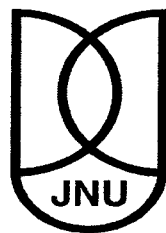


**TRAJECTORIES OF HUMAN TRAFFICKING  
-AN EXPLORATORY STUDY IN JHARKHAND**

*Dissertation submitted to Jawaharlal Nehru University  
in partial fulfillment of the requirements  
for the award of the degree of*

**MASTER OF PHILOSOPHY**

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Dated 29.07.2009

**CERTIFICATE**

This dissertation titled "*Trajectories of Human Trafficking- An Exploratory study in Jharkhand*" is submitted in partial fulfillment of the requirements for the award of the degree of *Master of Philosophy* of this University. This dissertation has not been submitted for any other degree of this University or any other University and is my original work

  
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## ACKNOWLEDGEMENT

Dissertation writing was a process of re-looking at things, understanding self in relation to others and more importantly coming out of the whole process a new and invigorated person. The praxis of the concepts learnt during coursework has helped me understand the finer dimensions of the field realities. It was like unlearning several known things to learn some newer things

I would like to thank Jawaharlal Nehru University and our Centre (CSMCH) for giving me the opportunity to undertake the dissertation.

At the outset I would extend my heartfelt gratitude to my supervisor Dr K R. Nayar for guiding me and giving me valuable insight and inputs as needed. His encouragement and support enabled me to complete my work

I thank all other faculty of CSMCH for their critical inputs and comments whenever I approached them individually.

Ma and Babu, you have been the strength to bear through the tough time of writing. I knew you both were there always. I knew I was sometimes hard to handle .....but you bore with me.

All my friends, seniors and juniors at the centre, I can't thank you all enough and I mean ALL OF YOU .....

I take this opportunity to express my deep gratitude to all those who were instrumental in conducting the research. Most importantly the girls who as part of the research gave their time to relate their experiences ..... thank you all...

The staff of the different organizations visited also deserve special mention for their help and extended cooperation.

The list could go on ... but thank you all once again

Atreyee Hazra

## ABBREVIATIONS

UN	United Nations
CSE	Commercial Sexual Exploitation
CRC	Child Review Committee
IOM	International organization for Migration
UNICEF	United Nations Children's Fund
UNODC	United Nations Office of Drugs and Crime
UNIFEM	United Nations Development Fund for Women
UNHCR	United Nations office of the High Commissioner for Human Rights
NHRC	National Human Rights Commission
NCW	National Commission on Women
ITPA	Immoral Trafficking Prevention Act
GAATW	The Global Alliance against the trafficking of women
CATW	The Convention against trafficking of women
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
UNTOC	United Nations Convention against Transnational Organized Crime
NCRB	National Crime Record Bureau
ATSEC	Action against Trafficking and Sexual Exploitation of Children
DWF	Domestic Workers Forum
JDWWT	Jharkhand Domestic Workers Welfare Trust
BKS	Bharatiya Kisan Sangh

TO BAPI

FOR SHAPING MY LIFE AND MAKING ME  
WHAT I AM.....

EVEN IN YOUR ABSENCE YOU ARE MY  
STRENGTH ALWAYS FOREVER

# INTRODUCTION

# INTRODUCTION

*The problem of trafficking and the web of human rights violations it embraces, present some of the most difficult and pressing issues on the international human rights agenda. Complexities include different political contexts and geographical dimensions of the problem; ideological and conceptual differences of approach.....[the] link between trafficking and migration presents another complexity presenting both political and substantive obstacles to the resolutions of the trafficking problem.*

UN Secretary General's Report on "Trafficking in Women and Girls"  
presented at the 58<sup>th</sup> Commission on Human Rights (2002) Geneva

Human trafficking was first defined in International law in 2000 through the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (Article 3) (UN, 2000a). Known as the 'Palermo Protocol' or the 'Trafficking Protocol', this is the most widely endorsed definition and provides an essential basis for national law reform (UNODC, 2006). Previous documents related to human trafficking and prostitution, such as the Convention for the Suppression of the Prostitution of Others (UN, 1949), or the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (UN, 1981), did not provide such definitions.

Under the Protocol, the definition of trafficking covers all forms of trafficking for the purpose of exploitation, including prostitution, forced labour, slavery-like practices and servitude.<sup>1</sup> It also notes that since children cannot consent under international law, it is a case of trafficking if the victim is a child regardless of

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<sup>1</sup> (a) 'Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, or fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs . . .'



whether or not fraud and deception are used.<sup>2</sup> The term 'child' is defined by the 1989 CRC, Article 1 (UN, 1989).

Additional definitions and protections pertain to Commercial Sexual Exploitation. The Declaration and Agenda for Action, adopted at the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, recognized for the first time CSE as a human rights, labour, health, education and law enforcement problem (Mahler, 1997; World Congress, 1996). A definition of the practice was also provided which clearly indicates that the remuneration factor distinguishes the concept of CSE from the sexual abuse of a child where commercial gain is apparently absent, although sexual exploitation is also abuse.<sup>3</sup>

The word *trafficking* appears almost neutral; it places emphasis on the moving of a human being from place to place. Its criminal nature is based on the illegal goals, such as sexual exploitation or prostitution and the means used to affect them, which usually include deception or force. In effect, trafficking is a modern form of slavery that uses people as objects, passing them from hand to hand like commodities and disposing of them when no longer needed. The heinousness of this practice lies in its violation of the essence of the human personality, in its taking away or severely limiting human choice, which is the moral basis that distinguishes people from other creatures.<sup>4</sup>

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<sup>2</sup> 'The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article.'

<sup>3</sup> 'The commercial sexual exploitation of children is a fundamental violation of children's rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.'

<sup>4</sup> Gershuni Rochelle 2004: Trafficking in Persons for the Purpose of Prostitution: The Israeli experience, Mediterranean Quarterly:

The United Nations office of the Commissioner for Human Rights and the United Nations Children's Fund and the International organization for Migration refer to-  
*Trafficking as the recruitment, transportation, transfer or harbouring, or receipt of any person for any purpose or in any form, including the recruitment, transportation, transfer or harbouring or receipt of any person by the threat or the use of force or by abduction, fraud, deception, coercion or abuse of power for the purposes of slavery, forced labour (including bonded labour or debt bondage) and servitude*

### **Definitions of Trafficking**

There have been various definitions of the concept of trafficking which reflect the different approaches to the issue. The problem of dealing with this very complex phenomenon begins with its definition.

*Some internationally recognized definitions are:*

Illicit and clandestine movement of persons across national borders, largely from developing countries with economies in transition with one end goal of facing women and girls into sexually or economically oppressive and exploitation situation for the profit of recruiters, traffickers and syndicates as well as other illegal activities related to trafficking such as forced domestic labour, false marriages, clandestine employment and false adoption.

{The United Nations General Assembly, 1994 (Resolution 49/166)}

The illegal moving and selling of human beings across countries and continents in exchange for financial or other compensation.

{World Congress against Commercial Sexual Exploitation}

The recruitment and transportation of person(s) within and across the national borders by means of violence or threat of violence, abuse of actual or perceived authority arising from a relationship or deception, in order to subject them to actual and unlawful power of (an) other people

{The Global Alliance against the trafficking of women(GAATW)}

## **The concept of Trafficking**

The concept of human trafficking is being used to refer to a wide range of crimes and human rights abuses associated with the recruitment, movement and sale of people into exploitative or slave-like situations. The focus remained on the movement and sale of a person. It did not take into account the “outcome” of the trafficking process which is referred to as the “trafficking harm”. Most trafficking-related concepts are limited in their scope and fail to apprehend the totality of the problem. Human Trafficking should be viewed in the context of a wide range of actions and outcomes that involve several stages, the important ones being those associated with the organization of the supply of people vulnerable to exploitation and harm; the process of movement and the demand for the service or labour of trafficked person.<sup>5</sup>

Trafficking in persons, the “dark side” of population mobility has been a cause of deep anxiety and concern for individuals, societies and economies alike. Despite many initiatives undertaken over the last two decades to tackle the problem, trafficking in persons remained a little explored area in terms of research with many inconsistencies, confusions and ambiguities that remain to be addressed.

The concept of human trafficking is being used to refer to a wide range of crimes and human rights abuses associated with the recruitment, movement and sale of people into exploitative or slave-like situations. The focus remained on the movement and sale of a person. It did not take into account the “outcome” of the trafficking process which is referred to as the “trafficking harm”. Most trafficking-related concepts are limited in their scope and fail to apprehend the totality of the problem. Human Trafficking should be viewed in the context of a wide range of actions and outcomes that involve several stages, the important ones being those associated with the organization of the supply of people vulnerable to exploitation and harm; the process of movement and the demand for the service or labour of trafficked person. Hence, there was a need for some conceptual clarity to gain a comprehensive view of the trafficking in persons phenomenon.

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<sup>5</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking September 2004 IOM

## **Trafficking – A Multidimensional Issue<sup>6</sup>**

- Trafficking has become an important economic issue with increasing poverty and landlessness, economic pressure, lack of access to property, feminization of poverty, labour and migration.
- Trafficking is a socio cultural issue where there is gender discrimination, preference of male child, neglect of girl child by depriving her food, education, medical treatment and freedom of movement.
- Trafficking is an environmental issue as there are natural disasters and man made hazards,, displacement of families, deprivation of food and water, lack of communication, alienation due to migration.
- Trafficking is a political issue as it is a part of an organized crime backed by influential sections of the society, sometimes in collusion with politicians and law enforcing agencies.
- Trafficking is a legal issue because in spite of legal framework and provisions victims are deprived of equality before the law.
- Trafficking is a human rights issue where the rights of the women ad children are violated at every point of the trafficking continuum

### **Research Context**

Trafficking in the present context requires a nuanced understanding as the movement of persons within or across borders by any means (such as force or fraud) into forced labour, slavery, or servitude. It has always existed; however, its phenomenal growth in the last quarter of the 20th century has caused alarm around the world.

Trafficking as an issue is assuming importance in the larger global context as a complex phenomena encompassing various dimensions.

We need to understand trafficking and its different facets in terms of patterns, trends, trajectories, impact and influences. There is need to delineate conceptually between migration and trafficking in relation to the purpose (intent), channels and

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<sup>6</sup> Proceedings of the International seminar and regional workshop on ‘Strategizing to combat trafficking in women and children’, Centre for women and children studies June 2007 , Dhaka.

outcomes of the process. It is important to appreciate the context specific variations and comprehend the issue in its totality. Understanding the dichotomy and the difference between migration and trafficking lends itself towards a perspective oriented analysis of the inherent problems and essence of trafficking. This helps us not only nuance the nature and extent of the problems in the broadest sense but also gauge the finer dimensions for effective strategic interventions. Trafficking in the strictest sense of the term embodies deception and coercion. It connotes exploitation of vulnerable people under the garb / lure of gainful engagements by people with larger vested interest. Thus a viscous nexus is perpetuated which is a literal trap and it leaves very little scope for manouvering and negotiation for those who fall a prey to such circumstances.

In this context we also need to focus on the various factors that influence and shape the pathways of the trafficking event. The importance and criticality of the issue draws from the fact that the impact of trafficking is disempowering and disastrous. Women are found very vulnerable especially given their constrained life chances within the socio economic domains of their operation. Though it is generally agreed that a disproportionate number of trafficked are women and girls, a gendered understanding of the same however will show us that the vulnerability of males is nowhere less in certain situations.

Another area that needs further probing and analysis is whether the rescue rehabilitation and repatriation processes( as part of redressal to trafficking) are enabling and help them in mainstream assimilation or does it further add to their woos.

In the present era of globalization, with the varied available/ luring life chances and fast means of communication the issue is assuming alarming proportions. The impacts in terms of health outcomes can also not be neglected as it has far reaching ramifications at every level.

## **Conceptualisation of the problem**

The disempowering impacts of trafficking have been widely discussed and debated. There is need however to conceptually understand the various constructs of trafficking. This is to establish clarity in terms of trafficking with reference to the intent, process and outcomes. The dichotomy lies in the fact that on several accounts the initial process and trajectories are the same while the outcomes differ variably although the intent may be similar. As a norm only certain aspects of the trafficking phenomenon are highlighted for instance the vulnerability of women and the impacts on their health, livelihood and social standing.

Trafficking is generally associated with sex trade, sexual abuse and exploitation of women. The other forms of violence related to forced marriages and bonded labour, domestic labour are not given their due importance. An in depth analysis of the perceptions, experiences of the trafficked persons would help us appreciate their views about the process, their understanding of the exploitation which they might have experienced and their coping mechanisms.

It has been largely seen that the process of rescue rehabilitation following trafficking with all good intent are equally discriminating. Given that the perpetrators by and large are able to negotiate and manouver processes to their benefit leaving the women to deal with the stigma in the assimilation phases. This has somewhat prevented the trafficked from seeking help and they hardly have faith in the redressal mechanisms

A gendered analysis of the issue of trafficking from the rights perspective would help us evolve more strategic and need based intervention keeping in view the perceptions of those affected. This would also render itself to more proactive redressal mechanisms within the already existing legal frameworks. The affected people would be best placed to articulate their needs and in a way that would best suit them.

The core issue is to be able to appreciate the sensitive softer dimensions with respect to trafficking as a process and its outcomes (exploitation, vulnerabilities), beyond the quantitative numeric representation to highlight the magnitude of the problem. Understanding of the various concerned stakeholders and their take on the issue of trafficking should be considered for feeding into policy decisions and intervention strategies.

### **Relevance of the study**

In the context of the globalized world the paradigms of trafficking are rapidly changing. There is a gradual shift in focus from that on trafficking for commercial exploitation to other forms of trafficking that put people at equal risk of exploitation

The study envisions exploring the interpretation of trafficking through the perceptions and experiences of the trafficked women. Understanding the phenomenon from the perspective of those trafficked will present realities as understood by them and help them articulate their needs and concerns.

In consonance with dominant and prevalent discourses it would help nuance the practical aspects of the trafficking issue and the vulnerabilities as articulated by the trafficked women. The study has some scope to draw linkages from the different theoretical perspectives of trafficking and relate them to the experiential learnings of the women who are trafficked.

There is some scope that the study would feed into intervention strategies of different organizations taking into account the people's perception.

Particular to the case of Jharkhand the study would help review the anti trafficking efforts of the non government organizations and networks. The study would help find out problem areas in intervention considering the perspective of both the trafficked and those working to strengthen anti trafficking measures.

## **The objectives of the study**

### **The study aims to**

- **Gain insights into the different perspectives on human trafficking**
- **Capture the perceptions of the trafficked women in terms of the nature, trajectory and outcome of the trafficking that they have undergone considering their realities and context in Jharkhand.**
- **Develop an understanding of the nature and basis of strategic interventions for anti trafficking by the Government and non government agencies in Jharkhand**

## **Methodology of the study**

Methodologically the study focuses on two areas – first the dominant discourses and perspectives on human trafficking highlighting the shifting paradigms, and secondly the experiences and perceptions of the trafficked victims to understand what meaning they make of the process.

The exploratory nature of the study essentially builds on the understanding of trafficking as articulated by the trafficked persons.

In keeping with the need to elicit individual perceptions and interpretations of the experiences of the trafficked women the life history methodology was applied. Insights were obtained through intensive case studies with women who had undergone a trafficking experience and were now under organizational affiliation.

The organizational approaches and mandates on anti trafficking were got through the interactions the key persons and staff of the organization at various levels. Also literature and available documents with the organization helped to understand the strategies they adopted.



## **The study design**

- Extensive review of available literature on the issue of Trafficking and related issues of gender , patriarchy , violence, power
- Review of works done by various organizations at the National level as well as in Jharkhand on human trafficking to identify new areas that needs exploration
- Corroboration of the dominant views through in-depth interviews of rescued and rehabilitated persons to get a feel of their perceptions and experiences
- Engaging in discussions and holding key informant interviews with the other stakeholders like NGO personnel, peers of affected people, personnel from placement agencies and government officials

## **Tools and methods**

### *Secondary literature review*

*(Books, journals, study reports and other related resource materials available with organizations working on trafficking issues)*

- To understand the various perspectives and dimensions on human trafficking as per literature already available
- To understand the organizational works and researches done in the area on Human Trafficking

### *Primary empirical data through:*

*Focused in-depth case interviews with selected rescued trafficked women (through organizations working with them)*

- To get insights into their life chances, experiences, perceptions and coping mechanisms.

*Key informant interviews with the other stakeholders like NGO personnel and concerned government officials*

- To get their views and experiences of working on trafficking issues
- To understand the approaches strategies and challenges related to Anti Trafficking work.

The study was conducted in Ranchi Jharkhand through specific organizations (both networks and field NGOs) which worked on Trafficking issues. Case studies of girls who had experienced trafficking were done. The girls had been sent back to Jharkhand following their rescue and were presently under the organizational support in Ranchi. Certain organizations in Delhi were also covered and case studies done to understand the realities of the girls who stayed back in Delhi. The idea is to highlight the variation in the cases and the organizational approaches at both levels.

### **Chapterisation**

The flow and sequence of the chapters in the study highlight the orientation to the objectives of the study. The chapters have been linked to give a logical connection to set the tone for the study and the presentation of the results.

The Introductory chapter presents an overview of the issue of human trafficking its definitions and dimensions. It also outlines the problem as conceptualized under the study and articulates the context and rationale of the study. The objectives methodology and the limitations of the study have also been clarified.

The First chapter "*Trafficking: The nuanced trajectories*" dwells on the understanding of trafficking in terms of the shifting paradigms and also the interrelated issues of prostitution and migration. The conceptual framework and perspectives lending to the understanding of trafficking and the have been dealt with in the chapter. The discourses of trafficking and the feminist interpretations also find a mention. The chapter discusses the issues of Globalization, Gender and presents the South Asian context and the Jharkhand specificities of trafficking.

The second chapter "*Perceptions and Experiences of Trafficked Women -Voices from Jharkhand*" essentially focuses on understanding the personalized world view of the trafficked girls based on their lived experiences and life chances. It discusses the life history methodology and the essence of use of narratives to make

interpretative analysis. The chapter contextualizes domestic work and establishes the niche of tribal domestic workers from Jharkhand in Delhi. The chapter also highlights the thematic analysis and interpretation of the perceptions and experiences of the girls in different stages of the trafficking continuum.

The third chapter “*Anti Trafficking Mandates: A Review of Organizational Approaches and Strategies*” highlights the transnational nature of the problem and reiterates the global mandates on Anti Trafficking. It also provides insights into the larger international legislative frameworks and the Indian legal instruments. Analysis of the approach and strategies of the different organizations providing support to the cases of trafficked victims under the study has been provided in the chapter.

The fourth chapter “*Trafficking – The way ahead...*” attempts to connect through the various issues in the different chapters already mentioned. It discusses the theoretical underpinnings, the fallacies in the definition; the inherent ambiguities related to trafficking and highlight the gaps in the research on trafficking. The chapter also synthesizes the issues related to the perceptions and experiences of the trafficked girls from Jharkhand and the approaches/ strategies of the organizations working on trafficking issues and the challenges faced by them.

#### **Limitations of the study**

Human trafficking is a sensitive issue and in the context of the study in elucidating life experiences of the trafficked women appears a real challenging task.

The fact that the case studies were done in organizational settings could have an influence on the nature of sharing based on their affiliation to the organization.

The extent to which the findings will be able to feed into future interventions and policy strategies at the level of the organizations working on the issue of trafficking is to be ascertained.

Most of the available literature on the issue is along the dominant paradigm of prostitution and sex work and its link to trafficking. The other forms of trafficking have been less highlighted. Research and work on the other forms of trafficking is still in the nascent stages. Thus establishing links of other forms of trafficking (domestic work in this case) is both a challenge and limitation.

Trafficking realities are changing and so are the frameworks for analysis of the same. The responses to the challenges of trafficking are guided by the perspective that lend to its understanding and the dimension being considered. For instance the political dimension would require that policies, frameworks and protocols be suitably adopted to regulate trafficking. The socio-cultural framework would focus on the construction of the phenomena based on the realities as perceived by people. The study adopts a multidimensional approach to analyze the trafficking of tribal girls from Jharkhand. It tries to view the issue not only as a the reality of economic constraints but also tries to interpret the construction of trafficking through the lens / worldview of the trafficked.

**CHAPTER 1**  
**TRAFFICKING:**  
**THE NUANCED TRAJECTORIES**

# CHAPTER ONE

## Trafficking: The nuanced trajectories

### 1.1 Understanding of trafficking

Human Trafficking has today shaped up as a pervasive and complex phenomenon immense in magnitude, dimensions and scope.

The complexity of the issue can be gauged from the fact that the determinant and perpetuating factors of trafficking are deeply entrenched not only in the socio economic domains but are inclusive of the political and cultural realms. This is what makes deciphering analysis and interventions against the negative outcomes of trafficking so difficult and challenging.

Moreover, very often, trafficking is equated with prostitution and this is one of the prime reasons why the human rights violation inherent in trafficking is not correctly understood and the traffickers who are the actual “criminals” get away scot free. Therefore, a need was felt for demystification of the term and understanding the trends and dimensions from a human rights paradigm.<sup>1</sup>

Considering that there are multiplicities of influencing factors and players/ stakeholders involved in the phenomena at various levels, there is a need for a comprehensive understanding of the various facets of the issue for strategic interventions to check the vicious cycle and associated suffering.

The definition of trafficking is set out in the articles 1 and 2 of the 1949 Convention for the Suppression of the Traffic in persons and of the Exploitation of the prostitution of the others. This Convention mainly dealt with Trafficking in terms of its sexual forte, exploitation and linked it to prostitution. Since then the ambit and scope of Trafficking has been conceptually widened to encompass other forms of exploitation and violence against women. This extension has been harnessed through the provisions and mandate of the Beijing declaration and platform for action, under which forced marriages, forced labour were declared forms of trafficking.

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<sup>1</sup> NHRC - UNIFEM - ISS Project A Report on Trafficking of women and children in India 2002-2003 (collaboration ISS New Delhi, NHRC New Delhi, UNIFEM New Delhi)

The United Nations office of the High commissioner of human rights, the United Nations Children fund(UNICEF), the United Nations Special Rapporteur in Violence against women and the International Organisation for Migration (IOM) have all adopted definitions of trafficking that recognize it as a human rights problem involving forced labour , servitude or slavery and not as one limited to prostitution.

The United Nations office of the High Commissioner of Human Rights, UNICEF and IOM refers to –

*Trafficking as the recruitment, transportation, transfer of harbouring, or receipt of ant person (for any purpose or in any form) by threat or the use of force abduction , fraud , deception, coercion or abuse of power for the purposes of slavery, forced labour ( including bonded labour or debt bondage ) and servitude.*

The UN Protocol in 2000 to prevent suppress and punish trafficking in persons specially women and children, is the first universal treaty that covers almost all aspects of trafficking in persons.

According to the definition of the UN Congress at Vienna- *“Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include at a minimum, prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery servitude or the removal of organs”*

Trafficking can take various forms throughout the world, including illegal adoptions, theft of body parts, debt bondage workers in addition to sexual exploitation

In 1996, in a report requested by the UN Special Rapporteur on Violence Against Women, the Global Alliance Against Trafficking in Women (GAATW) develop- ed definitions of trafficking and forced labour or slavery in line with the liberal approach of the first of the two sides in the feminist debate. This definition emphasises coercion, and explicitly distinguishes trafficking from forced labour and slavery- like practices.

Trafficking is defined as, 'all acts involved in the recruitment and/or transportation of a woman within and across national borders for work or services by means of violence or the threat of violence, abuse of authority or dominant position, debt bondage, deception and other forms of coercion' (Wijers & Lap-Chew, 1997 p.36).

There has been a shift in the understanding of the nuances of Trafficking of women and children from equating it to commercial sexual exploitation to acknowledging the other forms of exploitation and the related vulnerabilities, negative outcomes.

IOM studies have attempted to highlight some inconsistencies with the definitions and paradigms of Human trafficking

The phrase “human trafficking” has been used to address a wide variety of crimes and human rights abuses associated with the recruitment, movement and sale of people into a range of “exploitative” or “slavery-like” conditions. The problem with the present human trafficking paradigm is that many of the definitions used to define this social phenomenon are often limited in their scope and do not adequately reflect the totality of the problem. Likewise, few attempts have been made to develop usable conceptual frameworks that would allow the many variables to be encompassed under a single umbrella.<sup>2</sup>

Based on direct involvement with Human trafficking it connotes differently to different people and like wise there are various definitions and interpretations. Even the generally accepted normative definitions have been seen to focus on the movement, the techniques used to facilitate conditions for the movement and specific purposes for the same. There is no real attention to the outcomes, processes and the temporal sequence that places people in such situations

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<sup>2</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking September 2004 IOM



## **1.2 Different Aspects of trafficking – Paradigm Shifts**

Trafficking in the present context needs to be recognized as a process also involving other forms of exploitation. Globalization leading to increased information flows together with greater mobility of people has changed the forms and understanding of trafficking. This would therefore necessarily demand contextual referencing (specificities) apart from the holistic overview to tackle the problem. Problematising the issue and evolving a strategic framework for intervention would require an indepth overview and analysis of the perception, needs and priorities of the various stakeholders. We also need to appreciate that as a phenomenon it not only has contextual relevance (considering socio- economic cultural realities) but also has national, regional and international ramifications ( in terms of the discourses, policies and operational legal frameworks).

Trafficking is defined as, 'all acts involved in the recruitment and/or transportation of a woman within and across national borders for work or services by means of violence or the threat of violence, abuse of authority or dominant position, debt bondage, deception and other forms of coercion' (Wijers & Lap-Chew, 1997 p.36)

Trafficking is in relation to organized crime, illegal migration, prostitution, forced labour, violence against women, unequal economic relationships, and poverty.

Trafficking of human beings is the movement of persons within or across borders by any means (such as force or fraud) into forced labour, slavery, or servitude. It has always existed; however, its phenomenal growth in the last quarter of the 20th century has caused alarm around the world. It is now a multi-billion dollar industry run by individuals and small and large organised networks. Although precise statistics do not exist, anecdotal evidence and studies indicate that hundreds of thousands - if not several millions - of people are trafficked worldwide annually. A hard reality is that a disproportionate number of trafficked persons are women and girls. This brings out the stark reality of the gendered nature and social construction of the phenomenon of Human Trafficking.

### **1.3 Inter related concepts of trafficking**

#### **1.3.1 Trafficking and prostitution**

Trafficking and prostitution are not synonymous and one should delink the two when trying to conceptually construct and operationalize.

Today there enough discourse and literary evidence based on analysis of legal provisions and its application. The various demands factors generate promote and perpetuate trafficking and this gets entrenched as a vicious cycle. Trafficking could also be a means for other types of violations such as for developing pornographic material, for promoting sex tourism, for sexual exploitation under the facade of bar tending, massage parlours etc or even for exploitative labour where sexual abuse may or may not exist<sup>3</sup>

Thus we can see that with the changing forms and situations prostitution and trafficking are distinct phenomena although they are closely interlinked. Prostitution is one of the purposes for which women and children are trafficked. On the other hand trafficking is a coercive and exploitative process or mechanism of which prostitution is one of the objectives. Trafficking takes place for various other purposes other than prostitution such as bonded labour, domestic servitude, organ trade etc. Regional and country specific realities show variations of this.

Prostitution can be conceptually analyzed from two different perspectives

The first perspective centrally focuses on prostitution as the main purpose of trafficking, considering it as violation of women's rights and dignity and thus justifies its abolition as a remedial strategy. The movement to abolish prostitution is led internationally by the Coalition Against Trafficking in Women (CATW)

The second perspective argues for choice in the rights domain considering that it may be a source of earning or a means of livelihood and could be a conscious choice on the part of many sex workers. At international level the Global Alliance Against Trafficking in women (GAATW) advocate against abolition and criminalization of Prostitution.

Adult women have the right to choose and engage in sex work

There is however a common element that cuts across these two perspectives. Both these perceptions recognize the need to address the exploitative conditions and the associated

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<sup>3</sup> P M, Nair (2005) Trafficking –women and children for sexual exploitation, A hand book for law enforcement agencies in India UNIFEM , New Delhi

vulnerabilities inherent in the sex trade and to protect the rights of the women involved in sex work.

### **1.3.2 Trafficking and migration**

Both these constructs are enmeshed in the larger context of work and livelihood options that are core of the existential realities faced by people. The issues of mobility of people and the whole range of associated problems find their genesis in the concern for livelihood and sustenance.

Migration can be understood as the movement of people within countries and across countries through legal or illegal means for seeking better employment, better opportunities and lifestyle. It can be voluntary or forced but is usually voluntary.

Population flows are rarely homogeneous. The phenomenon of globalisation, involving the movement of capital, goods and services across the world, coupled with the exponential growth in communication and transportation technologies, has contributed to an acceleration of migratory movement,<sup>1</sup> much of it irregular and undocumented, with an important component self-channelled into the asylum stream in developed countries.

Serious human rights violations and armed conflict are a major cause of displacement and onward movement. Additional or aggravating factors, including poverty, environmental degradation, population pressure and poor governance also influence the intricate dynamics of migration. The result is mixed migratory flows, comprised of groups of people following similar routes but for widely diverging reasons, and with very different needs.<sup>4</sup>

Addressing the root causes of forced population movements more robustly is clearly a key challenge for the international community. At the same time the complexity of these modern movement patterns makes it increasingly important to differentiate among the various types of migrants and consequently to develop responses appropriately tailored to specific needs

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<sup>4</sup> Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali II), Office of the United Nations High Commissioner for Refugees (UNHCR)

Trafficking on the other hand is a more complex process involving movement of persons by deception , coercion into vulnerable situations of forced labour or servitude.

Both migration and trafficking involve movements of people thus their physical sites may be the same. The difference lies in the element of choice and this exemplifies the importance of the perceptions, views and feelings of those affected. All acts of trafficking involve migration but not all acts of migration are trafficking. The essence of voluntarism is what differentiates. If migration is not accompanied by coercion or deception and does not result into slavery like oppressive conditions, it is not trafficking. Sometimes however people may migrate voluntarily but end up getting trafficked

It is obvious that a clear distinction between migration, migrant smuggling and trafficking in persons is an extremely complex undertaking. All three phenomena are intertwined and make up an integral part of the “population movement process” – both conceptually and operationally. <sup>5</sup>

#### **1.4 Conceptual framework for understanding Human Trafficking**

Trafficking has been described and understood differently by various actors / players to connote a range of activities from voluntary migration, voluntary prostitution and forced prostitution to forced non sexual labour.

There are predominantly three schools of thoughts for conceptual analysis of trafficking

- 1) The first school considers trafficking as primarily linked to prostitution (involving moving, selling and buying in women and children). This concept is associated with the instrument adopted to combat trafficking in that light-Convention for the Suppression of the Traffic in Persons and the Exploitation and Prostitution of others, 1949). There was a tendency to criminalize and revictimize women forced into prostitution and the state played a restrictive role in terms of women mobility. This was in complete disregard of the human rights of the Trafficked persons.

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<sup>5</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking September 2004 IOM

- 2) The second school deals with the concept of trafficking as per the UN general assembly mandate adopted in 1994. It links trafficking to forced prostitution and coerced labour only, viewing trafficking as closely associated with economies in transition. The limitation in this case is that it sees only the seeable and relates to the visible part of the crime and not the invisible part. Trafficking has large spheres of activities most of which are invisible. In envisaging a holistic understanding one should reckon the relationships of the different stakeholders, influence of the patriarchal order the society, the internal dynamics of domestic trafficking and power inequities in the society.
- 3) The third school of thought based on the idea proposed by Radhika Coomaraswamy ( UN special rapporteur on VAW) in a report to the UN Commission on Human Rights ( Coomaraswamy 2000) defines trafficking more holistically bringing into perview all the players involved in the trafficking chain as per their roles and interests. The idea is that criminalization of the activities of all the parties involved throughout the process of trafficking would facilitate efforts to prevent trafficking and punish traffickers.

### **1.5 Perspectives of Human Trafficking: A contested domain**

The trafficking phenomenon has been perceived differently by individuals, organisations, and political groupings: in relation to organised crime, illegal migration, prostitution, forced labour, violence against women, unequal economic relationships, and poverty. In the last century, the concept of 'traffic in women' was linked to 'white slavery'. The 1904 International Agreement for the Suppression of the White Slave aimed to combat the procuring of women and girls for immoral purposes abroad by compulsion. In 1949, the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others stated, 'prostitution (is) incompatible with the dignity and worth of the human person'. It obliged states parties to punish any person who 'to gratify the passions of another, procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person'. The Convention reflected the abolitionist sentiment still prevailing in the first half of the twentieth century, understanding the woman solely as victim: if abuses are

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inherent in migrant prostitution, then governments must abolish both prostitution and trafficking. However, the assumption behind the Convention - that if you get rid of the demand, by prosecuting third parties involved, supply will wither away - is simplistic. It ignores the problem of the need to earn a living - 'structural coercion'. Women may choose to migrate for work, and to enter prostitution because of poverty and lack of alternative employment opportunities.

#### ***1.5.1 The labour perspective-***

The economic factors (the issues of demand and supply) regulate the manpower requirement and thus their mobility. The livelihood concerns heavily determine the shift of populations from labour intensive areas which are devoid of opportunities to areas of greater potential requiring suitable manpower. Even in this construct there are differentials related to the nature of work and demand for workforce based on gender. This essentially means varying outcomes and impacts considering these differentials. It is actually these inequities in terms of access to resources and power that create uneven spaces for women and increase their vulnerability.

#### ***1.5.2 The Human Rights Perspective-***

As a basic human right every person is entitled to productive work and employment that enables him to eke out a living and capitalize on his productive capacities. Migration is basically premised on the same grounds of rights to better opportunities and suitable working conditions that ensure better life chances to the person.

At another level trafficking in persons creates unequal relations as in there are some who exert influence and control to manipulate the interest and exploit the powerlessness of others. The stakes of people in the form of rights and basic entitlements to decent existence and freedom to exercise choices independent of the influence of others is the basic tenet that is violated in case of trafficking.

This perspective is of special importance because of the element of coercion and human exploitation associated with trafficking

### ***1.5.3 The Sociological perspective-***

This relates to the larger social structures and correlates such as the patriarchal system and the gender constructs in the Indian context. These to a large extent shape up and create a platform for societal response (acceptance/ ratification or denial) towards the phenomena of trafficking

The sociological constructs of Gender, Patriarchy, power which strengthens entrenched elements of violence against women and their subjugation form a large part of the theoretical frame of reference.

## **1.6 Discourses on Human Trafficking**

### **1.6.1 Relationship between Prostitution and Human Trafficking**

There is enough literature today to delineate the constructs of Human trafficking and explore beyond the narrow realms of sex trade and prostitution. This lends itself to a frame of reference which is multi dimensional focusing on the complexities of the phenomena. The understanding today is one of a broad spectrum of events and occurrences that have wide ranging implications and need a holistic approach to deal with these issues. The plurality of players in the phenomenon and the differential impacts on them have over times shaped the way the issues are dealt with considering the perspective approaches and contextual realities. The shifting nuances of human trafficking and the emerging trends have thrown up newer dynamics and scope for exploration of contested domains.

There are a range of purposes for which people are trafficked or become subject to illegal migration—for commercial sex work, domestic labour, begging, and construction, farming and factory labour. Many women are lured into illegal migration by traffickers offering well-paid jobs, and then find themselves in bonded labour or forced prostitution. Prostitution offers traffickers rich returns, while exposing migrant women to serious violations of their human rights, including deprivation of their liberty, rape and exposure to sexually transmitted diseases, including HIV/AIDS. Insecurities due to lack of money and travel documents, and the fear of discrimination, stigma and

possible rejection, also act as major obstacles to their escaping such situations and seeking redressal assistance

Conceptualizations of prostitution with reference to any of the countries of Asia must be set on a historically correct and accurate theoretical basis.

Currently, there is a heated and contentious controversy raging over the question of whether, or not, prostitution may best be defined as sex work. On the one side, sex work advocates argue that the label prostitution, itself, unjustly stigmatizes those so engaged who might benignly, be referred to as sex workers. They, also, contend that the legitimisation of sex work as an occupation that can be applied for, and freely chosen as a socially recognized form of employment will ensure better legislation and working conditions to protect sex workers' rights. On the other side, however, women's rights advocates and human rights proponents find that the use of the term sex work is an attempt by sex 'businessmen' and the governments and international organizations who are profiting from their earnings, to further rationalize the exploitation involved in prostitution. As they see it, prostitution is a better term to use because it has political implications.<sup>6</sup>

That is, human rights advocates, including children's rights proponents and male and female feminists, argue that although legalizing prostitution portends to provide a safe haven for prostituted women by legalizing brothels to offer them "protection from the rapes, beatings and murders which are the hazards of street prostitution," in actuality, the making of prostitution into a legitimate form of work will not solve the problem of prostitution.

Although trafficking of human beings has been widely regarded as a human rights issue, little attention has been paid to human rights aspects of smuggling as it is mainly characterized as facilitation of illegal migration.

There is need for exploring the definitions of trafficking and smuggling and their policy implications and highlight some human rights issues inherent in the act by examining its

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<sup>6</sup> Nadeau, Kathleen, 2003: Is sex trafficking in Asia ancient or new?: challenge to the churches Volume 40 Number 2



causes, process and consequences. There should also be an analysis of human rights obligations imposed upon non-State and State actors. The fact that non-State actors are not held directly accountable under international human rights law points to an investigation of legal obligations imposed upon States (protection of victims as an example)

Trafficking and smuggling of human beings have been the object of much attention at national, regional and international levels in modern times.

These phenomena are important in the context of refugee protection, as an increasing number of refugees and asylum seekers turn to traffickers and smugglers to migrate. The transnational nature of these acts and their link with organised crime prompted the international community to take urgent action, and the major step was taken with the adoption of the Protocol to Prevent and Suppress Trafficking in Persons<sup>7</sup>

From a human rights perspective, Trafficking of human beings is widely regarded as a human rights issue because of the involuntary manners in which people are transported and of subsequent exploitation inherent in the act. However, smuggling may not be treated as such, because it is characterised merely as facilitation of illegal migration. Consequently, those smuggled can be regarded as criminals or their collaborators, and States may place greater emphasis on immigration control in order to prevent their flow. Literature has established that smuggling of human beings can equally raise human rights concerns, thereby redirecting the subject matter into a human rights discourse. We need to begin by exploring the definitions of trafficking and smuggling under the aforementioned Protocol. The distinction between these two acts creates a danger that the human rights of those smuggled would not be addressed adequately. It then highlights human rights issues inherent in smuggling by examining the causes, process and consequences of the practice. It is demonstrated that smuggling can be both the cause and consequence of human rights violations.

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<sup>7</sup> Obokata. T. , 2001, 'Trafficking' and 'Smuggling' of Human Beings in Europe: Protection of Individual Rights or States' Interests?', Web Journal of Current Legal Issues, at [www.webjcli.ac.uk](http://www.webjcli.ac.uk)

Different types of discourse appear in political debates on prostitution. The most common are those of public nuisance, traditional morality, oppression-of-women, and sex work (Kantola and Squires 2004 ; Outshoorn 2001 ). Public nuisance is most salient where the main problem is street prostitution and may be muted in contexts in which street prostitution is marginal. Traditional moral objections to prostitution — as sinful, evil, shameful — have been made for centuries and continue to be heard whenever the topic is discussed.

The traditional moral model is distinct from an increasingly popular, modernized moral frame called the *oppression model* , which centres not on vice and sin, but instead on the subordination of women and children ( Weitzer 2007 b ). The oppression model's two core tenets are sketched below, followed by those of the diametrically opposed sex work paradigm:<sup>8</sup>

*Claim 1: Prostitution inherently oppresses women.* Prostitution is an institution of male domination and exploitation of women. The Coalition Against Trafficking in Women's (CATW) website proclaims that ' All prostitution exploits women, regardless of women's consent. Prostitution affects all women, justifies the sale of any woman, and reduces all women to sex ' . It can never qualify as a conventional commercial exchange, nor can it ever be organized in a way that advances workers ' interests. The favoured terms — ' prostituted women ' , ' sexual slavery ' , ' violence against women ' — clearly reveal the essence of prostitution as something done to people, not something in which agency might be involved. This perspective holds that most or all workers have been forced into the sex trade, are victims of trafficking, and that ' violence is intrinsic to prostitution ' , as CATW co-director Janice Raymond declares ( Raymond 2004 :1175)<sup>9</sup>. All moral panics identify 'folk devils ' ( Cohen 1972 ; Goode and Ben-Yehuda1994 )<sup>10</sup>, in this case personified by the customers, traffickers and other profiteers who are depicted as exploiting and abusing women and, in so doing, reproducing male supremacy.

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<sup>8</sup> Weitzer. Ronald (2008) 'Legalizing Prostitution Morality Politics in Western Australia' *British Journal of Criminology* ) 1-18

<sup>9</sup> cited in Weitzer op cit

<sup>10</sup> cited in Weitzer op cit

The sex work paradigm, by contrast, holds that prostitution is not necessarily oppressive to women, and that workers vary in the amount of agency they have with respect to both entry into the trade and control over working conditions ( Jenness 1993 ; Weitzer 1991 ; 2005 a )<sup>11</sup>. This model challenges the notion that most workers have been trafficked or that force or fraud is employed in transporting most migrant sex workers ( Agustin 2005 ; Doezema 2000 ).<sup>12</sup> It also takes a more nuanced view of prostitutes 'customers, recognizing that they vary in their background characteristics, motivation and behaviour, and buy sex for different reasons ( Brooks-Gordon 2006 ; Monto 2000 )<sup>13</sup>.

In a nutshell, the sex work discourse focuses on the conditions of work and the need for workers ' labour rights and state protection. The actor is treated as a worker selling a service, and no presumptions are made about any inherent features or deeper meanings of this activity.

*Claim 2: Legalization would make the situation far worse than it is at present.*

If prostitution is intrinsically evil and oppressive of women, legalizing it is no solution. According to the oppression model, legal prostitution is detrimental in two respects: practically, by magnifying all the problems associated with prostitution (e.g. violence against workers, spread of STDs, organized crime, trafficking), and symbolically, by giving the state's blessing to a vile institution and condoning men's exploitation of women.

Regarding the symbolic dimension, it is claimed that 'When legal barriers disappear, so too do the social and ethical barriers to treating women as sexual merchandise.

Legalization of prostitution sends the message to new generations of men and boys that women are sexual commodities and that prostitution is harmless fun ' ( Raymond 2003: 322 )<sup>14</sup>, and also poses a grave threat to moral order: ' ... the corrosive effect on society as a whole when prostitution is condoned through legalization or

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<sup>11</sup> cited in Weitzer op cit

<sup>12</sup> cited in Weitzer op cit

<sup>13</sup> cited in Weitzer op cit

<sup>14</sup> cited in Weitzer op cit

decriminalization' (CATW 2004). Anti-prostitution forces often express alarm about what they perceive as the 'normalization' of prostitution in various parts of the world. The sex work discourse, by contrast, holds that certain types of decriminalization or legalization can advance workers' rights and institutionalize protections (Jenness 1993; Weitzer 1991)<sup>15</sup>. These protections have been documented in some legal systems, including Nevada, Queensland, and the Netherlands (Breits and Hausbeck 2005; Crime and Misconduct Commission 2004 : 75; Daalder 2007)<sup>16</sup>. The ability to operate legally can empower workers to report victimization to the police, whose role can be redirected to safeguarding workers instead of arresting or harassing them. Legalization also has the potential to reduce coercive sex trafficking, insofar as the sex trade is subjected to increased scrutiny by government officials.

### **1.6.2 Feminist interpretations of trafficking**

Individual agency observed in the gendered division of labor is shaped by structural factors, but only recently has evidence emerged that the effect of women's resources varies systematically in its sociopolitical context

Central to shaping gender relations within a society is the extent to which the labor market and the state reinforce the traditional gendered division of labor, where the man is the primary breadwinner while the woman specializes in the domestic sphere.

Neoclassical economists (Becker 1981; Mincer and Polachek 1974) and some sociologists (Durkheim 1984 [1893]; Hakim 2000, 2003; Parsons 1942) contend that the gendered division of labor is an optimal allocation of family time, based on women's lower labor market returns and preferences for domestic tasks.

As to the market causes, the gender wage gap across countries remains real and persistent even after controlling for differences in education and experience (Blau, Ferber, and Winkler 2002; Blau and Kahn 1996; Gornick 1999). Despite women's lower returns, their labor force participation has steadily increased across industrialized countries, along with their relative economic equality in the household (Blau, Ferber, and Winkler 2002; Sorensen and McLanahan 1986).

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<sup>15</sup> cited in Weitzer op cit

<sup>16</sup> cited in Weitzer op cit

Across countries, the increase in men's share of unpaid domestic work and child care, however, has not been commensurate (Blossfeld and Drobnic 2001; Gershuny 2000).<sup>17</sup> Hakim (2000) claims that the gendered division of labor remains because modern society now provides women with more choices due to five historical changes: (1) the contraceptive revolution; (2) the equal opportunities revolution ensuring women have access to all positions, occupations, and careers; (3) expansion of white-collar occupations that are more attractive to women; (4) growth of the secondary job market providing part-time employment; and (5) the increasing importance of preferences in shaping lifestyle choices (Hakim 2003, 7). She argues that these changes have led to an increasing heterogeneity among women as to their preferences for market versus domestic work.

Women with traditional preferences support any policies reinforcing the male breadwinner model so that they might devote themselves to the domestic sphere, whereas women with the most nontraditional preferences support any policies reinforcing their greater competitiveness in the labor market.

**To focus mainly on female prostitutes-male customers managing to vanish as though by magic from the social/socio-logical picture-runs the risk of reproducing, in print, the same gender bias that surrounds the treatment of prostitution, in practice<sup>18</sup>**

**It is systematic practice to arrest, blame, and hold responsible only one of two parties who have undoubtedly committed this "crime".**

For the women's movement, prostitution has been a difficult and divisive issue. Liberals have generally subscribed to the view that a woman should have the right to prostitute herself if she so chooses. In the early 1970s, some prostitutes' groups began organizing for legalization of prostitution, an end to police harassment, social security, and other benefits that service professions generally enjoy. Taking the idea to its logical extreme, others have argued that prostitution is an expression of a woman's right to sexual self-determination and equality.' In contrast, radical feminists argue that all prostitution

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<sup>17</sup> Cooke Lynn Prince 2006, Policy Preferences, and Patriarchy: The Division of Domestic Labor in East Germany, West Germany, and the United States, Pages 117-143

<sup>18</sup> Chancer Lynn Sharon, 1993, Prostitution, 'Feminist Theory, and Ambivalence: Notes from the Sociological Underground', Social Text, No. 37, A Special Section Edited by Anne McClintock Explores the Sex Trade, pp. 143-171 Published by: Duke University Press

involves coercion of one kind or another, and that therefore it should be regarded as a form of slavery and a violation of the human rights of women.<sup>19</sup> Historically, different societies have evolved different approaches in order to deal with prostitution and its perceived implications for public morals and public health. In countries with strict moral codes, prostitution may be criminalized-although usually only the prostitute, not the client, is punished. Police harassment does not end prostitution but drives it underground, increases the power of pimps, and contributes to the psychology of violence against women. This has been called the "prohibitionist" system.

In the "regulationist" system, prostitution is legal but is subject to a system of licensing and registration which confines prostitutes to brothels and red-light districts in order to ensure official control. This system entrenches the notion of prostitution as a necessary social service performed by a separate class of women and integrates that service into the social structure through taxation, health checks, and other administrative measures.

The third and most recent system is the "abolitionist" system, which eliminates regulation and criminalizes procurement and brothel-keeping, but leaves prostitutes alone, provided they refrain from overt soliciting. Various forms of control, however, continue to exist under this system, to which the prostitute, rather than her client, is usually subject.

In the 1980s, trafficking became a focus of attention again because of concern over the spread of AIDS, and feminist research on sexual exploitation. In feminist circles, trafficking is a highly contentious issue. The conflict over language - 'sex work' or 'prostitution', and 'migration' or 'trafficking' goes to the heart of the debate over whether prostitution is a valid job option, or a form of violence against women. The debate hinges on the distinction between sex-related work and other forms of labour. The Dutch Foundation Against Trafficking in Women (STV), aims to protect the human rights of sex workers and recognise sex work as a legitimate form of work: 'it would be useful to consider [seeing]..."commercial sex workers" [as] labour issues and not an issue of violence against women' (STV, 1996, 1). The policy implications of this approach can

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<sup>19</sup> Reanda.Laura 1991 Prostitution as a Human Rights Question: Problems and Prospects of United Nations Action, Human Rights Quarterly, Vol. 13, No. 2, pp. 202-228 Published by: The Johns Hopkins University Press

be legalisation and regulatory legislation, as in the Netherlands, where brothels have recently been decriminalised. STV distinguishes between forced and free prostitution, and between prostitution and trafficking. The Beijing Platform For Action that emerged from the 1995 Fourth World Women's Conference makes a similar distinction, condemning violence against women, yet exempting prostitution per se from the category of human rights violations, instead condemning only 'forced prostitution'. The Platform also distinguishes between trafficking and prostitution, calling for sanctions only against trafficking. A second feminist constituency takes the abolitionist position, arguing that all forms of trafficking and prostitution are inherently forced and constitute violence against women. Organisations such as the Campaign Against Trafficking in Women (CATW) argue that governments and funders only perpetuate exploitation if they adhere to the distinction between forced and free prostitution, as this allows the legitimising and increased commercialisation of prostitution, and encourages the growth in trafficking. However, the abolitionist approach has been criticised as 'a fundamental misconception about what constitutes slavery and what prostitution' (Bindman 1997, p.4). Bindman argues that the international definition of slavery is based on an enduring employer-employee relationship and the employer's abuse of superior power. The commercial transaction between the sex worker and client is, however, not characterised by employment relations; the client is a customer, and the relationship is limited in time and scope.

The 1994 International Conference on Population Development (Cairo, 1994) was widely hailed as having established a new paradigm. It was in Cairo that we saw confirmed the potential of a human rights approach to transform our understanding of reproductive and sexual health as products of social-gender, race, class-relations, as much as of biological or behavioral factors.<sup>3</sup> Such a momentous shift in conception requires dismantling the institutions, laws, and policies that prevent diverse women (and men) from exercising agency over their bodies and lives and participating fully in their communities and societies. It also requires dismantling deeply entrenched thought structures.<sup>20</sup>

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<sup>20</sup> Yamin Alicia Ely 2004, Promising but Elusive Engagements: Combining Human Rights and Public Health to Promote Women's Well-Being, Health and Human Rights, Vol. 8, No. 1, pp. 62-92

### 1.7 Globalization, Gender and the context of Human trafficking

The effects of globalization are far reaching and very evident for all to see. At best, mixed and uneven results have materialized through structural adjustments, deregulation of markets, international trade and foreign capital investment, and privatization of essential goods and services. In fact, neoliberal policies imposed by the International Monetary Fund, coupled with currency speculation, have destabilized national economies, leaving few unscathed.

Other troubling concerns are the restructuring of labor into volatile, unregulated, de-industrialized, and low-paid sectors (such as sweatshops, tourism, and domestic and care work)<sup>21</sup>

In this context understanding the changing cultural and political terrain of states and nations is relevant and crucial to analyses of sexuality and gender.

H. J. Kim-Puri (2005) try to foreground the ways that gender, sexuality, state, and nation are mutually constituted; foster feminist understandings and criticisms of globalization and transnationalization. According to them transnational feminist sociology can extend and help reframe analyses by “denaturalizing” states and nations, while also unraveling their material and cultural linkages with sexuality and gender. They also opine In addition to these uneven capital flows, globalization has produced an unprecedented movement of people across and within national and regional borders. In turn, these organized and structured flows of people across borders, within and between nations, have altered cultural practices, produced new subjects and identities, and fostered ties to multiple places.

That is to say in terms of an interpretative framework that-

Trafficking feeds on poverty, lack of information, and naive hopes. It is particularly prevalent in source countries in which the social and economic safety nets that had previously existed have disintegrated

Globalization and modernization also take their toll in reducing the influence of traditional forms of social interaction and allowing people greater freedom to migrate. In

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<sup>21</sup> H. J. Kim-Puri, 2005, 'Conceptualizing Gender-Sexuality-State-Nation: An Introduction' *Gender & Society* ; 19; 137



some places, the growth of population can exacerbate economic pressures and induce many to seek their fortune abroad.<sup>22</sup>

A gendered understanding of trafficking would provide framework for analysis of the structural factors and their interlinkages. One should go beyond the stereotypic interpretations of gender roles and functions to factor in the dynamicity of relationships considering the external influences. Today with changing scenario ( globalised economy with free flow of people and information) there is shift in gender relations and their manifestations at different levels ( family society , state)

Violence and abuses linked to sex work are due to stigmatisation of prostitution, and the unequal power relations involved in the work, at all levels: from the point of view of the women themselves, and between sending and receiving countries and regions. Appropriate policy responses should therefore be based on an empowering approach; increasing women's opportunities to help themselves is a more effective use of resources to prevent trafficking than the abolitionist strategies of the past.<sup>23</sup>

Essentially a gender focus should account for the vulnerabilities and issues of men also. There is a contention that they too are similarly forced into conditions of compelling deprivation and servitude (under circumstances with certain variations).The very structural aspects that delimit the coping mechanism and agency of women makes the issue of human trafficking skewed in terms of highlighting their vulnerabilities and exploitation exclusively. It is contentious that in portrayal of men as perpetrators of most crimes and violence against women (considering power dynamics and control) their issues and concerns are sidelined. But the fact remains that inequalities that exist between men and women have a deep rooted structural base and these have to be accounted for in any discourse on trafficking.

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<sup>22</sup> Gershuni Rochelle: Trafficking in Persons for the Purpose of Prostitution: The Israeli experience, Mediterranean Quarterly: Fall 2004

<sup>23</sup> Francine Pickup, 1998, More words but no action? Forced migration and trafficking of women, Gender and Development Vol 6, No. 1,

### **1.8 Trafficking in the South Asian Context: Indian reality**

South Asia figures prominently in terms of regions in which human trafficking flourishes- quantitatively the figures of women and children trafficked for various exploitative ends are phenomenal.

Regional similarities and diversities are some of the main contributing factors that facilitate trafficking in South Asian Region. The socio economic conditions ( the pervasive poverty prevalence) breed ground for the people looking out and exploring greener pastures and in the process end up falling prey to the larger vested interests (national and international lobbies). Globalisation has markedly affected fragile economies across the region and the consequences are for al to see and assess .

Modernization projects have compelled rural masses to shift from their agricultural mainstay towards urban areas for better options. In a nutshell increasing poverty is the major catalyst for creating a congenial environment for trafficking of women and children.

India is a source transit point and destination for numerous trafficked persons across the region .Within the country also there is lot of mobility across states considering the interstate inequalities (movement from economically depressed areas to areas with greater economic opportunities).

A substantial number of tribal girls from jharkhand , orissa, Chattisgarh and west Bengal have migrated or have been trafficked to cities in North India for domestic work and labour. The end results are physical emotional and sexual abuse. The reasons of their movements are also quite explanatory – they are at times the victims of development.

### **1.9 The Jharkhand picture**

The new state of Jharkhand, India which came into existence in Nov. 2000, is increasingly emerging as a major source area for trafficking of women and children. Due to lack of agriculture and employment opportunities migration of the indigenous population is very high. Young boys and girls are trafficked to Delhi, Punjab, Haryana, West Bengal for domestic and agricultural labour, work in stone quarries, brick kiln, beggary, pickpockets, forced marriage and commercial sexual exploitation. The

innocent, illiterate, landless and poor tribal communities which constitutes the majority of its population are easy prey to the organised Networks of traffickers, who mostly operate through the local agents and lure the victims in pretext of job, marriage etc. Due to lack of agriculture and employment opportunities migration of the indigenous population is very high. Young boys and girls are trafficked to Delhi, Punjab, Haryana, West Bengal for domestic and agricultural labour, work in stone quarries, brick kiln, beggary, pickpockets, forced marriage and commercial sexual exploitation.

Trafficking of tribal girls has also resulted in forced prostitution. Red Light areas exist in the districts of Dhanbad, Bokaro and Hazaribag. The trafficking affected districts include Garwah, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Ranchi, Palamu, Hazaribag, Dhanbad, Bokara, Girdih, Kodarma, Lohardagga. Most of the women trafficked from Jharkhand belong to Oran, Munda, Santhal (including endangered Pahariya ), out of which maximum are from Oraon and Munda community.

Thus Jharkhand presents itself as a case to understand the problem of trafficking from various angles given the socio cultural contexts, economic deprivation (issues of livelihood) political situation and mechanisms of governance.

The research study has been contextualized in Jharkhand and thus the realities are of special relevance to the study. Nuancing the trafficking phenomena at the global level and then relating to the specific realities at the local level shows us patterns and pathways that are unique to the context of that situation.

Jharkhand has been focussed as the trends of trafficking of tribal girls for domestic work is very pronounced and well established. This will offer greater scope to understand the systems patterns and shifts with regard to a particular form of trafficking and also understand its relation with respect to the socio economic situation of the place.

**CHAPTER 2**  
**PERCEPTIONS AND EXPERIENCES OF**  
**TRAFFICKED WOMEN**  
**-VOICES FROM JHARKHAND**

## CHAPTER TWO

### Perceptions and Experiences of Trafficked Women -Voices from Jharkhand

#### 2.1 Introduction

The present research envisages exploring the paradigmatic shifts in the conceptual rendering of trafficking as a transnational phenomenon largely in the globalized milieu.

Beyond exclusive trafficking for commercial sexual exploitation, it is now comprehended in various forms like- Child labour, prostitution, forced bonded labour, domestic work, human organ sale, forced/ fake marriages which are so called slavery like conditions.

The issues of coercion, deception, vulnerabilities, exploitation and negative impacts (harm outcomes) in terms of exploitation, social stigma, exclusion, undesirable health outcomes are crosscutting in all these phenomena.

In the absence of more research and programming regarding some of these other “slavery-like” conditions, the emphasis on “sex work/prostitution” will continue to grow at the expense of these other exploitative work/work-like circumstances. Thus, it is imperative that the “human trafficking” framework put emphasis on addressing all the inherent abuses, not just the trafficking of women and girls into the sex industry.<sup>1</sup>

As is suggestive in available literature, lot of the research focusses on trafficking for commercial sexual exploitation exclusively and this actually sidelines other forms of abuse and their resultant outcomes.

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<sup>1</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking, September 2004 IOM

## **2.2 Human Trafficking : The Changing paradigms and Shifting Focus**

Trafficking today is being debated, discussed, analyzed and approached in terms of location, identity discourses, rights framework and domain of ethics at various levels. The notion of trafficking has been construed variably by different interest groups and players involved depending on their mandate, focus on particular aspects of issue. To develop a comprehensive understanding of the same we need to establish a common vocabulary (in terms of the operational definition) across all groups so that there is synergy in their efforts.

The whole issue of victimization also is a contested domain. The levels, extent, forms of victimization are also different based on the purpose, process and nature of outcome of the process of trafficking. The essence of drawing from the experiences of those trafficked, is to understand the issues from their perspectives and give a voice to their concerns. The whole idea through the research is to understand what their construct of trafficking is. What have been the influencing factors and what have been their experiences in this regard? The key question is how and to what extent they feel constrained and victimized. What has been their coping mechanism and learnings from their experiences?

There are very few comparative studies of trafficking based on extensive fieldwork in either the country of origin or of destination. Most studies are also based on research conducted at one point in time, with little longitudinal research investigating the circumstances of individuals before, during, and after trafficking, including research to assess the extent to which survivors can achieve long-term self-sufficiency. To really understand the long-term impact of trafficking there is a need for more investigation into the experiences of survivors and the extent to which they are able to integrate or reintegrate into their communities and recover both physically and mentally from their ordeal.<sup>2</sup>

The present study gives a holistic overview of the socio cultural realities in Jharkhand. It also gives insights into the various processes, experiences that the women undergo in moving away from home. The world view and perceptions of the people who have

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<sup>2</sup> Frank Laczko and Elzbieta Gozdzik ( ed ) , Data and Research on Human Trafficking: A Global Survey Offprint of the Special Issue of International Migration Vol. 43 (1/2)2005 International Organization for Migration (IOM)

undergone the process are thus shaped up based on the events. These actually determine the decisions and future course of actions for life taken and are thus very critical. The very essence and impact of these events (which sometimes prove to be turning points) are best judged by those who are involved and experience them. Thus any effort to address the problem should take into account their interpretation, concerns and involve them in the whole process of redressal. This will in a way ensure that the core issues are addressed beyond the superficialities that usually tend to get focussed.

The chapter tries to analyze the perceptions, experiences of the women and girls with respect to trafficking and places them in the context of their situation and induced responses. The argument is that the construct of victimization plays itself out differently when the needs and priorities of the affected women are considered. This gives space for portrayal of the realities as seen and understood by the women themselves. This is vital in that they bring out the unexplored areas to challenge the predominant beliefs that feed into the understanding of Trafficking as a phenomenon.

The primary focus is to rationalize the understanding that stems from the life chances and events that women go through for a varied rendering of the issue. The variations in perceptions are the elements that are essentially crucial for analysis at different levels.

Research on human trafficking has slowly started picking up, however considering the magnitude and dimensions of the issue lot more needs to feed into it.

Research literature on trafficking has shown that due importance has not been given to ascertain the notions and nuances of the lived experiences of the women who are trafficked for various purposes. As a normative practice, focus is laid on the broader aspects (larger issues) for which generic prescriptions are offered rather than specific contextual concerns that demand concrete solutions. The effectiveness of the interventions would depend on the fact that all aspects of the issue (including the finer sensitive nuances) of trafficking are adequately dealt with. There is need for synergy in the efforts of all those who are working on anti trafficking so that the ends can be achieved. This manifests itself in the streamlining approaches and strategies for the same and it is essential that the hitherto neglected domain of the victims perceptions and experiences be given due importance

It is becoming increasingly evident through the researches on human trafficking that the needs and aspirations of the trafficked persons need to be highlighted. This would ensure that they see the “end” (outcome) in a way that is best suited to them and are ultimately able to regain their control and agency.

The core issue is regarding what “end” the person affected would like to see and how she/he would like to manouver the situation to the best advantage. As a rights issue they should have a say in everything that involves their lives and capacitated to make informed choices for the future.

### **2.3 Understanding the Personalised World view-**

Understanding of realities as they unfold different circumstances is always a daunting task. This is more so if the issue at hand is “sensitive” or is made out to be as in the case of trafficking in any form. The nature of the issue, its dimensions/connotations, the varied contextual ramifications (the very many ways and levels at which they play themselves out), the different interpretations of those involved shape up the complex realities of the phenomena of Trafficking. The tacit understanding of Trafficking incorporates conceptual frameworks that view the phenomena through the lens of gender, violence, power and patriarchy.

To bring these concepts and social structures into the same analytical field, we rely on theoretical perspectives based on sociological constructs, feminism, rights and ethics. Moreover it has to be appreciated that a complex phenomenon of such interdisciplinary rendering as trafficking requires a perspective orientation as well as focussed analysis of influencing factors to capture the comprehensive nature of the issue.

There is ample literature across socio political legal disciplines which establish the engagement of the issue based on their perspectives towards a conceptual framework for better understanding.

The sociological perspective lends itself to the understanding as a systemic social construct and underlying livelihood issues. The rights perspective incorporates the elements of human rights in terms dignity, identity and location. The ethics perspective grounds the basic institutional and state mandates towards the issue as a deliberative



practice. Transnational feminist theories also aim to explore the mutually constitutive relations of state, nation, sexuality, and gender.

The linkages between processes of migration, prostitution, commercial sex work, child labour and sexual abuse are actually thin and blurred. These processes are in fact distinct, discreet and have wide ranging connotations. However the intersections and overlaps between them require proper analysis. This is to form a holistic understanding in terms of the multiplicity of influencing factors and the causal linkages between them. The issue of trafficking is crucial at the global level and is a major transnational concern with larger politico legal implications. Similar mobility dynamics in their variations are to be observed at the national and regional level with associated ramifications.

All efforts of the state and various institutions working on anti trafficking and allied issues are in the line of establishing systems and evolving proactive mechanisms. This is not to disregard the fact that some inroads have been made through all such ongoing strategic interventions. However a lot more needs to be done for the desired results. It appears that a multi pronged approach involving all the players at various levels is the need of the hour.

The phenomenon of trafficking has been studied and in various ways through analysis of discourses, interpretation of legal instruments, understanding of various approaches adopted by other organizations and the role of the state.

As a larger Public health concern, the realities at the macro and micro level need to be assessed and the core of the issue addressed. The idea is to raise more fundamental questions pertaining to the larger structural factors and their influences. These need to be addressed if we wish to make any indents with respect to trafficking considering the status of women and their vulnerabilities which are so pervasive.

The endeavour becomes a greater challenge when it comes to analyzing the phenomenon grounded on people's perspectives. This requires great skill in terms of not only having a thorough understanding of the issues but also in being able to incorporate peoples views and analysis of them. The experience and perceptions that people build up over their life course shape up their future choices and decisions. This has to be duly acknowledged as this is crucial and can be instrumental in discerning the hitherto unexplored domains of trafficking and it's inter linkages with other issues.

To the end of the research objectives, with the purpose of eliciting the self structured representation of the events and courses that have influenced the lives of the trafficked women/ girls; an understanding of the life course methodology was applied.

Narrative enquiry was adopted (through open ended personalized discussions) to have insights into what they felt about the whole process, what have their learnings been and how have they emerged from the process?

The essence was to capture the layers and bring out the interrelations and attributes that the individuals perceive and accord to their positive and negative experiences.

#### **2.4 Life history methodology**

*Ethnography is committed to an understanding of a given instance of the human experience-the environment that surrounds it, the history that precedes it, the intent of the persons who create it, and the pattern that gives it form. Theory, on the other hand, embeds concepts in a network of propositions, touching the human experience at selected points via implicational threads.*<sup>3</sup>

Cultural anthropologists have long attended to the life history interview as an important type of ethnographic data. Life histories, the assumption goes, are a focal point for the individual perception of and response to broader cultural patterns<sup>4</sup>

Life history data as discourse are examined, and recent perspectives from psychology, linguistics and anthropology are applied to the narrative. Each perspective illuminates some portion of the text, including its overall structure, the background knowledge necessary to understand it, and the narrator who produced it. Attention to complex ethnographic data promises to facilitate the integration of theory.<sup>5</sup>

The methodology of *narrative enquiry* and life history construction draws from various disciplinary backgrounds. It is the basis of knowledge building depending on the nature of enquiry and is grounded in the lived experiences of people

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<sup>3</sup> Agar, Michael "Stories, ( 1980) Background Knowledge and Themes: Problems in the Analysis of Life History Narrative" American Ethnologist, Vol. 7, No. 2, pp. 223-239 Published by: Blackwell Publishing on behalf of the American Anthropological Association Stable URL: <http://www.jstor.org/stable/643589> Accessed: 27/09/2008 06:36

<sup>4</sup> ibid

<sup>5</sup> ibid

The study of narratives is the study of the ways humans experience the world. This general concept is refined into the view that education and educational research is the construction and reconstruction of personal and social stories; learners, teachers, and researchers are storytellers and characters in their own and other's stories<sup>6</sup>

Connelly and Clandinin opine that narrative of the life experiences help us to understand the realities (ourselves as well as others) better and make contextual meaning out of the situations. Because of its focus on experience and the qualities of life and education, narrative is situated in a matrix of qualitative research

What should be clear from the previous description is an understanding of the process as one in which we are continually trying to give an account of the multiple levels (which are temporally continuous and socially interactive) at which the inquiry proceeds. The central task is evident when it is grasped that people are both living their stories in an ongoing experiential text and telling their stories in words as they reflect upon life and explain themselves to others. For the researcher, this is a portion of the complexity of narrative, because a life is also a matter of growth toward an imagined future and, therefore, involves retelling stories and attempts at reliving stories<sup>7</sup>

Michel Avital in his analytical study demonstrates that temporal elements do not merely change one's perception of a situation, but also provide a space for a richer and more meaningful interpretation by enabling an improved association of a particular event with one's personal frame of reference and lived experience<sup>8</sup>

Kim Jones (2003) justifies choice of narrative methods for her research as it incorporated the possibility of working with two key concepts- 1.that stories are unique and individually constructed wholes and, 2.that what the interviewees have to say about their lives and self concepts are much more illuminating than any research assumptions or questions could be.<sup>9</sup>

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<sup>6</sup> F. Michael Connelly and D. Jean Clandinin 1990, *Stories of Experience and Narrative Inquiry* 1990; 19; 2 *Educational Researcher*  
<sup>7</sup> *ibid*

<sup>8</sup> Avital Michel, "Dealing with Time in Social Inquiry: A Tension between Method and Lived Experience" *Organization Science*, Vol. 11, No. 6 (Nov. - Dec., 2000), pp. 665-673 Published by: INFORMS Stable URL: <http://www.jstor.org/stable/2640376> Accessed: 27/09/2008 06:51

<sup>9</sup> Jones Kip, The turn to a narrative knowing of persons: One method explored, *Nursing Times Research* 2003; 8; 60  
The online version of this article can be found at: <http://jrn.sagepub.com/cgi/content/abstract/8/1/60>

Narrative inquiry enables the researcher to unravel issues (the undercurrents and dynamics) as is pertinent to the person concerned. The process becomes one of learning and unlearning both for the researcher (in the quest for new things) as well as for the one being researched (through guided facilitation to look at things from various perspectives) The learning is because both acquire something additional in the process and unlearning as there is rebuilding of ideas as an analytical process based on the interactive exchange.

#### **2.4.1 Domain of Case Studies**

A case study is a research process that provides an in-depth description of a particular situation, program, event, or activity. An individual or group of individuals may also be the object or objects of study. Various disciplines use case study methodology including psychology, medicine, law, political science, education, anthropology, and sociology. One of the strengths of case study research is that it provides rich data because the object of the case is studied in its normal setting, or context. Several limitations to the case study methodology have been noted. There may be bias in writing the description, which could influence the conclusions or emphasize a particular viewpoint. Researchers also question the ability to generalize from a single case. Case studies have also been criticized for taking too long to do, and resulting in long, unreadable documents. The issue of analysis is also an area of concern.

Considering all aspects, Case studies as a qualitative research tool have been used to understanding/ dealing with the sensitive life experiences that people undergo. The very fact that there is a personalized touch to the entire affair lends itself to revealing various finer issues/ details. This is of course dependent on the capacities and acumen of the researcher as to what information is elicited and in what way? Certain sensitive issues are better understood at the personal level, with assured privacy through intensive case studies rather than through generic discussions in larger forums. Rationally as a choice case studies are more appropriately suited to the issue of trafficking . Nuances of the different dimensions and experiences that women / girls go through as part of the entire

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process of a journey into the unknown are reflective of the systemic and colluding forces that prepare ground for such phenomena. The cases intend to portray the varied range of factors and the differential circumstances that lead to undesired outcomes in the form of exploitation, loss of dignity and increased vulnerability as a result of attempts to explore hitherto unknown domains

Methodologically the framework of the study is grounded within elements of the life history approach that enables us to ascertain the unfolding of events in the life of the affected person. Going with an apriori assumption that all instances of movement of people in the quest for better options and livelihood always invariably end up in disastrous consequences and vulnerable outcomes may not necessarily portray the truth. The perspectives, experiences and learnings of those who underwent such phenomena is critical in understanding the magnitude of the problem and the plurality of its dimensions.

The basic ideological contestation is on the definitional domain. The construction of trafficking for the purpose of my study is based on the lived experiences and perceptions of those affected. The focal point of my enquiry remains the women, their options and life chances that influence their decisions. Their agency and coping mechanism in terms of their shifting location and identity will provide a nuanced understanding of the phenomenon.

The understanding of larger structural factors (socio economic, political context) as perceived by the women will be able to provide insights into the ways to deal with the issue as they understand and rationalise. This would ensure and enable the proactive involvement of the women in the issues that affect them most closely. As it goes “the wearer knows where the shoe pinches”- so likewise the women based on their experiences and realities will have a better understanding in terms of the entire process and related vulnerabilities. They will be able to better offer plausible solutions based on their experiential realities. These can be worked upon through guided institutional facilitation to achieve desired outcomes with respect to trafficking impacts. Even in case of institutional affiliation and guidance they would be able to elucidate the actual problems and gaps in interventions so that the efforts of the organizations could

be revamped and strategies revisited. We need to understand and acknowledge that based on individual situations realities and experiences the rendering of the phenomenon changes and the outcomes and processes are interpreted differently.

The state mechanisms (medico legal, police and related government departments) and other institutional arrangements ( NGOs , civil society organizations and networks) for redressal, rescue and rehabilitation, require adequate focus and attention. This is because the process of victimization/exploitation sometimes assumes new forms and gets translated differently under the aegis of the very institutions that are mandated to tackle trafficking. These institutions are supposed to tackle the problem and address the source but they eventually sometimes end up as the sinks. The modalities that unfold actually sometimes further add to the vulnerabilities, stress and trauma of the trafficked women who thus bear the dual burden.

IOM studies have shown there is little longitudinal research investigating the circumstances of individuals before, during, and after trafficking, including research to assess the extent to which survivors can achieve long-term self-sufficiency. To really understand the long-term impact of trafficking there is a need for more investigation into the experiences of survivors and the extent to which they are able to integrate or reintegrate into their communities and recover both physically and mentally from their ordeal.

## **2.5 Child Trafficking - the source and sink**

Child trafficking has emerged as a major area of concern globally. As a Human rights (specially child rights) issue it has come to assume importance through focussed attention and intervention. It throws up newer forms and modes of exploitation which leaves the unprepared children all the more insecure and vulnerable.

The range of activities for which children are trafficked (like- bonded labour, sexual labour/ child prostitution ( among young girls), employment in hazardous industries ( eg carpet, fireworks) domestic labour, Camel jockeying, engagement in parlours, roadside eateries, circuses. The list is actually not comprehensive but it gives an idea of the nature of work and the associated risks that are all too evident.

Various studies on child labour/ trafficking have revealed startling facts which require attention and intervention. Forced by circumstances under various influences, children loose out on their childhood and their basic entitlements. They are actually easy to influence, handle, control and they are forced to comply with the whims/ fancies of their employers. They hardly question and are never in a position to assert their rights or place demands. This actually works to the advantage of others who exploit their services, thereby increasing the vulnerabilities. The children are forced to work In the most inhuman conditions, bereft of the basic services and facilities.

When children are trafficked away from their families,communities, and support networks and isolated in areas unknown to them, they are extremely vulnerable to exploitation. Those who have been trafficked across international borders are even more disempowered because they do not speak the local language and are less able to escape or seek assistance (UNICEF, 2005).

Once trafficked, children are dependent on their traffickers for food, shelter and other basic necessities (UNODC, 2006), and fear retaliation from traffickers against themselves or their families (UNDAW, 2002). Their survival and development are seriously threatened as they are forced to live in abominable conditions and stripped of their basic human rights to education, health and protection (UNICEF, 2005). They are also routinely subjected to life-threatening situations including extreme violence, communicable diseases, and physical, emotional and sexual abuse at all stages of the trafficking process.

Children who are being sexually exploited confront all of the dangers associated with sexual abuse. In addition, however, they are often also subjugated to being beaten and abused by traffickers, employers, pimps, madams and customers (UNICEF, 2005).

Traffickers use a number of coercive methods and psychological manipulations to maintain control over their young victims and deprive them of their free will, to render them subservient and dependent by destroying their sense of self and connection to others, and to make their escape virtually impossible by destroying their physical and psychological defences (IOM, 2007). The emotional and physical trauma, as well as the degradation associated with being subjected to humiliation and violence, treatment as a commodity, and unrelenting abuse and fear, presents a grave risk to the physical,

psychological and social-emotional development of child trafficking victims (ECPAT, 2005; ILO-IPEC, 2001);

Case studies with victims suggest that Commercial Sexual Exploitation is ‘the most physically and emotionally damaging for the victim because of the persistent physical, sexual and psychological abuse that accompanies it on a daily basis’ (IOM, 2007, p. 25). Research on children who have been sexually abused has identified such psychological consequences as higher levels of anxiety and depression, lower levels of self-esteem, social isolation, symptoms of post-traumatic stress disorder, substance abuse and suicide (Sneddon, 2003<sup>10</sup>). According to IPU-UNICEF (2005), some children who have been trafficked have resorted to substance abuse to alleviate the pain associated with feelings of lower self-esteem, shame, guilt, sleeplessness, hopelessness and depression; other children have attempted suicide<sup>11</sup>

## **2.6 The Dialectics of Trafficking realities in Jharkhand -**

The idea of this research is to understand trafficking as a phenomenon in terms of patterns, trends, trajectories, impact, influences especially from the worldview of those affected. It tries to argue that an analytical gendered understanding of the phenomena is instrumental not only for strategic approaches to deal with the issue

My study in the context of Jharkhand essentially traces the movement patterns of tribal women who under different circumstances/ influences move out of their villages and tries to discern the outcome of those movements. The tribal women and girls undertake such movement to other places primarily in search of better livelihood options and chances.

Given their situations, educational background, skills and resources they are not able to land themselves good options as a result. The processes may be quite different in terms of the reasons, purpose and situations that compel them to move away from home and so are the outcomes of these movements. As a general trend tribal women and girls have

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<sup>10</sup> Sneddon H. 2003. The effects of maltreatment on children’s health and wellbeing. *Child Care in Practice* 9(3): 236–250.

<sup>11</sup> (Yvonne Rafferty, Children for Sale: Child Trafficking in Southeast Asia, *Child Abuse Review* Vol. 16: 401–422 (2007) Published online in Wiley InterScience (www.interscience.wiley.com) DOI: 10.1002/car.1009



been found to have been moving out to Delhi and other places and ending up as domestic helps in various houses channelised through various agencies for placement. The girls find themselves faced with difficult situations in unknown settings with no agency and power to negotiate as a rule.

The specific realities of trafficking in Jharkhand have been highlighted through 22 intensive case studies of trafficked persons comprising of 20 girls and 2 women. The perceptions of those trafficked (their realities, the consequent outcomes, the coping mechanisms) have elucidated their understanding of the phenomenon and the victimization element

In depth case studies were carried out in the field (covering villages in Namkum block and Chanho block of Ranchi district). Representative cases from various institutions (ASHA KIRAN ( under the aegis of the Jharkhand Domestic Workers Welfare Trust) in Ranchi, KISHORI NIKETAN ( facilitated by Bharatiya Kisan Sangh) in Bijupara in Chanho block of Ranchi District and the Mahila Probation Home of the Government of Jharkhand) were also considered

The diverse setup under which the cases were covered gave an insight into the efforts at tackling the problem under different institutional arrangements.

The existing networks of organisations in the form of Jharkhand Anti Trafficking Network ( JATN), ATSEC - Jharkhand Chapter have been primarily rendering orientation and consolidating the efforts of the individual organizations under their ambit on trafficking issues. They are essentially engaging with various players at the different levels right from the community to the state machinery to address the issue and provide a concerted collective direction. The media coverage highlighting the issue and associated advocacy has created an environment for appropriate appreciation of the criticality of the issues. This has facilitated adoption of certain approaches and measures to tackle the issue which have not so far yielded sustainable outcome in terms of sustainable solutions addressing the more pressing structural aspects.

The organized network for placement of tribal girls as domestic helps in homes in Delhi and other places has highlighted the interest of various players. The cases also clearly demonstrate the influence of well established channels that have become established to facilitate such movements.

Considering nature of movement and Delhi being an important destination, various case studies and observations made through the coverage of organizations like Indian Social Institute, Nirmala Niketan and also Domestic workers forum under the National Domestic workers welfare trust (Chetanalaya, in Delhi). This was necessary to capture the experiences of women in different phases of the phenomena (specially those who had been sent back to Jharkhand after rescue and those who were still with the organisations in Delhi)

The cases here are not entirely representative of the whole gamut and the various facets of the issue but they sufficiently portray the variation in the circumstances that promote the phenomenon of Trafficking and the outcomes. The different avenues, channels through which they occur are also borne out.

The experiential outcomes of the entire process with respect to the girls who are involved in terms of psychological stress, trauma, alienation and loss of identity in an alien place serve as a reference point for critical strategic intervention.

The efforts of organizations and the state machinery in alignment with the global efforts towards the same signify its relevance as a larger transnational issue in the context of governance, political economy and Public Health

A very important issue that is very pertinent at this juncture is the scope beyond rescue and rehabilitation at the level of the institution. The major concern as expressed by the different organizations is the fact that mere rescue and rehabilitation will not work. Essentially there is need for holistic sustainable efforts through systemic changes targeting livelihood issues so that the vicious cycle is broken.

### **2.6.1 Contextualising Domestic work –**

Domestic work refers to unpaid work carried out by household members for themselves and for one another. This can include routine work (cooking cleaning and washing) and non routine work (such as gardening, do-it-yourself tasks and car maintenance). However the term, 'Domestic work', is generally used to denote domestic routine unpaid work carried out by women for their families. The activities commonly associated with

domestic work are found in all societies, with a major share of the tasks being assigned to women<sup>12</sup>

The impact of globalization and liberalization on the women their work and choices can be seen in the form of changed dynamics, altered patterns of gendered relationships. Trafficking also assumes a changed hue considering communications, information and mobility in the globalised scenario. The result has been as per various studies debilitating specially for the poor, marginalized women. The very nature and work roles of both men and women get redefined in the changed economic scenario. This has led to increased vulnerabilities, insecurities associated with changed work options in new areas.

The informal care economy has undergone changes related to the nature of work definitions and relationships.

As part of a gendered understanding of work roles, studies on valuation of the housework of women and time budgeting to that end have usually assessed in terms of compensation she would have received for engagement in other gainful employment outside (opportunity costs). Another reference point is the amount of remuneration that would be given to someone else to get that same work done.

The Marxist feminist analysis tells us only that domestic work is essential to capitalism, not why women should carry out the domestic labour or domestic work. Their answer to this question is that women's oppression and gender division of labour are situated at a point of interaction between patriarchy and capitalism.<sup>13</sup>

The construct of domestic work and its ramifications are fast undergoing changes. The nuances in terms of exploitation and trafficking in relation to domestic work, specially of children have thrown open new areas of enquiry.

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<sup>12</sup> Singh Vinita, 2007, Women domestics-workers within households, New Delhi , Rawat publications,

<sup>13</sup> ibid

### 2.6.2 Niche of tribal domestic workers from Jharkhand in Delhi

There is a historical precedence of the movement of tribals to outside places for work opportunities from Jharkhand. Today Jharkhand tribals present the typical realities of poverty, illiteracy, loss of control over their natural resources, dispossession and displacement due to development projects.

The tribal economy was based on community resources meant to be used according to the human needs and preserved for posterity, thus respecting ecological imperatives. The characteristics of community ownership was all pervasive including their land, forests and other natural resource management and also their social and political structures.<sup>14</sup>

Tribal women placed in the context of Jharkhand enjoy greater rights and freedom practically in comparison to women of other castes, although as a norm they enjoy subordinate status. Traditional and customary laws are more liberal to women.

It is only with the emergence of industrial economy that there is a change in her role and status. This changeover had its consequences in the in the Form of proletarianisation of men, emigration of women as unskilled workers, change in the workload and the social status of tribal women in rural areas. Studies show that the situation of the weaker sections, particularly that of the tribal communities who have traditionally depended on the natural resources, have deteriorated. The women of these sections are greater victims of the present pattern of development than men.

The movement outwards has been in search of better livelihood options in the form of employment in construction sites, quarries, mines, plantations industries. This has also been flexed in favour of men leaving the women with lesser options.

As women lack skills they are unable to get better paid jobs. Most of them work as construction labourers or as domestic workers in cities like Delhi, Mumbai, Ranchi. Many girls become bonded labourers in brick kilns, wheat farms or large construction undertaking.<sup>15</sup>

Patterned movements have been observed among women for engagement in domestic work in cities as they emerge in studies like the one on tribal domestic workers in Delhi

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<sup>14</sup> The Tribal Domestic worker at the crossroads: A search for alternatives- A report on the Tribal Delhi domestic working women, Programme for women's development, Indian Social Institute, Oct 1993, New Delhi India

<sup>15</sup> *ibid*

by Indian social Institute in 2007-08. The study tries to discern whether the movement is from the perspective of those who voluntarily migrate to places to expand their socio-economic base or from the perspective of those who are compelled to migrate (involuntarily) due to socio-economic politico historical and religio- cultural compulsions.<sup>16</sup>

Domestic work as part of employment in whichever form (part time or full time live in ) has today evolved as an organized system of placements and recruitments and together with its associated problems and prospects. The very nature of the job creates better spaces and demands for women given the natural gendered division of work roles. The impetus to the employment of tribal girls to render services as domestic helps in city homes was on two fold. Firstly, because the young tribal girls were in need of earning options and domestic work was part of their routine existence (at their own homes) and this did not require additional skills, orientation. Secondly, to keep pace with the needs of the changing economic situation, most middle class urban educated women are entering into the job field to support family income. This has necessitated the induction of domestic helps in households to do all the chores and take care of the house and the people in her absence. The entire process is dialectic and throws up many issues and challenges that need to be explored.

The nature of the relationships fostered and the dynamics of the process of engagement with domestic work at both the level of the employer and the employed are the basis of the experiences and decisions taken. The reasons for their choice of the particular option the processes of their entry into domestic work are important aspects that need to be considered.

The research is also contextualized in the setting of young tribal girls moving out primarily to Delhi to work as domestic helps under varying circumstances/ influences. The elements of trafficking within the political economy of migration have been explored through the cases that have been dealt with at different stages in the process. Specific to Jharkhand there is a trend of trafficking of girls for domestic work in Delhi and other cities. A gradual system and channel for induction and placement of young

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<sup>16</sup>Kujur Joseph Marianus, Jha Vikas, 2008 "Tribal women Domestic workers in Delhi" ISI Delhi, New Delhi

tribal girls for domestic work has evolved. The networks and channels work at all levels right from the village level (in terms of identification and initiation) to the level of placement cells (for ensuring home placements for work). The intermediation and the related formalities further complicate the matter and add to the intensity of the problem.

What is the domain of their work and how do the domestic workers locate themselves within it? What is the basis of their relationship and what scope do they see for themselves? How have they rationalized on the particular choice of work.... What future plans do they have and what opportunities and constraints do they perceive? These are some of the critical questions that feed into the analytical framework of the construct of trafficking from the world view of those trafficked.

Their realities and the way they were initiated into domestic work are crucial for their formative perceptions and this has a direct bearing on their future choices / decisions.

## **2.7 Thematic areas of analysis based on the experiences and perceptions of the girls who underwent the process.**

### **2.7.1 Interplay of structural factors and Causal Linkages**

Structural factors (gender, caste, class race, patriarchy, social inequities) influence the outcomes of the process of trafficking through the interplay of power, control, and violence. Various researches have made references to the work of Zillah Eisenstein in “Capitalist Patriarchy and the Case for Socialist Feminism”, in which she opines that capitalist patriarchy emphasizes dialectic relationships between capitalist class structure and hierarchical sexual structuring and the relationship must be understood if the structure of oppression is to be broken

She argues that women’s inequality arises not out of biological differences between men and women, but out of the social assessment and valuation of these differences. The cause for oppression is not production or reproduction, but the social construction of those activities.<sup>17</sup>

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<sup>17</sup> Jane, S. Jaquette, J (1982) Review: Women and Modernization Theory: A Decade of Feminist Criticism World Politics, Vol. 34, No. 2, pp. 267-284 Published by: The Johns Hopkins University Press Stable URL: <http://www.jstor.org/stable/2010265> Accessed: 14/08/2008 06:20

The constructs of caste, class, gender, patriarchy and ethnicity are mutually reinforcing and have wide ranging ramifications in the outcome of the process of trafficking. The discourses around trafficking, human rights and ethics have evolved based on the underpinnings of the structural realities and their interplay. These have shaped the way things are conceptualized and it is very imperative that the inter linkages are understood and dealt with as a composite of influences. A view of the realities of the women who are trafficked in the light of these structural factors would ensure deciphering of the context and establishment of causal interpretations.

As a contested concept, the views and interpretations of the issue (trafficking) by the different players are as diverse as the groups themselves.

The issues around the identity of such mobile migrant groups especially women are very much contentious. They are actually in a state of flux with several pervasive issues around their existence.

The significance of the fluid nature of migrants identity without however, ignoring the fact that this fluidity itself and her identity is regulated and structured to a certain extent by the state and other social institutions. It also examines the manner in which she negotiates with the larger structures and institutions such as state, patriarchy family welfare institutions etc which impinge on her everyday personal experience and this struggle helps in defining and reconstructing her identity in different ways. The notion of “agency has been problematised and examined in terms of persons experiences in relation to the state and legal system.”<sup>18</sup>

The trafficking phenomenon has been perceived differently by individuals, organisations, and political groupings: in relation to organised crime, illegal migration, prostitution, forced labour, violence against women, unequal economic relationships, and poverty.<sup>19</sup>

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<sup>18</sup> Arya Sadhna, Roy Anupama (2007)Poverty gender and migration, Women and migration in Asia Vol 2, New Delhi, Sage pub

<sup>19</sup> Pickup Francine, 1998, 'More Words but No Action? Forced Migration and Trafficking of Women' Gender and Development, Vol. 6, No. 1, [Migration and Mobility], pp. 44- 51 Published by: Taylor & Francis, Ltd. on behalf of Oxfam GB Stable URL: <http://www.jstor.org/stable/4030334> Accessed: 16/04/2008 07:11

Feminists argue along the line of rights, identity and agency of the “victims”. The very fact that women are projected as “oppressed” is acceptance of the inherent structural inequities that exist in society.

The ideas of who is the victim, what is the process of victimization, what are the factors that promote the process are key issues that need to be analyzed and addressed.

Even among the different Feminists there are differences in the view stands that are taken, there is conflict over the language used in discourses and approaches to trafficking. There is lot of overlap in the conceptual constructs of migration, trafficking, prostitution and sex work. The ongoing debates regarding these overlaps have shaped up the changing facets of trafficking over time. Appreciation and rendering of these overlaps in their true perspective is needed for portraying/accepting the changing trends.

Contemporary feminist theorists are now more interested in examining the gendered processes and less convinced that they can discover underlying patriarchal structures that can explain inequalities between men and women. The focus is on gendering as a complex process and on interactions and tensions between economic relations, gender relations, sexuality and ethnicity.<sup>20</sup>

The “state” as the larger protector of the rights of the citizens assumes upon itself the role of engaging in redressal mechanisms against trafficking through appropriate legal instruments. In that capacity the state defines what is acceptable and what is not, how things should be regulated and who should be punished. State interpretation of the phenomena is primarily one of a larger global issue (international domain) that needs strategic approach and cooperation. The civil society organizations have always played their role in advocating for the rights of the affected people. The media today is also playing a role in highlighting these issues to create awareness among people so that measures to tackle trafficking can be scaled up.

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<sup>20</sup> Singh Vinita, 2007, *Women domestics-workers within households*, New Delhi , Rawat publications,



### **2.7.2 Socio cultural political issues: Poverty Constraints- Livelihood opportunities**

Jharkhand as a state foregrounds a rich historical base of the basic struggle for existence and establishment of tribal cultural ethos and identity. There are several tribes like Mundas, Oraons, Santhals, Kharias, Ho and other primitive tribal groups like the paharias and malpaharias inhabiting Jharkhand. They have their own distinct socio cultural and religious forte. The tribal governance system entailing socio- legal religious and administrative jurisdiction ( eg the Munda Manki, Manjhi Parganait, Doklo Sohor systems) as prevalent in Jharkhand is also another unique feature.

The endowments in terms of natural resources are plentiful but there is widespread poverty, illiteracy and ignorance. The various indicators are proof of the existential realities of Jharkhand. There are still sections of the population that are so far still untouched by any rudimentary development efforts and bereft of basic facilities of health, education, employment.

Agriculture is rain fed (mono cropping) and livelihood opportunities are limited. The dependence of the tribals on the natural resource base (land, forests, minerals) is tremendous but gradually this relationship is weakening. This is primarily due to development induced displacement. So called “Development initiatives” are actually dispossessing tribals of their land, with it there is increased vulnerability and insecurity due to alienation and total delink from their resource base. Their social networks are disrupted and they have no support mechanisms in their new places. Their livelihood base has eroded and they find themselves ill equipped for the compensatory jobs provided in terms of skills. This has led to large scale migration in search of alternative livelihood options which they find suitable. This prepared ground for the exploitation of these tribals wherever they have gone for work. In the quest and search for better work options they have often landed into problems and faced difficulties which have left them totally disempowered

### *Movement patterns and the places of origin*

Jharkhand has a very strategic location in terms of access to border boundaries through Bihar to Nepal and through Bengal to Bangladesh. Moreover there is enough movement of people within districts of Jharkhand and also across to other states.

The girls/ women considered under the study were mostly tribals (Mundas, Oraons) barring few and they hailed from various villages in different districts. There were 6 cases from Ranchi district, 5 cases from West Singhbhum, 2 cases each from Gumla, Simdega, Khunti districts, one case each from Lohardaga and Pakur) of Jharkhand. Two of the cases hailed from other states (Uttar Pradesh and Bihar) and have been brought to Jharkhand under different circumstances

Thus from the movement pattern it can be discerned that certain districts specially the border districts like Gumla , Simdega and Pakur are prone to trafficking. There is increasing trends of trafficking of women and children in most of the Jharkhand districts. There are instances of people being brought to Jharkhand also. This denotes the dialectics of the process. There are no specific directional flows and situations create the sources or sinks in terms of “from where” and “to where” of the movement flows.

### *Age Profile of the Respondents*

Age is a critical factor that determines the course of the events in one's life. Depending on the life phases the person independently takes decisions or his decisions are influenced by others. These decisions are crucial for the future life course of the individual. For instance children are always guided by the decisions of elders and mentors. This is precisely as they are considered incapable (in terms of age) of deciding for themselves. In the context of trafficking age is a vital concern because of the exploitation and vulnerabilities related to age. Child trafficking throws up newer challenges and aspects as compared to adult trafficking. Studies have shown that children are more vulnerable because they are easily influenced and manipulated by vested interests who take advantage of the situation.

With age of the individual the negotiation skills, agency and powers of the individual become more defined and there is greater scope for exercising rational choices.

The age distribution of the respondents whose cases were studied in depth is as follows- There were 2 cases aged 12 years, 5 cases aged 14 years, 3 cases aged 15 years, 4 cases aged 17 years and 1 case each aged 10 years, 16 years, 18 years, 19 years, 20 years, 35 years and 40 years. The majority of the cases ranged in the ages 14-17 years. Considering that 17 of the cases are under 18 years of age it is clear that they are more prone to lure and influence. They are actually immature to handle their own situations and are often guided by impulse which makes them vulnerable to exploitation. They are also unaware of the realities and have a quest for exploring new places. As will be evident in further discussions, the priorities and the approach towards life is different for people of different age groups depending on their background, situations and experiences.

Another imperative is that the institutional support to be offered to these adolescent girls need to be very clearly of a different nature comprising of life skills orientation and vocational inputs.

### Educational status

That formal systemic education enhances the knowledge and skill of people is widely accepted. The approach and application of education however varies depending on the situations that the individuals are in and the choices they exercise.

Education is said to have a very important influence in the lives of people in terms of the expansion of their worldview. It also helps towards interpretation of the realities to make meaning of their life experiences. The important domain of critical thinking, analysis and rational decision making is also guided by educational inputs.

Beyond the routine domain, the functionality of education lies in not only acquiring knowledge, skills but also in practicing the same to move ahead in life. Apart from formal education, people learn several things through their experiences based on life situations. Experiential knowledge is very personal to each individual (depending on the situation, background and assimilation). This actually helps them evolve coping mechanisms to deal with life situations and shapes up perceptions regarding various things.

Most of the girls under the study had some basic education to various levels (mostly primary some up to high school), but they had to discontinue their studies considering the constraints at the family level. The financial condition of their families did not provide much scope to carry on their studies further. The priorities of the girls under the given situation were to look for options to augment the family income so that the needs of the family could be met. The girls had to forego studies to help with work and also cater to the younger siblings in the absence of parents. Most of them however had very genuine interest and urge to pursue studies further if given a chance.

Three of the girls and the two women under the study had not had any schooling opportunity at all considering their family situations. One of the girls always accompanied her parents wherever they went for work and this caused a lot of disruption and prevented any schooling opportunity for her.

The women realize the value of education; especially how constrained one can be due to the lack of it in terms of choice, agency and negotiation. They are very keen that their children should pursue studies so that they have better avenues and options to do something worthwhile in life.

#### *Family: Structure, Support system and realities*

Family situations and realities influence the lives of individuals in several ways. These could be in terms of the opportunities, resources and support systems that one experiences. In the context of rural poverty ridden families the societal support mechanisms to augment the means livelihood and explore alternate options is very crucial for survival. This could be through community approach and sharing of resources, information so that it acts as a buffer and all are benefited. Tribal life and culture is reflective of the communitarian mode of existence but with time and exposure things are changing to that end

The cases in the study represent the typical family realities and situations that most of the people are in. They also present variation in the family support system that influence most of the decisions taken at the family level in terms of the livelihood avenues, health, education and other pressing issues.

The families of most of the cases were large and they had several siblings. The families were under dire poverty conditions. The livelihood options available to them were barely able to provide adequately for the families. They led a subsistence level existence struggling to make both ends meet. Fulfilling the basic necessities of fooding, clothing was a challenge and health problems of family members (ailing parents in two cases )

- compounded the problems.

All the families were very financially constrained due to the limited earnings from the options available, more so because of the indebtedness in some families. One family was in deep financial stress due to the loans taken and they even had to mortgage their land to pay off the interest of the loan. Such situations, economic burden precipitated lot of subdued tensions and feuds became a regular feature in some homes.

There were 7 cases (6 girls and 1 woman) where they faced problems and crisis following the death of one or both their parents. This added to the burden on the other family members who had to look for means of augmenting income to provide for the family.

This also called for additional responsibility in the family of catering to the younger siblings and this was demanding considering that the girls themselves were young. These were real testing times as the loss of one or both parents normally created the dependence on the family of elder married siblings or other relatives. This was a source of problem in terms of adjustment at the level of family relationships. The vacuum due to the loss of parents and the psychological stress had a great bearing in their lives. In the context of their dependence on their elder married siblings or relative they usually felt that things would have been different if their parents would have been around.

Both the married women had troubled childhood and difficult situations due to poverty in their natal homes. Following marriage they had issues in balancing family relations and situations between natal and in- laws home.

Both the women lost their husbands and had to take up the total responsibility of rearing their children. This was a real challenge and they did need the support of other members and relatives initially.

Two girls who also got married in due course also faced problems in adjustments of their work and family life. There was lot of insecurity related to the future. The In-laws in one case had problems accepting the marriage and this gradually affected her relationship with her husband and they parted ways. The other married girl also had issues in convincing her In-laws to continue her work as a domestic help in Delhi after marriage, more so as her husband was away working in Mumbai. They finally decided to move away from the in-laws home to avoid explicit conflict and this was not to negate the support base from home

#### Livelihood options at the family level

The families of the cases under consideration had very limited options in terms of livelihood. Their primary engagement was in subsistence level agricultural activities. Other sources of employment for family members were in the form of wage labour ( in construction sites), brick laying work or agricultural labour in others fields. Domestic work was also another option that was exercised. Stress induced mobility in search of options for better alternatives for livelihood have been a regular feature and reality of these families as for the area.

#### Gender differentials

Gender differentials are very evident in the roles the young girls and women assume right from their childhood. They are actually made to internalize the role of care giving and home making beyond the other support services they are expected to render in the work front to supplement the family income. Their personal aspirations and dreams of better education and life are actually not given space in the difficult situations of their families. The importance of catering to their young siblings irrespective of their own age and capacities is reinforced upon them and it becomes a kind of implicit binding on their part to comply accordingly. They are forced to give up opportunities of schooling under the pretext of family constrains or looking after her siblings. They are burdened with the problems plaguing the family from early ages and his puts them at immense psychological disadvantage in terms of their growth and balanced development.

### Power and control and identity

Power and control in the families mostly rested with the parents of the girls. In the case of death of either or both the parents the decision making power and key influencers were the elder married and earning siblings. In case all the siblings were small and incapable of handling their situation, they were under the aegis of close relatives (grandparents, uncles) who catered to their needs and took decisions on their behalf. Thus in such situation there was no space to exert one's identity especially within the limitations of the family conditions of deprivation and despair. Even with the married women there was limited scope of exerting her choice and views considering the delicate balance between family and work.

### **Factors associated with trafficking**

Although a number of factors have been linked to child trafficking, they are often merely listed with no theoretical framework to guide the development of research in this area.

According to the US Department of State (2007), those who are commercially sexually exploited in brothels are primarily female.<sup>21</sup> Additional risk factors include age, with girls between the ages of 12 and 16 years at greatest risk, ethnic minority status, inadequate family protection, including impoverished and dysfunctional families, living in a rural area, and lacking education and vocational skills (Beyrer, 2001; ECPAT, 2002; Laos and UNICEF, 2003; Ormeraniuk, 2005; UNDAW, 2002; UNICEF, 2005)<sup>22</sup>

The vulnerability of girls who are living in poverty is further heightened through cultural traditions and social norms that perpetuate stereotypic attitudes and discrimination toward women and girls (Asian Development Bank (ADB), 2006; ECPAT, 2002; IPU and UNICEF, 2005; Mahler, 1997). The ongoing discriminatory attitudes toward women and girls in Southeast Asia are rooted in its history and culture, including colonial sex trading, prostitution and concubinage (Bertone, 2000)<sup>23</sup>

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<sup>21</sup> Rafferty Yvonne, 2007 "Children for Sale: Child Trafficking in Southeast Asia," *Child Abuse Review* Vol. 16: 401-422  
Published online in Wiley InterScience ([www.interscience.wiley.com](http://www.interscience.wiley.com)) DOI: 10.1002/car.100

<sup>22</sup> cited in Rafferty op cit

<sup>23</sup> cited in Rafferty op cit

It has also been cited that in addition to being marginalised from education, young girls remain particularly vulnerable to trafficking as a result of gender development processes that marginalise them from job opportunities (for example, the existing gendered division of labour and associated attributes that relegate women to the unpaid care economy and men to the productive public sphere) (D’Cunha, 2002; UNDAW, 2002)<sup>24</sup>

### **2.7.3 Reasons and Motivation for the movement**

An analysis of the reasons for the movement or the situations that cause people to undertake decisions (self or influenced) for movement throws light on various aspects related to it and exemplifies the finer dimensions. The analysis is crucial, as it would feed into the strategies that can be adopted to address the issue. There is a need to identify the elements of falsehood, enticements and deception as part of the process so that the true picture can be gauged.

Following are some of the reasons and motivations for undertaking the movement as highlighted by the girls and women under the study.

#### *Augmenting family income and supporting family*

Considering the family situations and financial constraints most of the cases cited augmenting family income and supporting the family as one of the prime motivations to move out in search of work. They were well aware of their family situations and wanted to do something for the family needs. There was a personal desire of some girls to take care of the siblings and provide support to them in the absence of their parents. They wanted their siblings to have a better and secure future and never feel the gap of their parents’ absence. They felt that at least it was their duty to provide their siblings with the opportunities they themselves were bereft of. Thus the livelihood concern and need to provide adequately for the family played uppermost in the minds of most of the girls. To this end they were always on the lookout for avenues to realize this desire. The monetary incentive was the greatest pull factor and the girls always essentially prioritised the interests and stakes of the family as against their own.

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<sup>24</sup> cited in Rafferty op cit



The desperation and urgency is borne out in one of the cases where the girl establishes the need for her to move out and work so that there is some additional support and the family can come out the debt situation to regain possession of their mortgaged land. The girl is very categorical that her family interests are at stake and they need to get back their land for the sustenance of the family.

In one of the cases the girl forced by circumstances moved out of home to help and support the family of close relatives. There was no one to look after the young children in that home as their mother (sister in law) has expired. She was later initiated into domestic work through other known relatives.

The two married women also cited that they had moved out primarily to earn a living and support their children (specially as their husbands were no more). They felt that they should work so that their children get all opportunities and lead a better life in future.

#### *Self perceived aspirations and needs for mobility and change*

This aspect is an important area of research in the context of migration and trafficking studies. This is because it is this element which in some ways delineates the voluntarism component of the whole process. This is a crucial marker as an initial point of reference between migration and trafficking without consideration of the outcomes in later stages. Gershuni (2004) elucidated that though it is difficult to generalize about the motivations and backgrounds of the women, the representatives of NGOs who maintain contact with those who are apprehended say that on the whole these are young women with problematic family backgrounds. Some are orphans, others suffered abuse at the hands of family members, and still others were neglected. Most do not have good relations with their families of origin. Another common factor is acute poverty and lack of education, though there have been cases of trafficked women with academic or technical-school backgrounds. This profile supports the generalization that trafficked populations are characterized by poverty, lack of information, and the breakdown of social and economic safety nets.<sup>25</sup>

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<sup>25</sup> Gershuni Rochelle, 2004, Trafficking in Persons for the Purpose of Prostitution: The Israeli Experience; Mediterranean Quarterly: Fall

As per findings of different studies children in Southeast Asia are highly vulnerable to CSE, which has become a means of survival for some children and their families, as a result of social inequality, poor access to land, limited resources for families to meet the needs of their children, low-quality education, deficient social services and weakened institutions (ECPAT, 2006b; IOM,2007; US Department of State, 2007).

As per the cases in the study, few girls also expressed their need to move out so that they could get exposure and have their “own way” in the outside world. Some wanted to “see” Delhi while others wanted to explore new areas beyond their home domains. They wanted to see new places and have new exposures. They had never had such chances so far and they nursed great aspirations for the same.

Some of the girls actually wanted to be self reliant and financially independent so that they could support their families. They were small but their family situations were difficult and this inculcated deep rooted aspirations for mobility and change in them.

In one of the cases the girl was clear that she did not find her home environment very conducive and wanted to get away from it to make her own way.

The age factor becomes a crucial point of reference because the young girls are more prone to impulsive and hasty decisions without due consideration of the consequences of such actions. It is this risk taking attitude of young girls which are tapped by vested interests. They highlight the glamour and exposure of the outside world to entice the young girls who fall an easy prey to the illusions. The vulnerabilities of the girls result from their inexperience, unpreparedness and lack of exposure.

#### *Influence and exposure of siblings or other friends*

The village set up is also not a closed domain and there are several areas of dynamic exchanges that occur. The exchange is essentially in the form of information (media/market), ideas, materials (infrastructure or technology transfer) and manpower ( skill and expertise). There is constant flux and the village today can not be seen in isolation. It is in the same globalised context where there is great movement and exchange of people,

information and ideas that the study cases are located. Thereby it is but natural that they are also influenced by the outside environment and changes.

Six of the girls stated that they had contacts with their friends and siblings who had gone outside for work. They were really influenced by the exposure that these friends shared. The exchange of ideas and experiences also built in a genuine interest in them to try and explore for themselves. They were very much awed by the changes in the lifestyle and clothing which their friends acquired following their work stints outside.

The economic benefits of working outside in terms of monetary support and material gains at home were very evident. This was something that these girls found irresistible.

At that point of time everything seemed very appealing and full of prospects in the light of what was conveyed to them. It is based on these sharings that the girls decided and explored channels/ resources to facilitate their movement outside.

#### **2.7.4 Process of the movement – triggers, decision influencers: pathways**

The nature and dimension of the issue of human trafficking is extensive. It demands proper understanding of the process, the triggers, influencers and the pathways of the phenomenon. One of the reasons is to ostensibly analyse the process in relation to the outcome and impact. Considering the fact the strategies and approaches that are adopted have to be rationalized within the gamut of understanding of the affected women and girls. Deciphering the layers of the phenomenon from the worldview of the trafficked would help shed light on areas hitherto unfocussed.

Insights into the nature of the influences, triggers and various pathways would render greater clarity in understanding of the phenomenon as a whole.

The details of the process would highlight the role of each of the key players and also elucidate the interrelationships. The elements of voluntarism or coercion and deceit as per the interpretation of those affected. What appears before us is only the tip of the iceberg in terms of the colossal nature and extent of the problem of trafficking.

Unless the variations in the process and the different channels of movement are appreciated and strategically addressed, we would actually be catering at the superficial level without making much inroads into the actual core of the issue.

The study cases presented certain variations so far as the process of movement and the pathways were concerned.

#### *Self initiated decisions of movement*

Four of the cases clarified having taken self initiated decision to move out and take up work. They have approached through known relatives (some close some distant) for the purpose. They felt there was some assurance in using a known channel and there would be some support mechanism to fall back upon in case of need.

Following this initial step one of the girls had ventured out all by herself, in search of her aunts home and in the course of her journey had to face several hassles.

In another instance the contacts of known relatives were used to approach the institution working with domestic workers. Thus under a more systematized approach she was placed for work.

#### *Contacts of relatives and known acquaintances*

There were other cases where the girls were approached by village acquaintances or relatives for work placements in homes. There was no initial hesitation as the contact person was known. There was consent of parents in one case however there was no explicit objection to the movement either.

In various instances those who have previous exposure of work stints are actually roped in by the placement agencies to get more girls for work placement from their area and villages. Thus in effect the village friends, known people and relatives often become channels that influence movements in search of work.

In two cases elder siblings acquaintances actually approached agents through known contacts and monetary transactions took place in lieu of placements of the girls for work. The girls actually came to know of it at later stages.

#### *Influence of the agents*

Most of the cases were examples where the agent or the *dalaal* or the *sardar* were directly involved in the process and influenced the girls on the pretext of jobs and better prospects elsewhere (particularly Delhi).

They had established networks not only in Delhi but also had their links in the villages in Jharkhand for the recruitment and placement of girls primarily for domestic work. There was a case where the woman took a self initiated decision to work at homes in Ranchi, however later she used the contacts of agents to move to Delhi

There was one case instance where the girl had been lured to move out in groups influenced by these agents. The idea was that people from the same area would gel together and the cohesion would create less of a problem for the agents while in transit. Moreover the initial hesitation of the girl was catered to as she found company in others like her. There were other links in the channel who helped her get home placements.

In another case the agent was approached through the known contacts of sibling and monetary transaction transpired to ensure the work placement of the girl. Although done in all good faith and good intention the very fact that the girl was unaware of the money deal in this affair brings in an element of deception and coercion.

In yet another case the girl as a child was literally sucked into the placement nexus influenced by agents from the place of work of the parents. The parents were approached on the pretext of work provision for the girls which would help provide support for the families. The girls were thus siphoned in groups and shuffled between cities thus adding to the torment of the children through the harrowing experience. Finally in Delhi through contacts she got institutional support and this proved very helpful.

There was a girl from Uttar Pradesh who had been introduced to an agent (person contacted for job options as told to her) by her neighbourhood acquaintances. Actually she had been sold to the person and the relationship that followed culminated in marriage after which she came to Jharkhand. Circumstances forced the termination of the marriage later. She tried to locate the known person who had introduced her to her husband, but failed. In the process of trying to get herself work she got initiated into sex work.

The case of the girl who had mental problems is a real eyeopener. No one is actually aware of the details of the process that transpired as she was not on a position to communicate as such. However her condition is proof enough of the hassles and turmoil she must have undergone as part of the movement process.

#### **2.7.5. Place and nature of work**

The girls and women under the study mostly found employment as domestic helps in various cities. According to the girls this was primarily because there was no additional skill or training required for them to carry out domestic work. As girls they had been initiated into house work related activities at their homes since long and they were accustomed to the work. They also claimed that given their educational backgrounds there was no scope for their involvement in any other work that required skill and expertise. Moreover as young girls they were very docile, pliable and the employers found it easy to control and supervise. The girls were not in a position to discuss issues/ concerns with their employers and this worked to the advantage of the employers. Thus even in their employed status the girls were actually bound to the whims and fancies of their employers.

Six girls had been placed in homes in Ranchi, Jharkhand for domestic work. One of the girls was working in a home in Pakur, Jharkhand. Twelve girls were placed in homes in Delhi for housework related jobs. One of the girls who is presently employed in a house in Delhi has worked in homes in other cities like Kurukshetra, Kanpur before coming to Delhi. Also there is one girl who was taken to Patna, Bihar before being placed in a house in Ranchi for house work. One of the women worked in several homes in Ranchi prior to her work in Delhi homes. One of the girls who hails from Uttar Pradesh has moved beyond her in-laws place in Chatra to work in Hazaribagh in Jharkhand.

Thus we see a general trend of movement from the villages to the district towns or state and national capital under different circumstances for work as domestic helps. There is great demand for such young tribal girls as workforce in the domestic sphere specially in cities like Delhi. This is primarily because in urban settings, women are taking up

employment to support their families and thereby there is need for domestic helps to cater to the home front and related functions. The demand has actually reinforced the networks of placement agencies which are approached by prospective employers for hiring domestic helps. In the process all the negotiation happens between the employers and the agency staff. The opinion and concern of the domestic workers to be hired are never considered and accounted

#### **2.7.6. Personal experiences and insights**

People are faced with different kinds of circumstances during their lifetime. Every situation that he/she is placed in actually teaches him/ her certain things. Personal experiences go a long way in influencing the way people comprehend things and what meaning they make out of the situations. The coping mechanisms that people develop with age and over time are also based on experiences and the learnings from them

Opinions and ideas of people are very much shaped up by the life experiences that they undergo. The worldview of people based on their experiential domain, serves as a reference point for putting into perspective the realities that affect them. The range of experiences can be as diverse as the situations that precipitate them. What is important is what meaning we attach to these experiences and what learnings we draw from these experiences.

As part of the present study the experiences and perceptions of the trafficked girls and women from Jharkhand are being presented to give an overview of the entire phenomena. The idea is to build on the construct of trafficking based on their interpretation regarding what they feel about the whole process and what has been the outcome for them. How have they dealt with the whole process and what have they imbibed? These are certain aspects that would help delineate how they view the extent and scope of the whole issue. Their ideas of the approach towards dealing with such issues could actually feed into the strategies and mandates of organizations working on trafficking issues. The problems and concerns as articulated by the trafficked girls would provide basis for initiatives against trafficking.

*Overviews of the experiences that the girls and women underwent -*

*Experience with the placement agencies*

At the outset most of the girls have a generic view of the entire process and the outcomes. The girls who took up self initiated decisions to move have rationalized the outcomes in terms of the risk taken. They see the change in situation (the movement and final institutional affiliation) as a kind of turning point in their lives.

For those who approached known relatives or agents to look out for job options outside, there was some preparedness for the changed work context in a new place. Even among them there were some who were hassled with the procedural constraints and relationship dynamics with the agency (mediator) and the employer.

There was no scope of negotiation regarding their wages, leave and other entitlements with the employers specially if there was someone involved to mediate. They were not even aware of the modalities of the monetary transaction and all issues were settled in consultation with the agency officials. Thus the agency was a key influencer.

Even their desire to discontinue work in some cases as mentioned by a few girls was handled by the agency and they would mostly impress upon the girls to take up placement in another house. So the girls and the women felt really bound when they were directly under the control of the placement agencies.

Their general view of the process followed and the conditions in the placement agencies was really pathetic. The girls brought in from different places were usually kept in small rooms (so called agency office) prior to their placements with homes. The alien environment among unknown people actually added to the sense of loss in terms of identity and agency. They knew no one except for the concerned placement people and the employers at the initial stages and this was really crippling.

The girls had no choice regarding the placements they were given and the uncertainty was actually very intimidating. The whole system of placement and channels for the same was really quite strangulating and few girls felt it was compromise on their freedom of movement, choice/ place of work and the modalities of functioning

Things were however streamlined for most of the cases following institutional affiliation in later stages post exit and rescue.



Gradually with time and exposure few of the older girls and women had developed better understanding and skills to negotiate and deal with issues concerning the agency. They were able to negotiate in relation to wages, options of new placements or their return in case they wished to discontinue.

There were instances where the agents had been approached by the relatives or close acquaintances of the girls and money transactions had been executed. This actually placed the girls at a weaker position and the agents took freedom in manipulating them to their advantage on this basis.

#### *Experience related to the nature of work, conditions and facilities*

Placements in homes in alien environments were always a source of apprehension and inhibition for the girls who said they took their time to adjust to the new systems at the place of work.

For most of the girls and women the domestic work was very routine and monotonous. They had to engage in household activities like cooking, cleaning the place, sweeping/mopping the rooms, washing the clothes and also run errands and do additional work as needed. They also looked after the children and catered to elderly people in the homes.

As full time workers their food, accommodation and other necessities (clothing and health care) were essentially catered to by their employers. This was a point of reference in decision regarding wages wherein these factors were accounted for.

There was dissatisfaction amongst most regarding the wages but they were hardly in a position to say anything as the agencies mediated and controlled.

Accommodation entailed shared spaces (restricted to certain areas of the house) for the girls and this restricted their mobility and also hampered their privacy. This also gave scope of sexual abuse and exploitation considering the limitations of space and two of them have testified to this end

Food was usually provided by the employers and cooking was done by few of them as part of their job. In certain cases the girls said that they were given stale leftover food

All of them were full time workers and this meant there were no fixed hours of work and they were literally on call always. They had no time for relaxation as such and no personal time for themselves. Most of them complained of being extremely overworked having to work long hours without rest and this was actually telling on their physical health. Regular exposure to water and detergents as part of work affected the hands and feet of one girl.

Four of the girls experienced work stress and related complications.

Some other girls who were small, complained of coping problems due to alien environment in the homes where they worked. Initially most of them took time to adjust to the different systems/ practices in the different homes but gradually they became attuned to it. Two girls said they felt really homesick (considering the new environment) and nostalgic when they remembered their family /siblings. Although they were not subject to any abuse, rebuke they became reclusive and withdrawn following such experience of nostalgia.

#### *Experience related to their relationships with their employers*

The relationship of the girls with their employers actually varied with the temperament of the employers and work situation.

Three of the girls said that they had not experienced any form of abuse or scolding by their employers who were quite considerate and accommodative. Thereby this worked out to be a balanced equation between them.

There were experiences of two girls who were treated just as if they were part of the family. All their needs were catered to and they also accompanied their employers on their visit to places. However there was a perceptible change in the attitude and behaviour of the employers for some incomprehensible reason in the later stages in one of the above cases. This change was really unexpected and unexplainable and the girl went through lot of stress and turmoil.

In most of the cases they were subjected to verbal (scolding, use of harsh language) and physical abuse (beating shoving around) at the instance of slight faltering at work.

This was an emotional setback for most of the girls and they found it psychologically draining. In some instances the fear was such that it almost became an obsession to live up to the expectations of their employers. The girls had a harrowing experience and underwent a lot of mental stress and agony.

Two of the girls narrated having to deal with sexual advances and overtures of the men of the house where they were employed. In one case the girl was raped, assaulted and literally kept under house arrest having been threatened not to disclose elsewhere.

The other girls had to deal with uncomfortable situations at times following lewd overtures, comments and exposures.

In another case the girl entered into a marriage relationship with a person who was approached to provide her work options. He forced her to comply not only with his sexual needs but also those of his friends. Later on in the course of her search for work, she was gradually initiated into rendering sexual services commercially.

They found redressal only on exit and under the legal guidance and counseling as arranged by the organization involved.

The fallout of the absolute trauma and breakdown as a result of rape and sexual abuse is borne out by the case of the girl who has actually lost her mental balance following her experience at Delhi. She was pregnant when she was rescued and has since delivered a baby girl who is being brought up in the Kishori Niketan Centre at Bijupur Ranchi.

She is under medical treatment and there is a gradual response to the treatment. Although she is withdrawn and hardly communicates, it is not very difficult to comprehend the pain and suffering she must have undergone.

#### **2.7.7. Process and mode of Exit from the situation**

As has been mentioned earlier, the work situations and realities of the girls who had moved away from their home under varying influences were quite different. The impulse and trigger for decision towards exit from the existing situation were also different.

The process and mode of exit based on the different circumstances were grounded in the experiences the girls had. This process of exit also brought to the forefront the various other players who were involved. This actually established the role and interest of these other players in the whole process of facilitating the exit of the girls from their present

situation. The people/ institutions involved in the exit of the girls have played an instrumental role in the process of normalization and their future assimilation into the mainstream. It is also important that the informal channels and contacts used for the process of exit are duly focussed so that even these can be strategically tapped to address the issue of trafficking of girls in the local context.

The different processes and channels of exit as discussed by the girls under the study can be categorized as under-

*Self motivated desire to escape-*

In 2 cases the young girl in a very strangulating situation (specially in the context of the sexual advances / exploitation) escaped from the home of her employers finding an opportune situation. She sought the help of others around to garner support and in the process got in touch with the organization for support.

In some cases the girls had an overpowering feeling of wanting to get away from the work situation although the treatment meted out to them by their employers was fair and favourable. They were really depressed in the alien environment and their decision was thus influenced.

There was one instance where the girl left her employers home and went to a relatives place to seek help. Her parents were contacted and later following a thought out decision they approached the organization for orientation / grooming so that they could have better options in later stages.

One of the girls narrated the incidence of her escape by fleeing from her employers home. She managed to reach the New Delhi railway station which she was familiar. She was later spotted by the police who arranged for stay at a shelter home before she was transferred to a Ranchi based Institution.

*Seeking of help from the agency*

In one instance the woman approached the agency with her desire to discontinue as she was dissatisfied with the work and conditions. The agency complied and made arrangements for her journey back home.

In another case the girl when initially employed was small and took ill very frequently. The employers contacted the placement agency and with the mediation of the supporting organization arranged for her to be sent back.

In another instance the employers approached the agency to take back the girl as she was not able to acclimitise and was forever homesick depressed and not able to work.

#### Discontinuity of work

There were instances where the girls and women expressed their desire to discontinue their work and took up steps accordingly. Some of them approached their relatives who had helped them with placements. They sought their help to move out and were placed under organizational support later.

One girl approached her employers with the issue of wanting to discontinue and go back home as there was some crisis situation at home following the death of her father. In their goodwill and based on their relation the employers arranged for her to go back. They also kept open the prospect of her returning to Delhi and joining back in their house in later stages. Another girl also wanted to discontinue and go back home (on grounds of adjustment difficulties) and approached her employers for the same. She told them there was a function at home in which she needed to be present. This was a strategic move on her part as she knew that she would not be allowed to leave on other grounds. Her employers arranged accordingly for her to go back home and she has decided not to return to Delhi for work.

#### Continuing at the place of work

In one case the girl had been placed for housework through the organization after being approached by the relatives. She continues to work in the home but with a hope of improvement in the future and is appreciative of the organizational support.

There are others who had faced difficult placements earlier. Following organizational intervention and guidance they have established better contacts and continue to work at other homes based on agreeable terms of work.

In one of the cases following false implications and involvement in a racket the girl was sent to police remand and later handed over to the Mahila Probation Home in Ranchi.

The fact is she feels that she is better off here at the Probation home outside under unpredictable influences

The different processes and modalities of the exit of the girls as mentioned by them give a picture of what options they exercise ( in terms of whom they approach for help) ,how they make use of the existent support system and what they do in case there is no available source of help. This is crucial as it not only determines the course of action to be taken for exiting from the situation they are in, but also the eventuality of the exit process. This has a bearing on the larger outcome of the entire movement (trafficking) process and the associated experience. Sometimes, going by the experience of the process of exit and rescue it further re-establishes victimization and pushes the girls back into the vicious trap particularly if the channels and links are weak.

#### **2.7.8. Institutional support/ organizational intervention**

Organizations working on trafficking issues and dealing with rescue/ rehabilitation of the “victims” have gradually gained prominence and have evolved strategic approaches to dealing with the issue. The awareness about the issue following widespread coverage in various forms of media is being harnessed and built upon by the organizations.

The sensitive nature of the phenomenon has required facilitated networking and coordination among all such organization working on various dimensions of Trafficking. The support offered by the organizations range from providing legal aid, support facilities in terms of shelter, opportunities for training orientation and skill building ,counselling medical help and so on. The efforts of the organizations have been to aid and streamline the potential of the girls so that they are able to acquire new skills and expand their options for the future.

In the present context the girls and women have some form of affiliation to institutions that are providing them temporary support and orientation. The organizations/ institutions that the girls are affiliated to are the Kishori Niketan- Bharatiya Kisan Sangh, Ranchi , JDWWT ( Jharkhand Domestic Workers Welfare Trust)- Asha Kiran Centre at Ranchi, the Mahila Probation Home, Namkum Ranchi and Nirmala Niketan, Delhi.

Initially most of the girls had inhibitions about the realities of the organizations and centres. Their work and the people in the organization were also new for them. Initially they found it difficult to adjust to the disciplined life in changed milieu specially given the background of their experiences. Gradually however with time, based on the guided facilitation of the organizational staff they were able to reorient their lives.

According to the girls and women the respective organizational affiliation has given them the much needed support pressing times. The activities of the organizations have boosted their self confidence. This they say is because of the collective initiatives that they undertake and the community life that is fostered at the centres. The girls derive strength from the fact that there is so much to learn from others even in difficult situations. The realization of the fact that there are others in similar situations and sometimes in worse of conditions has helped them rationalize things and accept challenges in life accordingly. The peer support and sharing that happens is of great help as they are able to mutually discuss and solve issues.

The life skill orientation and educational inputs imparted by the organizations have helped them develop negotiation powers to advocate for their rights and articulate their needs in terms of better wages , leave work conditions etc. For most of them it has been an initiation into dialogue discussion and they have started raising their voices against exploitation at work. They have also gradually imbibed the values of the organization and the issues they are working for. Girls now have an increased sense of self esteem and have learnt to value their own work. This is as part of the realization that they need to value their work first, if they want others to understand the worth of their work.

Institutional efforts are creating change makers in the real sense. Having faced adverse situations themselves the girls are very open and vigilant to identify other cases of child labour and exploitation around their workplaces.

One of the girls based on the inputs and guided orientation has exhibited great potential and leadership skills. She is presently working as a facilitator and Incharge in a centre that caters to such girls.

For most of the girls the centres/ organizations today have become a way of life. They have found some basis and direction in their lives and are trying to make the best out of the opportunities which they are getting through the orientation, skill inputs and training.

The parents and guardians of the girls are informed of the whereabouts of the girls under the organizations. In most of the cases they keep in touch with the girls and other officials of the organizations. This is actually a way to streamline the process of their assimilation back into their homes and societies after their stay at the centres. Usually the girls are sent back to their homes after a stipulated time and orientation as it is beyond the scope and resources of the organizations to provide endless support

#### **2.7.9. Learnings from the experience- value clarification, retrospective analysis of the events**

Experiential learning is a cumulative, dynamic process that occurs throughout the lifetime of an individual. In simplistic terms it is the process of learning by doing/ seeing observing to internalize things reflect on them and take further action.

Every person has a personal niche which is influenced by the experiences he/ she undergoes. The continuum of action learning reflection and further action based on the reflection is the basis of the life chances and decisions that people take.

In the context of the present study the experiences of the trafficked girls and women have been portrayed in the light of the realities and issues that confronted them. Their interpretation of the whole experience and the learnings there of are very crucial for the assessment of the whole issue. What they feel about the process, the people involved and the outcomes shape up their future decisions and course of actions. To exemplify as mentioned earlier, the very impulse and trigger to the movement is different based on the different situations and interpretations related to the same

Similarly the varied modes adapted to exit from the situation in the different cases were influenced by related interpretations and decisions taken.



The learnings from the experiences as articulated by the girls/ women have been categorized as under.

#### Unknown exposure and risks taken

The idea of exploring unknown areas and taking risk of venturing out on ones own brought them close to reality as they never knew of. The unpreparedness due to lack of earlier exposure had landed them into difficult situation which they later felt they could have avoided. There is a general feeling that in trying to explore unknown areas there is exposure to various kinds of vulnerabilities.

One learns to be very watchful and wary on account of even a casual encounter with unknown people on a maiden exposure venture. The girls opine that they now feel that it is very easy to get carried away by outside influences, lures and not always easy to negotiate spaces in the outside world specially if unprepared.

This is a very important aspect considering the fact that these girls with such experiences/ learning can be motivated as change makers to dissuade others from falling trap to enticements. They can actually help to exemplify/ convey to others regarding the nuances of the whole process. They would be able to provide insights and give information as needed to others so that there is awareness of such instances and activities

The experiences of few girls have taught them to handle situations accordingly and judge the advances and motives of people around. They feel that all people should not be trusted at the face value and the need to rationalize relationships with people is a basic survival strategy. This in the long run would help them prepare themselves for future exposures.

#### Value clarification /Realization

For most of the girls there is realization of the value of home and support base of their parents, siblings and relatives. They realise that children need the comfort zone of their home ( whatever the family situation may be) and the guidance of their elders to take decisions.

The crux of their assessment is that family support mechanism is very important. They feel that irrespective of the situation at home it is the best place to begin the process of their dream fulfillment.

The girls feel that one should not negate the value of the family support system and all actions taken should be in consonance with the family norms and values.

When in their family situation they feel the need to support their family in whatever little way they can. However they feel that they have lost their childhood when they compare their positions with other children.

Most of the young girls realized that they were actually too young to comprehend the difficulties and complications in the outside world. They were actually not far sighted to be able to look beyond what could be seen.

Few of them who had taken impulsive decisions to move away from home have realized that impulse always does not pay. They admit that sometimes hard situations force people to take desperate decisions but they mostly backfire.

According to them the eventual harm outcomes (in any form) and the situations they were placed under were primarily due to the impulsive decisions they had taken without the consultation of their parents. Under constrained conditions when subjected to lot of stress some of them actually repented on their decisions to leave home.

#### *Work and organizational influence.*

The general impression about their organizational affiliation is that it is very useful to build up their skills and hone up their potentials.

The educational inputs they have been receiving have been of a great help to streamline their future plans. The women were specially concerned about the future and education of their children and they have also been receiving inputs for the same.

They also feel that the guidance of the organization has also equipped them with better skills to negotiate and manage their affairs in their own way. There is increasing awareness about their rights and growing demand for acceptance and acknowledgement for their work. They feel that mobilization of other girls and women under similar situations is needed to create awareness about trafficking issues and the consequences.

Organisational affiliation has reinforced the need for discipline and adjustment with the new found relations so that they are all able to make more meaning of life.

#### **2.7.10. Future directions- Plans and Scope**

Within the ambit of change life courses, the girls and women have developed a new outlook towards life. Most of them have reconciled to the fact that they need to equip themselves with education and skills as part of their survival strategy.

Under the institutional affiliation most of them now have balanced approach through life skill orientation and vocational training inputs. They want to continue studies and settle down in future to support their families.

There was one girl who has already got associated with a centre as a facilitator and she likes the mentoring role she has to play. She is very categorical in dissuading others from taking decisions for movement under an impulse influenced by the lure of money and exposure.

Most of them want to be instrumental in spreading the word about the nature of the problem and the available help in this regard.

One of the girls wants to become a police officer so that as part of the law enforcement network she would be able to cater to trafficking situations. Another girl wishes to become a social worker and help other children in similar situations.

The women given their age were concerned more about the future and security of their children and want to continue with the same option till better options come their way.

Thus we find that the wide ranging experiences have highlighted on the different aspects and nuances of the movement of tribal girls in search of livelihood options under different circumstances. The fact remains that an apparently harmless engagement in the form of domestic labour can also have its own dimensions of exploitation and stress.

The elements of deception and coercive work situations have played out very differently – while for some it is exercising a voluntary choice of work, there are others who are influenced and forced by situations to take up domestic work.

The trajectories, their outcomes are varied so the interpretation of these experiences is also accordingly variable.

The shared information illustrates the complexity and dynamics of the process of trafficking. The information shared comes to offer different perspectives. This is specially in terms of their experiences from one form of affiliation to another - that is their home to the place of work and then to the institutional assistance following their rescue.

How do the girls view their family situations? What are the triggers and influences that cause decisive movements? What is the essence and utility of the institutional support following the exit from their work situation? Where do they see themselves in future?

Answers to these issues provide insights into the nature of the problem as they perceive it. It also gives an idea of the coping mechanisms of the girls and the rationale and extent of institutional support needed.

Through the interpretation of their perceptions, there is scope to stimulate thinking as to how action can be strategised with the active participation of the girls and women involved.

Each individual experience is unique and the different views and perceptions presented provide important insights into what trafficked people can endure. While all the girls and women under the study experienced exploitation in different ways and forms ( in the process of movement under certain circumstances)- not every experience would actually fall under the normative definition of Child trafficking as internationally applicable.

The complexity of child trafficking often makes it difficult in practice to distinguish between trafficking and other forms of exploitation and abuse of children. This highlights the need to ensure that child trafficking is viewed in the broadest possible

manner and addressed within a child rights framework.<sup>26</sup> This will actually ensure that there is universal support coverage for all children who have been trafficked or experienced any form of exploitation.

Though in most cases the situation seems normalized, there are finer issues of stress psychological trauma and vulnerability due to lack of voice and agency of the girls and women. The change in the life chances after coming into the institutional ambit is very perceptible and there is a constant state of flux to balance options available.

The children are the best judge of what the most pressing issues affecting them are. They are best suited to share their interpretations of the situations and there is need to account for their experiences so that effective initiatives can be taken up.

They alone can articulate on what makes them most vulnerable and how their needs/concerns can be best addressed. It is becoming increasingly clear that the young girls have a role to play in identifying areas of intervention and action towards solutions. It is clear from the sharing with the young girls that they were particularly vulnerable to exploitation and abuse including trafficking due to a multiplicity of factors. Most of them felt they were unaware of the consequences and risks associated with leaving their homes. Although in several cases the prime influencers had been their peers, relatives or known people who had had such exposure, they felt they were ill prepared and ill informed about the risks and challenges of leaving home.

The research exercise has tried to highlight the patterns and trends related to the process of trafficking considering the regional specificities in Jharkhand. There is also no presumption that the experiences of the 21 respondents (under the study) are representative of the realities of all trafficked cases.

It also emphasizes on the variations in the experiences of the affected girls and the importance of the strategies and approaches to deal with them.

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<sup>26</sup> UNICEF Innocenti Research Centre Young People's Voices on Child Trafficking: Experiences from South Eastern Europe Mike Dottridge ,IWP-2008-05, UNICEF 2008

**CHAPTER 3**  
**ANTI TRAFFICKING MANDATES:**  
**A REVIEW OF ORGANIZATIONAL**  
**APPROACHES AND STRATEGIES**

# CHAPTER THREE

## **Anti Trafficking Mandates: A Review of Organizational Approaches and Strategies**

### **3.1 Introduction**

Human trafficking over the decades has assumed new forms as a larger global phenomenon. The ramifications of the issue of trafficking are quite far reaching as it transgresses domains of regions and boundaries of nation.

Trafficking in human beings, especially in women, girls and children has become a matter of serious national and international concern. Women and children have been exposed to unprecedented vulnerabilities. Commercial exploitation of these vulnerabilities has become a massive organized crime and a multi dollar business.

The international community has passed several conventions to combat this pervasive malady. Nations at their levels are attempting to combat this trade in human misery through legislative, executive judicial and social action.<sup>1</sup>

The impact of globalization can be seen in the form of purposive free movement of people and exchange of resources, information and ideas across borders. This has created a situation wherein one cannot remain untouched by the influence of what is happening elsewhere in the world. There are new global issues related to trade liberalization, the economic crisis, non proliferation, pandemics, migration and so on.

Issues related to climate change, environmental security, population/ development or other issues of regional and strategic importance like terrorism and nuclear proliferation, have shown that beyond the national perview there is a global dimension to everything. Nothing works in isolation and the impact of pressing contemporary issues is felt throughout the globe however differential it may be. Considering the pressing global issues there has never been greater need for cooperation and collective action at the larger level.

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<sup>1</sup> Trafficking of women and children in India- Challenges and responses (2004), GOI, MoHRD, Dept of WCD

Likewise, today the trafficking in persons has assumed alarming proportions and has emerged as one of the greatest challenges in terms of a crime that warrants action towards addressing the needs of victims.

Globalization has exacerbated the illicit trade of people and their parts within and across territorial borders generating concern among activists and academics and prompting the development of a burgeoning literature with varying concerns and viewpoints.

Human trafficking reflects the dark side of globalization. It is a booming trade in people and their parts that involves the use of improper means – e.g. force, fraud, deception, coercion, or the abuse of power or authority – to recruit or transport them within or across borders for the purposes of exploitation (United Nations Office on Drugs and Crime 2008).<sup>2</sup>

This movement of people and the deceptive or coercive means by which it is done are two vital elements of trafficking. The purpose or outcome for which people are moved is also a key: it can entail labor exploitation, debt bondage, and other slavery-like practices once people arrive at their destinations<sup>3</sup>

The complexity of the issue is further increased because of the politico legal implications of involvement of different nation states. The dynamics and plurality of the issue of human trafficking is further compounded by the fact that there is a diverse range of socio political and legal frameworks that are applied for the addressal of the same.

In the Indian context, human trafficking presents itself with variations, complexities in terms of its nature and the diverse community settings. This has helped adopt a multidimensional approach and evolve a multi-pronged response to meet the challenges of trafficking at all levels – International, national and regional.

The policy guidelines for Anti Trafficking and the judicial, legal measures that are followed by any nation are actually in conjunction with the larger global mandates.

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<sup>2</sup> Limoncelli Stephanie A., Human Trafficking: Globalization, Exploitation and Transnational Sociology *Sociology Compass* 3/1 (2009): 72–91, Journal Compilation © 2008 Blackwell Publishing Ltd

<sup>3</sup> *ibid*



All Anti Trafficking measures followed in India are also primarily aligned to the various global conventions, protocols and U N resolutions to tackle the problems. There is however space for adaptive variations in terms of appropriate legislations and policies to suit the Indian realities.

### **3.2 Transnational approach to trafficking**

Stephanie A. Limoncelli (2009) suggests that a transnational sociological approach can help to provide a broad and integrating framework for understanding its varying dimensions in comparative and global contexts, one that will help us to better understand its causes, dynamics, and the consequences of its intensification in the current wave of globalization. Transnational approaches help to facilitate studies on trafficking that are interdisciplinary and also beyond the specificities of regions.

According to Limoncelli, while trafficking itself is understood to be primarily a transnational process, involving the movement of people across state borders, there is need to analyze its relation to other political, economic, and cultural relations within and across borders.

Using a transnational framework, she suggests one can study trafficking globally and comparatively, looking specifically at the relationship of trafficking to other transnational processes across time and place. This she feels will also help examine the relations between trafficking and local processes that facilitate or hinder it. The research generated from such a framework can also better inform human trafficking policy and programs, which are quickly proliferating.<sup>4</sup>

#### **3.2.1 The Global mandates on Anti Trafficking**

In line with the international perspective on trafficking, there is recognition that since trafficking is a complex phenomenon, battling it requires a mesh of steps and actors. It is necessary to take steps to prevent it, to prosecute the criminals, and to protect the victims. In addition, it is necessary to encourage cooperation among multiple agencies, including government agencies, nongovernmental bodies and international entities.

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<sup>4</sup> Limoncelli Stephanie A., *Human Trafficking: Globalization, Exploitation and Transnational Sociology* *Sociology Compass* 3/1 (2009): 72–91, Journal Compilation © 2008 Blackwell Publishing Ltd

Since it is impossible to analyze trafficking without placing it in its global context, many of the processes and underlying causes referred to are common to the forms of trafficking worldwide.<sup>5</sup>

The global manifestation of the phenomena of trafficking requires a comprehensive international perspective to deal with the issue. Within the international sphere, there is need for establishing a common vocabulary with respect to the definitions and ambit of human trafficking. This will enable the streamlining of interventions for anti trafficking while acknowledging the national and regional specificities. Broad principle guidelines and legal protocols as evolved through various International conventions serve to set standards for anti trafficking interventions across countries. There is always scope for country specific legislations that can be formulated to adapt to the needs of the individual countries as per the trafficking situation therein. These are mostly expected to be aligned in spirit and geared towards action as envisaged by the larger global mandates. In reality the principles derived from international conventions and treaties must become part of the jurisprudence of nations who are signatories to them.

There is thus a critical need for wider acceptance of UN conventions and protocols so as to ensure cooperation between nations and enforcement agencies.<sup>6</sup>

The idea is to evolve mechanisms and policies for Anti trafficking at national levels (with due consideration of regional realities) within the ambit of the global framework of action. The following section would deal with the international instruments to tackle trafficking followed by the regional efforts and the Indian legislations for the same.

One can trace the congruence and linkage of the national legislations as they evolve based on the ratifications of international conventions.

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<sup>5</sup> Gershuni Rochelle: Trafficking in Persons for the Purpose of Prostitution: The Israeli experience, Mediterranean Quarterly: Fall 2004

<sup>6</sup> Illegal Border Crossings, Economic and Political Weekly May 5, 2007 pp 1583-1584

### 3.3 Legislations on Trafficking

#### 3.3.1 International framework of laws related to trafficking <sup>7</sup>

An overview of selected international conventions regulating trafficking in human beings is presented-

<b>International Legal Instruments</b>	<b>Provisions</b>
International Agreement for Suppression of White Slave Traffic, 1904	The agreement was formulated with the intention of securing to women of full age who have suffered abuse or compulsion, as also under-age girls, effective protection against criminal traffic known as the "White Slave Traffic".
International Convention for Suppression of White Slave Traffic, 1910	This convention criminalised procurement, enticement or leading away of a woman or girl under the age of 21, even with her consent for immoral purposes irrespective of the fact that the various acts constituting the offence may have been committed in different countries.
International Convention for the Suppression of the Traffic of the Women and Children, 1921	The treaty prohibits the enticing or leading away of a woman or girl for immoral purposes, to be carried out in another country.
Slavery Convention, 1926	States Parties are enjoined to discourage all forms of forced labour. Slavery means control over another person, without full informed consent, for the purpose of exploitation.
International Labour Organisation Forced Labour Convention, 1930	Article 1 of this convention calls for suppression of the use of forced or compulsory labour in all its forms within the shortest possible period.
International Convention for Suppression of Traffic in Women of full age	This convention imposes a duty on the signing countries to prohibit, prevent, prosecute and/ or punish those engaged in trafficking in women.
Universal Declaration of Human Rights, 1948	Article 4 of the Declaration prohibits all forms of slavery and the slave trade. Article 13 recognises the right of persons to freedom of movement and residence and Article 15 recognises the right to nationality.

<sup>7</sup> Report on trafficking in women and children in India 2002-2003, NHRC-UNIFEM- ISS project

International Legal Instruments	Provisions
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949	This convention is a compilation of four previous international conventions (Conventions of 1904, 1910, 1921 and 1933). This convention made procurement, enticement, etc. for purposes of prostitution punishable irrespective of the age of the person involved and his/her consent to the same (Article 1). Brothel keeping was also denounced to be illegal and punishable (Article 2). The convention provided for repatriation (Article 19) and rehabilitation (Article 20) measures. However, the 1949 Convention is limited to trafficking for prostitution and related activities.
Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions and Practices of Slavery, 1956 (Slavery Convention)	This convention condemned a variety of slavery-like practices, including debt bondage and forced marriage. States Parties undertook to establish suitable minimum ages of marriage and registration of marriages.
Abolition of Forced Labour Convention, ILO, 1957	Under this convention, States Parties undertook to suppress any form of forced or compulsory labour as a means of political coercion, economic development, labour discipline, or racial, social, national or religious discrimination.
International Covenant on Civil and Political Rights, 1966	Forced labour and slavery are prohibited by Article 8 of the ICCPR. Article 24 outlines the rights of children.
International Convention on Economic, Social and Cultural Rights 1966	Article 10 of this convention stipulates that States are responsible for protecting children from exploitation and must lay down the minimum age for their employment.
Minimum Age Convention, 1973	The aim of this convention was to prohibit and regulate child labour and restrict engagement of children in hazardous work.
Convention on the Elimination of all forms of Discrimination against Women, 1979 (CEDAW)	Article 6 of CEDAW requires States Parties to take all appropriate measures, including legislation, to suppress all forms of traffic in women.

<b>International Legal Instruments</b>	<b>Provisions</b>
United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	The convention provides against the expulsion or return of a person to another state if there are substantial grounds for deeming her to be in danger of torture. Victim compensation measures are also stipulated in the convention.
Tourism Bill of Rights and the Tourist Code 1985	Adopted by the WTO, the Code enjoins that the State should preclude any possibility of the use of tourism to exploit others for purposes of prostitution.
Convention on the Rights of the Child, 1989	Article 11 requires States Parties to take measures to combat the illicit transfer and non return of children abroad. Under Article 34 and 35, States Parties must take appropriate national, bilateral and multilateral steps to protect the child from all forms of sexual exploitation and sexual abuse as also to prevent the abduction, sale of or traffic in children.
Convention on Protection of Rights of Migrant Workers, 1990	This Convention seeks to put an end to the illegal or clandestine recruitment and trafficking of migrant workers and lays down binding international standards for their treatment, welfare and human rights.
The ILO Convention 182 on the Worst Forms of Child Labour (1998)	Article 3 of this Convention defines the worst forms of child labour comprising all manifestations of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and servitude and forced or compulsory labour, etc.
Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women, 1999	The Protocol enables individuals or groups who have exhausted national remedies to directly approach the Committee under the Protocol.

- *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000*

The UN Trafficking Protocol seeks to create a global language to define trafficking in persons, especially women and children, assist victims of trafficking, and prevent trafficking in persons. It supplements the *United Nations Convention Against Transnational Organised Crime, 2000*. Article 3(a) of the Protocol defines ‘trafficking in persons’ as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”. This victim-friendly protocol provides for preventive measures (Art. 9), victim compensation and privacy protection (Art. 6), repatriation (Art. 8) and strengthened border control measures (Art. 11 & 12).

However, the Protocol does not provide protection from prosecution for the acts victims are forced to perform. Therefore, victims could be prosecuted for a crime they were coerced into committing – such as prostitution, working without a permit, or having false identification documents – and be summarily deported for these violations. Also, most of the positive measures, especially victim assistance, are discretionary. Thus, victims who remain in a country in order to serve as witnesses for the prosecution could be detained for months without critical services or employment. This could create unwillingness in victims to offer testimony, which would be detrimental to the case and undermine the law enforcement objectives of this Protocol. Also, these victims are still at risk of physical harm from the traffickers. There is no mention of ‘reintegration’ or providing services upon repatriation to ensure that a victim is able to re-enter mainstream society. The Protocol refers only to cooperation between States Parties to ensure safe repatriation of victims to their countries of origin. The victims are, in effect, likely to be delivered back into the same conditions from which they were trafficked and are at risk of re-victimisation.

- *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*

This process seeks to raise standards for the protection of children from all forms of sexual exploitation and abuse.

- *Recommended Principles and Guidelines on Human Rights and Human Trafficking:*

These standards were developed by the UN High Commission for Human Rights so as to strengthen the human rights principles and perspective of the Trafficking Protocol. The document sets down 17 Recommended Principles and 11 Recommended Guidelines, which are meant to facilitate effective implementation of the key provisions. There are several other international initiatives in the form of conferences ( congresses) and declarations that have laid down guidelines and implementation modalities for tackling the issues of Human trafficking ( The Honolulu Declaration 2002 and The Brussels Declaration on Preventing and Combating Trafficking in Human Beings, 2002 to mention a few)

### **3.3.2 Regional instruments**

At the regional level, there have been several initiatives by the governments of South Asia and Asia-Pacific regions. The Bangkok Accord and Plan of Action to Combat Trafficking in Women,1998; Asian Regional Initiative Against Trafficking in Persons, especially Women and Children,(ARIAT) 2000; The ASEM (Asia Europe Meeting) Action Plan to Combat Trafficking in Persons, especially Women and Children, 2000; The Bali Conference Co-chair's Statement on People Smuggling, Trafficking in Persons and Related Transnational Crime, 2002; are illustrations of their concerted efforts.

- *SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002*

The aim of this convention is to promote cooperation amongst member states to effectively deal with various aspects of prevention, interdiction and suppression of trafficking in women and children; repatriation and rehabilitation of victims of trafficking and preventing the use of women and children in international prostitution networks, particularly where the SAARC member countries (Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka) are the countries of origin, transit and

destination. The convention is legally binding on its signatory parties and is the first regional anti-trafficking treaty to emerge from the Asian continent. As of March 2004, the convention has been ratified by all member countries except Nepal and Sri Lanka. The SAARC Convention defines 'child', 'prostitution', 'trafficking', 'traffickers' and 'persons subjected to trafficking' under Article 1. It provides for 'aggravating circumstances', which are factual circumstances that enhance the gravity of the offence (Art. 4). It also provides for the protection of victims (Art. 5), mutual legal assistance (Art. 6), training and sensitisation of enforcement officials (Art. 8), rehabilitation of victims (Art. 9). Offences under the Convention are extraditable (Art. 7). Article 8(3) requires the States Parties to establish a Regional Task Force comprising officials from the Member States, to facilitate implementation of the provisions of this Convention and to undertake periodic reviews. The main criticism levied against the SAARC Convention is its narrow definition of trafficking, which is limited to prostitution, also that it makes no distinction between women and children. Trafficking has been defined to include the moving, selling or buying of a person, but does not include recruitment, labour, transfer or receipt that does not essentially constitute buying or selling.

- *Convention on Regional Arrangement for the Promotion of Child Welfare, 2002*

This Convention seeks to create regional arrangements among SAARC countries in order to promote understanding and awareness of the rights, duties and responsibilities of children and to develop the full potential of the South Asian child.

Thus we find that there are a range of legal instruments that have evolved at the international and regional level to address various issues related to Human trafficking, prostitution and sex work, child labour, sexual abuse and exploitation, violence against women and so on. These have emerged in the context of the pressing needs to tackle the growing menace of human trafficking in its different forms, the related exploitation and gross violation of human rights. These international legal frameworks provide the operating principles and policy guidelines for evolving suitable need specific legal instruments at the national levels. As signatories to various conventions India too has legislated and suitably amended legislations (to ensure inclusiveness) to address the issue of Trafficking in persons.



### 3.3.3 Legal framework against trafficking in India

India has fairly a wide framework of laws enacted by the parliament as well as some state legislatures, apart from the provisions of the constitution which is the basic law of the country. There are some very generic and some very specific provisions with respect to trafficking and forced labour.

The Convention for the Suppression of the Traffic in person and of the Exploitation of the Prostitution of Others (1949), gave rise to the first Indian law against Trafficking<sup>8</sup> Responding to the growing menace of trafficking, a separate national legislation was brought into force in the name of Suppression of the Immoral Traffic in women and Girls Act, 1956. This was later amended to bring in the present Immoral Trafficking Prevention Act 1956 [ITP Act 1956].<sup>9</sup>

The Immoral Trafficking Prevention Act 1956 (amendment to the Suppression of the Immoral Traffic in women and Girls Act, 1956) was thus in response to the ratification of the International Convention for the Suppression of the Traffic in person and of the Exploitation of the prostitution of others (1949) in 1950.

A reference to the different central and specific state legislations will give idea of the provisions envisaged therein. Implementation of plans, policies and strategies to combat trafficking based on the legal provisions would actually prove their efficacy and utility. The legislations as standalone provisions would simply appear empty rhetoric and without actual implementation of these laws for change all efforts would be rendered futile. Strengthening of existing legislation to provide better protection of the rights of women and girls and punishing the perpetrators, through both criminal and civil measures is also imperative. Rescue of trafficked persons their rehabilitation and reintegration calls for coordinated efforts of the law enforcement agencies, judiciary, various government departments and civil society organizations. The focus, priorities and approach of each of the stakeholders at various stages and levels of the process being different, the challenge is to collaborate and collectively to address the trafficking problem.

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<sup>8</sup> Trafficking –A socio legal study, National Commission for women, 2001

<sup>9</sup> Trafficking and the Law, Socio Legal Information Centre 2006, Human Rights law Network

**Details of certain Indian legislations and their provisions are as undermentioned-<sup>10</sup>**

<b>Indian Legislations</b>	<b>Provisions</b>
Constitution mandate Article 21 Article 23  Article 24	Right to life and personal liberty Guarantees right against exploitation, prohibits traffic in human beings and forced labour and makes their practice punishable under law Prohibits employment of children below 14 years of age in factories, mines or other hazardous employment.
Indian Penal Code 1860	IPC has no specific provisions directly related to trafficking IPC provisions that can be used to deal with trafficking are the provisions relating to kidnapping, abduction, procurement and importation of minor girls for sex, selling and buying of girls for prostitution, slavery and forced labour Relevant provisions under the Indian Penal Code are Sections 293, 294, 317, 339, 340, 341, 342, 354, 359, 361, 362, 363, 365, and 366, 370, 371, 372, 373, 375, 376, 496, 498, 506, 509, 511. Of significance are Sections 366A, which makes procurement of a minor girl (below the age of 18 years) from one part of India to another punishable Section 366 B-which makes importation of a girl below the age of twenty-one years punishable. Section 374 provides punishment for compelling any person to labour against the will of that person.
Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA)	Enacted under Article 35 of the Indian Constitution with the object of inhibiting or abolishing the immoral traffic in women and girls.
The Immoral Traffic (Prevention) Act, 1956 Renamed as such by drastic amendments to the Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA)	is a special legislation that deals exclusively with trafficking The purpose of the enactment was to inhibit or to abolish commercialised vice, namely the traffic in women and girls for the purpose of prostitution, as an organised means of living. Offences under the Act are: i punishment for keeping a brothel or allowing premises to be used as a brothel ii punishment for living on the earnings of prostitution iii procuring, inducing or taking persons for the sake of prostitution iv detaining a person in premises where prostitution is carried on v prostitution in or the vicinity of public places vi seducing or soliciting for the purpose of prostitution vii seduction of a person in custody.
Laws related to procedure	Criminal procedure Code ( CrPC) 1973 with Section 51(2), 53(2), 98, 160, 327(2) and 357 having relevance in this context. The Indian Evidence Act, 1872 in which Sections 114 A and 151 are relevant in this context.

<sup>10</sup> Compilation from various sources -

Report on trafficking in women and children in India 2002-2003, NHRC-UNIFEM- ISS project  
Trafficking and the Law, Socio Legal Information Centre 2006, Human Rights law Network  
Standard operating principles on investigation of crimes of Trafficking for forced labour, UNODC, GOI 2008  
Trafficking of women and children in India- Challenges and responses (2004), GOI, MoHRD, Dept of WCD

Indian Legislations	Provisions
The Probation of Offenders Act, 1958	It is aimed at offenders. Its important features are: a) the Act empowers the court to release certain offenders after admonition and place certain other offenders on probation for good conduct, b) the Act puts a restriction on the court, forbidding the imprisonment of any offender below the age of 21 years, who has not committed an offence punishable with imprisonment for life, unless the circumstances of the case or nature of the offence requires that the offender be punished.
The Bonded Labour System (Abolition) Act, 1976	Defines the terms 'advance', 'agreement', 'ascendant or descendant', 'bonded debt', 'bonded labour', 'bonded labour system' and provides for initiating appropriate action.
The Inter State Migrant workmen (Regulation of Employment & conditions of service), Act 1979	Defines 'inter state migrant workman', provisions of registration of these workmen and prohibition against employment of inter state migrant workmen without registration
Indecent Representation of Women (Prohibition) Act, 1986	Defines "indecent representation of women" and puts a restriction on the publishing or sending by post, of books, pamphlets, etc., containing indecent representations of women, and prohibits all persons from getting involved directly or indirectly in the publication or exhibition of any advertisement containing indecent representations of women in any form.
The Child labour (Prohibition & Regulation) Act, 1986	Prohibits employment of children in the specific occupations set forth in Part A of the schedule of the Act. The Act lays down the conditions of work of the children. As per the Act, no child shall work for more than three hours before he or she has had an interval of rest for at least one hour.
The Transplantation of Human Organ Act, 1994.	The two-fold objectives of this Act are: i to provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes ii to prevent commercial dealings in human organs. The Act also provides for regulation and registration of hospitals engaged in removal, storage and transplantation of human organs.
The Juvenile Justice (Care and Protection of Children) Act, 2000	Passed in consonance with the Convention on the Rights of the Child, to consolidate and amend the law relating to juveniles in conflict with law and children in need of care and protection. The definition specifically includes the child who is found vulnerable and is, therefore, likely to be inducted into trafficking. The focus of the Act is to provide for proper care, protection and treatment by catering to the child's development needs and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interests of children and for their ultimate rehabilitation through various institutions established under the Act
Information Technology Act 2000	Extends throughout India and also has extra-territorial jurisdiction. Section 67 penalises the publication or transmission of any material, in electronic form, which is lascivious; or appeals to prurient interests; or if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied therein. India has adopted a code of conduct for Internet Service Providers to maintain high standards of ethical and professional standards in the field of Internet and related services

Various states have taken measures to combat trafficking like the Karnataka Devdasi (Prohibition and Dedication )Act 1982 and the Andhra Pradesh Devdasi (Prohibiting Dedication )Act 1989. These acts render illegal the dedication of the woman( with or without consent ) for the ultimate purpose of initiating them into prostitution.

Goa Children's Act, 2003 addresses child trafficking in an impressive manner. It takes strong steps in preventing the commercial exploitation of children even under the garb of adoption or dedication of girls.

As part of political commitment in India, the Department of Women and Child Development has instituted a central advisory committee on Child Prostitution which was set up as per the directives of the Supreme Court of India.

The involvement of independent autonomous ombudspersons/ Commissions has also been sought with respect to trafficking. The National Human Rights Commission (NHRC) has identified trafficking as a priority issue and has been looking at it from the human rights perspective.<sup>11</sup>

Addressing the issue of trafficking in Jharkhand is also along the same legal framework as mentioned earlier. Special focus has been laid on the rights and protection of the child as mentioned in the provisions under Articles 19 and 34 of the Convention for the rights of the Child (CRC) and Articles 1 -10 of the CRC Operating Principles regarding the sale, prostitution and pornography related to children.

The legislations do not seem to be adequate in dealing with the various forms of trafficking. The issue is not addressed as a human right violation and the approach that is followed further criminalizes and victimizes the victim. The legal processes are long drawn and conducted in a manner that leaves enough scope for the perpetrators to go scot free while further adding to woes of the victims in terms of stigma, isolation and special treatment. Even the process of rescue and rehabilitation sometimes leads to further exploitation and disempowerment of the victims due to the procedural hassles and formalities linked with it. We need to acknowledge the loopholes in the legal system/ judicial delivery mechanism that perpetuate trafficking. There is need for more

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<sup>11</sup> Bhatia Manjeet, Bhanot Deepali, Samanta Nirmalya (ed), Gender concerns in South Asia-some perspectives, 2008 Rawat publications, New Delhi

proactive systemic interventions through coordination of various departments, law enforcement agencies and civil society organization to abet trafficking.

### **3.4 International alliances/ organizations: The Anti trafficking agenda**

There is a rights based international framework in place to address human trafficking at a global level. The United Nations Convention against Transnational Organized Crime (UNTOC) and its three Protocols of which to prevent, suppress and punish Trafficking in Persons, especially Women and Children is one of them, entered into force on 25 December 2003. It is the first global, legally binding instrument with an agreed definition on trafficking in persons. The parties to the Convention commit themselves to prosecute and punish human trafficking as a serious crime, to prevent it and protect the victims including their restitution of rights.

The Government of India (GoI) signed the United Nations Convention on Transnational Organized Crime on 12 December 2002. Thus it becomes mandatory on the part of India to adhere and comply through legislations and subsequent interventions on trafficking based on the ratification of the conventions.

**3.4.1 *Coalition Against Trafficking of women (CATW)***<sup>12</sup> founded in 1988, was the first international non-governmental organization (NGO) working against trafficking and gained consultative status with ECOSOC (UN) in 1989. The CATW has influenced anti-sex industry and anti-trafficking legislation in places all over the world.

CATW has feminist leanings and promotes women's human rights. It works internationally to combat sexual exploitation in all its forms, especially prostitution and trafficking in women and children, in particular girls.

CATW is composed of regional networks and of affiliated individuals and groups. It serves as an umbrella that coordinates and takes direction from its regional organizations and networks in its work against sexual exploitation and in support of women's human rights. CATW brings international attention to all forms of sexual exploitation, including prostitution, pornography, sex tourism, and mail order bride selling. Working with national and international policy makers, women's rights and human rights advocates,

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<sup>12</sup> <http://www.catwinternational.org/about/index.php>

and the United Nations, it promotes the fundamental human right of women and children, in particular, girls, to be free from sexual exploitation. Thus they primarily advocate for women's rights, engage actively in low risk activism and fundraising for the same. It decriminalizes women in prostitution through prominent legislations and rejects conditions, policies and practices that make women more vulnerable to sexual exploitation. It tries to promote awareness generation among educators, law enforcement and government officials, community leaders in recognizing and combating human trafficking. CATW also testifies before national congresses, parliaments, law reform commissions, and regional and United Nations committees.

**3.4.2** *Global Alliance Against Traffic in Women (GAATW)*<sup>13</sup> is an Alliance of more than 100 non-governmental organisations from across the world. It was founded 1994 by several feminist activist, partly in opposition to the Coalition Against Trafficking of women. GAATW is an international non-governmental organisation fighting all forms of trafficking, particularly in women and children. Member organisations include migrant rights organisations; anti-trafficking organisations; self-organised groups of migrant workers, domestic workers, survivors of trafficking and sex workers; human rights and women's rights organisations; and direct service providers.

They apply a human rights approach to trafficking, which entails an inclusive non discriminatory stand with due acknowledgement of the freedom of every individual to exercise their rights. In this respect, self-representation and organisation of those directly affected by trafficking are strongly encouraged and supported.

GAATW sees the phenomenon of human trafficking intrinsically embedded in the context of migration for the purpose of labour. It therefore promotes and defends the human rights of all migrants and their families against the threat of an increasingly globalised labour market and calls for safety standards for migrant workers in the process of migration and in the formal and informal work sectors - garment and food processing, agriculture and farming, domestic work, sex work - where slavery-like conditions and practices exist.

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<sup>13</sup> <http://www.gaatw.org/index.php>

GAATW advocates for a human rights based approach to trafficking and supporting the Alliance members in their work. They focus on gathering, analysing and disseminating information, coordinating collaborative projects among members, carrying out relevant research and analysis on trafficking and migration trends, and advocating regionally and internationally for the protection of the rights of trafficked and migrant persons.

The two alliances (with their ideological and strategic differences) serve as a binding force to garner support for the issue of trafficking and exploitation of women and children. The greatest challenge is to build a principle coherence among the members of the alliance towards the common and issue and larger interest considering their diverse backgrounds. The members align their initiatives and strategies to meet the larger objectives of the alliance beyond other interventions they undertake in accordance to their core mandates. Thus the issue of coordination and collective action poses a challenge.

The interventions of the alliances in terms of lobbying and activism on trafficking and rights issues through the network of its members have ensured a wide coverage and presence. They are in constant dialogue at various levels to bring about policy and legislative changes as suitable to

The experiences and learnings (documentation of best practices) as part of the efforts on anti trafficking would serve as references not only for other members of the alliance but other organizations and institutions alike.

The critique of such alliance efforts is that they at times are at loggerheads with each other related to their principles and values. This actually hampers the spirit of their strategies and interventions. At times the purpose of the initiating such varied alliances are also questioned as embodiments of old strategies and initiatives in the garb of a new principle or ideological variation. Justification for the creation of new alliances may be based on slight variation in principle or approach while the over larger objective remains similar. Utility of such similar alliances (based on purpose and larger intent) on grounds of overlap of ideas and initiatives are sometimes questioned.

### 3.4.3 *Other International organisations*

Some International organizations have also within their mandates directly initiated on Anti trafficking interventions. There are others who worked on it through interventions related to Gender and Women's issues, Child protection, Human Rights and so on.

The International Organization on Migration (IOM) works primarily on migration and issues of trafficking vulnerabilities. They conduct research studies related to the dynamics of migration, trafficking and the interrelated issues. The findings of these studies are documented and disseminated for further action , policy decisions and future research.

United Nations Office on Drugs and Crime (UNODC) focuses essentially on the aspect of drug trafficking and the nuances of its transnational course and impact. The guidelines and Standard operating procedures for investigation of crimes of trafficking for forced labour provide a framework for other organizations working towards Anti trafficking.

United Nations Development Fund for Women ( UNIFEM) primarily engages in issues of Violence against women, Development and equality aspects related to Gender, Gender budgeting , Gender and health particularly HIV, Economic Security and Anti Trafficking.

They operate through regional units and with the help of partners who are aligned on similar issues.

Save the Children also operates in several countries furthering the cause of children through the initiatives on quality inclusive education, child survival and health, tackle hunger malnutrition and provide opportunities or their growth, development. On regional basis they focus on child centred disaster risk reduction during emergencies and offer them protection as needed. They adopt a right based approach to the development of the child to prevent atrocities and exploitation.



OXFAM International also operates in several countries through partner organizations to advocate for Livelihood, Gender issues, (Violence against women, Equality Justice and women's rights), Poverty reduction, Emergency response and humanitarian work. The issue of trafficking is addressed through the gender and livelihood approach.

Thus we find that India too is not untouched by the interventions of such International NGOs. Their work through regional networks and partners has been instrumental in creating a favourable ground for further continued efforts on trafficking and allied issues. The strategy for operating through regional partners who in turn benefited through resource and capacity inputs, is part of the sustainability measure. The International organizations offer their support and technical expertise in specific areas while the regional partners come with their practical knowledge of the field realities so that the program ends are met. This virtual symbiosis is crucial not only for the sustenance of the partner organizations but it also is needed to ensure the visibility of the International NGO related to a specific issue.

On the issue of trafficking there has been lot of collaboration between NGOs and this exposes the smaller implementing NGOs to the realities and challenges of the issue. Implementation modalities also get sharpened in the context of the larger global scenario.

### **3.5 The Anti trafficking approach and the strategies adopted by organizations in Jharkhand**

The perception and approaches of the different organisations towards human trafficking have been influenced by the varied contextual constructs and country/ region specific realities. Influencing issues like poverty, livelihood concerns, socio political specificities, and legal instruments have shaped up the strategies they adopt for addressing the problem of trafficking. The different interpretations of trafficking are important as they influence the kind of policies implemented and interventions done to eradicate the problem and support the victims.

In India as elsewhere, law enforcement agencies in collaboration with civil society organizations help rescue trafficked victims. The police and judiciary are mainly

responsible for the rescue operation investigation and prosecution of perpetrators. Civil society organizations have assumed the challenging job of rehabilitating and reintegrating the victims back to society. Anti trafficking efforts thus require the coordinated involvement of various players at different levels.

The realities of trafficked women and girls differ according to country-specific contexts and reflect the multi-faceted causes and consequences of trafficking. The organizational responses and engagements with the problem also varies accordingly.

The nature of any programme and types of activities undertaken by the organizations depend on a variety of factors like the specific country/regional priorities identified; access to necessary resources; and the precedents of other programmes.

The range of interventions that organizations undertake specially in the context of trafficking appears to be very diverse. Considering the complexity of the issue the organizations engage in activities related to crisis support, advocacy, Legal support, training and orientation, Research and publication.

The organizations/ institutions providing care and support services to the 22 cases under consideration in the study were focussed to highlight their approach, strategies and perspectives on trafficking. The cases were studied under organizational association in both Jharkhand and Delhi as the source and destination places of their movement.

Following their exit from their work situation/ rescue some respondents were sent back to Jharkhand from Delhi and placed under support institutions in Jharkhand. These included the Kishori Niketan centre at Bijupara, Ranchi (supported by the Bharatiya Kisan Sangh which is the nodal agency for the ATSEC Jharkhand Chapter), the Asha Kiran Centre Ranchi ( supported By the Jharkhand Domestic Workers Welfare Trust Ranchi) and the Mahila Probation Home at Namkom Ranchi( Under the Department of Home/ prisons, Government of Jharkhand).

The Jharkhand Anti Trafficking Network is also actively engaged in addressing issues related to trafficking and exploitation through its member organizations working in different districts of Jharkhand .

The other cases who continued their stay and services in Delhi were streamlined under organizations in Delhi like the Nirmala Niketan. The Indian Social Institute and the Domestic Workers Forum ( through the Merici Convent in Patel Nagar in Delhi have also coordinated in catering to the needs of the tribal domestic workers from Jharkhand who are placed for work in Delhi houses.

### **3.5.1 Bharatiya Kisan Sangh Ranchi ( BKS)**

As a social development organization BKS was founded in 1978 to further the cause of marginalized farmers and address their issues related to livelihood enhancement and infrastructure development. Having got legal status it has diversified into areas of child development/ protection (restoration of the lost childhood of neglected, orphans and working children). Some of the key focus areas are Anti Trafficking together with elimination of Child labour

It also envisions working for the empowerment of women and promoting gender equality

It also works on issues of health, education and natural resource management through strengthening village based institutions.

#### Key Thrust areas and approaches

- Focus on “Hard to reach Children”

BKS has been nominated MNGO for “Hard to reach Children” by Jharkhand education Education Council ( JEPC) specially for migrant children, child labour and deprived urban children. The program in Jharkhand is being implemented in partnership of JEPC, UNICEF, NLCP, Departments of labour and social welfare, NGOs and other stake holders. They have done baseline surveys and analysed data on migrant children in selected districts and pockets of Jharkhand. They have also held sensitization workshops and dissemination of data with concerned authorities(DC, DSE/ DPO, BEO) and facilitated Jharkhand Education project and partner NGOs.

- Elimination of Child labour.

Actively engaged in dealing with issues of child labour since 1995 and is a network partner of “Bachpan Bachao Andolan”. Towards this end BKS engages in mass campaigns for awareness on child labour and exploitation aspects. They have also taken

up initiatives to free child labour from hotels, dhabas and homes following legislative amendments against child labour. With support from District administration BKS is running several shelter homes in Ranchi. These children are mainstreamed into education following vocational training. Slum children are also imparted basic education as per their standard and age.

- Of specific relevance as part of the study is their focus on Anti trafficking

BKS Ranchi is incharge of the state coordination of the network “Action against Trafficking and Sexual Exploitation of Children (ATSEC)

The Action against Trafficking and Sexual Exploitation of Children (ATSEC) is a network of over 541 NGOs operating mainly in India but also having chapters in Pakistan, Bangladesh, Nepal and Sri Lanka. ATSEC-India, through its 26 State Chapters, implements different programmes to prevent human trafficking. Different states have their respective technical expertise in different sectors to combat trafficking. ATSEC, with the support of government and non-government organizations implements programmes in the field of Prevention, Rescue, Rehabilitation, Restoration back to families and Repatriation.

BKS is working against trafficking and sexual exploitation of children with the participation of partner organizations. It is operational in 22 districts of Jharkhand. It has divided its work into two areas – border trafficking in districts like Dumka , Sahebganj and Pakur and the other is trafficking from the rest of the districts of Jharkhand. It has received support for the activities from UNODC and USAID.

It engages in awareness generation with various stakeholders (Media, NGOs, Govt. officials, education and health institutions, and religious leaders) on the issue. BKS also ensures networking with NGOs and INGOs for restoration repatriation of children and women rescued from different parts of India. Capacity building through trainings on livelihood options for women and traffic survivors is undertaken to ensure sustainability.

Rescue and rehabilitation of trafficked children is done by providing education, counseling, legal aid, life skill orientation in shelter home. Kishori Niketan was founded by the BKS as a shelter home for survivors of trafficking and child labour in 2002 and engages in Education health care, counseling and vocational trainings for the traffic survivors. BKS runs two such kishori Niketan centres one in bijupara, Chanho block and another in Burmu block of Ranchi district. The centres also act as transit homes for girls who are rescued through the government channels ( Department of social welfare and

Dept of labour , Govt. of Jharkhand) or the police. Efforts are made to rehabilitate survivors with their families following support and orientation and counseling.

BKS also engages in action research on trafficking and comes out with related documents and publications. This primarily helps assess the ground reality to decide the strategies for action.

#### Challenges and emerging issues

- The initiatives of BKS are quite challenging in terms of the focus on sensitive issues of trafficking and exploitation. Their focus on children makes their work more challenging. Their approach has to be necessarily geared to suit the needs of children which are essentially very different from those of adult.
- Dealing with parents of the trafficked victims and child labour requires persistent counseling and facilitation to ensure that the children are provided and cared for adequately following reintegration with the family.
- It is important to ensure that the child gets a congenial and supportive environment back at home or else there is further scope of re-trafficking. This is a great challenge according to the program implementers.
- Coordination and collaboration is another area that demands attention because the impact of the programs is dependant on the efforts of the individual partners. There is need to establish a common purpose and ensure collective action for advocacy on trafficking issues at different levels. BKS faces challenges as the coordinator of the Jharkhand Chapter of ATSEC.
- The skills resources and expertise available within BKS and with each partner of ATSEC are quite different. The implementation problems and issues each organization faces are also varied. Thus better linkage, resource pooling and mentoring among partners is essential.
- Interfacing with the concerned line departments has its own problems so the liasioning they realize has to be strengthened for effective program delivery.
- The rescue and temporary settlement of the children in the shelter homes is a stop gap arrangement. The children are kept in the shelter homes for a limited period of time, considering resource constraints. This poses specific problems in cases where the child refuses to leave the centre and return to the family.

- A prime concern with respect to the activities undertaken is the issue of sustainability of the initiatives. Some key questions relate to the scope of continued support to the children and their capacitation within the short association time. How far are these interventions actually making a difference in terms of preventing further trafficking is a point for analysis.

### **3.5.2 Jharkhand Domestic Workers welfare Trust ( JDWWT)-**

#### **ASHA KIRAN Centre**

Domestic workers are most vulnerable to multiple exploitative practices and are subjected to verbal, physical and sexual abuse or harassment. This unorganized section is not legally recognized and hence holds no rights as workers/laborers; Most of them have migrated from different economically backward areas like Jharkhand , Orissa , Chattisgarh, Madhya Pradesh ,Assam ,West Bengal, Utter Pradesh, Bihar , Nepal etc. In India 90% of total domestic workers are women. More shockingly a significant number of them are in the age group of 12-17. They have to work without rest every day and are denied even the basic social and human rights.

In 1985 the National Domestic Workers Movement was started as a response to the problems of domestic workers at Mumbai in collaboration with the ICM sisters, and slowly extended its branches to other parts

The issue was taken up at regional levels and the all initiatives were directed towards the needs of the domestic workforce whose rights and concerns had been unheard of so far.

The Jharkhand Domestic workers welfare Trust was similarly part of the larger movement to address the cause of tribal women domestic workers from Jharkhand.

It is also part of the network under ATSEC Jharkhand Chapter

#### Key Thrust areas and approaches

- Organize the women domestic workers so that they can articulate their needs/ concerns
- Empower them to secure their dignity , identity and protect their human rights
- Appropriate interventions in crisis situations
- Prevention of exploitation and abuses, harassments- verbal physical and sexual
- Provide legal aid and counseling

- Networking with NGOs on similar issues
- Research and documentation on various issues related to domestic workers

Essentially the movement in Jharkhand is involved in crisis intervention through rescue rehabilitation and reintegration of the trafficked girls and women.

ASHA KIRAN is a project to provide a home for the very poor homeless children/girls/women of Jharkhand in Ranchi. It is to give shelter for those who have no help from anywhere, whose desperate needs of livelihood force them to migrate to big cities. There are many illiterate, unskilled, homeless and dropout girls from schools who have no shelter, no security, no future. There is a need for such shelter provisions for the needy girls/women. The objective is to help the poor tribal girls to get education, health care and vocational training to make them skilled and ultimately to help them stand on their own feet and earn their living respectfully. The aim is to uplift the less fortunate and to give them motivation and job orientation. This will provide them opportunities for employment and make them self-supporting. This will ultimately stop trafficking of girls and child domestic workers.

#### Challenges and emerging issues

- Major challenge is to ensure visibility of domestic work and establish a credible identity. The work is neglected although it is important and indispensable and the workers too are similarly not catered to.
- The JDWWT is supported by a church based organization as is clear from the inception. This has a strong influence in terms of coloured understanding of the interventions thus impacting relationships. There have been instances of misbeliefs in the community in the name of religious conversions, but these have been sorted out following suitable mediation and clarification.
- As with such support interventions the issue of length, nature and continuity of the support raises critical questions of sustainability.
- The JDWWT is also involved in placements of the girls (who are residents at the centre) for domestic work as per suitable conditions, based on agreeable terms / conditions. There are contentions that this actually places the girls back into the situation

of vulnerability. The movement claims that their interventions ensure better awareness in terms of information about rights and entitlements of the domestic workers. The difference is due to the monitoring /control in case of home placements that are facilitated through the organization.

### **3.5.3 Mahila Probation Home Namkum, Ranchi**

The Mahila Probation Home at Namkum Ranchi is a transit remand home specially for women. It is under the Department of Home / Prisons and is administered by the Inspector General (Prisons), Government of Jharkhand. The home caters to cases of crime, delinquency destitution and trafficking among women and girls. Under the government channel and system the cases related to Jharkhand are transferred to the home from outside the state and also from other districts of the state. Being the only institution of its kind in Jharkhand it is crucial link in the legal/ judicial process.

#### *Approach and activities*

The home serves as a correctional place for the incarcerated and under trials of various categories. They undergo a disciplined orientation and all are assigned specific responsibilities (related to daily functional activities) on rotational basis.

There are regular study classes and need based educational inputs are provided Sessions on life skills and coping mechanisms, problem solving aspects are held. Necessary counseling and legal aid is also provided. Livelihood promotion options are also initiated through vocational inputs stitching, vegetable gardening, food preservation and preparation of pickles, papads etc. This is done with the aim of helping the inmates mainstream into the society later on.

#### *Challenges and emerging issues*

- The inmates of the Probation Home come from various backgrounds and brought in for different reasons. There are some who are accused of murder while others are charged for minor offences. Dealing with such variations poses problems



- Maintaining an amicable environment amidst the rules and discipline is also difficult. The challenge is to support the exploited and vulnerable while also trying to reform / discipline people from difficult background.
- Government procedures and resource allocation also hampered smooth functioning.
- The continued support and follow up in cases of people whose families can not be traced is a challenge given the limited resources and available infrastructure. Such people are usually settled (initiated into productive work or married off) through government initiatives

### **3.5.4 Jharkhand Anti Trafficking Network ( JATN)**

The Jharkhand Anti Trafficking Network ( JATN) has been promoted by the Centre for World Solidarity ( CWS), Secunderabad to mainstream the issue of trafficking in Jharkhand as a gender based human rights issue. The JATN comprises of 9 organisations from 8 trafficking prone districts covering 180 villages of Jharkhand<sup>14</sup>

#### Approach and strategies<sup>15</sup>

The strategies adopted by the network include awareness generation, Training / capacity building, Lobbying /advocacy, networking with other agencies, service provision in terms of legal aid /counseling.

The network through its partner organizations has engaged in studies to compile baseline information and analyze the situational realities regarding the magnitude of the problem of trafficking in the selected areas. Extensive awareness generation on trafficking related issues has been done through public meetings, focussed discussions, wall writings, street plays. Regular capacity building of campaign partners has been done and liasioning with the media facilitated to highlight the severity of the problem.

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<sup>14</sup> Concept Note on Anti trafficking network In Jharkhand

<sup>15</sup> Attempts to Heal –A Concept, October – November 2004

### Challenges and emerging issues

- The issues related to coordinating the efforts of the partners are important considering the varied range of capacities/ expertise and activities they are engaged in.
- Scaling up of activities through inclusion of more partners and their operational areas is an area of focus.
- Mainstreaming this issue as a development issue remains a challenge as this could impact work on any other issue.
- There are other operational networks and organizations working on anti trafficking in Jharkhand. The challenge is to establish a niche through appropriate strategies and address the cause rather than the symptom of the problem

### **3.5.5 Nirmala Niketan Delhi**

Nirmala Niketan was formed as a group in 1998 by tribal girls working as full-time in house domestic workers. Since “domestic work” was not an acceptable vocation to be registered as a co-operative society it became part of “Apna Nirman Mazdoor Co-operative Society Ltd”, a registered cooperative society of Construction Workers, and an active partner of the National Campaign Committee for Unorganised Sector Workers (NCC-USW).

Nirmala Niketan participated actively in the initial three years (from 2001 to 2003) in aligning with the Domestic Workers Forum in Delhi. During 2004 -2005 Nirmala Niketan concentrated on ensuring inclusion of Domestic Workers in the Social Security Legislation for Unorganised Sector Workers. During 2006 Nirmala Niketan started reaching out to other organisations working in Jharkhand and Delhi for protecting Domestic workers who include large numbers of child workers, most of them tribal girls.

### Approaches and strategies

They engage in rescue and rehabilitation of the tribal girls and also provide support for their assimilation into the mainstream. The organisation started placement of tribal girls as domestic workers to understand the system and explore viable solutions to humanize

“domestic work” and make it “decent work” because lakhs of families back home depended on the earnings of these migrant domestic workers<sup>16</sup>

The organization monitors the placed domestic workers and helps them in solving their problems at work. The facilitation has actually helped many workers to exert their rights and voice their opinions.

Over the period of time this has given insights into the dimensions of Domestic work and also the working of placement agencies and their networks.

The domestic workers are oriented with life skills and educational inputs through the organization. They are also given vocational inputs so that they can expand their future work options. The organization provides them a platform for free exchange of ideas and discussion about their problems at work through regular interactive meeting sessions every Sunday. Through the discussions the girls are able to garner support and evolve their own solutions to the problems they are facing.

#### Challenges and emerging issues

- Garnering support and pushing for legislative arrangements to ensure the social security and rights of the domestic workers is a challenge
- Considering the magnitude of the problem and the changing environment scaling up of activities and capacities of personnel is an emerging issue
- Promotion of leadership from among the workers themselves to raise their issues and champion the cause is a challenge.

#### **3.5.6 Domestic Workers Forum Delhi (DWF)**

With an aim to prevent the exploitation of domestic workers and trafficking of women and children, the Archdiocese of Delhi promoted the formation of Delhi Domestic workers' Forum, which was registered as a charitable Trust in the year 2002. Since then the Forum is working for their empowerment and well being. This is part of the larger movement for the cause of the women domestic workers and is guided by the same principles and spirits. Other organizations working on issues of Domestic workers also later networked with the forum for the cause.

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<sup>16</sup> As per documents from Nirmala Niketan

### Key Thrust areas and approaches

The Domestic Workers Forum was linked to Chetanalaya under the Delhi Archdiocese and worked on legal aspects of trafficking. It dealt with rescue rehabilitation repatriation and reintegration of the trafficked victims. This was additional to the other development interventions and justice and peace initiatives based on community advocacy carried out by Chetanalaya. DWF liaisons with the government, NGOs, Commission for the Scheduled Caste scheduled Tribes, National Human Rights Commission, National Commission for Women and other Child welfare committees for the prevention of trafficking and exploitation of women and children.

### Challenges and emerging issues

- DWF networked with other like minded organizations working on the issue and are engaged in Anti Trafficking efforts. Coordination amongst various partners is also a dynamic process
- Advocacy for suitable legislations like the proposed Social security and the Domestic Workers Bill is being done. The continued follow up on the process of evolving legislations is a challenge.
- Their focus is on mobilizing domestic workers for collective bargaining of their rights through appropriate pressure tactics. This is a gradual process and it usually takes time to gain momentum.

### **3.6 Implementation derivatives- critiques of anti trafficking efforts of these organizations**

At the outset the organizational responses towards Trafficking under the study appear to be very curative in terms of addressing the immediate needs of the trafficked persons.

As is usual the primary focus remains the rescue and rehabilitation of the victims and gradual assimilation back into the society.

The need for such efforts can't be negated however there should be adequate focus on the causal factors as well.

Keeping the causes of trafficking ( such as loss or lack of livelihood options , erosion of their natural resource base and the reduced access to them, lack of basic health ,

education and infrastructure facilities, displacement, unsafe migration, gender stereo – typing, etc ) attempts should be made to tailor interventions that address these causes.

Unless the organizations seek to address the core issues or link up with other organizations that are catering to larger development concerns no desirable outcome would be achieved.

The interventions not addressing the causal factors would actually be symptomatic response to the issue. There is need for a comprehensive approach that takes into account the socio economic realities ( larger structural factors) , regional specificities, as well as the need and priorities of the affected victims. Addressing immediate needs by providing rescue and rehabilitation support (by dealing with the traffickers, providing legal aid and counseling and some skill and vocational inputs) alone would not suffice.

Efforts should also be made to deal with livelihood concerns and the access /control over resources so that there is security for the future.

Thus even the orientation and vocational trainings (that are imparted as part of the rehabilitation process) in isolation would have no functional utility unless there is scope to link up with livelihood programs to access resources and exercise options

Reintegration of the victims back to their families is only part of the achievement. The real issue is to deal with the family situation and follow up through services that will ensure that the people do not fall back into the trap and are not re-trafficked.

The approach to awareness generation and empowerment at the individual level is essential. However this should be coupled with the involvement of the larger community for greater impact. Organizational interventions should also focus on enhancing community level monitoring and vigilance over movements of people. This can be for example through the Gram Sabha at the village level. So organizations working on Panchayati Raj Institutions and local self governance in Jharkhand can be roped in on this issue.

We have to acknowledge that the movements of people cannot be actually stopped. There is need to evolve ways of monitoring the movements and ensuring that the harms outcomes of these movements are reduced.

Organizations need to work more proactively with various stakeholders like parent community, peers and youth groups, SHGs, community leaders, PRI members, religious leaders, political activists, health workers, teachers, media persons, law enforcers and sensitize them on trafficking issues. This would ensure the involvement of the different stakeholders and aid in the adoption of multi pronged strategies to deal with the problem of trafficking. The organizations should seek the help of different stakeholders in prevention, prosecution and protection activities emphasizing the importance of the role in that phase of the process. The local community and village level institutions can help prevent the process at the onset. The law enforcement agencies and the judiciary can engage at the level of prosecution while the police, civil society organizations/ NGOs can help in rescue rehabilitation/ protection. Tackling the issue at one level will not help as anti trafficking measures essentially deal with various stakeholders at different stages. This comprehensiveness should be an integral part of the Anti trafficking strategies of organizations.

Organizations should actually not treat trafficking as a stand alone issue but consider its manifestation in other issues as well. That is to say other issues like livelihood, education, health, governance, migration influence and are in turn influenced by the trafficking phenomena. In talking about livelihoods and access to resources one has to reckon the movements of people in case of situations where there is lack of options. Anti trafficking initiatives should thus have a link with livelihood promotion activities and resource generation.

To understand the violation of human rights (harm vs. no-harm), prevention, rescue, rehabilitation and integration interventions for surviving victims of trafficking, the sector must be explored in the context of migration, migratory trends, patterns and outcomes.<sup>17</sup>

The organizations need to be proactive and sensitive to the needs of the trafficked victims and adapt their interventions accordingly. This would build a sense of ownership among the people and the impact would be different. Involving the trafficked people in

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<sup>17</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking September 2004 IOM

planning process would help evolve need based intervention strategies. The organizations should ensure that the rehabilitation process itself does not victimize further.

We find lot of initiatives being taken up by organizations at various levels and there are several legal frameworks of operations in place. The process of trafficking however continues unabated in spite of all efforts. This is a point of reflection as to what additionally needs to be done to address the needs of the trafficked people.

As interventions revolving around the “human trafficking” sector expand, there may need to be a change in the present conceptual frameworks and definitions to better articulate the “outcome” of what we call “human trafficking”, e.g. commercial sexual exploitation, domestic servitude and other slavery-like practices.<sup>18</sup>

Ensuring sustainability of the efforts and catering to the security/ safety of the victims is a challenge that most organizations face. The larger challenge is to develop an organizational perspective which appreciates the comprehensive nature of trafficking and respects the relationship with other issues.

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<sup>18</sup> *ibid*

**CHAPTER 4**  
**TRAFFICKING REALITIES - THE WAY AHEAD**



# **CHAPTER FOUR**

## **TRAFFICKING REALITIES - THE WAY AHEAD**

An attempt has been made as part of the research exercise to explore the nuances and trajectories of trafficking in the context of Jharkhand. There are three main areas of focus of the research-

- Review of dominant discourses and perspectives on trafficking.
- To build on the understanding of trafficking based on the perceptions and perspectives of the trafficked victims in relation to their life chances , lived experiences and coping mechanisms
- Reviewing the approach and strategies of the various organizations towards addressing the issue of trafficking

The chapter correlates the issues and trends as mentioned in the previous related chapters. Attempts have been made to explore the larger linkages and relate the findings to the theoretical constructs (as discussed in chapter I)

The conceptual issues , areas of overlaps and new emerging trends in trafficking have been dealt in the following section.

### **4.1 Trafficking- Issues and problems**

Human trafficking is assuming importance in the larger global context as a complex phenomenon with immense scope and dimensions. It is a matter of national and international concern. Trafficking in human beings is an issue concerning the “forceful movement” of persons within countries or across international borders into exploitative or “harm conditions”.

Women and children primarily have been exposed to unprecedented vulnerabilities and commercial exploitation of these vulnerabilities has become a massive organized crime and a multimillion dollar business.<sup>1</sup>

The volume of human trafficking has increased though the exact numbers are not known; it is one of the most lucrative criminal trades, next to arms and drug smuggling criminals. Nations are attempting to combat this trade in human misery through legislative, executive, judicial and social action

Human trafficking involves a series of episodes for the person trafficked that require markedly different responses from governments or communities. These episodes might start with a desire or need to move or migrate, followed by an encounter with a trafficker leading to coercion or deception, and finally to highly harmful and exploitative working situations.

Human Trafficking involves the exploitation of men, women and children for financial gains which is violation of fundamental human rights. Victims are lured or abducted from their homes and subsequently forced to work against their wishes through various means in houses or other establishments, indulge in prostitution or subjected to various types of indignities and even killed or incapacitated for the purposes of begging and trade in human organs<sup>2</sup>

Trafficking of children is a worldwide phenomenon affecting large number of children specially girls. Children and their families are often lured by the promise of better employment and a more prosperous life far from their homes. Others are kidnapped and sold. Trafficking violates a child's right to grow up in a family environment and exposes him or her to a range of dangers, including violence and sexual abuse.

Trafficking has a bigger impact especially on women and children and entails a range of activities that put them at risk. These include forced labour, begging, domestic or agricultural labour, forced marriages apart from commercial sexual

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<sup>1</sup>Trafficking of women and children In India::Challenges and Responses ,2004 , GOI MoHRD, Dept of WCD

<sup>2</sup> NCRB Report 2007

exploitation. It is not a single event but a process starting from the recruitment, travel and ending with the exploitation of the person ( outcome).<sup>3</sup>

Trafficking is a more complex concept as it requires consideration of not only the process but also the outcomes. It involves coercion and exploitation and the main purpose is to place people under 'harm situations' where their labour can be exploited under conditions that involve human right abuses.

#### 4.2 Theoretical underpinnings

There are several theories to explain reasons for international and internal migration. On the other hand there is not much theoretical work done on trafficking or smuggling phenomena. There is no strong theoretical construction which could deal with trafficking within a broader migration dynamics taking into account the process and outcome of trafficking.

There are two overlapping approaches to analyse trafficking. First, an *economic perspective* that considers trafficking as an economic activity approaches trafficking in a broader concept of business in which the agents /institutions seek to make profit. Some analysts have suggested that trafficking should be viewed as a consequence of the commodification of the process that generates profit out of people's mobility.

Second, a *legal perspective* considers trafficking as a criminal activity. It considers trafficking as a violation of the legal provisions of the state and/ or violation of human rights. It assumes that criminal networks have emerged involving trafficking in persons, which provide labour to the "hidden economy" illegally.

The main weakness of the two perspectives is that neither focuses on the outcome of trafficking. Therefore there are discussions on the construction of a "humanitarian perspective" or "rights based approach" to deal with the trafficking phenomenon.<sup>4</sup>

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<sup>3</sup> Haque Shahidul Md . 2007. 'Ambiguities and confusions in Migration –Trafficking Nexus: A development Challenge,' in Karen Beeks and Delila Amir. Kneebone (eds) '*Trafficking and the Global Sex Industry*,' Journal of Refugee Studies; 20: 539-542, Littlefield publishers, INC

<sup>4</sup> Haque Shahidul Md . 2007. 'Ambiguities and confusions in Migration –Trafficking Nexus: A development Challenge,' in Karen Beeks and Delila Amir. Kneebone (eds) '*Trafficking and the Global Sex Industry*,' Journal of Refugee Studies; 20: 539-542

Most of the analysis draws on liberal market economics or gender traditions of social thought to arrive at policy conclusions about the forms of trafficking. While focus on policies have improved the response to trafficking in persons, it fails to explain why the phenomena is still rampant today considering that only a few causal variables are considered .Poverty and patriarchy are most often mentioned but they are specific to a particular type of trafficking.

The key to understanding trafficking in persons in the modern day is to examine why it persists despite the concerted and growing efforts of both state and non-state actors. One cannot properly address this question without understanding the historical antecedents.

Studies dealing with the historical analysis of the development of slavery, serfdom and indentured servitude have led to identification of three related power structures, presented as theories of migration, labor and identity. These considered together foster understanding of the growth and form of modern-day trafficking in persons. For theorizing on trafficking scholars have drawn on the tenets of international political economy, constructivism and relational theory to illustrate how structural social forces (e.g. patriarchy), institutions (e.g. migration regimes), actors (e.g. states and criminal organizations) and economic structures (e.g. markets for wage labor) relate over time to shape and mould the modern form of trafficking in persons.

Laura. M .Williams develops a *social politics theory* to connect concepts from social stratification to the study of human trafficking. The social politics theory is proposed as a concept which acknowledges the importance of the interpersonal societal environment associated with entrenched and unaddressed social, political, economic, governmental, and institutional problems within “weak” or “failing” states. This can be illustrated in terms of the links between the conditions of “weak” or “failing” states, and the proliferation of transnational crimes which themselves contribute further to social stratification inequalities.

The social politics theory is a theoretical idea based on observations of how social, political, legal, and economic changes within “Weak” and “Failing” states create

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an environment conducive to human trafficking for sex and labor purposes as well as other forms of injustices.<sup>5</sup>

(Desyllas, 2007)<sup>6</sup> utilizes a third world feminist theoretical framework along with post-modern feminist theory to critique the trafficking in persons discourse

A global feminist lens that focuses on the issues of race, ethnicity and culture as they intersect with class, gender and global economics and politics has been used.

(Parpart, Connelly, Barriteau, 2000, p. 65)<sup>7</sup> refer to third world feminist theory and examine how global economic inequalities, including colonialism and imperialism, affect the experiences of women, taking into account the intersectionalities of sex, race, ethnicity and class. Thus various perspectives and constructs feed into the interpretations of trafficking in persons and they are not self limiting. The theoretical grounding for trafficking is not as established as with migration but is gradually evolving through the research on trafficking issues.

#### **4.3 Fallacies in the definition of trafficking**

As has been discussed earlier in chapter I, the domains and rendering of trafficking are not all that simplistic. The broad definition and framework has been articulated as per the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons 2000. The definitions as articulated by various organizations and conventions reflect the spirit of the same convention with variations. It is actually a contention whether the definitions orient the organization focus on trafficking or do the organization mandate/ approach streamline the definitions of their stand on trafficking.

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<sup>5</sup> Williams M .Laura. 2008. 'Social politics: a theory,' *International Journal of Sociology and Social Policy* Vol. 28 No. 7/8, pp. 285-292 # Emerald Group Publishing Limited 0144-333X DOI 10.1108/01443330810890691

<sup>6</sup> Desyllus Capous Moshoula.2007. 'A critique of the global trafficking discourse and U.S policy,' *Journal of Sociology and Social welfare*

<sup>7</sup> cited in Desyllas, op cit

Organizations like UNIFEM have evolved a workable definition based on their experience and these have served as a reference for others. There are other networks and alliance which orient their work based on the standard definitions of trafficking

As the concept of “human trafficking” is a social phenomenon that is made up of many dimensions and many discrete steps, it is very difficult to encapsulate all of the variables into one agreed definition or framework.

The perception and understanding of trafficking varies according to the level and degree of involvement of the person with the issue. For example, depending on the person questioned, trafficking might be defined any number of ways – as a legal problem; a human rights problem; a gender problem; a child labour problem; a health problem; a migration issue or a combination of these. Likewise, depending on how a given person defines the problem, this will dictate the solutions proposed – legal problems require legal solutions, gender problems require gender solutions, and so on.

(Kapur, 2005)<sup>8</sup> opine that trafficking definitions often fail to distinguish clearly between trafficking and voluntary consensual migration, often combining women's migratory movement with trafficking.

Trafficking is actually linked to migration flow patterns and this adds to the complexities and ambiguities.

Studies by International Organisation of Migration (IOM) suggest that most of the definitions highlight the process in terms of what occurs rather than the outcome.<sup>9</sup>

Most definitions tend to focus on three basic elements:

- The movement and trade/sale of a person;
- The techniques used to bring about a condition for this movement (e.g. deception, fraud, violence and the like)

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<sup>8</sup> Cited in Desyllas, op cit

<sup>9</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking September 2004 IOM

- The “purpose” of the above-mentioned actions (e.g. forced labour, prostitution, slavery-like practices and the like).

*The definitions do **not** clearly address:*

- The actual “outcome” of the trafficking event (e.g. the situation a person is placed into);
- The various incidences of torture, rape, intimidation and threats used to ensure that the victims comply with their new situation;
- The “slavery-like” conditions they must endure over time; and
- The evolution or temporal nature of the event.

Contestations related to definitions of trafficking among scholars, government, NGOs, feminists and other stakeholders pose challenges in conducting research studies, reporting statistics and making generalizations. A comprehensive framework of operation based on an inclusive definition is very essential to deal with a multi-dimensional issue like trafficking. This will help evolve a common language/ understanding of the issue and thereby ensure more effective and strategic engagement with the different stakeholders. The core issue lies in operationalising the definitions and evolving proactive strategies to tackle trafficking.

#### **4.4 Areas of overlap – inherent ambiguities**

##### **4.4.1 Human Trafficking and migration**

Both the phenomena are primarily involving population movements. Migration is the movement of people across a specified boundary for the purpose of establishing a new or semi-permanent residence with the general motive of gainful employment and livelihood. Put differently, migration is the redistribution of population entailing a shift of people from their places of origin to other places of destination considering livelihood and other prospects (raised expectations as a result of globalization effects).

Trafficking of human beings is the movement of persons within or across borders by any means (such as force or fraud) into forced labour, slavery, or servitude. It

has always existed; however, its phenomenal growth in the last quarter of the 20th century has caused alarm around the world.

The element of coercion, deception and exploitation resulting in victims being subjected to exploitation of services or slavery that characterizes trafficking, regardless of whether it occurred at the beginning of the journey, during the journey when ‘help’ is offered, or at the end of the journey (ILO-International Programme on the Elimination of Child Labour (IPEC), 2001)<sup>10</sup>

Migration can result in trafficking and exploitation but not necessarily. There is a very thin divide between migration and trafficking in that the initiation points for both are very similar but the pathways and outcomes in each are different. The intent in both cases is always out of economic concerns to fend for better livelihood opportunities and improve life chances. The course of events get moulded and shaped in case of trafficking and guided by the influence of vested interests the emergent outcomes are mostly negatively disposed and exploitative. The theoretical constructs that feed into both these phenomena are different but not mutually exclusive.

#### **4.4.2 Human Trafficking and Sex Industry**

Another basic weakness with the present “human trafficking” paradigm is that while most definitions imply that the process is open to a range of different exploitative outcomes, there seems to be a disproportionate emphasis on human trafficking into the sex trade. A number of reasons are offered to explain this tendency:<sup>11</sup>

- The sex industry is more visible than other “slavery-like” conditions (domestic servitude, underground factories, camel jockeys, etc.)

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<sup>10</sup> Yvonne Rafferty, 2007, ‘Children for Sale: Child Trafficking in Southeast Asia,’ *Child Abuse Review* Vol. 16: 401–422  
Published online in Wiley InterScience(www.interscience.wiley.com) DOI: 10.1002/car.1009

<sup>11</sup> Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults  
By The Bangladesh Thematic Group on Trafficking September 2004 IOM



- Because of the strong “moral” implications surrounding the whole concept of “forced” prostitution, many groups feel a need to aggressively address this problem;
- Some groups feel that all forms of prostitution are inherently exploitative and therefore all migrant sex workers/prostitutes are trafficking victims;
- Because it is easier for activists and NGO representatives to elicit funding for “forced prostitution” than it is for other sectors (e.g. it is considered more shocking than most other outcomes, especially if underage girls are involved); and
- Because so little is known about the circumstances surrounding domestic servitude, abusive factory conditions, organized begging and the like, it is less easy to put an “action plan” into place to combat these other problems.

In the absence of more research and programming regarding some of these other “slavery-like” conditions, the emphasis on “sex work/prostitution” will continue to grow at the expense of these other exploitative work/work-like circumstances. Thus, it is imperative that the “human trafficking” framework puts emphasis on addressing all the inherent abuses, not just the trafficking of women and girls into the sex industry. Appropriate focus on other forms exploitation through research and related interventions would bring to light aspects that had so far been neglected and unexplored. The prominence and visibility of the vulnerabilities of women in the sex trade should not obscure the other forms of exploitation and abuse.

#### **4.4.3 Human trafficking and HIV / AIDS**

HIV/AIDS has emerged as a huge health concern over the decades and there is an explicit link to the growing sex industry (fed into by trafficking for commercial sexual exploitation). Thus it is not very difficult to connect the health risks and exposures in the form of STIs and HIV/AIDS to the exploitation and sexual abuse associated with trafficking in persons.

It noteworthy to mention that most of the literature regarding health consequences of trafficking essentially focus on the aspects of HIV /AIDS and its manifestation.

This is not to disregard the other health impacts (for instance the psychological stress and the mental trauma) caused due to trafficking. The health risks of the victims and their vulnerabilities to HIV /AIDS are apparently higher as they have fewer choices and lesser access to health care under compulsive traffic situations. Earlier the sectors for Trafficking and AIDS prevention were viewed in isolation and at some point were thought to have conflicting interests. Gradually however it came to be established that there were focus areas that needed coordinated efforts to bring about desired change. The ultimate aim was to prevent undesirable harm of any form (physical, psychological or social) and at any cost.

The fact that trafficking and HIV/AIDS are somewhat consequentially linked requires a strategy that will address the issue at both levels. That is to say Anti trafficking interventions and AIDS prevention activities should be taken up in tandem for better results. There should be a symbiotic relationship wherein the health and larger interests of the vulnerable trafficked persons are safeguarded

There is need for convergence of efforts so that the outcomes of Anti trafficking and HIV AIDS prevention as developmental goals are not antagonistic.

There should be no space for ambiguities regarding which of the interventions (Anti trafficking or AIDS prevention) is more crucial or has greater impact. As part of the larger development both have their scope and importance

#### **4.4.4 Human Rights domain of trafficking**

Trafficking in persons is modern-day slavery and a grave human rights violation. It violates fundamental human rights enshrined in international law, including violations of the right to liberty and security of person, the right not to be held in slavery or servitude, and the right to be free from torture and cruel, inhumane or degrading treatment.<sup>12</sup> A number of international and regional human rights treaties enshrines these rights, including: 1948 Universal Declaration of Human Rights, 1966 International Covenant on Civil and Political Rights, 1984 Convention against Torture, Cruel, Inhumane or Degrading Treatment, 1950

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<sup>12</sup> Saito Kaori, 2007, New Issues in Refugee Research, Research Paper No. 149, International protection for trafficked persons and those who fear being trafficked, UNHCR, Geneva

European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), 1969 American Convention on Human Rights, and 1981 African Charter on Human and People's Rights.

Most of the literature on trafficking in persons reinforces the gross violation and neglect of the basic human rights of trafficked victims under situations that are actually not under their control. Under different circumstances (as per the form of trafficking) victims face physical /sexual abuse and are made to undergo tremendous psychological stress and trauma .This relates to the element of coercion, fraud and deceit that are resorted towards ensuring the movement of people. Victims are bereft of their basic rights to dignity and self assertions as they are under the control of others. They are actually most unprepared in an alien situation that they are put into and they suffer loss of identity and are unable to exert their agency.

States have a primary responsibility to prevent trafficking in person and protect those affected by this serious human rights violation. This is done through the appropriate legislative measures that are put in place to ensure protection of the rights and the restoration of the same in case of violation. State actors also need to engage with non state actors for the purpose. Elliott (2007)<sup>13</sup> contends that the global spread of human rights has been explained either as a function of evolutionary progress or the rational/strategic action of states and social movement organizations. Over the course of the 20th century, the world has witnessed a dramatic explosion of international instruments, national ministries, and non-governmental organizations inspired by human rights ideology.

This has lead to an increased approach towards application of the human rights framework to address most of the global social problems. Thus Elliott ( 2007) rightly acknowledges the expansive nature of human rights as a globalizing ideology.

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<sup>13</sup> Elliott #A. Michael, 2007 , 'Human Rights and the Triumph of the Individual in World Culture', *Cultural Sociology* BSA Publications Ltd® Volume 1(3): 343–363 [DOI: 10.1177/1749975507082052] SAGE Publications, Los Angeles, London, New Delhi and Singapore

#### **4.4.5 Social construction of trafficking**

The way social problems are constructed reflects on how they will be approached and dealt with. There are a host of factors that influence the way the social problems are perceived by people. These include the situation they are in, the realities they experience, their support systems and existing social networks.

The individual perceptions and perspectives on any issue are framed through the process of social conditioning based on the construction of the problem in that society. The variations in the individual construction denote different orientation on the social basis.

Castles (2003)<sup>14</sup> opines that forced migration needs to be analyzed as a social process in which human agency and social networks play a major part. It gives rise to fears of loss of state control, especially in the context of recent concerns about migration and security. In this context, it is essential to question earlier sociological approaches, which have been based on the principle of relatively autonomous national societies. The sociology of forced migration must be a transnational and interdisciplinary undertaking. This is important because a final form of forced migration is the trafficking of people across international boundaries for purposes of exploitation. As a social phenomenon it becomes important to analyse trafficking in relation to the meaning and opinions that the people concerned attach to it. This could reinforce the existing viewpoints or may establish a new one that needs to be reckoned with.

#### **4.5 Trends in Research on trafficking:**

Research in human trafficking is a relatively new area. With changing paradigms of trafficking the trends and focus of research are also changing. Emerging patterns regarding the nature of research on human trafficking has highlighted several areas of gaps.

*As per the available literature on trafficking research the major issues are-*

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<sup>14</sup> Castles Stephen, 2003, 'Towards a Sociology of Forced Migration and Social Transformation' *Sociology* 2003; 37; 13  
DOI: 10.1177/0038038503037001384  
<http://soc.sagepub.com/cgi/content/abstract/37/1/13>

- The aspect of proper and credible data on human trafficking is very important. Data often tends to get mixed considering the overlaps between trafficking and migration.
- Considering the nature of the issue and paucity of data there are methodological issues also. Theoretical ambiguities in trafficking result in lack of appropriate methods of data collection. This leads to scanty and incongruent data. Thus there is overdependence on the subjective interpretations (may colour the information due to bias).The incoherence of data leads to flawed analysis of results and outcomes.
- Setting new agenda and priorities for further research on trafficking is a challenge.
- There is mostly point in time research with little longitudinal research focussing on the experiences and perceptions of the survivors
- Greater focus of the researches has been on the supply side questions of the phenomena. There is need to focus on factors contributing to the creation of demand for the movement.
- Most researches focus on the trafficking for commercial sexual exploitation neglecting the other forms which also need to be highlighted.
- There is need to assess the appropriateness of the Anti trafficking strategies of the organizations and analyze regional, intra and inter country variation

#### **4.6 Issues related to trafficking data**

As has been mentioned earlier there is paucity of data on trafficking. The data that exists appears quite fuzzy primarily because of the overlaps between migration and trafficking. This also affects the research interests and the outcomes are also influenced by the unreliable data on trafficking.

Most of the data on trafficking is generated through the organizations working on trafficking and this mostly relates to their area specific interventions. The organizations generate data as per the need for their interventions, but issues have been raised regarding the reliability and utility of the data.

Media reports also present data but the highlights are such that there are chances of skewed interpretations.

Sometimes data related to abduction, kidnapping, rape are used to draw interpretations regarding trafficking. Thus there is a serious need to generate proper authentic data on trafficking so that quality research and interventions can be carried out based on them.

#### **4.7 Role of Media in trafficking**

The nature of media coverage on trafficking is at times hard hitting and portrays direct realities. Mostly the incidences and data are projected to highlight the enormity of the problem and also project the plight of the victims

Media coverage and highlights on issues of trafficking have been instrumental in raising concerns and generating awareness of the issue and facilitating larger public debate.

Print Media reports appended with the study show that the organizations under the study have made use of media as part of their mobilization strategy to generate awareness of the issue and highlight their approach and strategies.

Media is an effective tool for dissemination on the various aspects of trafficking. Organizations use various forms of Information Education Communication methods (street plays, campaigns) to generate awareness on the issue and increase outreach. In highlighting the gross violations of human rights through the media reports organizations can engage in advocacy and seek to influence policies.

#### **4.8 Framework for analysis of Perceptions of victims of trafficking**

The present study has tried to elicit the perceptions and build up the notions of trafficking as experienced by the tribal girls and women of Jharkhand who are engaged in domestic work in different houses in Delhi.

Through an analysis of their lived experiences, the study tries to link their learnings from these experiences to their understanding of the phenomenon and their coping mechanisms. It tries to gauge through the interpretation of the girls themselves the factors and situations that cause them to undertake movements.

Their notions of exploitation, stress, trauma and their recourse to action following episodes of the same have shaped up the future life chances.

The meaning and use the girls make of the support/ affiliation from the organizations is also vital as it determines the course of their future life and decisions.

The analytical framework presented below demonstrates the level of the static or dynamic state of the trafficking continuum based on the lived experiences of the girls. It also portrays the choices that people exercise as per their situation. The subsequent life course is determined through the decisions taken and choices exercised following self analysis of their experiences.

The lived experiences of people can be static or dynamic- depending on whether there is only routine casual experience or there is some traumatic experience (social psychological, sexual).

The casual routine experiences generate no further action as a result of “no harm situation”. Even in the dynamic phase where one experiences any form of exploitation or trauma there are two choices that can be exercised. Some may take no action to continue in the same situation as far as possible; while some may decide accordingly and take action for change from the situation.

There are others who would have been initiated into a perceptible situation of no harm but with time the situations have resulted in final harm outcomes. This is part of the dynamic state and again calls for options of action or no action on the part of the individual.

The case studies have provided insights primarily along the three mentioned courses but the patterns and processes are different.

Broadly the thematic interpretations of the case studies have shown us –

- Poverty and compelling family situations are the primary factors that force them to move out.
- The fantasies related to exploring new areas is another enticement added to the fact that girls are usually carried away by the makeover and changed situations of those who had gone and returned
- The initial charm is most often broken when they find themselves placed with alien people in unknown circumstances. Although they might not have had any bad experience particularly of physical exploitation or harassment they are mostly mentally traumatized and regret having come out of their homes
- The unpreparedness and resulting insecurities of moving out under certain influences was something that they had to reconcile as part of the risk.
- In most of the cases the girls in the institutional environment have assumed a regularized role have gone ahead. They have found themselves better equipped to articulate their needs and concerns under the aegis of the organization which rescued them
- Based on their experiences there is a strong sense of loss of identity and denial of basic rights and working conditions in certain cases where they worked as domestic helps. This according to some was very debilitating.
- The institutions are also looking up to proper support and linkage with the government to better facilitate Anti trafficking interventions
- Institutional limitations of sheltering and repatriating the rescued girls for unending periods specially in case the family of the concerned do not turn up or the girl herself does not wish to go back.
- There is greater awareness and the rescued girls who are now placed in homes as domestic helps under guided supervision of the organizations are more vigilant about other similar cases of trafficking and exploitation in



their area. This has proved further helpful in sharpening the efforts to combat trafficking related exploitation.

- The girls have also equipped themselves with skills and are better oriented to face the life ahead. This has happened due to the guided facilitation of the organizations involved.
- The individual experiences and the learning from them have been different for each girl/ woman. Based on their individual experiences and perspectives they have planned for their future.
- For some the situation may have normalized following an experience but there are others who have yet to come out of their experiences.

#### **4.9 Organisational mandates / approaches – Praxis and dilemma**

The present study has attempted to review the strategies and approaches of different organizations and the networks in Jharkhand to tackle the issue of trafficking. A review of the activities and the challenges faced by the organizations in implementation has given us idea about the strengths and weaknesses of the interventions. The process of networking, working through alliances has shown areas of cooperation and support that can be sought. The association with international donor agencies has ensured that the larger focus of the global nature of the problem of trafficking is never lost while addressing regional issues.

As with the global nature of the issue the responses also need to have a larger framework of operation right from the International to the local level.

The challenges of addressing a multi dimensional issue like trafficking are many. The operationalisation of Anti trafficking mandates requires a comprehensive approach involving key players such as the Government, law enforcement agencies, NGOs, CBOs, Village institutions and so on.

Non Governmental organizations have evolved a range of responses depending on the aspect of trafficking they wish to address. They play a key role in implementing anti trafficking activities catering to different aspects of the issue including advocacy, counseling, legal reform and aid, prevention, rescue, rehabilitation, reintegration and related support services.

In most cases the organizations dealing with trafficking issues work through networks. As part of networks they respond to the needs of the victims by providing a range of services including education, medical care, psychiatric services, shelter, counseling and legal aid. This strategy has yielded results and is effective in sharing of resources and expertise.

There are some foreign donor agencies that have given due importance to the issue and have come forward to support different anti trafficking programs. Some of these organizations are Action Aid, DFID, British Council, CIDA, DANIDA, EU, ILO-IPEC, IOM, NORAD, USAID, UNICEF, UNIFEM, UNAIDS, Save the Children.

There is an increased realization that combating trafficking is far beyond the scope, capacity and resources of any individual organization. Therefore there is need to seek collaborative approaches to learn from the implementation and shared experiences.

In the Indian context as elsewhere, government efforts extend to making policies and legislations on the issue and likewise the implementation of the schemes. The government has several advisory bodies at the central and state levels to help in policy making. The government also runs several protection homes and shelter homes for both minors and adults who are rescued from situation of exploitation.

The National Commission for Women (NCW) and the National Human Rights Commission (NHRC) are apex institutions to safeguard the interest of the women and deal with issues of human rights violation respectively. These institutions act as watchdogs to ensure no violations and arbitration as needed.

The specific organizations and networks studied here have also rendered similar Anti trafficking services of support, rescue, rehabilitation advocacy and counseling at various levels and in different capacities.

The main issues as articulated by the organizations with respect to implementation of activities are-

- The issue of trafficking is diverse and needs effective linkage and collaboration among the different players for addressing the problem.
- The capacity building (in terms of skills and manpower) at the organizational level is crucial for program delivery.
- The prime concern was the issue of sustainability of its interventions and the outcomes in the terms of purposive assimilation of the victims back into the mainstream.
- Mere reintegration is not the only solution .The idea is that the victims get the appropriate environment, scope to use their acquired potentials to be able to lead a productive life.
- The interventions of the organizations were targeted towards immediate response to the trafficking problem. The fact is that the trafficking issue can not be addressed in isolation. There is need to link up with other organizations having larger development mandates. This will ensure that trafficking is dealt with as part of a larger development concern.
- The in house rehabilitation support, the skill building and orientation of the victims have been really instrumental in shaping up their approach towards life and their future plans.
- The organization efforts have created certain change makers( from among the rescued girls) and the challenge is to ensure a ripple effect so that others in the community are influenced and the process of awareness generation on the issue is continued.
- There is also need to involve other community level players ( like VDCs, SHGs, Mahila mandals, youth groups, peer groups, religious leaders and others) in the process so that a strong vigilance is maintained and the movements of people can be monitored.

- The work through the networks should be routinely assessed and strategies reworked as needed to ensure effective implementation and desired outcomes.

### **Summary**

A sensitive issue like trafficking has to be related to the various areas of crossover and intersections along the entire process. Tackling the problem of trafficking would require understanding of the patterns of migration as it provides the context in which trafficking occurs.

A multi pronged approach involving the different stakeholders is surely needed to combat the problem but we also need to understand the micro level realities (at the level of individual and household) that foreground such processes.

Through the study it has been established that the constructs of trafficking are interpreted differently by the trafficked persons in terms of their situation and lived experiences. What meaning they make out of the process of trafficking is the core element which determines the scope and level of intervention that needs to be made. An apriori assumption that all outcomes and processes of movement are victimizing disregards the individual perceptions and experiences of the victims.

By accounting for the individual concerns and priorities organizations would be able to better tailor their intervention to suit the needs of the victims for better outcomes.

Through the study it has come to the fore that even an apparently “harm” free engagement in the form of domestic work can expose the girls to various forms of exploitation (physical abuse, sexual exploitation, trauma psychological stress) in different ways. Thus the notions of exploitation are played out sometimes subtly and sometimes overtly in case of domestic work.

The focus of the study on women domestic workers and the trajectories of their life events caters to a rather unconventional form and purpose of human trafficking.

The gender constructs of defined work roles and dependency are very much evident in the case of the domestic workers. The reasons for their movement are also deeply rooted and guided by the gender constructs of roles and related responsibilities.

The essential question is whether existing vulnerabilities of women feed into the process of trafficking or conversely trafficking creates greater scope of increasing the vulnerabilities of women. The interpretation of vulnerabilities and experiences of insecurities (abuse, trauma, sexual harassment and intimidation) in unknown settings as articulated by the trafficked girls are manifestations of patriarchy and violence in different forms. The relationships are controlled and the support structures are manipulated in case of the domestic workers who are placed for work in different settings away from their homes and this is a form of exploitation in implicit forms. They are not able to exercise their agency and also raise their concerns. Thus we find that all the constructs of patriarchy, gender, power and violence play out in very different ways and influence the lived experiences of the women in different ways. The trajectories of trafficking as evident from the research actually reinforce the existant paradigms of gender identity and create space for revisiting them in new ways.

## BIBLIOGRAPHY

### BOOKS

Nair ,P.M 2005 Trafficking –women and children for sexual exploitation, A hand book for law enforcement agencies in India

UNIFEM , New Delhi

Frank Laczko and Elzbieta Gozdziaak ( ed) , (2005) Data and Research on Human Trafficking:A Global Survey Offprint of the Special Issue of International Migration Vol. 43 (1/2)2005 International Organization for Migration (IOM)

Singh Vinita, (2007), Women domestics-workers within households, New Delhi , Rawat publication

Arya Sadhna, Roy Anupama (2007)Poverty gender and migration, Women and migration in Asia Vol 2, New Delhi, Sage pub

Trafficking and the Law, Socio Legal Information Centre 2006, Human Rights law Network

Bhatia Manjeet, Bhanot Deepali, Samanta Nirmalya (ed), , 2008 Gender concerns in South Asia-some perspectives Rawat publications, New Delhi

Haque Shahidul Md . 2007. 'Ambiguities and confusions in Migration –Trafficking Nexus: A development Challenge,' in Karen Beeks and Delila Amir. Kneebone (eds) '*Trafficking and the Global Sex Industry* ,' Journal of Refugee Studies; 20: 539-542, Littlefield publishers, INC

## JOURNALS

Beyrer, C. (2001), 'Shan women and girls and the sex industry in Southeast Asia: Political causes and human rights implications.' *Social Science & Medicine* 53: 543–550.

Rafferty, Yvonne. (2007), 'Children for Sale: Child Trafficking in Southeast Asia,' *Child Abuse Review* Vol. 16: 401–422 Published online in Wiley InterScience (www.interscience.wiley.com) DOI: 10.1002/car.100

Gershuni, Rochelle. (2004) *Trafficking in Persons for the Purpose of Prostitution: The Israeli experience*, *Mediterranean Quarterly*:

Nadeau, Kathleen, 2003: 'Is sex trafficking in Asia ancient or new?: challenge to the church's Volume 40 Number 2

Obokata. T. , 2001, 'Trafficking' and 'Smuggling' of Human Beings in Europe: Protection of Individual Rights or States' Interests?', *Web Journal of Current Legal Issues*, at [www.webjcli.ac.uk](http://www.webjcli.ac.uk)

Weitzer. Ronald 2008 'Legalizing Prostitution Morality Politics in Western Australia' *British Journal of Criminology* ) 1-18

Cooke Lynn Prince 2006, *Policy Preferences, and Patriarchy: The Division of Domestic Labor in East Germany, West Germany, and the United States*, Pages 117–143

Chancer Lynn Sharon, 1993, 'Prostitution, Feminist Theory, and Ambivalence: Notes from the Sociological Underground', *Social Text*, No. 37, A Special Section Edited by Anne McClintock *Explores the Sex Trade*, pp. 143-171 Published by: Duke University Press

Yamin Alicia Ely 2004, Promising but Elusive Engagements: Combining Human Rights and Public Health to Promote Women's Well-Being, *Health and Human Rights*, Vol. 8, No. 1 , pp. 62-92

Francine Pickup, 1998, More words but no action? Forced migration and trafficking of women, *Gender and Development* Vol 6, No. 1

F. Michael Connelly and D. Jean Clandinin 1990, Stories of Experience and Narrative Inquiry ; 19; 2 *Educational Researcher*

Avital Michel, 2000 “Dealing with Time in Social Inquiry: A Tension between Method and Lived Experience” *Organization Science*, Vol. 11, No. 6 , pp. 665-673 Published by: INFORMS Stable URL: <http://www.jstor.org/stable/2640376> Accessed: 27/09/2008 06:51

Jones Kip, ( 2003 ) The turn to a narrative knowing of persons: One method explored, *Nursing Times Research*; 8; 60 The online version of this article can be found at: <http://jrn.sagepub.com/cgi/content/abstract/8/1/60>

Sneddon H. 2003. The effects of maltreatment on children's health and wellbeing. *Child Care in Practice* 9(3): 236–250.

Jane, S. Jaquette, J ( 1982)Review: Women and Modernization Theory: A Decade of Feminist Criticism *World Politics*, Vol. 34, No. 2, pp. 267-284 Published by: The Johns Hopkins University Press Stable URL: <http://www.jstor.org/stable/2010265> Accessed: 14/08/2008 06:20

Limoncelli Stephanie A., (2009) Human Trafficking: Globalization, Exploitation and Transnational Sociology *Sociology Compass* 3/1 : 72–91, Journal Compilation © 2008 Blackwell Publishing Ltd



Williams M .Laura. 2008. 'Social politics: a theory,' *International Journal of Sociology and Social Policy* Vol. 28 No. 7/8, pp. 285-292 # Emerald Group Publishing Limited 0144-333X DOI 10.1108/01443330810890691

Desyllus Capous Moshoula.2007. 'A critique of the global trafficking discourse and U.S policy,' *Journal of Sociology and Social welfare*

Elliott .A. Michael, 2007 , 'Human Rights and the Triumph of the Individual in World Culture', *Cultural Sociology* BSA Publications Ltd® Volume 1(3): 343–363 [DOI: 10.1177/1749975507082052] SAGE Publications, Los Angeles, London, New Delhi and Singapore

Castles Stephen,2003, 'Towards a Sociology of Forced Migration and Social Transformation' *Sociology* 2003; 37; 13

DOI: 10.1177/0038038503037001384

<http://soc.sagepub.com/cgi/content/abstract/37/1/13>

## REPORTS

United Nations Children Fund (UNICEF). 2005. *Excluded and Invisible: The State of the World's Children, 2006*. UNICEF: New York

United Nations Division for the Advancement of Women (UNDAW). 2002. *Trafficking in women and girls: Report of the Expert Group Meeting, Glen Cove, New York*. Available: <http://www.un.org/womenwatch/daw/meetings/consult/CM-Dec03-CRP2.pdf>

Omeraniuk I. 2005. *Trafficking in human beings*. United Nations Expert Group Meeting on International Migration and Development, Glen Cove, New York.

Revisiting the Human Trafficking Paradigm: The Bangladesh Experience Part I: Trafficking of Adults By The Bangladesh Thematic Group on Trafficking September 2004 IOM

Proceedings of the International seminar and regional workshop on 'Strategizing to combat trafficking in women and children', Centre for women and children studies June 2007, Dhaka.

NHRC - UNIFEM - ISS Project A Report on Trafficking of women and children in India 2002-2003 (collaboration ISS New Delhi, NHRC New Delhi, UNIFEM New Delhi)

Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali II), Office of the United Nations High Commissioner for Refugees (UNHCR)

The Tribal Domestic worker at the crossroads: A search for alternatives- A report on the Tribal Delhi domestic working women, Programme for women's development, Indian Social Institute, Oct 1993, New Delhi India

UNICEF Innocenti Research Centre Young People's Voices on Child Trafficking:  
Experiences from South Eastern Europe Mike Dottridge ,IWP-2008-05, UNICEF 2008

Trafficking of women and children in India- Challenges and responses (2004), GOI,  
MoHRD, Dept of WCD

Trafficking –A socio legal study, National Commission for women, 2001

Concept Note on Anti trafficking network In Jharkhand

Concept Note on Anti trafficking network In Jharkhand

Attempts to Heal –A Concept, October – November 2004

Annual reports of concerned organizations- BKS, ISI, Nirmala Niketan

#### **WEBSITES**

**<http://www.catwinternational.org/about/index.php>**

**<http://www.gaatw.org/index.php>**

**[www.unhchr.ch](http://www.unhchr.ch)**

**[www.unodc.org](http://www.unodc.org)**

**[www.humantrafficking.org](http://www.humantrafficking.org)**

# ANNEXURES

## **Jharkhand Realities revisited- Unheard Voices**

### **Case studies from the field (initials of people given only to protect identity)**

#### **CS I            Case study of S.A\***

S A (17years) hailing from Bakaspur village of Karra block of Ranchi District is the youngest among her siblings involving 3 brothers and 3 sisters.

Her parents were primarily engaged in agricultural activities and this was barely enough for sustenance at the family level. The family pressures were immense and they found it very difficult to make both ends meet. She was very interested in studies but found it very difficult to continue with her studies at the village. She was always on the lookout for some avenue so that she could realize her dream of continuing with her studies.

Being the youngest she did not have to bother much with the household affairs but she definitely had the urge to do something to augment the family income and also continue her studies

S A moved out of home to stay with her relatives (fathers elder brothers family) in *Kachabari* . Her cousin brother was in the military and his wife had expired. There was need for someone to come over and look after his kids. This situation forced her to leave school when she shifted base and this she considered a turning point in her life. Her cousin sister ( fathers elder brothers daughter) was concerned and out of goodwill tried to get her placed in a home as a domestic help in a hindu family in Ranchi. This was done through her contacts and with the hope and assumption that the family would help her continue with her studies alongside her work engagements.

Her parents were also informed but they had little option in terms of decision and control as primarily she was not there with them and she was adamant to have her way out.

She was introduced to the family and she started working as a domestic help. The work load was quite huge as the lady of the house was also in employed status and she had to remain out most of the time. SA found herself preoccupied the whole day and for most part of the day she was all alone. She felt very upset, lonely more so with the thought of her discontinued studies. She used to feel bad that she did not work at home much and

now although she was working she was absolutely dissatisfied. She was not subjected to any trauma or violence but still she did not wish that her life would have been such. She said *“I had come out of home and then away from my relatives also with the hope that my life would be better”*

She tried calling up her cousin sister who had helped her get placed here to tell her that she was not willing to continue further. Her cousin in turn tried to counsel her to be good and continue her work. Upon insisting more her cousin came to take her after talking to the employers. Her employers were also eager that she carried on working and wanted to know why she wanted to discontinue. She had no explicit answer and in their goodness they also did not pressurize or insist further.

Then there was the whole issue of what was to be done next. One thing that she was absolutely clear was that she did not want to go back home for fear of what others might say and the repercussions in terms of restrictions she might have to face. So her cousin sister contacted Sr Flora in Hesag with the hope that she would be able to provide them with some suitable alternative.

Sr Flora then arranged through her contacts for SA to join the ASHA K R centre administered by the Jharkhand Domestic workers welfare Trust. She has been in this centre since 2004 .She has undergone basic training through the Loyola coaching centre and has given her Matriculation examinations from the Ursuline Convent Hesag. Presently she is enrolled for Intermediate in Arts from St Pauls College Ranchi.

She plans to pursue her studies and also acquire vocational skills that will help her earn a decent livelihood in the future. She is very categorical by way of her experience that no girl should move away from the comfort zone of their homes to tread unknown paths for accomplishing their dreams. No matter however apathetic and hostile the environment at home might seem ..... Home is always home ... a place according to her that now is the most secure place start realizing their desires.

Her present views have got reinforced through her interactions and the varied experiences of the other girls at the centre.

## **CS II            Case study of P K\***

P K ( 14 years) was a resident of Maruan village in Simdega District of Jharkhand. She had a extended family comprising 7 siblings ( 3 sisters and 4 brothers). She was second youngest among all her siblings having only a younger brother. Her father is a daily wage labourer and her mother has expired some time back

All her elder siblings tried to engage with some form of activity or another ranging from wage labour, domestic work or black marketing of cinema tickets to augment the family income. She was also keen to do something gainful so that she found her life more meaningful. She was also genuinely interested to continue her studies further

Around 2003-2004, PK was approached by a distant grandmother from Gumla to offer her services as a domestic help in a household in Ranchi . Through this contact she was placed in the home and she started working. The family she was working with was small comprised of husband and wife and both of them were working. So initially she was shown around and she gradually took charge of her work. Till some time hence it was ok for her trying to manage the household and initially the lady of the house used to be around and guide her from time to time. Soon she realized that the lady of the house actually worked somewhere else and the reason behind getting her to their home was to look after the house and work in her absence

The very idea of having to stay all alone throughout the day and not doing anything constructive towards her personal growth beyond the routine chores was bothering her. To add to her discomfort there was the issue of to having to deal with the man of the house particularly in the absence of his wife. The man gradually came to show his true colours and used to take advantage of the fact that the house was small and spaces had to be shared. He used to try and find ways to get intimate with Pooja against her will and also bullied and threatened her against divulging anything to others.

She found herself under virtual house arrest as she was not allowed to move out anywhere on the pretext that she was not familiar to the place. She was also advised against interacting with other people of the neighbourhood when they came over for some work. Thus she felt herself really trapped and was in fear of what was to come. She was absolutely shattered and found herself loosing control. She was forever trying

to think of ways of getting herself out of the mess. She realized she herself had to do something about it as she was not in a position to contact and approach people at home. She actually even did not realize that she had been sexually abused and raped on several instances as the man was very subtle and careful in his moves.

Nursing deep grudges she actually decided to take action and finally chance came her way when she found that her employer had left the door unlocked by mistake. Taking this opportunity of his absence she fled. She narrated her experiences to few people around and based on their advice and contacts approached the Jharkhand domestic workers welfare trust.

P K was then counseled and provided medical help and legal services towards her case.

The movement people helped her registering a case of rape and assault on her employer. This was in the process of trying to aid her seek justice. Her case and trials are still ongoing but at the ASHA KIRAN CENTRE life has gradually normalized around her education and vocational trainings.

She has now tried to focus on building up a good life based on the skills ( stitching/ tailoring ) she is learning. She does not regret having moved out of home for work but feels that her experience so far will stand her in good stead and she feels that now she is better equipped to handle her life situations.

She wants to complete her studies and later settle down to earning based on her vocational skills. She has created a niche for herself at the centre and feels that she has a greater role of providing mental strength and support to other girls in the centre.

She is very open regarding her opinion about the centre. Initially she found the routine systems and the strict discipline too difficult to adhere to but gradually over time it has become a way of life. She feels that home is different but even at home you are bound by certain norms and you need to follow certain amount of discipline. A very important learning for her life is that discipline equips you to handle life situation much better.



### CS III Case Study of L A\*

L A ( 10 years old) belongs to a village in Angara Block in Ranchi District. She was born into a family of several siblings and the family was hardly able to make both ends meet. Her father was a daily wage labourer and her step mother managed the home and worked in others fields.

There were regular family feuds due to her step mothers aggressive nature and control. Her little mind was always disturbed because of the tensions at home and more over she was not able to continue school to cater to her younger siblings.

Although young she was forever the rebellious kind and was actually uncaring of the consequences of anything that could befall her. She was also too young to even comprehend clearly whatever is happening around her and distinguish between what is right and wrong. There were lot of insecurities and her family environment was not at all supportive. She felt very uncared for and at the impressionable age the family tensions caused a lot of psychological stress in her.

Though she related well with her people she felt she had to somehow move away from the stressful environs of the home and find her own avenues. She found solace in the company of a few neighborhood friends with whom she used to play and spend time. Within their small limited world view they discussed things that were of concern to them- their home, studies (as some of them went to school) and playthings.

The interesting thing is that they were not far removed from influences of whatever was happening around them in the outside world. They came to hear of girls who went outside their villages to far of places to work. These instances were luring enough and they would also talk amongst themselves about these issues and these discussions were mainly guided by older girls. They would often fantasize about life outside of their homes beyond the influence of their parents.

All this was playing very actively in the mind of little LA and she was getting desperate to go along with her life in her own terms. She did not discuss anything about her thoughts with anybody at home. Some of her siblings who were most close to her even prodded her for being so lost and in her whole world. However neither did she confide in any of them nor with other neighbourhood friends who gave her some exposure about the outside world.

Although she was small, in her formative years alone she was quite matured and she felt that she needs to study and do something worthwhile and constructive for later life. At home also she had emerged as a kid with some latent potential to continue with her studies which her father and elder siblings realized to some extent. However considering the situation at home there was no possible option to streamline this further. Moreover her father was of the opinion that all his children were to be catered to and given equal treatment and opportunity as per his limited capacity. This was something that had got deeply engrained in little LA and she was always in an attempt to prove herself.

One day finding an opportune moment when her parents were not around and beyond the notice of the other siblings at home she decided to move to Ranchi city to her aunt's place. She felt to go to her aunt's place and relate her anxiety, her issues and seek help/guidance and decide what she should do.

She had been to this aunt's place only a few times and thus was not very conversant with the route. She moved out from home with little money that she had saved. She took an auto and reached a stand in Ranchi. The auto driver asked her where she has to go and even waived off her auto fare in consideration of her child status.

From the Auto stand LA felt very lost and wandered here and there asking for direction to the place she wanted to go. One person who seemed unnecessarily interested in her thinking that she was lost, tried to extend his help and manipulate her by trying to get too close and showing some level of intimacy. He gradually gathered few others who seemed very much like him in terms of their expressed intentions of wanting to help her out. Initially she felt they were genuine but soon she realized they had other intentions having overheard them discussing about taking her elsewhere. She became vigilant and looked out for others who could help her. While on the move with these men she spotted a traffic policeman nearby and ran ahead to them for help. This was even before the men who were misleading her could realize. She felt that she had to use her presence of mind if she had to get away from the evil influences of these men. Her move of approaching the policeman for help was a strategic one and she gained confidence once the policeman assured her of help. She was asked about her whereabouts but she was still unable to exactly tell her Aunt's address correctly. She was handed over to the

ASHA KIRAN centre run by the Jharkhand Domestic workers welfare trust as part of their supported projects.

This proved to be turning point in her life as she learnt new life skills and vocations at the centre beyond her regular studies after she was enrolled. Her life has been a more of a set pattern after 2006 and she is quite happy with the turn of events

Her parents had been informed and have since been in touch with her at the centre. Initially given her impressionable mind/ age she found it very difficult to adjust to the disciplined setup and routine of the centre. However gradually through counseling and life skill inputs she has coped up well and is looking forward

She wishes to streamline her life based on the skills she acquires at the centre and through formal schooling. She does not want to get back and settle at home though she looks forward to visiting home and meeting with her siblings and friends when possible. She has a lot to share and most important message for all those friends of her age is to not negate the value of the home front for whatever form of support it provides. She also feels that whatever one does should be in consonance with family norms and with the consent and full knowledge of all elders in the family. She feels that although she initially detested the environment at home she realized the value of home and people at home having learnt the hard way through her experience. At the outset whatever she underwent might seem very casual but for her age and initial venture it was something that left a dent and changed the course of her life. She has now realized that the world and people outside are not easy to handle and cope with. It is very easy to get carried away if one is not fully aware of external realities and the result could be something that hits you really hard. Based on her experience she is very aware that especially given her age it was a risk to have gone out all alone for whatever purpose.

She has since emerged quite vocal and very nicely shares her experiences that she feels might benefit others under Similar situations. The transition from the meek docile homely girl to a person with a changed outlook towards life who is taking things in her stride has taken time and great efforts.

#### CS IV            Case of S T\*

S T ( 14 years ) hails from a remote village in khunti district of Jharkhand. She grew up in a family with two sisters and three brothers. Her mother is a housewife and father is employed as a brick layer. Her eldest brother supported the family with the earnings he got as a security guard. Her elder sister got married and moved away to stay with her in laws. The other two brothers and her youngest sisters are there with the family and go to school. S T herself went to school till 5<sup>th</sup> standard.

The fact of the matter remains that life patterns and choices of an individual are influenced by family situations. Her fate was Similarly inextricably linked with that of the family.

The family got into severe financial troubles, following repayment issues of a loan they had taken to buy a machine. The family was faced with tough situation and was having difficulties making both ends meet. It was decided that S T would discontinue studies so that she could provide some help to augment the family income. Besides working in the fields, grazing cattle and doing household work, she collected and sold firewood and vegetables. She also used to work as a part time worker in the field of another farmer in lieu of Rs 10 a day.

The family even had to mortgage their land to pay off the interest on the loan. This only added to the insecurities in the family.

These hard realities were sinking in gradually and to add to all this there were certain problems at the family level pertaining to her elder brothers wife which needed to be sorted out. They got her brother remarried and this was according to them a way to save the family from bad name and disgrace. However this further added to their financial woes and the situation was getting beyond control.

The stress and turmoil her parents were undergoing was becoming really unbearable for S T. She realized that all the existing efforts for paying off the debts and providing for the family were not enough. Inside her there was a strong urge to do something really constructive to support them financially. She made up her mind to engage as a domestic worker and provide additionally for the family.

She got in touch with a distant uncle and with his contacts moved to Patna. Her parents were not much keen on her moving out to look for options but they did not say much

because she was adamant and moreover they felt there was some channel through which she was moving out. The idea of additional income did play in their minds but they were also concerned about the safety and security of their daughter.

Her uncle contacted the movement (Jharkhand Domestic workers welfare movement) people and sought their advice on S T's placement. The movement people were pleased that S T and her uncle had not been misled to some other placement agency but had approached them for consultation and help. They were briefed in details about the prospects, consequences of involvement in domestic work specially in the context of her age. She was small to cope up with the hassles of domestic work in unfamiliar place and situation. After the counseling she was in a position to make an informed decision and make choice of her options.

She chose to accept the offer she got from the family of a doctor although she was a little apprehensive. Her decision was based on the urgency at her home front and she did not feel to think twice before accepting the offer.

Initially everything worked well and all was fine with her employers. She gradually got accustomed to the house and the work therein. Within a short time however the situation changed with the behaviour, dealing of her employers turning negative and somewhat hostile. She was a bit flustered and could not figure out the reason for the changed behaviour. She felt it better not to tell anyone about her ordeal of excessive workload from morning to night. She was verbally and sometimes physically abused if she failed to comply and do as she was told to. She was forever in fear of getting rebuked if she faltered and this was mentally traumatizing. She realized that she was being shoved around and scolded for very trivial things like not cleaning up the floor properly or washing the clothes although she tried to do it to the best of her ability.

They were similar in their treatment with their children and this created greater tension when the children reacted and revolted. S T was however not in a position to react and raise objections. She felt that if they treated their children like this she was a mere outsider, so they would feel justified in their treatment to her.

She said that trying to live up to their expectations became her only obsession and was draining all her energy. She only reconciled to the fact keeping in mind her ultimate purpose of providing support to her family. She was finding it difficult to cope up but

tried hard to adjust and live with the situation. She felt like leaving the place but just could not muster the courage to do so. She was so preoccupied in work that she hardly found time to think about other options and realize the stressed and dire situation she was in. She found herself getting increasingly vulnerable at the emotional level with no one to confide in and share with. Although she is continuing at the same place she has come to terms with the fact that she needs to equip herself with better skills and vocation if she has to move on and find better options in life. She has also realized that away from home everything does not come easy and happen smoothly.

She has not shared about her working conditions with anyone and feels that doing so would cause enough worries to her parents. In future she wishes to continue her studies and get a settled job as a teacher rather than engage in domestic work. In the present situation however she has to continue her work as a domestic help till some other option comes her way. The issue of getting back the land for the family was very significant and she reiterates how the future of her family and hers is linked to the land.

For her age the absolute determination and determination to do something for her family and provide some support is very striking.

S T has no problems in domestic work per se and is very keen on the idea of service to others, but her major concern is that of identity, proper treatment and recognition for her work. She has demonstrated extraordinary sense of responsibility, maturity and will power to cater to the situation in her family. The fact of the matter is that her experience with her one off stint has taught her lot of things. She has emerged today better equipped to handle her situations, judge people and cope accordingly. The scope of tapping the potential of her maturity and determination is immense and given further chance through education it can be channelised. The only solace being that under the aegis of the movement support and through appropriate guidance her dreams/ hopes can be further strengthened.

**CS V                    Case study of V B\***

V B (14 years old) comes from a poor rural family from a village in Simdega district of Jharkhand. Her family faces dire situations as her parents try to eke out a living as farm labourers in others fields. They are hardly able to make both ends meet and provide for the daily needs of the family members. V B's sister moved to Delhi with the hope of better job prospects so that she could supplement her family income. At the impressionable age she was very touched by the sense of responsibility as exhibited by her sister towards the family. The fact that the work and conditions in Delhi would be quite uncertain was somewhat evident, but the needs were such that the risks had to be taken. With the moving out of her sister V B found herself slipping into her shoes to discharge responsibilities. She not only catered to her younger siblings but also helped her mother with household work and her father in the fields. This meant she had no time for herself and going to school was an occasional affair only if she found spare time.

At the age of 12, V B decided by herself to quit school and leave her village to go to Delhi to look for a job too. She had the idea that she would not only fend for herself but also support her family.

She contacted an agent who was recruiting children in a neighbouring village through some friends and decided to move out to Delhi with his help. She did not inform anyone at home for fear that they would resist the idea and prevent her from moving out. She was also not at all fearful of leaving the comfort zone and familiarity of her home. The curiosity and eagerness to explore the unknown world were playing foremost in her mind.

The agency in Delhi she was brought to got her home placement. As luck would have it her experience of the first family was nightmarish. She was overloaded with work and also mistreated and manhandled. She was verbally and physically abused for every small mistake she would do in the course of her work. She was not allowed to leave the house and meet the neighbours. Neither was she given clear instructions and explanations regarding the work, moreover she was scolded if she asked for clarification on anything.

She was totally unprepared for all this and she went through lot of psychological stress and turmoil on account of the daily encounters and squabbles with her employers. She was deeply pained and she gave outlet to her anger/ frustration by crying in solitude. She realized gradually what she was facing was because of her impulsive decision to move out of home. Moreover she had taken the decision without the knowledge and consent of her parents and she felt she had lost all her support mechanism.

The ordeal was getting tougher. She was really overworked, having to engage in all household chores from dawn to dusk and look after the children. Beyond the daily discrimination she was often faced with precarious situations where she had to respond to the sexual overtures of the man of the house. She found herself in compelling situations and she was often forced to watch adult films. She was not fully aware of their intentions but she was very uncomfortable and disgusted with herself.

She found respite only when the family went out on vacations and in one occasion enjoyed her stay at the house of the friends of the family, with whom she attended Christmas mass also.

She was forever trying to reflect on her situation and find out a solution to put an end to the humiliation she was undergoing. She had in the mean time had her first periods and without prior orientation she was caught unawares. This also exerted a tremendous pressure on her and she did not even know whom to turn to for help and guidance.

One day she managed to move out of the house finding herself an opportune moment with her employers not around. She did not know where to go and was found crying at a neighbourhood crossroad by one of the neighbours. The neighbour called up one of his known staff members of the movement (Domestic workers welfare trust) in Delhi.

The staff gradually questioned and enquired with her and she narrated the whole incident revealing all the facts. The staff then took her to the police station to file an FIR. Having found an opportunity and with the support she got, V B felt much empowered to confidently recount her story to the police officers. She said all through the while she had always prayed to god to give her the strength and be courageous. Her parents were contacted and they were very upset at the turn of events. All this they had been very



worried about the safety and whereabouts of their daughter. They had been getting some information in bits and pieces but nothing as to help them get the full picture. They were particularly sad at the mistreatment she had been meted out with her.

V B however was very careful in screening the impact of the whole incident to her parents thinking that they will be further disturbed. This was yet another way in which she proved her maturity.

The movement was succeeded in pressurising Vijaya's former employers to pay up for the whole period of service that she had rendered. This was something that was her rightful entitlement and so Vijaya was also very strong in her demand, now that she had proper support of the movement.

When asked about her future she was not very decisive but definitely she would like to support her family and engage in gainful work. She however realizes the importance of continuing her studies further if she really wants to get settled later. She also has decided to spread the word around among her friends and other known people about so that everyone is aware about happenings around them. Such activities and incidences with other girls can be checked if people are aware and vigilant. The whole case depicts how there is transition in Vijaya from the immature impulsive self who decides to move out without the consent of others to the mature reflective person who has learnt things the hard way in life. Her experience has showed her the realities of life and she feels that learnings from these will stand her in good stead in life.

## CS VI Case study of K T\*

K T ( 40 years) has been brought up in a village in Ranchi district and in a family of six siblings. She lost her parents when still very young and thus learned to be self reliant and supportive of her siblings very early on in life. The family situation was such that none of the siblings ever got a chance to go to school as livelihood and survival concerns were foremost priorities for them. K R also had to strive hard as her options were also limited and she worked as a wage labourer carrying stones in construction sites earning on an average Rs 50/ day. Her other option that she explored was that of working as domestic help.

She got married at an early age of 16 and has two daughters. Her daughters are now 19 years and 17 years old. Her husband died due to complications of liver malfunction 11 years ago and then on she had to single handedly bring up her daughters.

Following the death of her husband she moved in with her daughters to stay with her brother –in- laws family. But she later moved out of the house as she did not get along too well with her sister in law. Her daughters still stay there and are pursuing studies in college. K T is very sad that she hardly earns enough as a domestic worker or as a labourer to provide adequately for her daughters. She feels very much incapacitated that she is not able to earn well and stay together with her daughters.

The main driving force behind deciding to start work as a domestic help was to financially be self sufficient to support her daughters. She started with options available in Ranchi, but her experiences were far from satisfying. First she was employed as a part time help in the house of a doctor where she was paid Rs 250 per month. She worked there for 5 years and somewhat developed a good working relationship though she always felt that she was underpaid. She quit there as her employers hardly entertained any discussion regarding increase of pay. The second family paid her twice as much but she had to cook for 10 people, take care of an elderly person and do other household from 6 am in the morning to late in the night. She left her job there as she was under great work pressure, it was exhausting and she was underpaid when compared to the volume of work. Similar trends were repeated in the case of subsequent employers, they either paid little or they failed to take care of the promised pay rise.

She decided to move on to Delhi with the expectation that the situation would be better and with renewed hope of a bright future. She came in contact of an agent who made necessary arrangements for her and 10 other girls. In Delhi they were brought to the agency and found that there were several other girls and women to be placed. For every placement the agency received Rs 3000/- and also the entire salary of the women. They were left with no money on themselves and it became a compelling situation for them.

In the process of bringing the women / girls however, they were told that only Rs 500/- of the pay would have to be given to the placement agency.

On the occasion of non compliance (or refusal to do as agency asked them to) the women and girls were abused and punished. There was no consideration of the age of the girls and women and she recounts the incident of sexual harassment of a nine year old child. She however did not have to face any untoward incidence and considers herself really fortunate on that count. However the psychological stress of being in an alien world and having to literally fend for themselves without any support mechanism is really shattering. At the level of the agency they felt completely cheated and violated as none of their promises were kept especially in relation to the prospects of placement and also payments.

Her first placement as a domestic worker in Delhi was not satisfying. She tried to deliver to the best of her abilities but was never able to please her employers. She was gradually finding it very difficult to keep pace with their expectations and their workload. Her main issue was that she was ignored as a person and there was no space for her to articulate her fears and concerns. Moreover she did not receive any salary for her work as the entire salary was handed over to the agency. She was at a total loss and finally quit her job after a month. She went back to the agency expressing her desire to leave Delhi and get back home. She was both surprised and happy that there was no resistance and compulsion by the agency and they even gave her money for the train ticket back home.

Presently she is in Ranchi and looking for a job as a domestic help. She is very visibly upset that she is not able to send money to her daughters at present. She is however hopeful that things will change in future and she would be in better control of things.

She feels confident to be back in Ranchi in her known domain where she is much more confident to handle things. She wishes to continue her work as a domestic help in future so that the girls can go on with their education. She realizes that there is not much scope and she does not have choices in terms of the options to choose from to earn a living. She is very optimistic about the future of her daughters and wants to see them well educated and settled in life. She is also sure that she would never want them to undergo what she went through. She wants for them a more productive life.

This is also a departure and it is really heartening to find that some domestic workers like K T who are of age and mature, put up with all hardships, consequences to see a brighter secure future for their children. K T has reconciled to her fate but is very optimistic about her children. This today is the only solace and motivation to carry on with her life and work.

On being asked what her feelings about the experience as a domestic worker were she expresses her amazement. She fails to understand why domestic helps are never given their due recognition as humans and their work valued although their services are indispensable for the smooth functioning of every household. Through her encounters and having come in contact with many people she definitely feels that domestic workers have the right to be respected and protected.

She feels that there should be concerted effort to mobilize domestic workers and create awareness about their rights so that they are better equipped to deal with situations.

## CSVII Case Study of S B\*

S B is a 12 year old child who is from Lagdum village of Pakur district in Jharkhand. She has had a troubled childhood in a family of several siblings. Her parents had to work in the fields of others beyond their own to provide for the family. This was however very insufficient and they had to face lot of difficulties. The family was usually in debt as a result of the dire situation and this added to their problems.

She has an elder brother and two brothers who are younger to her. The elder brother worked part time in a cycle repairing shop but that too he has left. She had an elder sister who died due to some acute illness within a short time although she was not able to recall what actually had happened. She had two younger brothers and three younger sisters so she was mostly involved in looking after her younger siblings. She had wanted to go to school but the constrained condition of the family prevented her from pursuing school. In fact none of her siblings had the opportunity to go to school and never got the exposure likewise. They were very restricted in the own home domain and moreover they were too small to perceive the realities of the world. Her mother she recalls tried to guide them in spite of the limited resources based on her capacities. Given that SB never had exposure of school she hardly felt the difference. Through the sharing of her friends who went to school, she gradually got interested in what they learnt at school. She had reconciled to her own reality of never being able to go to school.

The conditions in her home were really pressing and around 2004 she took up work as a domestic help in a home in Pakur. She was too young but her family had no option. In spite of all apprehensions they agreed to the idea when they were approached by a village acquaintance for sending SB to work. He said he knew the prospective employers well enough and there would be no problem at all. He convinced them on the very practical pretext that SB's gainful employment would mean additional support for the family. Her parents were supportive of the idea although they were not sure how far little S B would cope up with the stress and work in a new environment. The transition was quite difficult for them to comprehend and accept given that they had very little idea and exposure of the world beyond their village.

S B moved on to Pakur and gradually tried to pick up the work and learn the ways and systems followed in the employer's home. She found the alien environment very intimidating as everyone was unknown in the beginning and tried very hard to cope up.

Although the family she was working for was small, given her age she was finding the work load too much to bear. She had to toil hard with all the household chores and also abide by the whims and fancies of each individual in the family. The children of the house found a new companion in her and the lady of the house was also keen that SB take care and play with her kids.

Her employers were quite accommodative but they also made it clear that beyond caring for the children and giving them company she would also have to balance with the household work. She had not been abused or scolded ever, but the fact that she had to live up to the expectations of the employers caused lot of anxiety and stress.

Her parents were not exactly in touch with her and she was really missing home. She knew her parents got news of her whereabouts and how she was doing from her uncle who had brought her here.

The children reminded her of her siblings and she used to get very nostalgic. Often she used to cry and she became depressed but kept to herself. This was in the run affecting her work and was of concern to her employers as they found SB very disturbed and upset. They tried to counsel her and did every bit to make her feel at home. They took care of all her needs and provided for her so that she did not feel out of place.

Gradually there was an overpowering feeling of wanting to get away from all this and go back home. She had never been out on her own. S B was unaware of the way back home and was not comfortable to venture out alone. She was really homesick and this feeling helped her muster the courage of moving out of the house of her employers. She was really unaware of the consequences but was nevertheless ready to take up the risk. She moved out of the house finding an opportune moment when the employers were not around. She took with herself some money that her employers had given, thinking that she might need them. She wandered around for quite some time and gradually it began to sink in that she really needed help to get to her home. She was really flustered and was wondering what to do next. Although she was a novice to the area she did not panic.

Instead she went around asking people for help/ guidance by giving her village details. In the process she approached a lawyer who happened to have acquaintances with her family. He recognized her as he had come to their house in connection with a case in the village. She however did not recognize him and was both surprised and happy to have come across a person who could be of some help.

As a person with legal background he tried to understand what problem SB was facing and what she wanted to do. He was aware of her realities at the home front and asked her what she actually wanted. Although she was homesick and wanted to be among her parents and siblings she also wanted to groom herself for a productive life. She wanted the exposure and opportunities through education that would enable her to face life better and take on responsibilities. She was keen as she had always seen her friends go to school but had never had a chance. They discussed and finally the gentleman decided to take her to the Kishori Niketan unit at Pakur. This centre was a part of the Kishori Niketan at Bijupara, Ranchi run by the organization Bharatiya Kisan Sangh. She was there for few months and gradually got used to the system and discipline of the centre. The centre catered to other girls like her who were either dropouts or had been rescued through various channels. She was later brought to the Bijupara ( Ranchi) centre and has been there since January 2008. Her parents have been informed and they have consented to her stay at the centre as there is security. They come to visit her and are happy with the ambience, system and discipline in the centre. Moreover she has been enrolled in an informal school and sessions are held at the centre towards providing life skills. This will not only make the entry in formal education system easier but would ensure proper orientation on ways to cope with like situations.

Initially SB found the routine and life at the centre monotonous but in due course she has made friends and got used to it by associating with the whole process. She is involved in all works of the centre right from cleaning, gardening, helping in the kitchen at the centre. She enjoys all functions and celebrations at the centre and participates in them. When asked about her future she says that she wants to study as she feels that in that way she will be able to support her family in future. She wants to become a social worker and help other children in need by working in centres like the one she is in. She has lot of hope for the future and even in her aspirations her family is first priority.

### **CSVIII Case Study of K L\***

K L ( 12 years old) is from Bakaspur village in Ranchi District of Jharkhand.

She was brought up in a family comprising of her mother, elder brother and younger brother. Her father expired in March 2005. Her parents used to work as daily wage labourers and they could hardly make ends meet. Following the death of her father the situation at her home changed. The financial stress in the family increased and her elder brother was burdened with responsibility of supporting the family along with her mother. She although small for age could understand the tensions and there was underlying fear of the uncertainties of the future.

She was studying in the village school and was quite a bright child and exhibited great potential. However she was also desperate to do something for her family in her little ways. She always tried to enquire and find out about what was happening elsewhere and what her other friends were doing. This way she tried to explore options and was on the lookout for something that she could engage with.

She got influenced by others who had moved out of home to other places to make a living and earn well. They exchanged ideas and shared amongst themselves the varied experiences. She was very much lured by the idea of better prospects, money and exposure. She decided to move to Ranchi in search of work. She along with other girls from the village moved out guided by some distant relative of her friend. They were introduced to other people who helped them get placed in homes as domestic helps.

She was not comfortable to move out on her own as she had never done so earlier. The circumstances however were very different and she soon realized that as she left home, she would have to face the consequences. There were lots of insecure thoughts about her future more so because she had not informed her mother and others at home. She felt if she told people at home about her intentions, they would prevent her and pressurize her to change her mind.

She was placed in a home in North office Para in Ranchi, with a family of husband, wife and children. She had to slog the whole day and engage in additional care taking of the children as the lady of the house was a working woman. Although the lady was not there



for most part of the day she ensured that everything was done as per her instructions and things were under her control. The fact that K L had to cater to everything single handedly stressed her out. There was the undue pressure of living up to the expectations of her employers. She felt psychologically drained as well as very physically fatigued due to the workload. She had never been physically abused by her employers. She felt very hurt and upset even with the slightest rebuke when she faltered. She remembers becoming too sensitive and feeling homesick specially when faced with such situations. Gradually she felt the difference of being on her own away from the comfort zone of home.

She had an aunt ( *chachi*) who was working in Ranchi and they related well with her. She got news that K L had moved out of home and there was no information about her whereabouts as of now. She was very upset and asked K L's mother as to why was she allowed to leave. They tried at their level to get information from different sources in the village. Around the same time they heard of other girls who had gone 'missing' in and around the area and this was a cause for alarm.

Meanwhile K L left her employers place and went to another Aunts place as she had come there few times. She decided to stay there for some time as she felt she could not face her mother back home. This aunt lived in the outskirts of Ranchi and during her stay there she met several people from her village who came there to sell vegetables in the local market ( *haat*). Through them she sent information to her mother back home. Her mother contacted her aunt who was working in Ranchi. She was not conversant with the location of the aunts house where K L was presently staying so she approached her other aunt. Together they went to meet K L. In a well thought out decision they later together decided to meet the staff of Bharatiya Kisan Sangh. Her aunt had heard of the work the organization was doing and about the Kishori Niketan Centre at Bijupara. Based on their visit and interaction with the staff following initial briefing they decided to get in touch with the organization some time later.

K L's mother and aunt were actually very worried about her future and decided to place her in the Bijupara centre ( with her consent) for a better disciplined and oriented life. They were of the opinion that back at home she would do nothing constructive as

such..... It would be better if she was with other children at the centre where she would get exposure through enrollment in school and also learn other vocations and lifeskills which would help her in future. They also had the assurance of being in contact with K L at the centre and she could also visit home at regular intervals.

In spite of the initial hesitation and apprehensions about the new place and system at the centre she has adjusted well and has gradually moulded herself. She takes an active interest in all affairs of the centre and participates in the activities. She feels that coming to the centre has been a turning point in her life..... she realizes that she was a novice to have taken a decision to move out of home on her own. Although her experience has not been really negative so to say, yet the fact that the world outside is not easy to negotiate has dawned on her. Her experience has taught her to handle things more carefully and she says "*main noon bhaat khakar bhi reh loongi par baahar nahi jaaongi*"

She is clear that now whatever the circumstances even if she has to survive on rice and salt, she will do so and not leave her house.

She has enrolled in school with the help of the staff of the organization and is presently studying in class VII. She is regular in her studies and also participates in other extra curricular activities. At the centre there is regular life skill orientation and class sessions beyond the school. This she feels helps many of the girls cope up with studies in school

She now is also involved in guiding other girls at the centre in terms of their studies and grooming.

During her visit home she also tries to dissuade other friends and girls in her village from leaving their homes to go outside for work. She tries to disseminate the importance of education and the need to "*stand on one's own feet*" so that everyone can handle their life situations well.

She plans completing her schooling and later wants to get associated with the centre and teach children. She is very hopeful for the future and determined to lead a meaningful life

## CS IX Case study of B M\*

B M (17 years old) hails from Patuk village in West Singhbhum district of Jharkhand. She lost her parents when she was 8 years old. She has had a very troubled childhood and has had to face many hardships. She was dependant on her only elder brother and his wife. She was really small but she gauged the vibes from her brother and his wife, which meant she was actually an unwelcome burden ..... so called added responsibility...!!!!

Given her ability she tried at best to help her *bhabhi* (brother's wife) with the household chores and share her work. This was however never enough to please her bhabhi and brother and gradually their relationship soured. She was finding it very difficult to live up to their expectations and the environment at home became vitiated. At every such moment she would always remember her parents and feel that "*agar aaj Ma Baba hote too meri sthiti doosri hoti*". Things would have been really different if her parents had been alive she realizes. The feeling of loss was really overpowering and she knew that given her situation she could do little much but to adjust and do as she was told in her brother's family. She really felt very helpless in that she wanted to do something for her brother's family but was really hand tied. In spite of their strained relationship she felt this way and wished well for the family. She only prayed that things would change some day for her. She wanted to study further and stand on her feet so that she is no longer dependant and can support herself.

Things were moving on as such but fate had something else stored for her. Through his friends her brother came in contact with a person who claimed that he could help people get good job options and placements in Delhi. The agent '*Sardar*' promised to get B M placed somewhere in Delhi as he had connections, so that she could earn for herself. This idea appealed to her brother who conveyed the news to her. She also was happy that there was some avenue and that she would be able to not only support herself but also be able to send some money back to her brother when she started working. She was quite optimistic and her brother also encouraged her thinking it was worthwhile exploring. He had heard of other girls who had gone outside for work and the proposition seemed luring because of the attached economic incentives. She also knew of few of her friends who had gone "outside" for work but was unaware of their

whereabouts at later stages, as they had not come back. She agreed readily thinking that at least she would be productively engaged and would earn money. Her brother she felt was genuinely interested for her betterment and she was happy. She was unaware that some monetary transaction had happened between the agent and her brother for the same purpose. She came to know of it at much later stages.

Her hassled experiences at Delhi are something that B M will never ever forget. They ranged widely from confrontation with the staff at the placement agency in Delhi, to negotiating placements, remuneration and also dealing with the employers in terms of the workload, schedule, payments. She worked as a domestic help in many houses. Not that her experiences with all her employers were bad but in most cases she found it difficult. The problem was at various levels – she recounts that initially in every house wherever she went, it was fine up to an extent .... gradually with time her employers took things for granted and slowly the treatment would change. She would be verbally abused for any mistake and also get physically beaten up in some cases. The mental trauma of negotiating her space in an alien place was really burdening. She became very depressed and reticent over time and withdrew herself. This impacted her work and her problems with her employers continued. She was also not in contact with her people back home and this added to her agony.

She became physically weak and emotionally and psychologically shattered. She also quit eating food properly and this impacted her health. All the torment actually reinforced in her the will to get herself out of the place and get back home. She really was fatigued and all the charm of “*going outside to earn money*” faded out.

She fled away and reached the New delhi Railway station somehow. She knew the station as she had landed there when she came to Delhi. She realized that wherever she was, she had to reach the station to get her way back home. She loitered around there not knowing what to do, when she was spotted by a policeman of the GRP. In narrating her story she was sent to the Government shelter home. Later with all formalities and procedures she was sent to the Kishori Niketan at Bijupara Ranchi. There were efforts to contact her brother but there was no response from their side. It is now several years that she has been staying at the centre.

The Kishori Niketan for her has become a way of life today and she has found a meaning and goal in her life based on the centre.

She has been now made the caretaker of the centre along with Mamta and she caters to the daily functioning of the centre. She relates to all the others in the centre and deals with everyone at the personal level more so because she understands their pain, suffering and unique situation.

Through her endeavours she wants to create some impact in the lives of the people at the centre. She wishes to dedicate herself to ameliorate the sufferings of others like her. She wants in her own little way to influence and dissuade other girls from leaving homes in the lure and false hope of fast money and better prospects. To this end she engages in providing educational and life skill inputs to the other girls in the centre.

She has not reconciled to her fate but is forever hopeful and striving hard to orient her life fruitfully. She clearly exemplifies the trauma and associated stigma of being “Delhi return”. These girls are not able to negotiate and establish their agency in their place of work. They are also absolutely uprooted and they are not able to asS Klatę back into their societies on their return. Their fates hang uncertain whether in terms of their placements, rescue rehabilitation and redressal they are always at the receiving end.

She wishes in future to come to a position and have some real power as part of the system so that she can do something worthwhile to reduce the unregulated trafficking of tribal girls from Jharkhand. There is real determination in her voice as she says all this. It is touching and really makes one think how situations mould and shape the life course of a person. These are actually isolated instances but if analysed as a whole there is tremendous prospects if such change makers are identified, channelised and their potentials appropriately used to meet the ends.

## CS X            Case study of S\*

The case of S is unique and it is a heart rendering depiction of the realities that girls have to face when they are “out” to fend for themselves.

This instance is a real eye opener in terms of the consequences of trafficking of girls from Jharkhand. The fact that today S is not in control of herself and not even in a position to narrate what she has actually gone through bears enough testimony.

The construct of this case was done through interaction with the other girls of Kishori Niketan Bijupara. No one is aware of S’s roots or family as she could not say anything. The people of the centre could somewhat guess which area she is from based on the dialect she used when she sometimes spoke. The only thing everyone knows is that she had been rescued from Delhi. She was brought to the Centre at Bijupara through channels in the State social welfare department.

She was in a bad shape and mentally imbalanced ..... probably as a result of the sexual exploitation and physical stress and abuse that she had undergone.

Medical examinations were conducted and it was found that she was pregnant at that time. In due course of time she delivered a baby girl – poornima who is today one and a half years old. The irony is that she does not even know or recognize her daughter.

In the meantime S is undergoing treatment at the Mental Hospital in Kanke Ranchi. All the other residents of the centre look after her and also take care of her child. She is not in a position to look after the child and is not able to recollect any of her past experiences.

She is slow in her responses and usually spends her time sitting idly and gazing around blankly. She has in fact recoiled from the world and her existence is dependent on the help of others. She has no control over her own life or any role in bringing up her child. Gradually due to treatment she has improved slightly and is now able to go about with her basic daily activities like eating, bathing, washing clothes on her own.

The other girls at the centre also try to keep her engaged through other community works of the centre.

The staff and other residents of the centre relate very specially with her and her child. They are however really apprehensive about her uncertain future as she is still to become capable enough to take charge of her own life.

## CS XI Case study of M\*

M (18 years) from *Budhaukhukhra* village in Mandar Block of Ranchi District also has emerged as a different person ever since she came back after her working stint at Delhi. In the village she was actually the girl next door and maintained a low profile. She was part of a large family comprising of her parents, three elder brothers ( all of whom are married) and two elder sisters (who are also married ). Two of her brothers stay at their home and one stays in tangar village. The Kishori Niketan where she is presently based also functions from tangar village.

Her parents were quite aged and as a result were dependant on her brothers. She always wanted to do something worthwhile so that she could be of some support to her parents. She was the youngest and was very attached to her parents so she felt very responsible towards them.

M had heard of people coming to the villages and arranging for girls to go outside- (to Delhi) for work. She had some vague idea but did not know much about the nature of the work. The basic appeal was that there was money and also exposure to a new place. She also tried asking her friends about this and got feedback from the few of them who knew.

She remembers that she came in contact with an agent who was an acquaintance of her sister's family (in laws side). Now she realizes that she was young, impressionable and got easily influenced by whatever she was told and made to understand. This was the critical juncture in her life. She was briefed about the options available, contacts and channels for moving to Delhi. She was actually not able to comprehend what was in store for her and got carried away by the promises that were made.....*mujhe koi hosh ya akal to tha nahi!!!! hame thag ke dilli le aaye ye log*" she says now realizing that at that time she neither had the maturity or the sense .. they were brought to Delhi on the pretext of false promises.

She recounts that she along with several girls were brought to Delhi together in 2002. They were kept with a placement agency in Lajpat nagar. It was from this agency that the girls were placed with different houses as domestic helps. There were lot of conditionalities, dynamics and the girls had no say regarding their choice of placement and remuneration. It was a vicious trap according to her ... a gamble because the girls

never knew what kind of house they would go into!!!!!! The uncertainties, insecurities and related apprehensions added to their stress. This was more so because they were in unfamiliar domain and knew nobody except the agent who had brought them here.

She was first placed in a home in Saraswati vihar . It was a large extended family and she was overburdened with excessive work pressure. She used to be up by 4am and toil hard with all the housework till late in the night. The work was nothing exclusive but the volume of work was huge....she had to lot of washing and cleaning and her hands got affected due to excessive contact with water. She had to sleep in the drawing room and lack of rest and heavy work was taking a toll on her health.

She had no complaints about the behaviour of the family members but somehow she was not able to cope up with the situation. Her parents also contacted her regularly and every time they did she would become very nostalgic and cry a lot.

She worked in the home for three months and but gradually she went into depression and kept to herself or continued crying. The employers sought medical help but finally contacted the agent and asked him to take her away as she was not willing to continue.

She was taken away to the agency and later asked whether she wanted to continue elsewhere in any other house but she replied in the negative. She was counseled continuously and finally she agreed to work.

Her second work stint at a home in Alakananda market was a good experience. She worked with the family for two and half years. They were very good in their dealing with her and took care of her needs. She also related to them and stayed like a part of their family. They took her everywhere they went and she got to places when she went along with them. The lady of the house specially took care and made sure that M never had problems due to lack of money. The lady even tried to negotiate with the agency so that M could keep more of the money that she was earning (by reducing the share to the agency). There were several issues with the agency and so M was given some money additionally by her employer

During all this time she was in regular contact with her parents and they were also happy that she was doing well.



M's father expired in 2003 and then she was desperate to get back home to be with her mother. Her working relation with the family she was working was so good that in good faith they also respected her feelings and arranged for her to go back home. They however requested her to come back and also made it clear that their home was open to her anytime she wanted to return to Delhi

She went back home in 2004 and got along with her life. Her mother expired in 2005. This was another setback for her. Her future was a point of concern for everyone at home. She also did not want to be a burden for her brothers.

Her brother who was in Tangar village knew about the Kishori Niketan Centre

Her sister brought her to the Kishori Niketan Centre so that she could learn some skills and continue her schooling. Initially she found it difficult to cope up with the systems and processes of the centre. However with time she has developed a liking to the community life in the centre. She feels that under such situations people, learn to adjust and carry on with their life.

She wants to continue her studies and become a police officer in future. She feels that as part of the law enforcement machinery she would be in a better position to deal with specific problems and issues of women. She also wants to do something about the whole systemic process which reinforces the outward movement of girls from their area, based on false promises and lures of better options/ exposure. She is convinced that in her own little way if she is able to orient others and create necessary awareness it will be a small but sure beginning.

## CS XII Case study of K R\*

The story of 15 year old K R from Gorsod village in Khunti district of Ranchi is not really any different. She comes from a poor family and her parents as wage labourers are hardly able to provide sufficiently for the family. She is eldest among her siblings and she has two younger brothers and two younger sisters.

In spite of all difficulties she and her siblings were sent to school. She studied till class 5 in her village school. However due to constraints at home and having to share responsibilities of the house work K R discontinued her studies. She engaged in helping her mother in her work and took care of her siblings. All the hardships made her more determined to do something and engage productively to support the family.

Through her friends she gradually came in contact with people who had links with others in Delhi. They helped girls through agencies to find work and get opportunities for income. This was really enticing and she decided to use these contacts and explore. Thus her journey into the unknown was aided by someone unknown to her in 2004. The agent "*sardar*" channelised her movement to Delhi. The placement agency there helped her get placed with a family as a domestic worker. They even lured her of payments if she convinced and brought other girls from her area to work here in Delhi.

K R began working with a family in Janakpuri . The family was a small one comprising of the husband, wife their small child and the husband's sister. Initially everything was fine but once she got used to the work and the system in the family, she found herself loaded with work. The lady of the house was also working and so most of the responsibility fell on K R's shoulders. They told her that since the lady was unable to give much time at home K R would have to take onus and also give lot of time to their child. For K R, this work was nothing new and she was used to working at home and looking after her siblings also but here the situation was different. The workload here was great and she was missing home very much.

Initially her employers were balanced in their approach and behaviour but with time things changed. They took her for granted and although they did not physically manhandle her she was subjected to verbal abuse for any small mistake that she did. She

was sometimes given the stale leftover food. She tried her best to do things the way she was expected but at times she felt things were getting way beyond her control.

K R decided to get away from all this and finding an opportune moment she fled away one day. She had some money that had been given to her by her employers so she took an auto and left. She was fearful as she was a total novice but she was determined to have her way out. She wanted to reach the station but the auto driver sensed something and approached a policeman on the way. The policeman enquired and the girl narrated her story saying that she wanted to get back home.

She was escorted and sent to the shelter home in Delhi for the time being. The Kishori Niketan centre at Bijupara was contacted and then arrangements were made to send her there. It was decided that once at the centre in Bijupara she would be groomed and then sent back home.

Presently she is in the centre and has gradually attuned herself. She is continuing with her studies and wants to further learn some skill that would help her earn a living and support her family. She is in contact with her family and that she feels is a great support. She is hopeful of a bright future ahead after her short stay here.

She is also very clear that she will play an instrumental role in sharing her experiences with other friends/ girls to dissuade them from venturing out for work.

She realizes that one needs to work for supporting the family especially in family situations like hers but she feels there is need for caution and vigilance.

She emphasizes that it is needful that everyone is proactive towards prevention of untoward incidences with women and girls who move out of their domains in the hope of better prospects and work opportunity.

### CS XIII Case study of L H \*

L H ( 15 years ) is from Kochbong village in Namkum block of Ranchi district. . She was brought up in a somewhat protected environment at home among her parents and two brothers (one elder and one younger to her). Like many others of her age she was very enthusiastic and curious to explore the outside world beyond her village domain.

It was a regular feature of not only her village but also nearby villages, wherein girls would be taken (in groups) outside to work elsewhere. There were contact persons and established channels for the same. It was a well accepted fact among the parents / guardians of these girls. Whatever the nature of the experience and outcomes of these movements they would accept it as their fate..... “*Kya karein..... pet paalne ke liye kaam ki khoj mein baahar to bhejna parta hai na*”. They had reconciled that to look for work option to sustain themselves they had to send their daughters outside. Parents were aware that girls were mostly engaged in domestic work outside. They also had knowledge about the gradual organized shape the systematic movements were taking up. Any relatively new face in the village was viewed as a potential channel and contact to the “outside”

It was not very surprising that in such an environment she would remain untouched by whatever is happening around her. She was very much influenced by the experiences many of her friends from the village would recount after their return from places of work. She was very close to her paternal aunt’s daughter (Susheela) who had gone to Delhi and was working there. Her cousin sister would come home and during that time they would share a lot. She heard of other friends/ girls ( M, Parwati, Sushma Kachap, Punam kumari, Karishma Horo) who had gone to Delhi and were working there.

L H was very interested, excited at the idea of exposure and opportunities at a new place. The varied sharing and mixed experiences of her friends helped shape her opinion and she decided that she too wanted to explore and earn apart from “seeing Delhi”. To put it in her own words “ *Mujhe dilli dekhna tha aur paise bhi kamane the*” .

There was one Didi – Champu who used her contacts and made arrangements to take these girls to Delhi.

L H also used the channels to move to Delhi with the hope of better livelihood options and income. Initially in Delhi she worked as a domestic help with a family in Vikaspuri for some time. As the initial charm wore away and the realities dawned on her she knew everything would not be as easy as she had desired. She was there working in different houses for two and a half years. Every house had a different treatment for her – from overwork, discrimination, abuse and neglect. The psychological and emotional ordeal was getting too much for her.

The feeling of despair and hopelessness based on her experiences was really overpowering. In her depressive state she felt that her life now had no meaning. She did not like anything and was missing her home and her people very much.

At one point leaving aside monetary considerations, L H decided to leave everything and go back home. Her employers were however not ready to let her go home as they were very much in need of her services. She created a situation of urgency to go back home in the name of her brother's marriage. This was she was able to convince her employers who then made arrangements for her journey back.

Back in the village also after having stayed outside for some time she found things different. Comparative analysis of situations of what she was in now and where she was earlier.... always played in her mind. The attitude of other friends and relatives also had changed. Now that she had decided not to go back, everyone was very curious to know the reason for her decision. Normally other girls who came back often went back after a brief stay at home. This was not a rule as such and depending the options, situations and experiences the girls (their families) decided on whether to go back or stay on at home.

Back home, the issue of her productive engagement in some work was discussed in the family. She has now taken up brick kiln work and she keeps busy in this work beyond the routine house chores. Her dreams for the future are simple and not very far fetched..... she wants to marry settle down and balance in her family life.

Her experience has taught her not to get carried away by enticements and appeals. She wants other girls to also realize that..... “*sab kuch jo chamakta hai sona nahi hota*”. All that glitters is not necessarily gold ... all exposures and options do not present good outcomes as desired.

### **Incidence of Kochbong village, Namkum , Ranchi**

A very striking incidence took place in October 2008 in Kochbong village which proved the pervasiveness and the rampant extent in which the trafficking of girls are taking place in Jharkhand . There are several such cases in Kochbong and its surrounding villages Several houses have girls who have moved out to other places for work (mainly domestic work) through the influence of known or unknown contacts.

Minor girls (in groups) are taken away from villages on the pretext of false promises of better jobs and prospects elsewhere. There are established channels and several intermediaries in the process of transit as a safeguard. This creates the ambiguity and the issue of establishing identity and recognition becomes a problem..... the virtual safety net thus provides protection as tracking becomes difficult.

In October 2008, it came to light that 3-4 girls between the ages 10-13 years all from different hamlets of kochbong village went missing. They had gone to the village school but the never returned. There was lot of hue and cry and the parents went around enquiring..... . They even approached the village council (Gram Sabha and prominent people in the village to pressurize the school authorities to give clues about their whereabouts. Two of the students were in standard seven and two in standard eight.

It was a huge issue in the village and every one was trying at their level to get any information about the girls. Few of the friends of the girls from school came forward to tell that they had overheard the girls discussing about some plan to leave the village for work. They did not understand fully but felt that something was fishy. Then they made some connection later when they heard that the girls had gone missing.

It was flashed in the media, that few girls had been caught with a person named Rajesh near Muri in the process of trying to make transit. The parents of the girls immediately made contacts and approached concerned people. However by the time the villagers went to Muri the agents had bribed the police and made a slip with the girls.

It was learnt that the girls had been taken to Dahu village where they spent two nights before making further move. The police were also somewhat hand in glove and demanded money for further enquiry into the matter. The process is still ongoing and there is no trace of the three of the girls.

Pinki Munda (one among the girls) happened to contact back home later from Delhi. She contacted indirectly through other neighbours who had phone connection in their village shop. Pinki's parents were at least happy that she had contacted.

Though she was not in a position to brief them with details at that time she promised them that she would be in touch. Her parents feel so helpless and hand tied, though along with others they are putting in all efforts to do the needful to get the girls back home.

They are being guided and oriented by an active organization ASHA which works on women's empowerment and livelihoods in the area (surrounding villages). They have been working for quite some time and have a good rapport with the community in the area. The organization ASHA is well grounded in the issues of the area and has also taken up trafficking of tribal girls as a major challenge. They are also part of the Jharkhand Anti Trafficking Network which has groups of 9 organisations mandated to advocacy and activism on trafficking issues in Jharkhand

The community together with the organisation support is trying to get information and help towards the rescue of the girls who have gone missing. They have not made much headway however they are hopeful although they have not found cooperation with the concerned authorities also. The Gram Sabha of the village has decided to increase village level vigilance to monitor movement of people to prevent such instances in future.



#### CS XIV Case study of R K\*

R K (15 years) hails from Mosokhera village of Ghaghra, Gumla district of Jharkhand. She does not recall her childhood with great fondness as it was somewhat troubled. She lost her mother early and that vacuum she feels till date. She has 3 sisters and one brother, she being the eldest among them. Following her mother's death her father remarried. She along with her siblings went to stay with her maternal grandmother ( nani ) and uncle ( mama). They took full responsibility towards the upbringing of the children and amidst all their constraints they too care of all the needs

The gap of not having their parents around played very strongly on the psyche of the children and however hard their relatives tried they were reclusive. Ratni mentored her siblings and provided them guidance. She felt morally responsible as her parents were not there and did not want her siblings to feel their absence as much. She grew up to be more mature and responsive for her age given her realities. She aptly said "*Samay aur paristhiti sab kuch sikha deta hai*" implying that people learn through their situations over time.

R K understood the poverty constraints of her family and she gradually felt the need to go out, so that she could earn and support her siblings. She was always on the lookout for avenues and prospects. She came under the influence of a "Dalaal" (agent) who had channels and contacts for arranging work for girls in Delhi. She decided to use the opportunity to explore her work options and do something for good earning. Moreover there were other girls like her who were also using such contacts for work outside. She decided accordingly and did not think very much of the consequences although there were apprehensions about the uncertainties. She prepared herself mentally as she was very clear that earning to provide for her siblings was her sole priority.

Her experiences at Delhi were something she always would remember all her life. She was actually unprepared for the turn of events. She was very amazed at the scene in the placement organization. There were several girls like her who were brought from different places, waiting to get placed in homes in Delhi as domestic helps. The girls used to be kept in the agency office till the time they got placed .... The agency staff

tried at best to negotiate their terms and place the girls as soon as possible. The issue of remuneration was the most contentious and the agency always tried to control and dictate in this respect with the prospective employers. These were her initial impressions.

Her working stints in Delhi homes were also not very memorable ... she was overworked and had a hard time coping with the new environment and systems. She was psychologically very upset at being abused and scolded for trivial matters even as she tried to give in her best. The indifference and discrimination meted out to her was really devastating and at times she felt a complete loss of being and identity. Every minute incidence would remind her of her home and she would get very nostalgic. All this was really emotionally draining and she decided to leave her work in Delhi and get back home.

R K contacted her placement agency to tell them of her desire to discontinue, however they did not seem very receptive to her idea of going back. She got vibes that they were not keen to help her out and decided to manage on her own. She approached the nearby police station and narrated the whole story. The police staff followed up and after the necessary formalities/ procedures sent her to Nirmala Niketan a shelter home run by the organization NIRMANA . The organization primarily worked for the trafficked, vulnerable and migrant class of people for their rescue and rehabilitation.

She spent some time at Nirmala Niketan before being sent to the Mahila Probation Home at Namkum Ranchi. The cases of women (relating to delinquency, destitution, rape, murder, trafficking ) channelised through the government legal system are sent to the Mahila Probation Home.

It has been a year since she is here and she found it very different, coping with people from varied backgrounds and charged under different cases. She has adjusted to the routine of the home and also attends classes and vocational sessions as arranged by the home authorities. She wants to continue her studies and also build up her skills through the vocational sessions. She wishes to go back home once she is capable enough to support her siblings.

**CS XV            Case study of G K \***

G K ( aged 17 years) hails from Tarma village in Faizabad District of Uttar Pradesh.. She was from a poor family and right from childhood the support mechanism from her family was really weak. She lost her mother and her father remarried. Since then she was brought up by her paternal grandmother ( Daadi) and her paternal uncle/ aunt (fathers brother and his wife ). Though they were very caring yet she actually missed the bond and love of her parents. She specially felt the difference when all her friends discussed about their parents. Her father initially did not want her to stay with him but later brought her home after 5-6 years.

She found it very difficult to adjust freshly with her stepmother and she tried to explore new relationships and contacts. She wanted to do something meaningful in life to support her self as she found the dependency very difficult to handle. She came in contact with a neighbourhood acquaintance (*Didi*) who introduced her to a person in the pretext of a job . Actually she had been sold to the person and was now fully under his control. Gradually they developed a relationship and eventually married.

After their marriage G K was brought to Jharkhand- She came to her In laws place in Simaria Chatra in Jharkhand where she stayed on. She was however never accepted in her In Laws family as they did not approve of her marriage to their son. Differences started cropping up between them and this strained her relationship with her husband.

Her husband was not ready to do anything against the will of his parents and she was not able to get his support so that they could shift out and start life on their own. She tried to convince her husband that moving out would not mean severing ties with the family. His parents would always be there to support them. Her husband however was not convinced and he got busy in his own work. He only used her for fulfilling his sexual desires and on two occasions even compelled her to satisfy his friends. He even clarified that he had no problems in her relations with other men. He was not at all bothered and she really felt “used” and disgusted.

Now G K knew that she did not have the support of her husband and decided to go away and fend for herself. She had no scope of returning home as she did not have any contact. The only other person she knew was the *did*i who had introduced her to her

husband. She knew *didi* was in Hazaribagh ( another district town of Jharkhand ) as she stayed there with her In Laws . So G K decided to move away to Hazaribagh in search of *didi*. However she was not able to locate her. She was in an absolute mess as she could not go back to her In laws place in Chatra which she left.

G K took a room to stay in Hazaribagh through some acquaintances built. She also took up housework as she had to sustain herself and also pay the room rent. She was finding it really difficult to adjust but tried to carry on. Beyond her work she developed contacts and was gradually initiated into sex work. She was not at all happy with the turn of events but she realized this was an option if she had to survive specially alone ... Things just happened as if pre planned although she was not in control of her own life.

In a sudden turn of events, G K got involved in a case and was falsely implicated. The police took up the case and remanded her to custody. They then transferred her case to the Mahila Probation Home Namkum from Hazaribagh. It was such sudden happening that even she could not realize. It took time for it to sink into her.

The Home authorities have tried contacting her people back in UP but in vain. The case is being followed up and necessary procedures are being taken up.

She has been at the home since past one year. This is a new form of disciplined life for her. She is at present attending regular study classes in the home and also engages in stitching classes. She is uncertain about her future but is hopeful that some day she will be able to pick up strands and carry on with her life. She is in a dazed state and really can't contemplate how all this happened in her life.

Based on her experience she advices others to be more careful, planned in their life decisions and choices so that they are in a better position to handle their situations. She wants to lead a more productive, settled life and does not want to be dependant on others. She realizes that all experiences whether good or bad have some derivative learnings. We should be able to make the most of our experiential learning if we want to make headway in life.

## CS XVI Case study of S K\*

S K (14 years old) is from Fauzanganj in Sasaram, Bihar. She was very docile and submissive by nature as a child but had immense potential. She was very bright as a student in the village school.

She lost both her parents at an early age and she was brought up by her brother. The dire constraints of poverty were a reality in their home and they lived hand to mouth. She always wanted to do something to help her brother who tried hard to balance all ends.

After due considerations and probing through known contacts her brother decided to send her to Ranchi to work as a domestic help.

She was placed as a domestic help with a well to do family and she got attuned to ways and work of the house. The employers were also quite supportive and took care of her needs. Though she was small she was always trying to do her job well to remain in the good books of her employers. She was new to the place but she was forever open to learning and took interest in her work. She felt privileged at being treated like a family member only.

However gradually things changed and the attitude, behaviour of her employers became very unpredictable. She got vibes and was really surprised to see the change in their relation with her..... *“Mujhe bada ajeeb lag raha ki achanak se inka vyavahar kyun badal gaya.. main kuch samajh nahi paa rahi thi...”* Slowly she came to understand through her interactions with others around, that neighbours had influenced (coloured) the views of her employers. The neighbours felt that such homely treatment was unnecessary and the workers should always be treated as is due to them.

Her employers slowly started considering her as a burden and this she could make out from the vibes she got although they did not say anything explicitly..... *“Dheere dheere mujhe lagne laga ki ab is ghar mein meri zaroorat nahi hai... unke haaw bhaw se hi laga aisa.. wey log kuch saaf tarike se to bole nahi...”* This was absolutely shattering and she withdrew from her interactions and gradually went into depression.

S K was clueless as to what was happening when she was suddenly asked whether she wanted to go back to her brother. She replied in the negative as she did not want to burden her brother with issues that were plaguing her. This was proof enough that her services were no longer needed. Till now she was only contemplating on the behaviour of her employer, now for sure she was unwelcome at their house.

S K decided to discontinue her stay at a place where she was so uncomfortable... She was actually very surprised as to how there can be such drastic change in their treatment towards her. She used to be part of their family and now they are so indifferent! Finding an opportune moment she moved off from their house and ventured out on her own. She knew she had nowhere to go but was ready to take the risk. She was spotted roaming around aimlessly and picked up by the policemen in the area. She narrated her entire story and expressed her desire of not going back to the place of work.

She was finally relocated to the Mahila Probation Home at Namkum Ranchi and has been there for the past year and a half. She has now become part of the new system/discipline and gets along well with other inmates of the Home. The authorities have tried to contact her employers and her family. Staff were sent to her employer's home to discuss the matter and convince them. It was clarified that within the scope of the government redressal mechanism such homes are primarily for the destitute, those awaiting justice. The case of S K actually does not warrant her stay as she has people who know and can take her back. Things would have been different if she had no one to turn to. The concerned employers were not ready to see reason and comply. Things were thus at a deadlock and S K continues with her stay at the home.

She has learnt a lot from the life, experiences of the others at the Home. All these will stand her in good stead later in life she feels. She keeps herself engaged and tries to build up through study classes, other vocational skilled based inputs as arranged by the home. S K has reconciled to the present state of affairs. She is unsure of what she wants to do in life but is hopeful of better avenues in future.

## **CS XVII Case study of S G\***

S.G (16 years old) is from Lohardaga. She has had a very unsettled childhood as her parents were always going places for work. She was not taken along as she was small at that time and she used to be with her relatives who took care of her.

Gradually she got used to the long absence of her parents though actually this affected her psyche and there was a gap. Presently her parents are working in Assam.

S G's relatives and others known to them used to work in homes in Ranchi. They consulted her parents so that they could get her engaged in housework in some homes. As her relatives were into paid domestic work they knew the nuances and felt it would be most suitable for her. They made arrangements for her work and she was sent to Ranchi

S G's experience of domestic work in Ranchi has been a mixed one. She was apprehensive because of the uncertainty and newness of the whole affair at one hand. On the other hand she was enthusiastic to take up work and earn money as this would mean self reliance.

Reality presented itself very differently. Her employers had no regards for her age and capacity with respect to work. Their mentality was reflective of the treatment they meted out to her. Beating and scolding became a regular feature whenever she made any mistake in her work. Although she tried her best to cope up she was disheartened because of the treatment meted out to her.

S G was not prepared for all this and she decided to leave work. She did not want to go back to her relatives thinking that they would for sure coax her back to work. She left their home wandering about clueless as to what is to be done. Seeing her alone few boys took to eve teasing and making lewd comments / gestures. She got hassled and approached others around for help as she felt it was useless to react or reply to their advances. Few people came forward to support her and seeing themselves cornered the hoodlums sped away.

Concerned people around her asked about her whereabouts as they felt she was new to the place. They also asked if they could do anything to help her in any way. She then narrated the entire sequence of events following which they decided to approach the police. In the process they also tried to gauge what S G actually wanted.

Following subsequent consultations (weighing of all options and taking note of her wishes), formalities (recording of Sangeeta's version) it was decided to send Sangeeta to the Mahila Probation home at Namkum. All necessary procedures were undertaken and arrangements done. Her new life phase at the Home began amidst all uncertainties and apprehensions. She has gradually moulded herself according to the systems of the home and got herself involved in the various activities. She has made acquaintances with all others in the Home and she has endeared herself because of her sociable nature and proactive mannerisms.

As regards her future S G wishes to continue her studies and wants to lead a settled productive life supporting her family. She is in touch with her parents who have been contacted about her stay at the probation home. They have been briefed accordingly and she intends to go back along with them once her parents come from Assam. So on that count she is hopeful ....She feels she has emerged as a more matured and independent individual based on her experiences. She is confident of handling her life situations better but does not negate the guidance, support of her parents and elders. Going by her experience, she feels that trying to explore unknown domains exposes the vulnerabilities of a person. This leads to victimization based on situational constraints. Her advice to others on caution and vigilance is towards better preparedness for any eventuality.



### **CS XVIII Case Study of D K\***

D K (19 years) is from village Bhurtulunda , Manoharpur block of West Singhbhum District of Jharkhand. She is part of a large family comprising of her parents and siblings. She has 5 sisters and one brother. She narrates the acute situation of poverty at home and with so many members it was really tough to make ends meet. They were virtually leading a hand to mouth existence. She remembers having to stay empty stomach some times or do with the rice water ( Maad) as there would just not be enough for everyone. In that situation obviously the younger siblings would be provided first.

Her parents were engaged as daily wage labourers with whatever work was available around the village. This was however just not enough and the family had to struggle to barely meet their basic needs.

The situation at home deeply affected her and she gradually prepared herself mentally to support the family through engagement in some work. She had heard of other girls from her village and neighbouring villages going out for work (primarily to Delhi for domestic work. She decided to explore and find out contact people who could help her out Similarly to move to Delhi and get placed.

D K finally got in touch with acquaintances who knew about the approach, links and process to move to Delhi. She came to Delhi and is here since last four years. She was working in homes but her experiences have been tormenting. She had no choice or power to negotiate with her employers and this made things worse. She gradually came in contact with staff of Nirmala Niketan (a transit shelter home run by NIRMANA). NIRMANA primarily works for the vulnerable migrant population, construction workers, child labour and trafficked people. The organization tries to ensure through negotiation and dialogue with prospective employers that a workable term of agreement is followed.

This is basically to ensure the security of the girls placed for work in the homes

Under the organisational aegis she was streamlined and following proper agreement on wages, leave and other benefits she was placed for work. She has been working in a home in Sector 13 Rohini for the past year.

The staff is in constant touch with her to follow up with whatever is happening. This is a great support mechanism she feels as she feels connected and knows whom to approach in case of problems

They also arrange for regular study orientation classes for all the working girls every Sunday. This is an effort to prepare and streamline them into the formal system of education beyond their work. The education of the girls working in homes is another area which is taken up with the employers. The girls are briefed and sharing is also done regarding issues they might be having at work. This is followed by necessary action by the staff in dealing with the employers to sort matters out.

She has somewhat reconciled to the settled worklife and association with Nirmala Niketan . She is also in touch with her home and she visits home twice every year as part of the scheduled leave from work

She has savings (from her earnings at work) in her own account which she operates in close guidance of the staff. This she feels is a great security and she is really happy to have been able to send money home regularly. The fact that she is able to send money home is a sense of great achievement for her. *“Meri to zaaroratein yahaan par poori ho hi jaati hai..... Mujhe ghar waalo ke liye kuch karte hue khushi hoti hai .....Unhe to jyada zaroorat hai paise ki!!!!!!*

In essence she places the needs of her family members even before her needs. This is the driving force in her life at present and she derives immense pleasure from being a support to her family.

### **CS XIX Case study of S D\***

S D (20 years ) is from village Bhurtulunda , Manoharpur block of West Singhbhum District of Jharkhand. Her family comprises of her parents and two younger brothers. The poverty situation in her family was aggravated due to the prolonged illness of her mother. She was burdened with additional responsibilities of doing housework and looking after her siblings as her mother was unwell. Her father worked as a daily wage labourer and as her mother was not able to work and support there was the additional stress.

S D was very interested in studies and was a very sharp girl but had to discontinue her studies because of family constraints and pressures to devote more time to home. She was now also plagued with the thought that she needed to work in order to support her family.

She felt that at least her brothers should study and get settled to do something in life. Her aunt (father's sister) and her aunt's son had moved to Delhi and got some work for themselves using their channels. The others felt they were doing very well for themselves, as they were in Delhi.

She also now decided to move to primarily because she wanted to get herself work, see a new place and also support her family likewise

She approached her aunt and then finally arrangements were made for her work in Delhi. When she came to Delhi in 2002 she was much younger and a novice to the big place. She had no idea of how to negotiate her space. She felt very insecure as she had very few acquaintances in Delhi.

Her work and experiences in Delhi have been very varied depending on the nature of her relationship with her employers. She went in with an open mind considering the fact that every house would have its own particular ways. She knew she would have to adjust. Not every house treated her similarly and she also had her share of abuse, discrimination, alienation. On hind sight she feels that for her age at that time it was real psychological trauma, beyond the physical stress of undue work pressure.

During her work in Delhi she came in touch with staff of Nirmala Niketan through other girls doing engaged in domestic work in her area. Nirmala Niketan has been instrumental in organizing the vulnerable trafficked women towards advocacy for their rights. The visibility of the work of the organization was borne out by the fact that most of the other domestic workers in her locality knew or were associated with it. She also was largely benefited from the support of the organization specially at a time when she was so impressionable and new to Delhi.

Meanwhile her immediate younger brother also got placed in some mill in Mumbai and this was also some respite as he was settled and earning. She also got married (last year) to a guy from her area and it was a new beginning. He was working in Mumbai. Initially everything was fine but later when she expressed her desire to continue her work back in Delhi, her Mother in Law resisted. She raised concerns about managing the house and future planning. She and her husband decided to shift away from home but they were clear that they were not shirking their responsibilities. This was primarily to avoid explicit conflict at home.

Now again she is back to her domestic work in Delhi but this time there was some greater support system from her husband together with Nirmala Niketan. Today as her life rolls on she is still indecisive about her future after marriage. Her husband is in Mumbai and she is in Delhi so she feels that there is need to think about how to go about and plan their lives together. She feels that her life experiences have broadened her worldview of things and she is now better equipped to take on future challenges.

**CS XX          Case study of P X\***

P X ( 14 years old) is from village Bhurtulunda , Manoharpur block of West Singhbhum District of Jharkhand. She has three sisters and two brothers. The situation in her family was dire. With her father's ailing health he was not able to productively engage in gainful activity. Her mother had to look after the house and provide for her children. It was really difficult and they could barely manage to sustain themselves. They had to prioritise on a lot of things and had to do with just the bare minimum. She was small so she just did not realize the gravity of the situation and was in her own world.

In a turn of events P X came to Delhi in a group along with Mary in 2004. Mary was known to most of them in their hamlet back home. She arranged for people to be placed in work and they approached her out of need. P X was very small (around 10 years of age) at that time and they were actually reluctant to take her along. Mary took her along primarily on her insistence and as her parents had no objection. Her parents were assured that Mary would take care of things and make necessary arrangements. The only concern of her parents had been for P X's frail health which needed attention.

In Delhi she was placed in a home to help with domestic work although she was very small. P X's links with NIRMALA NIKETAN were established by Mary as she knew people in the organization having worked there for some time. P X remembered her village days and her friends at home whenever she saw children playing around. In her first exposure, her limited comprehension helped her realize the difference in the world of the village and that in Delhi. It was like a lost childhood for her when she saw the life of the city children. She could barely manage the pressure of the household chores and she took ill. She had recurrent bouts of illnesses. She was sent back home for very practical reasons that she needed to be at home, in the care of her family.

Following her recuperation she later came back to Delhi in 2007 to take up work again. Her ties with NIRMALA NIKETAN have been reinforced and this has helped her secure a home placement on proper agreements of leave, pay, and other benefits. She is presently working in a home in Sector 14 Rohini.

She visits the organization every Sunday to attend the class sessions and life skill orientation. She feels good that she meets other friends she has made at the organization. The weekly sharing and interaction is a kind of stress release after routine engagement in household activities. She feels this is a good platform to share the concerns, work problems and there is scope for guided intervention with the employers.

This is a real morale booster and helps everyone pull along..... she narrates of instances where grievances have been addressed and wherever necessary alternative work arrangements have been made for girls who have problems with their employers. Gradually she has built upon her savings and like her elder sister margarita she sends money home whenever possible. She visits home twice a year on leave and now is quite happy with her patterned life.

Her experience and work have helped her mature and she is in a better position to handle her situations today. She is very proactive and takes an active interest in the affairs/ activities of the organization. She has benefited from the life skill orientation that the organization provides. She was instrumental in identification and rescue of a child domestic worker Swati, from a home in the locality where she is presently working. They had to engage in dialogue with the employers and take the help of the police in the process. She feels everyone should keep their eyes and ears open to prevent exploitation of children. Her life stands proof of the fact that when children are engaged in work .... they loose their childhood and their rights as children.

**CS XXI Case study of N M\***

N M of Majhgo Dangtoli ( Nawadih) village of Gumla district of Jharkhand is a 35 years old married woman. She has two kids. Her husband died two years ago in an accident (electrocution) at the site of his place of work in Mumbai. There is lot of ambiguity regards the cause of his death and this has left his family shattered and helpless. Prior to her marriage it was a difficult situation in her natal home with her parents having a hard time to provide for the family. She has several siblings and growing up in poverty situation was a grounded reality for them.

Following her marriage she was faced with double challenge of balancing relations and also managing the affairs of her home responsively. She had huge responsibilities especially towards her children and every one had great expectations from her. The environment at her In laws place was not conducive to bringing up her children. Her husband's elder brother was mentally imbalanced and there were tensions because of this.

After mutual discussion and mutual consent with her husband she decided to explore work options in Delhi through known sources. Her husband was working but she felt she should also engage in work so that they are better able to provide for their children. She first came to Delhi in 2001 along with close relatives. She had been working as domestic help in Delhi since then.

The issue of rearing of her children was a major concern for her especially after the death of her husband. N M left her son initially with her parents and then after with her sister. Her son was also placed in a Tribal boy's hostel but he came back as he was not able to adjust to the life in the hostel. Moreover he was small and thus was very homesick.

Her daughter is still smaller and is usually with Nanki where ever she is.

Adding to all her personal issues she had to undergo ranging experiences during her work episodes at different homes in Delhi. She was verbally abused in some instances for any mistake and at other times was given stale food.

Due to her heavy workload she was not able to give due time to her daughter. Moreover many of her employers had issues with her daughter staying along with her. This was something that troubled her most. Nanki laments. “*Ye log meri paristhiti nahi samajte.... meri beti itni choti hai, use kahhan chod rakhungi....mein bhi to ek ma hoon*” . She fails to understand why her employers have no consideration for her situation. She is a mother and where can she leave her daughter as she is so small!!

It was during one of the bad episodes of her work in Delhi homes that she came in contact with staff of NIRMALA NIKETAN. They provided her the necessary guidance, support and space to share all her issues. They also helped her with placement in another home after proper dialogue and negotiation on the terms of work and wages. This was a much needed help for her at that time. She is one of the older members (among the group of domestic workers) associated with Nirmala Niketan Delhi and she is instrumental in orienting others.

N M is continuing her work but at times she feels very insecure about herself and the future of her children. She does not have any support mechanism to fall back upon She wants to settle down with some stability in life. The present focus in her life is to bring up her children and help them stand on their feet. She wants them to study and equip themselves with skills so that they are able to face the challenges ahead.

The forum of domestic workers and her links with NIRMALA NNIKETAN have helped her find a platform of like minded people in Similar situations. She feels these experiences and relations will stand her in good stead in future.



## CS XXII Case study of S M\*

S K (17 yrs) is from village Jagda, Bandgaon of West Singhbhum district of Jharkhand. Her parents were casual labourers engaged in works at construction sites and they used to go around places for work. Her father recently expired and This has compounded the problems at home.

As a child she used to go along with her parents wherever they went for work. She hardly could lead a settled life since her childhood. There were disruptions in her schooling which later got discontinued.

At one such construction site where her parents worked, there were several active agents ( locals influential people) who lured small children on the pretext of better life and opportunities they would offer. The parents were also approached with the idea that placements of their children would get them a good life which they as parents were unable to provide. This was something that played strongly in the minds of some parents and they agreed. There was apprehension uncertainty even in the agreement but at that point of time considering their family constraints it was too lucrative a prospect to simply let go.

Although S M was small, she gauged things based on the discussion between her parents and other elders on the issue. She did not get the full picture but it was clear that her parents were in a state of flux regarding the decision. There was apprehension, uncertainty alongside the hope and aspiration for a better future their children. They had to make a choice considering the risk

Thus few children along with her were literally “sucked” into placements. They were now totally at the mercy of unknown people and everything about them was so hushed and secretive. The agents planned their movements and monitored the process carefully. The children were actually bound to follow their directions and do as they were told. The agents were the sole links known to the children and they could not afford to antagonize them. The agents had a nexus and contacts to arrange for the placement of children.

In this process S M also got shuttled from one city to the other and being placed in different homes. She says she has been to Kanpur, Kurukshetra before finally being brought to Delhi. She had harrowing experiences with employers in different places. From lewd comments, sexual advances to verbal /physical abuse and discrimination, alienation S M had to face it all. It was only in Delhi that she came in contact with NIRMALA NIKETAN. Having come under their fold she was actually helped to streamline her life, get a suitable work option based on proper agreed terms. She also was encouraged to continue with her studies and also build up her skills for the future.

Today S M is much better placed to put forth her demands through forceful articulation. Over the years her variable exposures have widened her worldview and she has developed opinion on several issues. In fact she feels that certain experiences have hardened her but this is not actually without reason. She has become more sensitive to other people's needs, concern and also pragmatic in her approach to life.

Today she realizes that there are many people trying to take advantage of the vulnerable situation that others are in, so there is need to do something about it. She recounts from her own experience that such situations can be really debilitating but for some support mechanism that can help sustain the crisis.

She now wants to be settled in life and also wants to take up stitching that she is learning presently as a future option.

Dt-10/11/2008

Government turns a blind eye to...

# Rs 5 cr child trafficking trade in state

Niroj R Misra  
Ranchi, November 9, 2008

Child Exploitation of Children (ATSEC).

CHILD TRAFFICKING is a flourishing business in Jharkhand. But the state government has not done anything concrete yet to come down heavily upon the unscrupulous aunts and uncles in the trade.

While 67 per cent of the victims are girls, only 14 per cent are boys who fall prey to these agents, according to Mishra. Here illegal placement agencies including 253 ones in Delhi charge Rs 5,000 to Rs 10,000 per child from their clients and subsequently pay the victim's close relatives like their uncles and aunts to work for them, he claimed.

The entire illegal trade that the Centre and the state vouch to banish time and again is said to be doing an annual business of Rs 10 crore, while Jharkhand is reported to have a share of over Rs 5 crore in its annual transaction.

Even some victims smuggled out of the state have not been traced till now. A survey, conducted by Nav Bharat Jagri Kendra in 2004-05 in Khunti, Rania and Basia blocks, reveals that about 175 untraced cases were detected then, according to the NGO's branch coordinator Umesh Rana.

However, the state government that is yet to initiate a survey to assess the magnitude of the menace, only conducts raids and releases the victims on PR Bond, for it still lacks any viable mechanism to knock the malaise off the society. The recent raid at the Ranchi railway station where the agents were to smuggle about 21 children out of the state is a case in point.

However, the state social welfare department has done precious little to tide over this problem. Even it has not yet set up a helter home to rehabilitate the victims, while the implementation of the Centre's schemes like old Swadha and new Ujawala are still to gather steam in Jharkhand.

When about 42,000 to 45,000 children, mostly tribal girls under 18, are claimed to be smuggled out of the state, even the new Juvenile Act of the state, prepared after the model of the Centre's, is still in the shape of draft awaiting to acquire its requisite legal teeth.

Assistant director (social welfare) Suman Kumar did not buy this contention. "We have planned to set up two rescue, rehabilitation, repatriation and prevention centres of child trafficking at Ranchi and Jamshedpur under Ujawala, while each other district would have one," he explained.

"According to our survey conducted earlier, the victims are smuggled to states like Delhi, Haryana, Punjab where they work as domestic helps. A substantial number of them end up in brothels," said Sanjay Mishra, state coordinator of Action Against Trafficking & Sex-

The department, he said, would set up one shelter home in Delhi and another in Ranchi along with a help line.

# Move to stop trafficking

OUR CORRESPONDENT

Ranchi, Aug. 6: The state government and the corporate sector has to work together to save young girls from becoming sex workers.

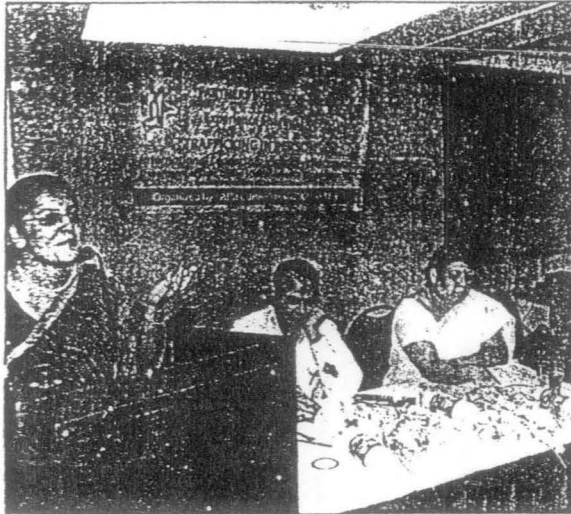
Around 70-80 per cent of adolescent girls — all victims of trafficking — are found in red light areas across the globe as bonded labourers and sex workers. Besides, two years ago, 470 adolescent girls were rescued from a Delhi brothel. In Haryana, due to a skewed male-female ratio, girls were brought from Jharkhand and Bengal for getting married in a family of five brothers.

These girls are sold by an agent between Rs 5,000 and Rs 10,000 and become a slave for the family.

These points came to the fore during a discussion on public-private partnership to check trafficking. NGO Action Against Trafficking and Sexual Exploitation of Children and Women (ATSEC) organised the meet at a city hotel today. Representatives of 12 NGOs were present on the occasion.

Nandita Baruah, South Asia co-ordinator of United Nations Office on Drug and Crime (UNODC), spoke on the global initiative taken to fight human trafficking and how corporate sectors could join hands to solve the problem.

"Corporate partners, the



Nandita Baruah addresses the workshop on trafficking at a city hotel in Ranchi. Picture by Manik Bose

government and the development sector can opt for a public and private partnership so that girls can learn the soft skills and earn their livelihood here. They will be saved from unscrupulous agents, who contribute most to trafficking," Baruah added.

According to a planning commission report, there is an 80 per cent shortage of soft skill workers in the country, said Baruah. Besides, industrial growth has also created employment opportunities. "If a girl is socially and economically independent, no one can exploit her," Nandita said.

The chief reason for trafficking is the lack of livelihood, social and economic disparity and also gender bias in the community, she addressed.

While Manju Hembrom, the member of the National Commission for Women (NCW), New Delhi, said holding such workshops would solve the problem of human trafficking.

"We should go to the interiors and discuss the trafficking issue as most girls who migrate are from rural areas," Hembrom said.

Besides, the villagers should also be apprised of

middlemen. "When a girl leaves her house, parents should know where she is being taken. I got information about a girl Rosilla Kajur from Haryana, who was found dead in the house. The police denied to carry out a post-mortem and her dead body was lying neglected for long. We are still investigating the case," Hembrom added.

She said according to a CNT Act, the village head (*pahan*) is powerful but he does not have the power to conduct such workshops. "We have asked the district magistrate to assign work to *pahan* for conducting the workshop," she added.

R.C. Kaithal, the additional director general of police (ADGP) and chairman of ATSEC, said human trafficking is still prevalent in the state.

"No concrete steps have been taken to prevent this menace due to lack of co-ordination between the government and the administration," Kaithal said.

"One needs to be responsible to stop human trafficking. But even the government has failed to formulate a policy to bring a stop to this. We have formed a women's police station and a women desk to lodge complaints but still not much has been achieved. But we shall pursue the matter," Kaithal added.

## Data-deprived welfare dept fails to exploit Centre-funded programmes

HT Correspondent  
Ranchi, February 13

THE STATE Social Welfare Department appears proactive in implementing the Centre's scheme 'Ujala' for the victims of human trafficking, but it seems completely inactive in lending a practical shape to similar one 'Swadhar'.

The department has gone an extra mile to rope in NGOs for the implementation of 'Ujala'. But NGOs are skeptic about its success, and dud 'Swadhar' is their ready-made reference to substantiate their contention. When 'Swadhar' was still a failure even after two years, latest 'Ujala' would die its premature death for the department's laid-back attitude, they argue.

The department is supposed to set up shelter home to protect and rehabilitate socially, economically sexually exploited and foreshaken women on long-term basis through 'Swadhar', while it took up 'Ujala' this year to benefit the beneficiaries on a short term basis. But the twin responsibilities would come unsmuck, as the department lacks facts and figures of relevant cases, the

■ The department is supposed to set up shelter home to protect and rehabilitate socially, economically, sexually exploited and foreshaken women

■ The department lacks facts and figures of relevant cases, the rudiments to give justice to the schemes, according to critics.

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The department, on the contrary, claims to be serious about 'Ujala', but it admits the delay in case of 'Swadhar'. Regarding the collection and collation of genuine cases, it plans to have a tie-up with the State Police.

"We have already sought 'expression of interest' from NGOs for 'Ujala'. In case of 'Swadhar', we received applications from about 15 NGOs last year, but the Centre has given its nod only for the two," explained Social Welfare Director RK Agarwal.

However, State Coordinator Sanjay of Action Against Trafficking, Sexual Exploitation of

Children believes the fate of 'Swadhar' would have its replay in 'Ujala'. " 'Ujala' is not possible take off by April-end, the deadline set by the Centre that formulated it last year," he contended.

Agarwal admitted 'Swadhar' was delayed. But he argued that agreement on the prior fixation on rent of the house taken for its conversion into a shelter home by the NGOs is the mandatory perquisites to determine NGOs' eligibility, which were the hurdles for 'Swadhar'.

"We discussed it with the Centre that agreed to look into the matter," he said. Asked about the compilation of 'facts and figures' needed to base the schemes on proper direction, he said, " We would seek the cooperation of the Crime Branch to tide over this problem."

Sanjay, however, refused to buy the point of contention. "We held several workshops in the past, where several representatives from Social Welfare Department, Home Department and National Human Rights Commission attended. We then submitted all facts and figures, but it yielded nothing positive," he contended.

## प्रभात सिटी

रांची, शुक्रवार, 15 दिसंबर 2006

### 45 हजार से अधिक लड़कियां झारखंड से बाहर गयीं

2005 की एटसेक की स्टडी रिपोर्ट में खुलासा, अधिकतर लड़कियां काम व फरजों विवाह के लोभ में फंस जाती हैं.

संवाददाता

रांची : हर साल झारखंड से हजारों की संख्या में झारखंडी लड़कियां काम की तलाश में महानगरों का रुब करती हैं. इनमें से ज्यादातर लड़कियां कच्ची उम्र की होती हैं. महानगरों की चकचकी व बेहतर जीविक्य का दबाव लिये वे अपने गांवों से बाहर तो निकल जाती हैं, पर जब हकीकत से उनका वास्ता पड़ता है तब तक काफी देर हो चुकी होती है. ट्रेडिंग को लेकर काम करनेवाली संख्या एटसेक के लंबे मित्र के मुताबिक हर वर्ष दस हजार से ज्यादा लड़कियां महानगरों के लिए निकलती हैं. वर्ष 2005 की स्टडी रिपोर्ट के मुताबिक उस वर्ष 45,000 लड़कियां झारखंड से बाहर गयीं एक अन्य संस्था झारखंड डेमोग्रिक रिसर्च सेलफरर स्टडी की रिपोर्ट के अनुसार बाहर जानेवाली लड़कियों की संख्या साठ हजार से ज्यादा है. सबसे बड़ने हैं सिमडेगा, गुमला, तोहरदगा, रांची, पण्डित, दुमका, गिरिडीह, पनबाद तथा

### रतन तिकी ने आदिवासी महिला को वीमेंस फोरम पहुंचाया

रांची : झारखंड जनाधिकार पार्टी के नेता रतन तिकी ने गुरुवार की रात को दिल्ली की सड़कों में भटक रही एक आदिवासी युवती को वीमेंस फोरम के हवाले कर दिया. उस युवती का नाम लतिका खलखो है. वह लातेहार जिला के गुदुदीरा गांव की रहनेवाली है. इस संबंध में श्री तिकी ने दिल्ली से दूरभाष पर बताया कि उस युवती को कुछ दलाल बहला-फुसला कर दिल्ली ले गये थे. वहां लतिका किसी घर में नोकरीनी का काम कर रही थी. युवती हिंदी भाषा बोलने में अक्षम है इसलिए उसके मालिक उसे अक्सर पीटते भी थे. अंततः माएपीट से बग आकर वह युवती घर से भाग गयी और दिल्ली के तिलकनगर में भटकने लगी. इस दौरान दिल्ली के एक पंजाबी व्यक्ति ने उसे देखा. बातचीत की तो पता चला कि वह झारखंड की है. पंजाबी व्यक्ति की जान पहचान लोहादगा के सांसद रामेश्वर उरांव से थी. उन्होंने तत्काल इसकी खबर श्री उरांव को दी. श्री उरांव ने यह बात रतन तिकी को बताया. श्री तिकी दो साथियों बोय बाखला व फिरोज खान के साथ तिलकनगर पहुंचे और उस लड़की को बरामद किया. बाद में उसे खाना-पीना खिलाकर दिल्ली स्थित डेमोग्रिक रिसर्च बोर्ड फोरम के सुपुर्द कर दिया.

### तिहाड़ में अकारण बंद हैं नौ लड़कियां

रांची : संजय ने जानकारी दी कि दिल्ली में तिहाड़ जेल के अंदर स्थित नारी निकेतन में झारखंड की नौ नावालिग लड़कियां बिना किसी कन्स के बंद हैं. बार-बार अंग्रह के बाद भी झारखंड सरकार का ध्यान उन लड़कियों की तरफ नहीं जाता.

बोबगरो के इलाकों से लड़कियां बाहर जाती हैं. इनमें से ज्यादातर लड़कियां ठगी विवाह, तथा अन्य प्रलोभनों की शिकार होकर दिल्ली, हरियाणा सहित देश के अन्य हिस्सों में जाती हैं. फिलहाल सिर्फ दिल्ली में ही 123 से ज्यादा

प्लेसमेंट एजेंसियां अंग्रेज रूप से कार्यरत हैं. इन एजेंसियों के माध्यम से ही धोखे काफ़ासों का ध्यान पर लगाया जाता है. दिल्ली में इन प्लेसमेंट एजेंसियों व काम की जगह का टप लड़कियों का तब तक में शोषण होता है.

# Villagers nab human traffickers, eight children rescued

24-6/11/2008  
Thurs day

HT Correspondent  
Dumka, November 5

THE VILLAGERS rescued eight children including two girls at Ranibahal locality situated on Jharkhand-West Bengal border under Tongra police station of Masalia block from the clutches of human traffickers on Wednesday. Three persons have been arrested in this connection.

The police said that an FIR against Safiqul, Shekh Azimul and Pradeep Rai, under the sec-

tions 363 A/ 367/ 373/ 371 and 34 of IPC, had been registered at the Tongra police station, on the basis of the statement made by the children. All three accused belong to West Bengal.

The police added that the children had been identified as Sah-tosh Soren (15), Laxman Rana (14), Manoj Pembrom (13), Radha Kant (14), Jag Bandhu (13), Almiri Kisku (12), Panmuni Soren (12) and Hablu Mirgha (13). These children belong to Hathia Pathar village under the same police

station.

The reports said that the vil-lagers nabbed the traffickers at Jharkhand - West Bengal, Raniba-hal highway, when trying to take the children away in an Indica car.

The reports further said that someone had informed Mansa Mirgha, the father of Hablu Mirgha, that his son was going to West Bengal along with other children of the village. He imme-diatly informed the villagers.

jam.live@hindustantimes.com

## कोटे की भेंट चढ़ता बचापन

KATHMANDU (9 Nov, Agency): सच ही कहते हैं कि पेट पालने के लिए आदमी को कुछ भी करना पड़ सकता है. नेपाल में भी कुछ ऐसा ही माहौल है. यहां शाम ढलते ही काठमांडू की सड़कों पर चहलकदमी करने, किशोरों की नज़रें किसी की तलाश में रहती हैं. 15-16 साल के ये बच्चे कोठे पर होने वाले 'धंधे' के लिए कस्टमर्स जुटाने का काम करते हैं. इतना ही नहीं कोठे पर ज्यादातर वेश्याएं भी टिन एज ही होती हैं.

### कस्टमर्स के हिसाब से सैलरी

इन बच्चों की सैलरी इनके द्वारा लाए गए कस्टमर्स पर तय होती है. बच्चों के इस काम को अपनाने की बड़ी बजह नेपाल में फैली गरीबी, बेरोजगारी और अल्प पैसा कमाने की चाहत है. डांस बार, पब्स और रेस्त्राओं के लिए फेमस काठमांडू के

### नेपाल में गरीबी और बेरोजगारी के चलते किशोरों ने देह व्यापार में दूब रोजगार

थामेल मार्केट में फॉरिन कस्टमर्स को पटाते हुए इन बच्चों को देखा जा सकता है.

### कैसे करते हैं डीलिंग

पांचवीं में पढ़ाई छोड़कर धंधे में उतर आए वीर बहादुर के मुताबिक 'हम पहले ग्राहकों से बातचीत करते हैं. फिर उनकी डिमांड के अनुसार कीमत बताते हैं. कई बार तो सौदा पक्का करने के लिए हमें लड़कियों के बारे में खुलकर जानकारी देनी पड़ती है. वह कहता है, अगर मैं ऐसा नहीं करूंगा तो कोई और इन कस्टमर्स को ले जाएगा. तब मेरे पैसे मारे जाएंगे.

### पुलिस का खौफ भी नहीं

इनको पुलिस का भी कोई खौफ नहीं है. वीर बहादुर के मुताबिक पुलिस को हम लोग भारी घूस इसलिए देते हैं ताकि वे हमें परेशान न करें. यूनाइटेड नेशंस की एक संस्था यूनिफेम के लिए काम करने वाली अर्चना तमांग इन किशोरों में नशे के आदी और गरीबी के कारण अपना घर छोड़ चुके बच्चों के शामिल होने की बात कहती हैं.

### क्या कहते हैं आंकड़े

लगभग तीन करोड़ की आबादी वाले नेपाल में 30 परसेंट लोग गरीबी रेखा से नीचे जीवनयापन कर रहे हैं. 2006 तक यहां केवल 42 परसेंट लोगों को ही रोजगार मयस्सर था. लोकतंत्र के रास्ते सत्ता पर काबिज माओइस्ट इस देश को कितना पटरी पर ला पाएंगे, यह तो आने वाला वक्त ही बताएगा.

**NGO RESCUES TEENAGERS IN DISTRESS**

# School for traumatised kids

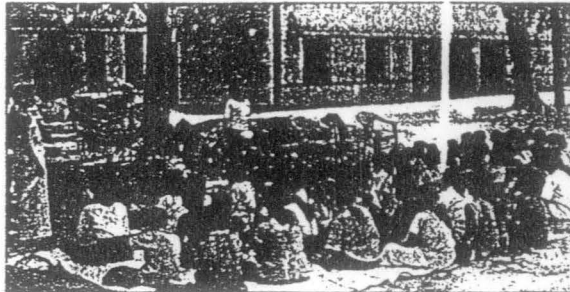
ARTISAHULIYAR

Ranchi, Aug. 8: Jharkhand education project council (JEPC) is running residential schools for sexually exploited child labourers rescued from other states in three districts — Ranchi, Pakur and Lohardaga.

These schools — named as Net Residential Schools — are being run in collaboration with Action against trafficking and sexual exploitation of children (ATSEC), an NGO.

ATSEC works for the rehabilitation of sexually exploited children, who in most cases work as bonded labours or domestic help.

Each school has two teachers who motivate students through songs, story telling



Rescued teenagers attend a class. Picture by Manik Bose

and involving them in teaching through playful methods.

Besides education, the girls are also given vocational training such as sewing. A machine is provided for a group five to six who are taught by lady tailors. The children are getting clothes, soaps, and oil

and bed sheets for free in these schools. "After the successful completion of the training programme we would get these girls enrolled in the Kasturba Gandhi Residential school," added one of the teachers, Balram Singh who is teaching in a Net School

opened at Kisko block of Lohardaga district.

Singh said that they would conduct half-yearly examinations in September for 50 boys and girls each. The question pattern will be set up by the principals of government schools in Kisko block.

Another school teacher, Jemma Toppo who is teaching at Net School, Nankum block in Ranchi said that there are 84 girls in her centre. "We are preparing some of the students for matriculation examination while others are following the syllabus of Class V, VI and VII. We are also taking weekly test of the students and inviting principals of local government school to help us in this venture," Toppo said.

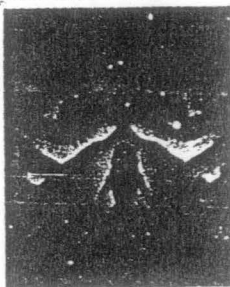
# Girls' trafficking rampant in Jharkhand

Namita Tewari  
Ranchi, March 7

■ *Christened Poornima as she was born on a full moon day, this 14-month girl is a bundle of joy for 45 inmates in a home for rescued trafficked girls in the state capital even as her minor mother Seema (name changed,) who lost her mental balance after being subjected to repeated sexual exploitation, stares in blank. Seema had been to Delhi as a domestic help, and was rescued by State Social Welfare Department and dumped at Kishori Niketan, Bijupada, some 32 km from the state capital.*

■ *Maia's body is still testimony to what happened to her after her sister's husband took her to Haryana under the false pretext of sister's pregnancy. After rescue, she was lodged at Mahal Chaya, a section of Tihar*

THESE RESCUED girls still wait for the announcements made during their rescue operations, for their rehabilitation to be translated into reality. Had it not been for



NGOs like Action Against Trafficking and Sexual Exploitation of Children (ATSEC) and Asha Kiran, they perhaps, would not have been alive. Many die like that of Tripala who was killed in Haryana fighting sexual exploitation, to be forgotten later.

A task force to look into the magnitude of the problem of girls' trafficking is

still to be constituted even though eight years of statehood have elapsed. Short stay homes at Delhi and Jharkhand with women helplines still appear a far cry. Placement centres continue to mushroom in Jharkhand, and the Department of Social Welfare puts their number at around 500.

Continued on Page 5