



Protecting Children from Trafficking and Sexual Abuse

Initiatives in India



Department of Women and Child Development
Ministry of Human Resource Development
Government of India



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Information contained in this document indicate action in progress. References to NGOs is only illustrative and not a comprehensive report of NGO work in India.

This document is a first step towards a larger and comprehensive documentation of policy, program and NGO initiatives in India.



Ministry of Women and Child Development
Government of India



Dr. Murli Manohar Joshi

Minister of Human Resource Development

Government of India

Message

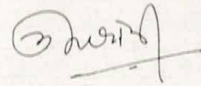
tatra naryastu pujiyante ramante tatra devata. This literally means - "where women are worshipped, here is the abode of the Gods." This mantra for past thousands of years has truly been followed in the Indian Society. Even the Republic of India has stood itself by the above mantra and ensured justice and equality to all its citizens and affirmed action for the development of women and children.

Past initiatives have made positive changes. Rate of growth of female literacy has overtaken that of male, as also the life expectancy. Various schemes have been implemented for women's training, skill upgradation and employment generation. In past three decades, we have implemented the programme of Short Stay Homes to provide temporary shelter and rehabilitation to women and girls, who became victims of trafficking & sexual abuse and who did not have any social support. Nearly 300 such Homes are operational in the country. Recently we have finalized a programme for 'Women in Difficult Circumstances' known as Swadhar'. It will provide holistic rehabilitation for sexually abused girls, which will inter alia provide them shelter, food, counselling, training, skill upgradation and economic & social rehabilitation.

We have drawn a Plan of Action to combat trafficking and crimes against sexual exploitation of women and children. This plan would have a multi-sectoral approach for converging concrete efforts of various departments/agencies.

India is a signatory to the all major international covenants on exploitation of children for sexual purposes. We have already enacted the Juvenile Justice Act 2000. We are now reviewing provisions of Immoral Trafficking (Prevention) Act and the Indian Penal Code for making them more stringent. We have also enacted Indian Information Technology Act 2000 which makes publication and obscene information in electronic form as a criminal offence punishable with imprisonment extendable to 5 years. As a nation we are determined to eradicate this social menace. Recently we have also amended our Constitution to guarantee basic and elementary education to all children in the age group of 6-14.

It appears to be a welcome step that the Second World Congress against Commercial, Sexual Exploitation of Children is being held at Yokohama, Japan from 16th to 20th December 2001 and a booklet is also proposed to be released on this occasion. I convey my sincere good wishes for grand success to the Congress and the publication.



Date: 13.12.2001

Murli Manohar Joshi

Message



Smt. Sumitra Mahajan

Minister of State for Women and Child
Ministry of Human Resource Development
Government of India

Message

Trafficking in people is a modern-day form of slavery. Thousands of people are transported across countries, many of them children, and forced or surrendered into prostitution with no protection of their rights. Some are simply abducted, others are sold by their parents, still others are lured by jobs and hopes of a better future, only to find themselves in bondage. At the root of all such situations is poverty. Without the need for livelihood or the desire for a better future, the victims of trafficking would not find themselves in such vulnerable situations.

It is with this point of view that the Government of India has formulated its National Plan of Action to combat Trafficking and Commercial Sexual Exploitation of Children. Our strategy for combating trafficking is holistic: it is as much focussed on income-generation, literacy and skills upgradation as on improved enforcement of laws and regulations.

Even as we have appointed special police officers in the States and Trafficking Police Officers in the Central Bureau of Investigation to deal with traffickers, we are working closely with NGOs for the rehabilitation of the victims of trafficking and commercial sexual exploitation.

Government of India is committed in combating and eradicating trafficking. We have ratified the UN Convention on the Rights of Child (CRC) and pledged our support to SAARC Convention on Trafficking. We have abolished the traditional *Devdasi* and *Jogin* systems in 1983. We have constituted Central Advisory Committee on Child Prostitution to review the progress achieved in this regard.

We look back with some satisfaction the various initiatives taken since 1996 World Congress against Commercial Sexual Exploitation of Children at Stockholm. But we also look around with concern at the tasks that are not yet accomplished. Meanwhile, for those who wait for our initiatives to escape a life of bondage, time is running out. Let us join all dots and synergise all our efforts to fight this racket of trafficking to ensure a world free from all forms of sexual exploitation of our children.

Date: 13.12.2001

Sumitra Mahajan

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Trafficking and Commercial Child Sexual Abuse in India: The Status

The dictionary definition of 'trafficking' is "Illegal trade in a commodity". Making people commodities, literally, has never before reached the proportions as in the world today, not under slavery, not in feudal times.

UNICEF estimates that worldwide, at least one million children are trapped in the sex trade, most of them girls between 10 and 16 years of age. According to a 1998 report of the DWCD around 30 per cent of the sex workers in India are below 18 years of age, while 40 per cent were inducted into the trade as minors. However, the Joint Women's Programme (JWP), a Delhi-based women's organization, has put the ratio of under-16 sex workers at a high of 68 per cent.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against

Transnational Crime, 2000, defines trafficking as: "The recruitment, transportation, transfer, harboring or receipt of persons, by means of the 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."

It further says: "Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery...."

Trafficking is also understood to include "the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection

to involuntary servitude, peonage, debt bondage, or slavery.”

The Convention on the Rights of the Child (CRC) defines a child as every human being below the age of 18 years. This is reflected in the UN Convention against Transnational Organized Crime which defines trafficking of children for sexual exploitation as inducing “a commercial sex act ... by force, fraud, or coercion, ... in which the person induced to perform such act has not attained 18 years of age.”

It is estimated by international policing agencies that at a minimum, 700,000 persons are trafficked each year across international borders, most of the victims being women and children. It is believed that the number may be significantly higher.

Trafficking occurs across national borders and within countries. As a report on trafficking presented in 2000 said: “It is found in both developed and developing nations, in countries where the government abuses human rights, and in countries where the government’s human rights record is generally excellent.”

The same report states: “Some victims have answered advertisements believing that they will have a good job awaiting them in a new country. Others have been sold into this modern-day form of slavery by a relative, acquaintance, or family friend.” Criminal

networks take advantage of the victim’s vulnerability, at the root of which lie poverty, ignorance, often illiteracy, and poor income-generating skills.

Trafficking in persons, including children, is believed to be closely linked to the criminal networks that organize trafficking in drugs and presumably arms. Trafficking of persons, including children, for commercial sexual exploitation is often linked to networks involved in organizing illegal adoption routes, illegal migration, and illegal marriage arrangement bureaus, or ‘mail-order brides’ as this has come to be known in East Asia.

Tackling trafficking in children, whether it is for commercial sex or pornography or for labor as in the case of the ‘camel jockey’ boys, is made all the more difficult as it would mean tackling networks that have links with illegal drugs and arms trading networks. These networks, it is believed, necessarily have political protection or connections, compounding the problem.

India is both a destination and a transit country for traffickers, faced with tackling both inter-province and inter-national trafficking.

While an international survey found no evidence of government complicity with traffickers in South Asia, complicity among police, border, and immigration officials

were found to severely undermine law enforcement efforts.

Because of the trans-national character of trafficking, combating it requires governments as well as civil society organizations to pull together. Networks, both within countries and across borders,

have been set up, largely supported by international organizations such as the United Nations.

Though the goal of eradicating trafficking is still distant, several effective measures are in place ... and every successful intervention is a life made more secure.

Unknown Numbers

The numbers of children who become victims of trafficking – for labor, for commercial sexual exploitation or other forms of abuse – are unknown mainly due to the dispersed and clandestine nature of the phenomenon.

The National Crime Records Bureau, Ministry for Home Affairs, Government of India stated that in the five years between 1994 and 1998, reports of buying of **minor** girls for prostitution has been on the increase ... though reported incidence of selling of girls has declined.

Between 5,000 to 10,000 Nepalese children, mostly between the ages of 10 and 18, are trafficked into India annually. Most end up in the sex trade, some become domestic workers.

UNICEF estimates that there are at least a million child prostitutes in Asia alone with the greatest numbers in India, Thailand, Taiwan and the Philippines.

A quarter of the estimated 2.3 million sex workers in India are minors, in over 1,000 sex trade districts all over India.

A study by the Indian Health Association released in 1993, quoted in *Child Trafficking In India* published by The Haq Foundation in 2001, found that 10 percent of children engaged in commercial sex are children of sex workers, about 40 percent had been abducted, five percent had been victims of rape and eight percent of incestuous relations.

A GOI / UNICEF strategy paper (Oct 19, 2001) for Program of Cooperation, 2003-07, states: "It is estimated that in six cities of India there are about 100,000 children who are victims of sexual exploitation. The number is likely to be a gross under-estimate given its limited coverage. Many cities in India have also become the destination for cross-border trafficking of children, primarily for prostitution."

Initiatives against Trafficking and Commercial Child Sexual Abuse in India: An Introduction

As a signatory to the UN Convention on the Rights of the Child, India ranks among 122 UN member-countries committed to fight trafficking of persons.

The Government of India is currently seriously considering ratifying the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, which was adopted by the UN General Assembly in May 2000. It has started the process to ratify the ILO Convention (No. 182) on the Worst Forms of Child Labor (sale and trafficking of children is considered a slavery-like practice and is forbidden by Convention 182). The Government is also in the process of ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Crime.

Within its borders, the Government of India has followed up the World Congress

against Commercial Sexual Exploitation of Children at Stockholm by –

- Drawing up a National Plan of Action (in 1998) and constituted a National Advisory Committee to combat trafficking, rehabilitate victims of trafficking and commercial sexual exploitation and improve legal and law enforcement systems to strengthen the fight
- Setting up State Advisory Committees on Trafficking for the same purpose, devolving authority and seeking to mobilize greater State resources in the fight against trafficking
- Reviewing the existing legal framework including the Immoral Trafficking Prevention Act (ITPA),

Indian Penal Code (IPC) and enacting the Juvenile Justice Act (JJA) 2000 and the Indian Information Technology Act, 2000 which declares online pornography a punishable offence (Section 67)

- Undertaking regional efforts, in alliance with NGOs, to create greater awareness of the dimensions of trafficking and increase sensitivity to victims among government departments, the police and judiciary, as well as within civil society at large
- Enacting legislation to prohibit *Devdasi* and *Jogin* traditions of sexual exploitation
- Profiling NGOs that are engaged in tackling trafficking and helping to rehabilitate victims
- Creating schemes of assistance to NGOs to combat trafficking in source areas, traditional areas and destination areas through efforts to prevent, rescue and rehabilitate
- Initiating a new scheme called SWADHAR for women in difficult situations applicable to victims of trafficking also
- Cooperating with the Asian Developing Bank to conduct a survey on regional cross border trafficking

In addition, the National Human Rights Commission (NHRC) of India, in association with UNIFEM, has initiated a survey of trafficking, across national boundaries and within the country. The study will also investigate the causal and behavioral aspects of all agents in trafficking.

The NHRC, together with the National Law School, is also engaged in preparing manuals for judicial officials, focusing particularly on the judges at the district and *taluka* (lower administrative block) levels. The Government of India, jointly with UNICEF is simultaneously preparing a similar manual for police personnel. The Government, in association with Tata Institute of Social Sciences, is also creating a manual for training social workers in dealing with issues of trafficking. Alongside, the Department of Women and Child Development (DWCD) of the Union government is considering a manual to sensitize medical professionals, against focusing on audiences at the district and taluka levels.

But perhaps most significant for those at the ground level, the government has begun the process of creating a network of special police officers to monitor trafficking.

However, the modalities for setting up a nodal monitoring agency, as suggested by Radhika Coomaraswamy, Special

Trafficking for the global market through sex tourism and pornography

In 1991, Freddy Albert Peat a foreigner who had been living in Goa, a tourist haven in peninsular India, for close to 25 years, was arrested. NGOs who had suspected Peat's motives in his relationship with young boys, were vindicated. Peat had indeed been using children for pornography and selling young boys to pedophiles.

Peat's connections were found to stretch to Mumbai, Maharashtra, in western India and beyond the country's shores. He was linked to a pornography network being run by a Swiss couple in Mumbai that the Forum Against Child Sexual Exploitation (FACSE) helped expose.

This case has give rise to one of the most active initiatives against trafficking and tourism-related sexual exploitation of children, organized jointly by the Child Right Group, Jagrut Goenkaranchi Fauz, Umed and others, including some, like FACSE, in Maharashtra.

The day that Peat was convicted, in March 1996, was as much a victory of the NGOs as it was of the Calangute policemen, who acted promptly and soon took the lead in building up an effective case that put Peats behind bars.

April 4, 1991, the day that Peats was arrested is today observed in Goa as Anti-Child Prostitution Day.

Rapporteur on Human Rights appointed by the UNHCR, are still being deliberated. The government is also in the process of finalizing the norms for a National Commission for Children and drafting a Policy and Charter for Children, ensuring children's right to survival, health and nutrition, care and education ... and to be protected from exploitation.

Certain landmark court cases have influenced the government decisions and plans of action, among these the 1990 case

of *Vishal Jeet vs. Union of India*, in which the Supreme Court directed the government to undertake steps much in keeping with the Coomaraswamy recommendations that came nearly a decade later. In the 1997 case of *Gaurav Jain vs. Union of India* too, the Supreme Court directives echoed the same sentiments.

The former case led to the government constituting the Central Advisory Committee on Child Prostitution in 1994 and the latter to the formation of the

Acknowledging Trafficking

The acknowledgement of 'trafficking' itself has been a milestone in some states (provinces), with governments steeped in the tradition of "tackling prostitution", punishing the victims of commercial sexual exploitation as much as the organizers of that exploitation.

Acknowledging that trafficking in children does exist has come on the heels of scandalous revelations in recent times about the smuggling of young boys from Bangladesh to west Asia via India, for camel racing or the October 2001 outrage over a prominent medical practitioner in a southern state being accused of trafficking in babies for adoption.

Such exposures have given a further impetus to the state governments to act to combat trafficking and other violations against children.

While most state governments have appointed committees to draft state-wise policies and action plans, those more concerned with trafficking, either as 'recipients' or 'suppliers' of victims of trafficking networks, are moving ahead noticeably more rapidly. Actions include finalizing 'rescue' policies, as well as state-level consultations on trafficking and exploitation of children for commercial sex, especially on measures to improve law enforcement.

Initiatives with NGOs are ongoing, principally in community-based programs for resettlement of victims of trafficking, especially children. These also include a range of activities for creating social awareness – from making people aware not only of the dimensions of trafficking, but also how to be vigilant against traffickers, to making them sensitive to the plight and needs of victims of trafficking.

With most state governments actively projecting their provinces as modern, forward-looking and desirable investment destinations, the fact that such an image sits ill alongside criminal networks, including those engaged in trafficking, has become all too clear. This has given an impetus to act quickly and decisively.

Some states are linked to national anti-trafficking networks such as the Action Against Trafficking and Sexual Exploitation of Children (ATSEC), which works closely with the police and the state departments of welfare.

Committee on Prostitution, Child Prostitution and Children of Prostitutes in 1997 which formulated the National Plan of Action.

Government and NGOs alike are paying increasing attention till now to the linkages between poverty and trafficking for purposes other than sexual exploitation. As

with trafficking for sexual exploitation, the numbers of victims are not known. The trafficking in young boys as jockeys for camel racing, from Bangladesh via India to West Asia is by now well known, and believed to have been stopped. But the numbers of young women, some below 18, who are illegally transported as domestic help, are only suspected.

Policy Initiatives against Trafficking and Commercial Child Sexual Abuse in India

Stockholm Commitments I, III, IV, V, VI; Agenda for Action I: Policy & legislation (including review of existing laws), with particular attention to sex tourism; Institute a National Agenda for Action; Allocate resources; Criminalize trafficking and develop laws and systems to prevent children being illegally taken across borders; Enforce legal protection of children against commercial sexual abuse; Set up monitoring systems

The Immoral Traffic Prevention Act, 1986 (ITPA), a modification of the 1956 Suppression of Immoral Traffic in Women and Girls Act (SITA), supplemented by the Indian Penal Code (IPC) prohibits trafficking in persons including children.

The GOI is in the process of finalizing amendments to the ITPA. Primarily, the amendments under consideration would make the law sensitive to victims and will make penalties on traffickers more severe. Also under consideration is the amendment to include health protection clauses and steps to prevent trafficking. For this purpose the National Commission for Women (NCW), a statutory body, held countrywide consultations and came out with certain substantial amendments in the Act.

One of the most significant steps taken by the Government is to designate the officers of the Central Bureau of Investigation (CBI) of the rank of inspector and higher, as Trafficking Officers, giving them a special mandate to deal with cases of organized trafficking with Inter State and Inter Country ramifications.

The government is also working on finalizing the modalities of setting up a cell on trafficking and sexual abuse of children within the CBI.

Guidelines on dealing with trafficking have been circulated among all state (provincial) governments. In addition to stipulating the appointment of special police officers briefed to tackle trafficking, the guidelines

Going against tradition, fighting the *Devdasi* system

The Delhi-based Joint Women's Programme conducted a study of the traditional *devdasi* system in south India in 1981. What came out of it was not only a horrifying expose of the exploitation of young girls, but ultimately the Karnataka Devadasis (Prohibition of Dedications) Act of 1983.

Devdasis – like *jogins*, *basavis*, *bhavins*, *venkatasanis*, *nailis*, *muralis*, *theradiyanis* and others elsewhere in traditional Hindu society – were 'dedicated' to temple gods and subsequently sexually exploited by priests and other high-caste men of the community.

The practice has been legally abolished but is known to be prevalent still. According to a 1996 study by academic Indrani Sinha, scheduled caste families still 'dedicate' over 5,000 girls every year to temple gods and thus yield them over to a life of prostitution and sexual abuse. Most girls are between 10 and 14 years old.

also lay down that the police should be assisted in this task by an advisory board of social workers and NGOs.

Plans for action at the state level:

Focus on rehabilitation

The Union government has directed state governments to draft plans for action against trafficking in persons at the state (provincial) levels and has also circulated guidelines (as described above) for these.

According to the National Human Rights Commission and surveys by various NGOs such as the Centre of Concern for Child Labour the following are considered 'high-traffic' states – Andhra Pradesh, Bihar, Karnataka, Maharashtra, Tamil Nadu, Uttar Pradesh and West Bengal. In addition, there is trafficking within what is known as the

'Pink Triangle' (the Delhi-Jaipur (in Rajasthan)-Agra (in Uttar Pradesh), an area where tourism is high as well as along high-density transport routes.

Reports from the states – governments as well as NGOs – show that the focus of activities to date has been more on the rehabilitation of victims of trafficking than on combating or curbing trafficking networks.

However, even in these states some action has begun such as internal consultations on setting up inter-departmental committees to combat trafficking. Interestingly, only one state among those to report on the progress of actions against trafficking, has extended the terms of the action plan to cover trafficking for sexual exploitation as well as trafficking for exploitation of child labor.

Most reporting states have conducted field-based surveys. And reports from most states are that corruption and gender-discriminatory attitudes are widely prevalent among law enforcement bodies, especially the police. Most states have also begun identifying NGOs with whom they can work in the initiatives against trafficking. A number of the pilot surveys have been supported by UNICEF.

NGOs are active in all states, and most are involved in efforts to help victims of

trafficking to resettle and rehabilitate themselves. Some organizations are, however, equally focused on combating trafficking. Other national networks have been campaigning on policy and legal issues, as have some local NGOs.

Most NGOs are inclined towards strong community-based initiatives. While many in some of the southern states began organizing against commercial sexual exploitation of children mainly through protests against the traditional *devdasi* or

Kerala: Action against traffickers

The state government is close to finalizing a plan for action against traffickers, following state-wide consultations with NGOs, law enforcement agencies and various government departments supported by international organizations such as UNICEF.

The state has recently conducted studies identifying the nature of sexual exploitation of children in urban areas and the methods of trafficking.

Kerala is the new tourist destination in India, having recently been designated one of the ten top "desirable" such destinations in the world by the International Tourism Organization (ITO). It is also a source of very high levels of international migration from India.

Consequently, NGOs as well as the state government have prioritized the need to focus on trafficking and commercial sexual abuse of children. The People's Council for Social Justice (PCSJ), a Kochi-based NGO that has been active for nearly 20 years in the area of legal advocacy, believes that communities need to be aware of the dangers of trafficking and alert to the modus operandi of traffickers. In addition to widespread awareness creation campaigns, PCSJ also conducts Lok Neethi Melas, people's courts, at which various problems are aired.

While some problems are settled, where possible, at the people's courts, others are referred to relevant government departments. The PCSJ works close with government.

jogin systems, others began as initiatives against exploitation of children by tourists. Others, many of them based in the metro centers, were drawn to putting the spotlight on trafficking because of their work among sex workers in so-called 'red light' areas.

NGOs working with child labor, or on health issues, were pulled into addressing issues of trafficking because of the frequently evident links between trafficking and commercial sexual abuse surfacing among the communities with which they were working.

Initiatives in Cooperation: Fighting Trafficking and Commercial Child Sexual Abuse in India

Stockholm Commitments II: Promote cooperation between states; Share data and information within and across national borders; Identify / strengthen national and international law-enforcing agencies

Inter-state cooperation has got underway with the directive to all state government on formulating action plans against trafficking. Alongside, consultation is underway regarding the formation of a nodal agency to monitor trafficking, with representatives from Union and state governments, inter-state law enforcement agencies, including officers of the police and judiciary, and NGOs.

Alongside, one of the most significant steps the government has taken is to direct that officials from the districts within each state – which are also extremely effective administrative units, numbering 466 in all – should send periodic reports of any activity related to trafficking as well as steps taken or planned to counter this.

More than 80 NGOs spread through the country work actively among sex workers; most have inevitably been drawn into confronting issues of trafficking. There are others addressing issues of trafficking of orphans, of children for labor, and yet others trafficking of migrants, including children. The government works with all the organizations, the alliance varying in area of activity and degree of coordination, but in place, nevertheless, waiting to be tapped further. A fresh invitation has recently been issued by the DWCD, inviting submissions from NGOs, for proposals on actions that can serve to combat trafficking in children.

A recently begun endeavor to begin profiling of NGOs working with victims of trafficking is expected to make alliances more effective, as documentation of case

The SAARC efforts against trafficking

From the SAARC Declarations –

“The Heads of State or Government recalled that the Ninth SAARC Summit expressed concern at the trafficking of women and children within and between countries and pledged to coordinate efforts of Member States to take effective measures to address this problem. In this context, they welcomed the finalization of the draft text on the Regional Convention on Combating the Crime of Trafficking in Women and Children for Prostitution and noted that this would be a vital instrument in dealing with this problem.”

studies and initiatives by these organizations would help identify resources for specific needs.

The Government of India works closely with UN agencies such as the UNICEF, UNIFEM and UNHCR, in its efforts to combat trafficking in children and other persons. India's National Plan for Action on Child Trafficking was in fact drawn up principally by the Department of Women and Child Development. The review and implementation of the plan, numerous sensitization programs under it, development of documents and collation of information are also being jointly undertaken.

The government also works with agencies such as the US Department of State and its department for legal enforcement, the USAID, the UK-based DFID, the Swedish

and Canadian international development agencies, Dutch support organizations and others in the campaign against trafficking.

With international support, the Indian government, in alliance with NGOs, has developed and is conducting interactive training programs to improve anti-trafficking coordination among law enforcement officials and local NGOs. This includes in-depth instruction on recognizing potential trafficking situations for border officers and other police personnel, and training for prosecutors in building successful prosecutions of traffickers and abettors.

The Government of India is also part of several regional and international initiatives. The focus of this effort is strengthening enforcement of existing laws, supporting NGO shelters for victims of trafficking, and

The RESISTANCE movement against trafficking

RESISTANCE, a South Asian network of NGOs against trafficking was formed in 1996. One of its activities is to organize fact-finding missions to areas of heavy trafficking in women and children. Along with the Asian Women's Human Rights Commission (AWHRC) and the Global Alliance Against Traffic in Women (GAATW) it has conducted three such investigations, among these areas on the Indo-Myanmar border and the Bangladesh-India border.

supporting rehabilitative programs, including skills training and income-generating activities.

India is the principal destination in the region for trafficking of children and other persons

from Nepal, Bhutan and Bangladesh and as such has a critical role in curbing trafficking in the region. It has been part of regional monitoring efforts, such as the Asian Regional Initiative Against Trafficking in Women and Children (ARIAT).

Initiatives in Rehabilitation & Social Revolution: Fighting Trafficking and Commercial Child Sexual Abuse in India

Stockholm Commitment VII, VIII, IX, X; Agenda for Action II and III: Develop and implement gender-sensitive programs, ensuring child participation; Set up safe havens for victims and adopt a non-punitive approach to victims, providing counseling and recovery and rehabilitation programs as well as programs for alternative means of livelihood; Create a social climate against trafficking and commercial sexual abuse of children, with focus on access to education (including education about child rights within the family); Mobilize political and other partners in this effort; Enhance the role of popular movements; Identify and strengthen civil society networks to combat trafficking

Poverty is the pool from which traffickers catch their prey. Rooted in this belief, the government of India's efforts to combat trafficking is three-pronged:

- Strengthen administrative and legal tools to battle traffickers;
- Help resettle victims of trafficking; and
- Develop economic fundamentals so that traffickers do not find easy prey.

Legal amendments, initiatives involving the police and judiciary and other administrative

officials serve the first. This includes not just the law enforcement and monitoring efforts, but also endeavors to sensitize medical professionals and social workers, in addition to similar training programs for police, judicial and other administrative officials.

Efforts at rehabilitating and resettling victims of trafficking and commercial sexual exploitations, while most are long-standing, are being reviewed. The changing view of victims is beginning to inform such activity as much as the amendments to the law – especially as NGOs become more vociferous in their criticism of 'moralizing' and about

Karnataka: Helping Devdasis to help themselves

The government has initiated programs to institute self-help groups (SHGs) for *devdasis*, victims of the traditional form of sexual exploitation whereby young pre-adolescent girls were dedicated ("married") to the temple god and so became sexually available to the temple priests and other high caste men of the community.

Launched in six districts of the state, the programs offer development in skills such as making incense (*agarbatti*), tailoring and handloom weaving, and helping the former *devdasis* to secure alternate employment. The program has also tied up with the Karnataka State Industrial Development Corporation (KSIDC) for marketing of the goods made by the beneficiaries.

Among the NGOs that work with this program are the Devdasi Vimochana Punarvasti Sangh.

the lack of volition or free choice to victims who are inmates at rehabilitation centers and shelters. The increasingly more sensitive approach also has government agencies initiating counseling facilities at these centers and stepping up skills training programs for future income-generation.

The Union government runs 80 'rescue' homes for victims of such exploitation, in addition to which every district has a shelter for children who have been victimized. It has also recently initiated the Swadhar program for resettlement of victims in close alliance with NGOs. One of the elements of this program is a networking helpline between NGOs and government agencies, which can also help in monitoring trafficking activities.

The conditions at these centers have come under severe scrutiny from both NGOs and the media. While corrective steps are almost always taken immediately upon instances of such criticism, a system where such abuses do not take place can become effective only once the enforcement of laws becomes more effective.

NGOs have been the most effective at resettling victims of commercial sexual exploitation. From Sanlaap in West Bengal, to Samskar in Andhra Pradesh, Indian Council for Child Welfare (ICCW) in Tamil Nadu, Prayas, Snehalaya, Vanchit Vikas and Khedi Vikas Mandal in Maharashtra, or Joint Women's Programme and Butterflies in Delhi, there is a host of organizations with dedicated workers helping to reintegrate victims of trafficking

Andhra Pradesh: 'Rescue' policy soon; fighting the jogin tradition

The state government is close to finalizing a 'rescue' policy for child victims of trafficking. The recent (October 2001) scandal over a prominent medical practitioner in Hyderabad, the Andhra Pradesh capital, being accused of trafficking in babies for adoption, has inspired urgency in ongoing state-level inter-departmental consultations regarding modalities to combat traffickers. Particular emphasis is being given to law enforcement.

The drought-prone areas of the state yield large bodies of migrants, always a rich source for trafficking networks. In addition, the state is reported to have poor law enforcement as well several reported cases of gender-insensitive police harassment.

Initiatives with NGOs are ongoing, principally in a community-based program for children in vulnerable situations, including children of sex workers in Anantapur district as well as similar projects under the Prajwala and Abhaya trusts. The government has also begun a survey of the extent of the practice of the *jogin* tradition, dedicating children to temple gods for sexual prostitution subsequently.

Samskar, an NGO in Nizamabad district, has been working for close to 20 years to fight the *jogin* tradition. In over 400 villages of the district, it has helped educate and train children of *jogins* in skills to provide an alternate means of livelihood, in the process breaking the vicious circle of exploitation.

Among the NGOs working with child sex workers, is the Vasavya Mahila Mandal (VMM), which works to combat trafficking mainly through mobilizing support from existing community networks. VMM has rallied the support of women's committees in at least 50 communities of Krishna district, and, with funding support from the DWCD, Government of India, has trained and helped resettle child victims of trafficking.

and commercial sexual exploitation and their vulnerable dependents in mainstream society. Many, like Odanadi in Karnataka, have actually confronted, or battled in ongoing efforts, traffickers to rescue victims.

NGOs have gone beyond 'rescue' to actually resettle victims. The government has undoubtedly launched programs and set up

rescue homes, but the NGOs have helped take the victims out of the programs and homes and help reintegrate them in society. Some, like the psychiatry department at the National Institute of Mental Health and Neuro Sciences (NIMHANS) specialize in counseling, though most provide some services to help the reintegration process on the victim's part.

Madhya Pradesh: Jabali for children

The decade-old government scheme works with voluntary organizations in the attempt to “eliminate commercial sexual exploitation” in the state. Focusing particularly on children in certain castes and tribes where trafficking and such exploitation is more common, Jabali (literally meaning ‘Our children’) not only provides temporary shelter for victims, it also provides healthcare and training in skills that can provide alternate sources of income.

It is equally true that NGOs have made government-launched economic help programs such as the Rashtriya Mahila Kosh or the Mahila Samridhi Yojana effective.

None of the initiatives against trafficking would be meaningful without social

acceptance of these. Neither in the law enforcement against traffickers, nor in the efforts to help victims of trafficking find a new life, would any government or NGO effort work if the community does not participate by supporting these efforts.

Bihar & Jharkhand: NGO Initiatives Prevail

While the state governments are engaged yet in preliminary research and documentation, NGO initiatives against trafficking of children for commercial sexual abuse have mushroomed in both Bihar and Jharkhand.

Using theatre as an effective medium of communications in what is a predominantly an illiterate populace, beginning in Katihar and Purnea districts, NGOs have been effectively monitoring cases of child sexual abuse, commercial and otherwise. A poster campaign is also underway, mainly addressing children.

Statewide networks in Bihar and Jharkhand, linked to the national body Action Against Trafficking and Sexual Exploitation of Children (ATSEC), work closely with the police and the state departments of welfare. Consequently, instances of sexual abuse of children, both commercial and within homes, is being more frequently reported. As a field worker said, “The lid is cracking.”

NGOs have been particularly focused on drawing communities into the fight against trafficking, perhaps this being the most onerous aspect of that battle.

Sex workers view outsiders with suspicion. NGO workers, consequent to dedicated work over decades, find their interventions more readily accepted by victims of trafficking than officialdom.

Rehabilitation efforts by the government are generally 'top-down'. This is about to change. The government proposes to invite voices representing children and to that end is currently working on setting up a Commission for Children and putting in place a National Policy on Child Rights as well as a proposed Charter for Children.

These will help implement the government's commitment to "Children's right to survival, health and nutrition, play and leisure, early childhood care and education, ... life and liberty, name and nationality, the right to a family and the right to be protected from exploitation" as stated in the Convention on the Rights of the Child.

The commitment focuses on the special needs of children from marginalized and disadvantaged communities, which is the source for trafficking, and child victims of all forms of abuse, particularly for sex and pornography.

The Government of India has recently launched a scheme called Ballika Samridhi Yojana with the objective to change the

Uttar Pradesh: Guria, an initiative for the girl child

When three social workers opened a center for children of sex workers in Varanasi, they could not have foretold that this would ultimately lead them to combating trafficking in children for sex work. Not only did the teaching center for *Guria* (literally, the doll) grow into a center for cultural expression, which organizes an annual exhibition of art works from sex workers from all over the country, it has become a lobbying center combating trafficking networks.

Guria today works closely with the police and other law enforcement agencies to create awareness about trafficking, especially in poor vulnerable communities. Educational materials are produced and distributed through networking with NGOs elsewhere in India. It is also part of regional networks against trafficking.

Delhi Initiatives regarding Rescue, Repatriation and Rehabilitation

During 2001 more than 300 girl children, belonging to different parts of the country and also to some neighboring countries, have been rescued from different brothels in Delhi by the Delhi Police. The rescue, rehabilitation and repatriation of these girl children are being monitored by the Delhi High Court. An NGO called STOP has been associated in this endeavor right from the rescue to the repatriation. This is an excellent example of joining of hands of all stakeholders including the Delhi Government, the Delhi police, the State Governments, the judiciary and NGO.

negative family and community attitudes towards the girl child, to improve enrolment and retention of girl children in schools, to raise the age of marriage, to assist the girl undertake income generating activities. The scheme covers girl children of families below the poverty line as defined by the Government of India. Under this scheme, the eligible girl children are entitled a post birth grant amount of Rupees 500 and annual scholarship ranging from Rupees

300 per annum to Rupees 1000 per annum for classes 1 to 10.

How effectively this program will be implemented undoubtedly will be decided by civil society, but it is the government that has taken the first step in what may well become a measure that will curb not only trafficking, but also female foeticide and infanticide, child marriage, and ensure better nutrition for the girl child.

Annexure

List of some Agencies and NGOs concerned with the issue.

Department of Women and Child Development
Ministry of Human Resource Development
Government of India
Shastri Bhawan
Dr. Rajendra Prasad Marg
New Delhi
Tel: (91) (011) 3381910, 3387683

National Human Rights Commission
Sardar Patel Bhawan
Sansad Marg
New Delhi - 110 001
Tel: (91) (011) 3362018

National Commission for Women
4, Deendayal Upadhyay Marg
New Delhi - 110 001
Tel: (91) (011) 3236271

Association Social Health in India
4, Deen Dayal Upadhyay Marg
New Delhi - 110 001
Joint Women's Programme
14-B, Jangpura B
Mathura Road,
New Delhi - 110 014
Tel: (91) (011) 431 9821, 431 3681,
432 5064

Bhartiya Patita Uddhar Sabha
WZ-10 (22) Raja Garden
New Delhi

Butterflies
U-4 Green Park Extension
New Delhi
Tel: (91) (011) 616 3935

Jabala Action Research Organisation
9, Bank Colony (Dhakuria)
Kolkata - 700 031
Tel: (91) (033) 4833408

ODANADI
1293, 12th Cross, E&F Block
Ramakrishna Nagar
Mysore
Tel: (91) (0821) 60315

PRAYAS
59, Tughalakabad Institutional Area
New Delhi - 110 062
Tel: (91) (011) 607 8103, 608 9544

Salaam Balak Trust
A-12/5, Vasant Vihar
New Delhi - 110 057
Tel: (91) (011) 614 7109

Society for Development, Research & Training (SDRT)

34, Chetty Street,

Pondicherry - 605 001

Tel: (91) (0413) 349284, 220058

Vimochana Devadasi Punarvasati Sangh

Athani - 591 304, Belgaum District

Karnataka

Stop Trafficking Oppression and Prostitution (STOP)

A-25, C.R. Park

New Delhi - 110 019

Tel: (91) (011) 642 6293, 6433574

For further details on NGOs and other information please contact:

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