



HUMAN TRAFFICKING - GS II AND III MAINS

Q. Although human trafficking occurs in every country its incidence is very high in countries affected by extreme poverty. Critically analyse the causes of human trafficking along with the measures taken by India to eliminate it. (15 marks, 250 words)

News: *Passengers of Nicaragua flight quizzed in Mumbai*

What's in the news?

- The passengers of Nicaragua flight were detained in France over human trafficking allegations and let off after four days, lands; they were from Punjab, Haryana, Gujarat

Human Trafficking:

- Human trafficking is a crime involving the trafficking of Human beings by various means for the purpose of exploiting them to extract monetary profit.

Causes:

1. Poverty:

- Although human trafficking occurs in every country its incidence is very high in countries affected by extreme poverty.
- Potential victims of trafficking are the ones having the desire to move out of poverty to a better place. This desire of victims is exploited by traffickers.

2. Social Factors:

- In societies where females are less valued they automatically become potential victims of human trafficking.

3. Highly stratified society:

- In India SCs and STs are more vulnerable to human trafficking

4. Lack of education:

- Less educated or uneducated people completely fail to understand the hidden intention of traffickers and become easy targets.



5. Migration:

- Mostly poor and backward people try to migrate illegally to any country and in this process, they might rely on smugglers and traffickers and in the process become vulnerable to trafficking.

6. Other causes:

- Wars and conflict situations
- Natural disasters
- Lack of employment opportunities (unemployment).

Consequences of Human Trafficking:

1. Psychological Consequences:

- Anxiety and depression to victims
- Retardation in the life of victims.
- Isolate themselves from society.

2. Physical Consequences:

- Especially children and women suffer physical injuries, dehydration, exhaustion and some might even die en route.
- Sexual assault of human trafficking victims leaves a deep scar on their minds and damages the body of the victim as well.
- Children suffer extreme physical hardship while working as child labourers.

3. Social Consequences:

- Social life of women and girls victims of human trafficking is completely destroyed and they lose all the respect in society.
- Children victimized by trafficking may never go to school again.
- Victims who try to come out in the open may face slang or taunts within the family outside spaces and at workplaces as well.
- Families of such victims are at the receiving end and face many social hardships.

Frameworks to Counter Human Trafficking:

1. Constitutional Protection:

- Article 23 provides protection against traffic persons and forced labor.
- Article 21 calls for right to life and personal liberty also provides certain protections against human trafficking.

2. The International Convention for the Suppression of Immoral Traffic in Persons and the Exploitation of the Prostitution of Others Act ratified by India in 1950.

3. Legal provisions:

a. Immoral Trafficking Prevention Act, 1986



- The Act primarily deals with various offenses like exploiting persons in prostitution and pushing them into brothels.

b. The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989

c. Juvenile Justice (Care and Protection of Children) Act

- This act implements the provisions of the United Nations Convention on the Rights of Child (1990)

4. International Framework:

- International Convention for the Suppression of Traffic in Women and Children (1921)
- The Slavery Convention (1926)
- Forced Labour Convention of ILO (1930)
- International Convention for Suppression of Traffic in Women of Full Age.
- The Universal Declaration of Human Rights (1848)
- The Convention for Suppression of Traffic in Persons and of Exploitation of Prostitution of Others (1949)
- The Convention on Protection of the Rights of Migrant Workers (1990)
- The United Nations Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women, and Children (2000)

5. United Nations Office on Drugs and Crime (UNODC):

- Established in 1997 is the specialized agency of the United Nations to fight against Trafficking in Humanity.

Measures Taken by Government:

1. Anti-Trafficking Cell (ATC):

- It was set up in the Ministry of Home Affairs (MHA) in 2006 to act as a focal point for communicating various decisions and follow up on action taken by the State Governments to combat the crime of Human Trafficking.

2. Women help desks were established in 10,000 police stations across the country.

3. **The Ministry of Home Affairs** under a **Comprehensive Scheme** strengthening law enforcement response in India against Trafficking in Persons through Training and Capacity Building has released funds for establishment of **Anti-Human Trafficking Units** for 270 districts of the country.

4. Strengthening the capacity building:

- To enhance the capacity building of law enforcement agencies and generate awareness among them.



5. Judicial Colloquium:

- In order to train and sensitize the trial court judicial officers, Judicial Colloquium on human trafficking is held at the High court level.
- The aim is to sensitise the judicial officers about the various issues concerning human trafficking and to ensure speedy court process

WAY FORWARD:

India to strengthen its battle against human trafficking, certain critical shifts are a must in its anti-trafficking laws and policies such as

- 1. Investigation of human trafficking** must be mandated to specialized agencies with the requisite training, tools, resources, and funding to be able to conduct an interstate and cross-border investigation and collect evidence using necessary technological support.
- 2. Rescue protocols** must be well defined to ensure victim-friendly exit processes.
- 3. Provisions for implementing intelligence gathering mechanisms** for prevention and rescues must be clearly articulated in the law.
- 4. Rehabilitation** must go beyond the institutionalised, one-size-fit-all service providing model, and ensure community-based rehabilitation and reintegration for all survivors in order to strengthen their resilience and agency – not only to prevent further exploitation and trafficking but also to enable their meaningful participation in the justice system and processes.
- 5. Adequate funds and robust monitoring systems** must be mandated by the law in order to empower the implementing bodies in breaking the organised crime and business of trafficking.