

## **Gist of RSTV Big Picture: Tackling Human Trafficking**

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**What's in the news?**

- United Nations High Commissioner for Human Rights has warned that the [Covid-19](#) pandemic would lead to a major increase in human trafficking.
- India's Home ministry has ordered the States and Union Territories to expedite the setting up of new Anti Human Trafficking Units (AHTUs) and upgrade the infrastructure of existing ones to 'combat and prevent' human trafficking.
- **What is AHTU?**
  - It is an integrated task force to prevent and combat the menace of human trafficking.
  - Trained representatives from the police, department of women and child development, other relevant departments and non-government organizations are a part of the unit.
- The Home Minister of Andhra Pradesh had launched the first Integrated Anti Human Trafficking Unit (IAHTU) in India in 2007.

**What's the magnitude of human trafficking?**

- According to the International Labour Organization(ILO), In 2019, about 21 million people were trapped in "modern slavery".
  - About 68 percent were used as underpaid, free or forced labour.
  - Nearly 4.5 million were used for sex trafficking and organ donation.
  - Government backed forced labour persisted in some countries.
- Human trafficking is the third largest crime globally after drug smuggling and illegal arms supply. All countries, including the US and the African nations are part and parcel of this crime.
- Human trafficking generates profits of roughly \$150 billion yearly for traffickers, according to the ILO estimates.
- In India, it is not just the Indians who are trafficked out of the country. India is also a major route for trafficking people from Myanmar, Nepal, Bangladesh, Pakistan, Afghanistan among the others.
  - Pune is one of the biggest human trafficking routes in India.
- The percentage of people trafficked exclusively for sex work has dropped in the recent years, with an increase in trafficking for organ donation instead.
- Even in the economically prosperous western countries, relatively poorer communities are more vulnerable to organ trading.

**Factors making people vulnerable to trafficking:**

- Increasing disparities in income and socio-economic status throughout the world is the major cause.
- Children are pushed into serial marriages and forced or hazardous occupations due to poverty.
- Widowed and deserted women and children, when uneducated, fall prey to the trafficking agents.
- Lack of rehabilitation facilities by the government to women victimized due to forced sex work.
- Poor and minor women are trafficked for surrogacy and egg implantation without their consent.

- Lack of micro credits or small loans at the village level for marginalized entrepreneurs, makes them vulnerable to trafficking.
- Inadequate media coverage of the details and extent of trafficking activities in the country.
- It is also important to note the seasonal variations in the magnitude of trafficking.
  - During natural disasters and pandemics poor people are more susceptible to organ selling, prostitution and child labour for meeting everyday needs like food or clothes.

### **Legislation against human trafficking in India-**

- There are 25 relevant sections in the Indian Penal Code, such as 366A, 366B, 370, 370A and 374.
- Section 366- punishes kidnapping, abducting or inducing a woman to compel her marriage etc.
- Section 370 of Indian Penal Code (IPC) has been substituted with new sections.
- Section 370 and 370A define punishment for exploitation.
- **What defines exploitation?**
  - Exploitation by prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, or forced removal of organs.
- Section 374 deals with unlawful compulsory labour.
- Article 23 and 24 of Indian Constitution deal with the Right against Exploitation.
  - Article 23 talks about prohibition of trafficking of human beings and forced labour.
  - Article 24 talks about prohibition of employment of children in factories and hazardous occupations.
- Immoral Traffic (Prevention) Act or ITPA 1956, is an amendment of legislation passed in 1956 to check human trafficking.
- The Criminal Law (Amendment) Act or Nirbhaya Act 2013 has been enacted.
- **Existing laws to eradicate exploitation through trafficking:**
- Bonded Labour System (Abolition) Act, 1976.
- The Prohibition of Child Marriage Act, 2006
- The Protection of Children from Sexual Offences Act (POCSO Act), 2012
- Transplantation of Human Organs Act, 1994 and its amendment in 2014
- The Protection of Children from Sexual Offences Act (POCSO Act), 2012
- The Child Labour (Prohibition and Regulation) Amendment Act, 2016

### **Who is behind these crimes and how organized is this system ?**

- A well connected syndicate operates in human trafficking on the international borders within India.
- Hardly any trafficking syndicate has been arrested under the Maharashtra Control of Organised Crime Act, 1999 Act and the UP Gangsters Act despite an active nexus of human smuggling on the UP- Nepal border (1300 kilometers long).
  - An organized smuggling of Nepali women and children via Varanasi operates there.
- The West Bengal and Bangladesh border is also infested with the trafficking business.
- Corruption and apathy among policemen and political nexus also plays a role in promoting cross border trafficking rackets.

### **What are the challenges in dealing with human trafficking?**

- Evolving nature of trafficking is a challenge, given the advancement in technology and more covert ways of conducting crime being adopted.
- Vulnerability of the poor and unemployed people who accept advance payments from trafficking agents before being aware of the real conditions and nature of employment they are promised.

### **The best way forward-**

- Convergence and coordination is needed between the police, relevant departments and NGOs in tackling the menace of trafficking.
- Governments in both the countries, from where the victims are sourced and to which they are supplied should be involved in tracing the trafficking racket.
- Regular and systematic information sharing between the states is needed.
- There is a need for a national directory on trafficking, in collaboration with the Ministry of Home Affairs and the Ministry of Finance at the centre and state levels. It would also have to be adequately funded.
- Internal vigilance and training of law enforcement teams needs to be revamped.
- Collection of intelligence databases on trafficking has to be efficient and timely.
- Strict action needs to be initiated against police officers and politicians who connive in the crime or neglect it.
- In situations where accused is acquitted, it must be ensured that the victims are safe. Damage control for the benefit of the victims is essential.
- There is a need for upgradation of existing ATHUs through capacity building and adequate funding so that they can function as more specialised units.