



Trafficking and its Technicalities

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Abstract

Trafficking is such a profitable business that traffickers enjoy with the easy money made by targeting individuals into misery and pain forever. For this reason they can do anything to achieve their targets according to the demands in the market, so they adopt different techniques and methods to lure and indirectly exposing them to exploitation by traffic the innocents irrespective of their consent. The present paper explore the various forms and pattern of trafficking especially of children as they are the easy targets for the traffickers and also suggest remedial steps for preventing child trafficking.

Keywords: Trafficking, children, exploitation, missing children, child labour.

Introduction

The inferior and poor are being exploited by thousands through several ways as one of the way is trafficking which is to be focused as it is a very complex and complicated problem. There are many facets to trafficking and very few trafficking cases are the same. The way the person are recruited, the way they travel, how they are passed from one trafficker to another and exploited are varied. Trafficking can happen to women, children and men of any age and from anywhere, it can be across borders or within the same country. The fate of the victim will depend on where they are taken to, what forms of exploitation they are forced into. It is also to be noted that there are authorities who are aware of trafficking and sometimes play an active role in aggravating this crime. Trafficking in human beings is an old practice. The most widely known case of trafficking is that of the transatlantic slave trade in which many Africans were sold and transported to foreign countries as slaves. Human trafficking is currently regarded as a contemporary form of slavery and is the third largest profitable industry in the world.

Trafficking is such a profitable business that traffickers enjoy with the easy money made by targeting individuals into misery and pain forever. For this reason they can do anything to achieve their targets according to the demands in the market, so they adopt different techniques and methods to traffic the innocents irrespective of their consent. They steal, abduct, kidnap or make fake promises to the parents or the guardians to send their ward along them in the cities to earn a good life but the reality is very far..... some of the technicalities which traffickers use and how they make easy targets thereby.

Missing Children and Trafficking

The NHRC Action Research 2004 clearly brought out the linkages of human trafficking and missing persons. Since then the missing persons figures reported by the NCRB has been under close scrutiny as to the number of women and children

being trafficked in India. The missing children data in India is grave in terms of the number of children who continue to remain missing. The Report¹ estimated 44,000 missing children during the period 1996-2001, while a report on missing children by Bachpan Bachao Andolan (NGO) has reported a total of 1,17,480 children missing in 2010-11².

As per the NCRB data for the period 2009-2011, a total of 1,776,60 children were reported missing out of which 1,22,190 children were traced and 55,470 children continue to remain missing. Out of the children who continue to remain missing, 35,615 (64%) of them are minor girls.

Report of Bachpan Bachao Andolan regarding missing persons

In 2012, Bachpan Bachao Andolan (NGO) published a report on missing persons which reflected that the actual number of missing persons are much more than what is being reported in the NCRB data. According to the data procured through RTI applications, 24,744 children reported missing from metro cities of Hyderabad, Kolkata, Bangalore, Mumbai and Delhi in the year 2011. Delhi had the highest number of missing children as well as children untraced, where 12% of total reported missing was untraced as of January 2013. Each year, 6,785 children disappear from Delhi with 850 children remaining untraced. Out of the total untraced children from these metro cities, Delhi and Kolkata alone constitute 89%. Data from 392 districts show that 1,17,480 children were reported missing within a span of 2 years. However, the fact remains that the number of missing and untraced children in India is startling. If the average number of 150 reported missing children per district (from available data) is extrapolated to all 640 districts in the country, the total number of missing children in India every year would come to the tune of 96,000. In the same way, if an average number of 54 untraced children per district is extrapolated to all districts

including GRPFs in the country, the total number of untraced children in the country in a year would be 34,500³.

Some of the most significant findings of this study are: i. No proper law and definition of missing children enacted yet according to our legal system, so that the reported cases of missing persons especially children could be dealt with no confusion. ii. No one pays heed on the issue of missing children as there is no provision to address the problem of missing children by our law makers. iii. No safety and comprehensive Protocols to identify the issue of missing children at the national level. iv. No proper documentation and information regarding the number of registered, traced and untraced cases of missing children neither updating is done by our protectors of our country. v. There is no unity and cooperation between the agencies dealing with the missing children for example police, NCRB/ SCRB/DCRB and NGOs/CSOs. vi. Mostly children are getting lost from the urban areas as these areas have better connectivity and facility of transport and communications as well from those areas that share boundaries with other countries. vii. Regions with migratory population, including slums, are registering more missing children. viii. Majority of the missing population especially children having socially and economically poorer background become the victims of this organised crime.

The tricks and techniques adopted by the traffickers for trafficking for pornography are very shameful and substandard as in the case of the Swiss couple caught red handed in Mumbai in December 2000. As that used to lure innocent street children, by befriending them, giving them good food and clothes, giving them toys and free rides in swanky cars, trendy clothes, money and other perks. After gaining their confidence, they lead them to a posh hotel in the western suburbs of the city, where they were bathed, stripped and told to perform various sexual acts, some involving the couple themselves. These acts were then filmed for the purpose of commercial pornography and through this ill activity, they gained surplus money apart, they spent on these innocent street children. The traffickers have expertise in their art for which they can go to any extent and normally they do not fail in their tricks of luring and cheating others.

Kidnapping Rackets and Denotified Tribes

Children are brought through abduction but it is much easier to bring through marriage, adoption or for jobs⁴. The pimps today do not have to use deception, instead they use concern, affirmation, friendship and emotional manipulation to bring or to lure these children into prostitution or other slavery like practices.

Police investigations have in Delhi, Agra, Madhya Pradesh and Rajasthan found that the denotified tribes (also known as criminal tribes) like the Bedia, Nat, Kanjar, Banjara etc. practising prostitution as a tradition in the family have been found to be involved in kidnapping of minor girls from across

North India. They kidnap minor girls and rear them as their own children. They use hormones like oxytocin on the minor girls to make them look older⁵. The victims are then supplied as dancers in the bars of Mumbai and also for further supply to Middle East countries including Dubai for prostitution rackets. Police investigations in a village in Alwar district of Rajasthan have found that women from these villages have a large number of passports. Madhya Pradesh police investigations in Mandsaur district have also found similar activity in prevalence

Trafficking of Children by Unregistered Homes in South India

Children in bulk are being trafficked by proper well organised gangs from North Eastern states to Tamil Nadu, a safer place for the traffickers. Children from Manipur, especially those belonging to the Kuki tribe are targeted by traffickers misguiding them as missionaries, as people in the insurgency-hit areas are willing to send off their children if they are promised a good education. The children aged 6-15 years are kept in pathetic conditions and are often made to do jobs like carpentry, cooking and laundry. There have even been cases of children dying under suspicious circumstances while some are being molested and abused⁶.

In the month of January 2010, 54 boys from Tousem sub-division in Tamenglong district of Manipur were found trafficked to Tamil Nadu and later rescued by the volunteers of Child Welfare Committee (CWC), Tirunelveli from a children's home. The boys were admitted to the children's home through one local agent, N. Paul from Tamenglong who had taken Rs 6,000 - Rs 7,000 for each child with the false promise of giving free education. The boys were kept in miserable conditions with no proper food and education. They were also harassed both mentally and physically by the warden of the home⁷.

Nineteen children from Odisha were rescued from illegal confinement from a children's home in Coimbatore district of Tamil Nadu⁸. Unregistered child care homes have come under the state government's scanner after trafficking of 37 children, including 36 from the state, came to light from unregistered institutions in Tamil Nadu. The Women and Child Development Department of Odisha has asked the Child Welfare Committees (CWCs) in various districts to monitor the unregistered institutions

Trafficking for Child Labour in the name of Education

A very shocking trend has emerged in our country as in Bihar, which is considered a poverty stricken state and a source state to send child labourers to various states to earn money. traffickers in the guise of clerics are fooling parents of prospective child labourers, saying that their wards will be taught free of cost in *madarsas* (Islamic education institutions) Similarly, an investigation by "*Tehelka*" (a news magazine) has found that

traffickers in the role of clerics have been recruiting children for the purpose of cheap child labour in Delhi. Many of these children are brought to Delhi in the name of education in the *Madarsas* and eventually made to work as child labour in the sweat shops of Delhi⁹.

Children are trafficked for labour mostly from areas where poverty levels are high and parents are amenable to sending off their children. They may be transported within the State or outside. For purposes of entertainment, they are trafficked to other countries. As has been already mentioned, trafficking is by deceit, fraud or force. In the case of children particularly, there is no element of voluntariness involved on their part. Children, when procured, are taken from place to place and kept captive in alien locations, to avoid being apprehended.

Trafficking through Illegal Recruitment Agencies

Emigration of Indian workers seeking employment in seventeen Emigration Check Required (ECR) notified countries is regulated under the Emigration Act, 1983. Despite the existing framework to facilitate legal migration and the efforts made by the government to prevent irregular migration, complaints regarding fraudulent offers of overseas employment and cheating of job seekers are received by the Ministry of Overseas Indian Affairs from time to time. Such complaints include fraudulent advertisements for jobs abroad, fake recruitments for non-existing employers or for foreign employers who never authorized the agents, thus rendering the workers without jobs; and offers of exaggerated benefits to lure job seekers. These complaints are received against registered recruiting agents, unauthorized intermediaries as well as some foreign employers¹⁰. Whenever a complaint is received against a registered recruiting agent about cheating or exploitation of an emigrant, action is initiated for suspension or cancellation of the registration certificate of the recruiting agent. If the recruiting agent indulges in forgery of documents, he is also prosecuted through the state police. Complaints against illegal agents are referred to the state police for prosecuting them. If there is a complaint against an employer about exploitation of the worker, proceedings for blacklisting of the employer are initiated. Attestation of work contracts by the Indian mission concerned has been made mandatory in all cases of women workers holding ECR passports, emigrating to ECR countries¹¹.

For protecting women and young girl workers of the ECR (Emigration Check Required) category to emigrate to seventeen ECR notified countries, the government has notified minimum age limit of 30 years and has made it mandatory in respect of all intending women emigrants. The employment contract must be duly attested by the Indian Missions in respect of all such women. Women household workers are allowed to emigrate after the Indian mission has attested the identity of the foreign employer and terms and conditions of the contract. A pre-paid mobile facility must be provided by the employer to every woman household worker. The Foreign Employer recruiting a

woman household worker is required to deposit a security amount of USD 2500 with the Indian Mission.

Despite having such provisions for the safety of workers, the incidents of trafficking of young girls and women are increasing day by day into prostitution in lieu of domestic workers and stage performers in Middle East countries., this menace is created by active role of recruitment agencies. Many of these recruitment agencies work illegally and lure women and girls into exploitative working conditions abroad. The travel agents operating under the guise of an NGO, Abel and Leo Private Limited, had been luring girls in Assam, Nagaland, Manipur and Meghalaya with attractive job offers including domestic helps in Singapore and Malaysia. The victims were sold to a nightclub in Kuala Lumpur¹⁰.

A large number of women and children are also trafficked to Haryana from Jharkhand, Bihar, Odisha, Madhya Pradesh, West Bengal and Uttar Pradesh for domestic work and are forced to work under bonded labour like conditions. Gurgaon and Faridabad are the major destinations for the girls and women trafficked to Haryana for domestic work and a large number of them even become victims of sexual exploitation. The trafficked domestic helps, mostly minor girls, are supplied in Haryana by the illegal placement agencies operating in Delhi and the NCR region and once these children land up in their employer's house they end up in slavery. In many cases, these children become the victims of sexual exploitation at the hands of either the placement agency owner or the employer themselves. The placement agencies illegally run their business and have good links in the source areas. The agency owners bring girls from the source states with the help of their organised network and employ them as bonded labour. thereby earn huge profits by bringing in children from these states¹².

In the case of adoption, trafficking is done in the name of adoption as many adoptions rackets are busted by the police and certain other welfare organisations in many parts of our country like Hyderabad, Goa, Andhra Pradesh because some nomadic tribes stay there who sell their children to the rich via traffickers as domestic servants and for other slavery like practices as they can't afford the livelihood of their children especially girl child. The adoption trading is operated not only at national level but only at international level as foreigners visit her to adopt Indian kids at any price the traffickers charged from them.

In the name of fake marriages, Most of the girls are brought to Haryana are from Assam and West Bengal. The process of bridal migration was gaining momentum in the State and the sale and trafficking aspects of it needed immediate attention. In Mewat, there are many women and young girls who are being brought from States like Assam, West Bengal, Jharkhand, Bihar and Andhra Pradesh and are forced to get married against their will. These girls are popularly known as "Paro".

Every year many helpless and vulnerable young girls and women commit suicide by entering into lured and sold involuntary marriages in North India. They are bargained according to their beauty, age, and virginity thereby tolerating all kinds of exploitation under conditions that amount to a modern form of slavery. Although trafficking of women and girls has become an expanding trade in these regions, in such regions there is no law machinery, no effective administration to deal with such illicit activities flourishing day by day by the tricks and techniques of traffickers and the general response is to deny the existence of any such problem.

Conclusion

It can be said that trafficking is growing very rapidly by ruining our masses and it is taking shape of an criminal activity by organising its different levels and becoming a organised crime at National and Global level. This shrewd and greed practice uses force, coercion, abuse of power, fraud, fake promises of securing good and bright future to the economically and socially weaker sections of the society. Basically trafficking could be identified as human rights violations to feeble, inferior and vulnerable sections as this segment could be easily transported, harboured, and exploited in number of ways and names from one place to another. Trafficking in persons is for labour, sexual activities or organs trading in all its types, it conclusively ends in exploitation which is a crime embedded lots of challenges in it to curb it at national and international level. Growth of informal economies and economic discrepancies among nations, increasing flows of labour and commodities across international, and transnational organized criminal networks are causing human trafficking to flourish on a global scale.

Prevention of trafficking of women and children would be a major focus area. Emphasis will be laid on creating a protective environment for children, social mobilization, providing skill training and sustainable livelihood options to vulnerable women so that there are no chances remain to send off their children along with the traffickers on the pretext of fake promises far from them in search of a good future.

Advocacy and awareness of all sections of society on the various evils of trafficking and sexual exploitation would also receive prime attention. Convergence and networking between all stakeholders will be further strengthened through capacity building and training programme for all stakeholders such as NGOs and civil society, judicial officers, social workers, counsellors, medical officers, enforcement agencies and Government officials at all levels and an understanding to cover all aspects of trafficking under one roof and one law, so that this evil of spoiling our children and women could be prevented and managed, curb before it becomes more organised in the hands of the traffickers.

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