hyderabad, Kochi and Lucknow; it also continued to administer a welfare fund in 43 Indian Missions globally and provide shelter to migrants in distress in several countries in the Middle East. MOIA funded the repatriation of Indian Victims abroad through its mandatory insurance reserves, foreign employer, security deposit policies, and receipts from overseas consular fees. MOIA worked with the Central Bureau of Investigation to address cases of recruitment fund and trafficking allegations and frequently revoked recruitment licenses. In September 2014, the local govt. of Delhi issued an executive order to regulate job placement agencies, during the reporting period. After the April 2015 Nepal Earthquake, the govt.'s border patrol agency organized a joint training session on trafficking with police officers from Nepal and Bhutan. Goa law enforcement cooperated with law enforcement in the United Kingdom (UK) on the prosecution of British sex tourists who had returned to the UK.

XV. RECOMMENDATION

About two lakh people are trafficked in India in every year. India is the hub of human trafficking and a point of transit, destination, and source of human trafficking victims, who are sent to Nepal, Bangladesh and into a bigger trafficking circuit. The response must not only come from Indian and International Govt. but also from Indian Communities, which can be strengthened to fight back the lure of easy money from human trafficking.

15.1. Role of State-

- Govt. and local level and source areas should create compulsory high quality education, employment opportunities and income generation programme.
- Govt. should establish AHTUs in all districts to prevent trafficking.
- Improve Central and State Govt. implementation and protection programmes and compensation scheme certificates, and rehabilitation funds.
- Develop and implement standard operating procedures (SOPs) to harmonize victims' identification and repatriation and the prosecution of suspected traffickers.
- Steps to be taken to eliminate all recruitment fees charged to workers and raise awareness among potential migrants on the no fee policy.
- Promptly disburse Govt. funding for shelters and develop monitoring mechanism to ensure quality of care.
- Continue to increase the transparency of Govt. efforts to combat trafficking and provide disaggregated data on efforts to criminally investigate, prosecute and punish sex and labour trafficking.
- Provide funding to establish fast-track courts that deal with all forms of human trafficking and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement or facilitation of trafficking crime.
- Govt. should produce relevant IEC materials, promote sensitization programmes for teachers in Govt. school, parents and community workers.
- Govt. should include gender centred education curricula in schools and introduce subjects of child sexual abuse and trafficking.
- The Govt. of different nations must share the information with each other to evolve a programme that will help both the countries in preventing trafficking.

15.2. Roles of NGOs-

The community should be sensitized about trafficking. The community member should be motivated to keep a watch in the community for irregular movement of child victims to and from area their possible traffickers and hideouts.

With the help of NGOs there should be some types of advertisements through the popular media in particular location and by conducting some awareness programmes in village, local schools, among kids of the poor society and public to be alert of being victimized.

15.3. Role of Media-

- The media should transmit appropriate message to ensure the victims learn they are not alone.
- Victims can be made aware to places and institution where they can seek help.
- Create awareness that human trafficking is inappropriate and illegal and has negative consequences.
- Wide publicity should be given regarding the legal, penal, provisions against trafficking and the modus operandi of the traffickers through radio, television etc.

15.4. Role of Society-

- Taking measures to raise levels of social protection and to create employment opportunities.
- Taking appropriate measures to eliminate discrimination against women in the field of employment in order to ensure on a basis of gender equality, the right to equal pay for equal work and the right to equality in employment opportunities.
- Developing programmes that offer livelihood options and include basic education, literacy, communication and other skills and reduce barriers to entrepreneurship.
- Encouraging gender sensitization and education on equal and respectful relationships between the sex, thus preventing violence against women.
- Ensuring that policies are in place that allow women equal access to and control over economic and financial resource.

15.5. Others-

15.5.1. Border Measures-

Stringent Enforcement of cross border trafficking is required. Vigilance in trafficking routes should be secured. Above all proper social accountability is extremely needed.

15.5.2. Legislative Measures-

Adopting or strengthening legislative proper law enforcement; uncorrupt officials, educational, social, cultural or other measures and where applicable, penal, legislation through bilateral and multilateral cooperation to discourage the demand that fosters all forms of exploitation of persons, especially women and children and those leading to trafficking.

15.5.3. Awareness and Advocacy-

- Awareness as well as advocacy is required at the policy level i.e. National planning commission, bureaucrats, politicians and the elite of the society. Awareness of the local level in the community through workshops, songs, drama, poems, meeting, leaflets and posters especially in the natural areas is also required.
- The role of gender in daily life, and training programmes and activities for gender sensitization must be conducted by NGOs. The key to prevent trafficking in children and their exploitation in prostitution is awareness among the children, parents and school teachers.
- The Govt. must launch media campaigns that promote children right and eliminating of exploitation and other forms of child labour.
- Policy advocacy playing an important intervention to be tuned fine.

XVI CONCLUSION

Human Trafficking seriously affects lots and lots of people as an epidemic, and therefore, it may be termed as a crime epidemic. This crime happens quietly in our society as the victims are unable to raise their voices due to fear and extreme poverty. The traffickers deliberately take this opportunity and try to materialize their evil motive of criminal activities. Human trafficking in India is a widespread phenomenon. Awareness is essential to combat this crime and the perpetrators must be brought to justice as criminals. The moral fiber of India as well as other countries are gradually being destroyed due to human trafficking. The problem can be solved if strong steps are taken according to the laws of the country and if there be any loopholes, laws should be made corrected or more stringent.

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