

## Research Paper

## Human Trafficking- an emerging crime syndicate and bondage to the society of West Bengal

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Murshidabad, West Bengal**ABSTRACT**

Transportation or transfer of human from source area by force, abduction, fraud etc., thus gaining control on victim for exploitation is known as trafficking. In the present day it has emerged as a matter of prime concern. West Bengal has a long international border which provides site for trafficking. The present study is an attempt to highlight the human trafficking going along the porous international borders of West Bengal and suggest proper remedies being based on the data derived from secondary sources.

**Key words:** Human trafficking, exploitation, porous international border

**Introduction**

Abusive and irregular movement of human beings against their will to render trade is an act of trafficking. The main purposes of trafficking are prostitution, entertainment, industrial, domestic work, forced labour, illegal adoption, organ transplant, begging etc. (ILO, IOM and UNIFEM). Trading of human beings and their exploitation is one of the most despicable forms of violence of human rights (National Human Rights Commission, 2004). Little awareness of reinforcement of trafficking, lack of inadequate laws etc. has made the activity into an organised crime. Recruitment, transportation, transfer, harbouring or receipt of persons by means of threat, force or any forms of coercion of abduction, fraud, deception, with abuse of power or position by means of payment to achieve of control on another person for the purpose is trafficking (UN Office of Drugs and Crime, 2000. UN Protocol to prevent, suppress and punish trafficking, UNTOC). Most of the trafficked victims generally begin sex work.

**Objectives**

1. To identify the porous prone borders of West Bengal.
2. To highlighten the ready human trafficking sites.
3. To find out the causes of trafficking.
4. To chalk out the steps ought to be taken.
5. To suggest strategies for development.

**Methodology**

Human trafficking is such a sensitive issue where conduction of primary survey is a difficult task. Hence the study is based upon the data procured from NGOs, reports from cases registered and from various journals. In addition, the Census data (2001) of India has been used in so many cases. Simple statistical techniques are used to analyse the data.

**Results and discussion**

In 2005, West Bengal registered 61 cases of importation of girls, 40.9% of nation total. In the same year, 74 cases were registered under Immoral trafficking (Prevention Act). The C.I.D., Bengal detected that in 2008 the trafficking cases enlisted was 4621 which rose to 8598 by 2010. West Bengal ranks in top 5 list of trafficking. North 24 Parganas ranks highest in the state. A study conducted by National Commission for Women in 2009, discloses that the

trafficking of women and basically girl children for commercial sexual exploitation took place in 378 districts i.e. 62 % of total number of districts in India. West Bengal with the porous Borders emerged as prime site. The location factor aids in trafficking in West Bengal. Movement of refugees, displacement of persons, uprooting people seeking employment etc. are common here.

The district of Coochbehar, Jalpaiguri, Murshidabad, Nadia, North 24 Parganas, Uttar Dinajpur, Malda, lay along the borders of Bangladesh. Among these North 24 Parganas, Murshidabad, Nadia etc. have porous borders encouraging trafficking.

Murshidabad: With a rural female population of 2498783 and literacy rate among them of 46.37%, the district has significant trafficking cases. This is basically due to the indefinite source of income.

Nadia: A total female population of 2237974 and has enlisted as one of the major trafficking boundary district.

North 24 Parganas: The most urbanised district of West Bengal. The rural female literacy rate is 61.71%.

Coochbehar: With a 50% of SC population, Coochbehar has a total female literacy rate of 54.49%. It is connected with the rest of the state by a single railway and road ways.

Jalpaiguri: Most of the areas are under rural segment, it has a total female literacy rate of 21.8% only.

Uttar Dinajpur: An agro based district with a rural literacy rate of 38.43% is bordering Bangladesh.

**Trafficked candidates**

Trafficking may include old, young, boy or girl, male or female etc. but is more practised on young female folk. A survey done by Sanjog in December 2009, found among 1269 total trafficked candidates 934 children are trafficked. Among them 710 were girls and 224 were boys.

Table 1: Total cases surveyed

Candidates	Number	%
Female children	710	55.9%
Male children	224	17.7%
Female adults	251	19.8%
Male adults	12	0.95%
Others	72	5.6%

Table 1: shows that female children are the most trafficked candidates (55.9%). Male adults are least trafficked (0.95%).

Source: Sanjog, December 2009.

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Table 2: Sex of candidates trafficked

Sex	Number	%
male	236	18.6%
female	1033	81.4%

Source: Sanjog, December 2009

From Table 2: it is clear that female is mostly trafficked (81.4%) than male (18.6%).

Table 3: Categories of Cases filed in West Bengal

Cases	Number
Missing	646
Trafficked	890
Unsafe migration	133

Source: Sanjog, December 2009

From Table 3: shows that in most of the cases filed for unfound candidates, cases related to trafficking score high (890).

### Trafficking of kids

Generally known as 'sale of children' trafficking of kids is the act of transfer of parental authority over physical custody of child to another in exchange of reward or financial support etc. (Commission of Human Rights, 55 Session, 29 January 1999). These includes sale of child, child prostitution, child pornography, amateur, sexual exploitation etc.

#### Cause of child trafficking

##### 1. Sexual exploitation:

a. Pornography: Applied on both male and female children.

b. Forced prostitution: Applied on female children. Young girls have more demand due to their virginity and less complexity. They are less prone to HIV and are merely affected by STDs. Moreover they can be easily ruled at less cost.

c. Religious sanctioned prostitution: Devdasis, Joginis are female brought at tender age. They are first married to the deity and then made socially available for the satisfaction of the higher community. Their demand lessens with the rise of their age. Generally girls of lower caste are forced and then branded by hot iron on their shoulders and breasts after the completion of marriage with the deity. Though such is not practised in West Bengal, girls are trafficked to South India for such practises.

d. Sex tourism: Female children are in high demand among tourists. Tourists find it the safest and easiest way to have sex with girl children.

##### 2. Illegal activities:

a. Begging: Children are forced to beg with physical defects made. Group begging earns a lot of money to the child owners.

b. Smuggling and drug peddling: Smuggling by kids is safer as they are less prone to suspicion and less or no cost is required in the act.

c. Organ trading: Children are trafficked for sale of various body parts either or nor in exchange of money. Children body parts free of diseases and are less inoperative than those of the elders.

##### 3. Labour:

a. Bonded labour: Sometimes the parents cannot pay the loan taken from middleman and has to give away their children for free labour throughout their life. This was earlier more practised.

b. Agricultural labourer: Adult folk demand higher labour cost. Children are generally used for low cost labour.

c. Domestic work: With poor salary children are ported for domestic work.

d. Carpet/bangles/etc. industry: Child labour is cheap and earns more profit to the entrepreneurs.

e. Brick field production: In recent times the brick field companies are highly interested about the use of low cost child labour.

4. Entertainment and sports: People are best

entertained by children. The circus company has a number of female kids, girls dancing throughout the show. The male children are trafficked to the Gulf countries for camel sports as camel jockey.

5. Marriage: Sometimes girls are abducted and forced to marry.

6. Adoption: Children are trafficked for illegal adoption.

#### Trafficking of women:

West Bengal is the source and destination of women trafficking. There is high demand of Bengal ladies both in national and international market. Moreover Bengal has a comparatively low rate of STDs found. Such trafficking is done both for commercial sexual exploitation and non-sexual exploitation also. In any of such cases it is considered as a criminal activity.

#### Causes of women trafficking:

1. Prostitution: Most of the girls are trafficked to serve the brothels. They are forced or taken by foul means. They are either paid or only served meal to have community sex.

2. Low cost labour: Women are trafficked as low cost labourer. Thus even sometimes half of the wage is paid, helping in profit for the owners at day and providing sexual satisfaction at night.

3. Sex tourism: As stated earlier such activities are practised to provide entertainment and sexual satisfaction among tourists.

#### Root causes:

Push Factor or Supply factor	Demand factor or Pull factor
a. Poverty: Trafficked for brothel based prostitution.	a. Economics connected to trafficking business: It require low investment and earns high profit.
b. Child marriage: 'Claim of dowry' ends to 'disposal in marriage' resulting to trafficking of girls.	b. Industrialization, urbanisation, commutation, migration etc.: Has enhanced the demand for commercial sex.
c. Mammad disaster and natural calamities: All this aggravates the values of the vulnerability of women and children. Lack of family support, safe shelter traffickers can exploit victims easily.	c. To fulfil the demand of tourist: commercial sexes by willing or unwilling or minor or young girls are preferred.
d. Social stigma: Single, divorced, unwed, widowed, unwillingness of society to accept women etc.	d. Cheap Labour: Globalisation and increase in competition of entrepreneurs are demanding for cheap labourers for women and children community.
e. Domestic violence: Women have little economic emancipation in the family sphere. They are forced to opt to the situation.	e. Generation of organised crime.
f. Lack of employment opportunity and rise in unemployment: Rural girls are vulnerable to trafficking.	f. Creation of need for 'experimental' and 'tender sex'.
g. False promises: Many children are lured out of home by false promises of love, marriage or work.	g. Hope of job and better marriage.
h. Community and traditional: Nat, Kanjar are not considered as exploitative in the first phase.	
i. Religious Prostitution: Girls are trafficked for Joginis, Devdasis, etc.	

#### Preventive measures:

1. Raise awareness among the local people.
2. Strengthen prevention method.
3. Render support and protection to victims.
4. Improve law enforcement.
5. Reduce the demand for illegal sex.
6. Enhancing of formation of informal contact groups.
7. Strengthen NGOs in fighting against trafficking.

#### Framework to address Trafficking:

Law/Act	Remedies
Article 23	Right against exploitation, prohibits traffic of human beings, forced labour and all such practices are punishable under the law.
Article 24	Prohibits employment of children below 14 years.
Indian Penal Code- 1860	Sec- 360A Procurement of minor girl from one part of country to other is punishable. Sec- 360B Importation of a girl from one part of the country to other is punishable. Sec- 374 Punishment for compelling any person to labour against his will.
Immoral Traffic prevention Act (ITPA)- 1956	Offences are: I. Processing persons for prostitution. II. Detaining a person in premises where prostitution is carried. III. Prostitution in public place. IV. Soliciting for prostitution. V. Living on the earnings of prostitution. VI. Seduction of a person in custody. VII. Keeping or allowing brothel in premises.
Child Labour Act- 1986	Prohibits employment of children in specified occupations and lays down condition of work of children.
Information Technology Act- 2008	Penalises publication or transmission in electronic form of any material which is lascivious, and its effect is such that it tend to deprive and corrupt persons to read, see or hear the matter contained therein. It address to pornography.
Juvenile Justice (Care & Protection of children) Act- 2000	Enacted in consonance with the convention on the right of the child (CRC). Amends the law related to juveniles and children in need of care and protection. Children who are vulnerable and are therefore likely to be inducted into trafficking.
Devdasis (Prohibition of dedication) Act.	Redirecting girls for ultimate purpose of engaging them in prostitution is unlawful. If any performing or promoting Devdasi dedication ceremony is punished.

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**Laws/Acts at International levels:**

OSCE: fights for human trafficking

ILO: promotes protection against forced labour.

UNICEF: protection from violence abuse and exploitation of children.

IOM: protection of migrant workers.

UNOD: guardian of UN Protocol against trafficking.

**Identification of human trafficking (Process, Mean, Purpose):**

Process	Means	Purposes
Recruitment	Threat	Exploitation
Transportation	Force	1. Sexual exploitation
Transfer	Coercion	2. Forced labour an services
Harbouring	Fraud	3. Slavery
Receipt of persons	Deception	4. Involuntary servitude
	Abuses of power	5. Removal of organ.
	Abuses of vulnerability	
	Giving and receiving of payment	

**Role of Government in Combating Trafficking:**

1. The State Government at local level should create Compulsory Quality Education and income generating programmes.

2. Inter-state share of information, programmes can help in preventing trafficking.

3. Enhancement of institution mechanism:

a. The National Commission for Women: 31st January 1992.

b. The National Human Rights Commission: 12th October 1993.

c. National commission for Protection of Child Right: March 2007.

4. Enforcing Kishori Shakti Yojana, Ensuring out-poverty schemes like Swadhar, Swayamsih, Swa-shakti, Swawlamban, Balika Samridhi Yojana, support to Training and Employment.

5. Generating awareness and difficulties faced with exposures to HIV/AIDS.

6. Increasing opportunities for non-exploitative legal labour migration.

7. Setting of database portal under the aegis of National Crime Record Bureau.

8. Rapid and accurate identification of traffickers and victims by developing procedures relevant to State authorities and officials like police, BSF personal, immigration officials.

**Role of NGOs:**

1. They motivate people to keep a watch in the community for irregular movement of victims to and from the area and can possibly detect traffickers and hideouters.

2. The NGOs may ensure awareness among parents such that they are aware of safe migration practices.

**Conclusion**

Human trafficking is a form of modern day slavery which requires a multi-sectoral, all-round and holistic, approach to address the complexities. It violates the rights and dignity of the victims thus requires proper eradication. The government organizations, non-governmental organizations, civil society, pressure groups, international bodies, etc. have a major role to play. Ignorance, poverty, earning opportunities and lack of awareness is a major cause for women being trafficked into prostitution, arduous, physical labour involved in. A risk of HIV is always there among trafficked. Mistreatment and lack of support from family and society, prostitutes find themselves facing difficulties in coping with HIV, leading to further degradation in their health.

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