



“Nature of Human Trafficking in India”

Shruti^{1*} & Dr. Patwardhan Rathod^{2*}

^{1*}Ph.D Research scholar, Department of Studies in Social Work, Shivagangotri Davangere University
Davangere Karnataka, India.

^{2*} Assistant professor, Department of Studies in Social Work, Shivagangotri Davangere University
Davangere Karnataka, India.

Abstract

The situation of human trafficking in India is discussed in this essay. It contends that the discourse on trafficking continues to be dominated by the focus on either prostitution or illegal immigration, which places state security above human security and fails to fully address the underlying causes of trafficking and the insecurity of those who are victims of it. The root causes or vulnerability factors of trafficking, such as structural inequality, culturally accepted behaviors, poverty or economic insecurity, the trade in organs, bonded labor, and gender violence—all of which are further exacerbated by corruption—have not been acknowledged in academic and policy circles. This essay argues that the offences connected to human trafficking that jeopardize the safety of those who are trafficked must receive special attention. Persons in India. Accordingly, it provides some preventive measures to address and deal with the problem.

Kew Words: Causes, Judicial Enforcement, Preventive Measures.

Introduction

Around the world, the issue of human trafficking for sexual exploitation is growing more and more common. Trafficking is a significant industry with the fastest rate of growth in the global illicit economy. This section emphasizes the definitions of bonded labor, child labor, and sex trafficking that is utilized in both international and Indian legal standards throughout the report. Trafficking of humans for "physical exploitation or any form of sexual exploitation, enslavement or practices equivalent to slavery, servitude and the forcible removal of organs" is illegal by the new section 370 of the Indian Penal Code. Under this provision, cases involving a wide range of contemporary slavery subtypes have been registered.

Trafficking in people for the purpose of sexual exploitation is categorically forbidden since India joined the Palermo Protocol and changed its Penal Code. The Immoral Traffic in Persons Act of 1956 also outlaws taking, obtaining, or influencing a person for prostitution. A number of sexual offences against minors under the age of 18 are prohibited by the Protection of Children from Sexual Offences Act of 2012. Sex trafficking, labour trafficking, and organ trafficking are just a few of the many components that make up human trafficking. Human slavery for prostitution also includes sex trafficking. When someone is forced into non-sexual labour, it is called labour trafficking. Some instances contain a male. Trafficked into farm work, or a woman trafficked into a servant. Lastly, organ trafficking is when people are trafficked so their organs can be sold to be used into transplants. The size of the issue is huge, "both in [the] number of trafficked victims and increasing number of sites," according to India's 2008 Integrated Plan of Action to Prevent and Combat Human Trafficking. Due to lax law enforcement and little prosecution, traffickers are driven by large rewards and minimal risk. To combat human trafficking, legal action must be taken to recover the assets and income of traffickers as well as to prosecute and punish offenders.

Indian Human Trafficking's Causes and Methods

There are a number of reasons that contribute to the trade in humans, notably in women and children. Push and pull factors are two categories that can be used to categorize the causes of women's and children's trafficking. Poor socioeconomic conditions of many families, poverty coupled with frequent, almost yearly natural disasters like floods that leave some people practically penniless, a lack of educational, career, and income opportunities for women (and their family members) in rural areas are some of the push factors.

Lack of knowledge about the actions of traffickers, pressure to gather dowries that forces parents to send daughters to far-off locations for employment, dysfunctional families, domestic violence against women, low status of girls among other factors. According to the case studies, acute poverty and other forms of deprivation not only encourage some people to become victims of traffickers but also act as incentives for others. Since they have no other choice than to remain in the exploitative atmosphere, prostitutes frequently grow close relationships with human traffickers and emulate them.

The pull factors include attractive job offers in large cities, easy money, the assurance of a better life and better pay by trafficking touts and agents, the desire of young girls for marriage in other areas, the need for low-wage and underage sweatshop labour, the rise in the desire for young children for adoption, and the increased desire for women in the rapidly growing commercial sex industry.

These women and girls are being transported further, both to the Middle East and other places. This begins as illegal migration during harsh times and turns into trafficking. Supply and demand in the

sending and receiving countries have a role in this migration. While structural inequality, poverty, illiteracy, and a lack of employment prospects are factors in the supply side, the necessity for inexpensive labour in the destination country drives demand.

The main issue faced by poor families in India is the members' weak communication skills outside of the family home. Many of them are illiterate; they are unable to read or write. Therefore, they rely on others to send them letters or call their family members on their behalf. The law's watchdogs frequently fail to stand up for the victims. It is frequently asserted that cops harass the victims more so than the criminals. In addition to making the socially and economically disadvantaged segments of society more susceptible to trafficking, all these restrictions also help to explain why re-trafficking is so prevalent in our culture.

Other forms of trafficking besides child marriage include fake marriage, false recruitment, kidnapping and abduction of children, transportation of children with guardians' permission, adoption of children, and utilising low-income families in cities where there are jobs and better living conditions.

Judicial Enforcement Related to Human Trafficking in India

- Importation of girls from foreign country (Sec. 366B IPC)
- Procreation of minor girls (section 366-A IPC)
- Buying of minors for prostitution (section 373 IPC) (previously known as buying of girls for prostitution)
- Selling of minors for prostitution (Section 372 IPC) (in previous editions, data was collected under buying of girls for prostitution)
- Immoral Traffic (Prevention) Act 1956
- Human trafficking (section 370 & 370A IPC), after enactment of the Criminal Law (Amendment) Act 2013,

Prevention Techniques

Cross-border trafficking requires strict enforcement, secure surveillance of trafficking routes, and appropriate social accountability.

Social and economic policy

- Taking steps to increase social protection levels and open up job chances.
- Implementing the necessary steps to end discrimination against women in the workplace in order to guarantee, in accordance with the principle of gender equality, the right to equal remuneration for equal labour and the right to equal employment chances.

- Creating initiatives that provide alternatives for a living, incorporate fundamental education, reading, communication, and other skills, and lower barriers to entrepreneurship.
- Ensuring that laws are in place that give women equal access to and control over economic and financial resources; Promoting gender sensitization and education on equitable and respectful interactions between the sexes to stop violence against women.

Measures to increase awareness

With the assistance of NGOs and police officers, various advertisements can be placed in the popular media in a specific area, and awareness campaigns can be held in villages and local schools to raise awareness of victimisation among children from low-income families and the general public.

Regulatory actions

enacting or strengthening legislation, effective law enforcement, untainted officials, and educational, social, and cultural initiatives

or other actions, as well as, where appropriate, criminal law, including through bilateral and international cooperation, to reduce the demand that encourages all types of human exploitation, particularly that of women and children, and that eventually results in trafficking.

Conclusion

The dignity and safety of those who are victims of human trafficking are seriously threatened, and their human rights are seriously violated. The equal rights of men and women are guaranteed by Indian constitutions, but when it comes to actual execution, these guarantees are frequently just words on paper. Strong political will on the part of the government is essential in carrying out its anti-trafficking responsibilities in order to combat trafficking and subsequently protect the human rights of the vulnerable people. Thus, any crime that can be turned into a business will eventually turn into a major social ill, as is the case with human trafficking. If intentional, firm action is taken, and laws are developed and properly followed, the situation can still be handled. If prompt action is not taken, it won't be too long until it is too late.

References

- Government of India. India country report 2013 – statistical appraisal. Central statistics office, Ministry of Statistics and programme implementation; 2013, 98.

Availablefrom:http://mospi.nic.in/mospi_new/upload/SAARC_Development_Goals_India_Country_Report_29aug13.pdf.

- Human Trafficking the Fact, Global Initiative to Fight Human Trafficking, 2008, 1-2.
- "Launching of Web Portal on Anti Human Trafficking" (Press release). PIB. 20 February 2014. Retrieved 21, 2014.
- National Crime Records Bureau Data from 2010, 2011, 2012, 2013, 2014.
- Shamim I. State of Trafficking in Women and Children and their Sexual Exploitation in Bangladesh. Dhaka: Centre for Women and Children Studies (CWCS), 2010.
- Walk Free Foundation Global Slavery Index 2014,

