CHAPTER II

REVIEW OF LITERATURE
Review of literature is the most important aspect in any research work. It is a measure stating the recent output on a particular area of research and organized in a helpful sequence to strengthen the present research techniques. The main objective of the review of literature is to understand the research activities that have taken place in a particular discipline in general and in the area of research in particular.

Human trafficking has emerged as one of the most profitable illegal venture next to trade in arms and narcotics. The illicit and illusive nature of trafficking makes it impossible to identify the exact number of people involved, nevertheless 58 percent of all trafficking cases globally are believed to be for trafficking (Global Report on Trafficking in Person, 2012).

Studies on human trafficking particularly in Indian context are very scanty and sketchy because of its sensitive nature. Though such studies are abundant in abroad, indeed a crucial gap in the literature from India is identified as the paucity of primary data and the lack of macro studies that could be used for vulnerability mapping of the source area and addressing the risk factors identified (Sen & Nair, 2004; Nair, 2010). Some such studies are briefly reviewed here under.
‘In no area of the social sciences has ideology contaminated knowledge more pervasively than in writings on the sex industry,’ asserts Ronald Weitzer, a sociologist at the George Washington University. This claim certainly extends to trafficking for sexual exploitation, an area ‘where cannons of scientific inquiry are suspended and research deliberately skewed to serve a particular political and moral agenda (Weitzer 2005: 934; see also Weitzer 2007; Rubin 1984 and 1993; Goode 1997). Much of the research on human trafficking for sexual exploitation has been conducted by activists involved in anti-prostitution campaigns (e.g. Raymond 1998, 2004; Hughes 2004, 2005). These activists adopt an extreme (i.e., absolutists, doctrinaire, and unscientific) version of radical feminist theory, which does not distinguish between trafficking for forced prostitution and voluntary migration (legal or irregular) for sex work. Few of the radical feminist claims about sex trafficking are amenable to verification or falsification (Weitzer 2005: 936).

This report, by the author of the groundbreaking 1996 report to the Secretary General of the United Nations on the impact of armed conflict on children, reviews progress made since then. It examines new achievements and obstacles to the protection of children and makes recommendations to address ongoing problems. The report examines the gender dynamics of conflict and peace building, and argues for specialized training and sensitization on children’s rights and gender. In Chapter Two of the report, entitled “Child Soldiers,” Colombia is included in the list of countries currently conscripting child soldiers, as well as in the list of countries in which exist ongoing negotiations to end the use of child soldiers. Chapter Five of this report addresses gender-based violence and sexual exploitation, including trafficking in the context of conflict, and emphasizes the urgent risk posed by HIV/AIDS.

Machel’s review notes important progress since 1996, including new measures to protect children from military recruitment and to prosecute and
punish war crimes against children and women. It also describes the increased importance of and emphasis on education as a key component of humanitarian relief, along with food, health care, and shelter. But serious violations against children continue. The report states that some 300,000 children under 18 are participating in conflicts—in combat, as sex slaves for soldiers, or as porters. At least 20 million children have been displaced in the past decade, and millions were killed by war and war-related conditions.

Human Rights Watch. *Hidden in the Home: Abuse of Domestic Workers with Special Visas in the United States*. Vol. 13, No. 2 (G). 2001. This report examines the treatment of domestic workers with special visas in the United States, providing case studies of several women including those from Guatemala and Peru. The report examines specific abuses suffered, including physical and psychological abuse. The report includes a specific examination of forced labor, servitude, and trafficking in persons. Government procedures, guidelines, laws, and regulations are also covered, as are U.S. laws and enforcement and international organizations’ internal requirements. The report also provides a comparison study of the U.K., and includes recommendations.
Another research carried out by the National Human Rights Commission on Trafficking in women and children in India (2002-03) states that “maximum percentage of interviewed individuals has been trafficked from the states of Andhra Pradesh (25.9%).


This report analyzes patterns of migration and trafficking in Latin America and the Caribbean, with a focus on the health of women. Internal migration patterns are most often from rural to urban settings, but can be to locations with a high proportion of male laborers, such as the trafficking of 50,000 Brazilian girls to the gold mining towns in the Amazon. International trafficking from Latin America is most common to Europe and North America, and within Central America either as a destination or a transit site. The report claims that restrictions on trafficking in Thailand and other South
East Asian countries have lead to an increase in sex tourism in Central America, Argentina and the Chiapas. In the Dominican Republic alone, migration officials estimate that there are 400 groups involved in human trafficking. In Paraguay, advertisements for domestic work in Argentina thinly veil prostitution networks. In Venezuela, the report claims that police and medical staff sexually abused victims seeking assistance. In Colombia, women and girls are used as sex slaves by both sides of the conflict. Adolescent girls trying to cross borders from Mexico to the US often find themselves stuck in prostitution on either side of the border. Traffickers promise girls a reduction in their fee, or “protection” from victimization by other men, in exchange for sex.

The Indian states policy approach, theoretically at least, is aimed at balancing between the view that sex work is immoral, and that the right of sex workers ought to be protected. In practices however, state policy has been influenced by the dominant view that sex work is immoral (Misra, Mahal, & Shah, 2000) since its purpose is to inhibit or abolish commercialized vice which the ITPA defined as trafficking in women for the
purpose of prostitutions as an organized means of living (Protection Project, 2002).

Mediation and reconciliation are other issues covered in the literature. With many child soldiers forced to commit atrocities during their recruitment and use, many communities and families do not want to take the child soldiers back. Ensuring a safe reception for the former combatant and a safe environment for the community requires reconciliation and education. “Wives” and girls with children resulting from rape can also be seen as tainted and find it difficult to reintegrate, especially if they return to their home communities with children conceived during the mother’s enslavement. The use of traditional healing mechanisms is discussed in a number of the works reviewed. Child Soldiers in Southern Africa (Mausse and Nina, 1999) discusses the benefits and effectiveness of blending of modern reintegration techniques with traditional healing and healers as done in Mozambique. There are also works dealing with accountability issues and child combatants alleged to have committed atrocities. Earlier work refers to the post-conflict situation of former child combatants in Rwanda, while more recent works focus on Sierra Leone and the establishment of the Special Court. In studies such as the Coalition to Stop Child Soldiers'
Juvenile Justice and Child Soldiering: Trends, Challenges, Dilemmas (Clark 2002) and Juvenile Justice, Counter Terrorism and Children” (Brett 2002), the discussion centers around whether child soldiers should be criminally prosecuted for atrocities they may have committed and the amount of criminal liability that can be attributed to their commanders and recruiters. This is an unresolved issue and more works can be expected on this topic. A few legal journals and news articles address issues related to redressing trafficking crimes against victims (including the pursuit to include forced marriage as a crime against humanity within the Special Court for Sierra Leone Tribunal and the recognition by the Yugoslav and Rwanda Tribunals that various forms of sexual violence constitute crimes against humanity, means of torture, forms of persecution, crimes of war, and crimes of enslavement), but very few explore in-depth issues related to actual legal status of trafficked victims, redress, or compensation for abuses suffered.

The study, Girls in Militaries, Paramilitaries, and Armed Opposition Groups (McKay 2002), notes that 100 percent of the girls associated with the armed forces in Africa are abducted, followed by Asia (80 percent), the Americas (50 percent) and Europe (33 percent). This illustrates why the term “WAFF” is generally used to denote a trafficked female, regardless of her
role within the armed group. These victims can be recruited from anywhere, including school, IDP camps, or refugee camps.

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Godoy, Oscar. *Trabajo Infantil Domestico: Una Evaluación Rapida*. ILO/IPEC. 2002. This rapid assessment of child domestic labor in El Salvador describes the conditions of child domestic workers in Santa Ana, San Miguel, and San Salvador. The conditions are exploitative: the children work long hours, eat little, have no opportunities to go to school, and are
often sexually abused by their bosses or their bosses’ children. The study does not discuss the circumstances or recruitment methods used to involve the girls in domestic work further than citing their poverty and their parents’ lack of economic opportunity. It is, therefore, unclear as to whether or not trafficking networks are involved in transferring children into domestic labor.

On the other hand, while trafficking is intrinsically connected to prostitution, all prostitutes are not necessarily trafficking in the sense that some of them do make a choice to work in prostitution. Furthermore, within trafficking discourses, the situations of women and children are often discussed together with the result that women are infantilized and represented as having little agency and as being in need of paternalistic protection (Doezma, 2002).

There is a growing body of evidence in the literature reviewed that links the spread of HIV/AIDS with conflict, massive displacement, and human trafficking. This was referenced in many of the works reviewed, especially the ones dealing with armed conflict. However, few works specifically focus on HIV/AIDS and conflict. One of these, *HIV and Conflict: A Double Emergency* (Save the Children, 2002), details the rapid
spread of HIV/AIDS from unchecked child trafficking and sexual exploitation in IDP and refugee camps. Subramanian’s *Impact of Conflict of HIV/AIDS in South Asia* (2002) details the increase in the spread of HIV/AIDS in conflict-affected areas, such as India and Pakistan (over Jammu and Kashmir), northeastern India, where high numbers of refugee and displaced women and children have been trafficked, in Bhutanese refugee camps in Nepal, and in conflict-affected districts of Sri Lanka. Subramanian’s work also details protection measures and projects being undertaken in South Asia.

UNICEF UK. *End Child Exploitation: Stop the Traffic!* 2003. The second in a series issued by UNICEF UK’s program Stop the Traffic, this report focuses on the trafficking of children and includes a section dedicated to the trafficking of children in the Americas. The report notes the trafficking of children for the purpose of domestic servitude, including girls trafficked from rural areas in Haiti to serve as domestics for rich urban families, women and girls trafficked from Brazil and Suriname to work in the gold mines of the Amazon region, and young women trafficked to Bolivia and Brazil to work in agriculture. The report lists the following as the primary factors leading to the trafficking of children: unemployment and
poverty, homelessness, drug abuse/addiction, sexual and physical abuse, and the growth of the tourist industry in the region. The report also maps the trafficking routes throughout the Americas. Also included in this analysis is reference to the problem of trafficking of children for the purpose of adoption. The report notes that inter country adoption is particularly problematic in Guatemala, but includes El Salvador, Honduras, and Venezuela as countries of origin for illegal adoptions as well.

U.S. Department of State. *Country Reports on Human Rights Practices. Brazil.* 2003. A brief section of the report focuses on forced labor. Forced labor and trafficking of workers were reported in the majority of states for activities such as forest clearing, logging, charcoal production, raising livestock and agriculture. The penal code provides penalties for various crimes related to forced labor, but these are rarely enforced. The government has a mobile team for inspection with the responsibility of locating and liberating workers trapped in forced labor. Information campaigns have targeted rural workers. ILO set up a program to improve interagency collaboration. In spite of these efforts, forced labor is on the increase. Insufficient resources and lack of political will from local authorities pose substantial barriers to convicting abusers.

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Organización Internacional para las Migraciones (OIM). *Migración, Prostitución y Trata de Mujeres Dominicanas en la Argentina*. 2003. This study of Dominican women living in Argentina casts light on the relationships between migration, prostitution, and trafficking, taking as reference a group of Dominican women who emigrated to Argentina between 1996 and 2000. The study analyzes the factors influencing this process both at source and reception communities. It traces the route of these women, who became prostitutes in Argentina, and includes recommendations to prevent the repetition of the conditions of fraud and deception involved in their journey. International norms, the legal framework in Argentina regarding human trafficking and smuggling, and approaches taken by state institutions and civil society in Argentina are discussed. Sources include Dominican women living in Argentina, NGO
personnel, and analysis of data on Dominican residents collected by the Dominican Consulate in Buenos Aires and the National Direction of Migration in Argentina.

There are many studies that look at a specific aspect of human trafficking and the DDR process. Most of these relate to some portion of the reintegration process of former trafficked victims back with their families and communities. Psychosocial support is one aspect that is examined and where the work provides specific guidelines for programmatic interventions. As an example, the International Organization for Migration (IOM) has several works on providing victim support, including Psychosocial Support to Groups of Victims of Human Trafficking in Transit Situations (Macedonia 2004) and the Victims Assistance and Protection Program for Women Rescued from Trafficking (Croatia 2003).

An interesting finding in the literature review is that most of the literature on trafficked girls and women deals with them within the context of victim. However, the work done on Ethiopia and Eritrea indicates that former trafficked females felt empowered by their experiences. This is documented in Veale’s “From Child Soldier to Ex-Fighter. Female Fighters,
Demobilization, and Reintegration in Ethiopia (2003) and other works on Ethiopia and Eritrea.

The review found very few works that deal exclusively with female combatants or female noncombatants, and trafficked boys with noncombatant roles. It also found only a few references to adult men trafficked by armed groups as combatants or for forced labor. One of these addressed the use of adult male and child forced labor in the DRC diamond and gold mines (Addressing the present and building a future, A Memorandum to the DRC transitional government, Amnesty International 2003).

This is an unresolved issue and more works can be expected on this topic. A few legal journals and news articles address issues related to redressing trafficking crimes against victims (including the pursuit to include forced marriage as a crime against humanity within the Special Court for Sierra Leone Tribunal and the recognition by the Yugoslav and Rwanda Tribunals that various forms of sexual violence constitute crimes against humanity, means of torture, forms of persecution, crimes of war, and crimes
of enslavement), but very few explore in-depth issues related to actual legal status of trafficked victims, redress, or compensation for abuses suffered.

IDPs and refugees are extremely vulnerable to trafficking for labor, armed recruits, and forced sex. This is detailed in UNHCR’s Sexual and Gender-based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response (2003) and the Reproductive Health for Refugee’s Consortium’s If Not Now When? Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-Conflict Settings (2002). The IOM study on The Trafficking of Women and Children in the Southern Africa Region (2003) also found a growing trade of refugees being trafficked to South Africa for sex from the refugee-producing countries in the region. As detailed in 2.3, Literature on post-conflict trafficking and HIV/AIDS, the documents reviewed found a high correlation between conflict-caused displacement and HIV/AIDS.

Links between peacekeeping and human trafficking are detailed in a number of recent works. One of the more in-depth studies is Gender Aspects of Conflict Interventions: Intended and Unintended Consequences (Skjelsbæk, Barth and Hostens 2003). This explores the consequences of
three large peacekeeping missions (including SFOR in Bosnia and Herzegovina), including their links with human trafficking and prostitution.

The supply and demand factors between trafficking and peacekeeping are explored in *Peacekeepers and Sex Trafficking* (Panagiota 2003), which asserts that human trafficking in the form of prostitution was almost nonexistent in Kosovo, Bosnia, Sierra Leone, Somalia, and Cambodia, until the arrival of international troops spurred the demand for prostitution. The *Modern Slave Trade* (Carpenter 2003) argues that post-conflict countries are unable to deal with post-conflict trafficking because of the complicity of post-war government officials and the legacy of a corrupt legal system. The lack of institutional capacity of the post-war government to prevent and address human trafficking is another issue raised in the literature. Several of the child protection agencies are working in capacity-building projects in postconflict countries, in coordination with UNICEF, within Ministries of Justice, and in particular on the development of protection and redress mechanisms for victims of human trafficking.

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In the Indian scenario, the south state of Andhra Pradesh has emerged as one of the primary centers of origin of individuals being trafficked. A study by prajwala in 2003 (*The shattered Innocence* by Br.Jose Vetticatil and Dr.Sunitha Krishna) indicated that 24% - 85% of women in prostitution in other cities/metros belong traditionally to AP.

One of the few case studies on displacements and human trafficking is *Agrarian Conflict, Internal Displacement and Trafficking of Mexican Women: The Case of Chiapas State* (Acharya 2004). This study explores the trafficking of both men (as agricultural labor) and girls (as prostitutes and bar girls) as a means to escape conflict and poverty. Another is *Armed*
Conflicts and Human Traffic in Tajikistan (Mirzoyeva 2004), which discusses women leaving conflict areas and their vulnerability to being trafficked for sexual exploitation to countries of the CIS and Persian Gulf States. Although recent newspaper articles and media press releases have addressed the sexual enslavement of female IDPs and refugees in East Timor and Sudan, detailed accounts and programmatic responses are not yet available.

Few works comprehensively address the impact of peacekeeping on the phenomenon of trafficking for sexual exploitation within Ethiopia and Eritrea, East Timor, Liberia, and the Democratic Republic of Congo.

However, organizers of peacekeeping missions recognize these links and are starting to address them. Both the U.N. Department of Peacekeeping Operations and NATO issued policy guidelines in 2004 to prevent and address human trafficking problems in their peacekeeping missions (Human Trafficking and United Nations Peacekeeping and Conference Paper: NATO Conference on Trafficking in Persons).

explores the exploitation of child domestic labor in three regions, including
Central America, Indonesia/Malaysia, and West and Central Africa. With
regard to the situation in Central America, the report notes that child
domestic workers are severely restricted and controlled by employers.
Control extends to every facet of their lives, including salary, working hours,
what languages are spoken in the home, and freedom of movement outside
the home. It is also noted that ethnic minorities, in Guatemala for example,
are particularly vulnerable to exploitation. The report provides individual
accounts of domestic service exploitation from women throughout Central
America, and it includes governmental restrictions to the rights of domestic
workers in both Guatemalan and Salvadoran labor codes. The report
concludes with a brief list of recommendations for governments, including
the establishment of minimum ages for employment; the launching of public
information campaigns; ensuring free basic education for children; creating
tollfree, confidential hotlines; strengthening/creating enforcement,
inspection, and monitoring Mechanisms; strengthening law enforcement;
and providing care and protection for victims of child exploitation.

A desk study conducted in 2004, *Armed Conflict and Trafficking in
Women*, (Wolte 2004) divides conflict into two stages—ongoing conflict and
post-conflict—and notes vulnerabilities of women and girls particular to each stage. One of the significant differences noted in the review between conflict and post-conflict trafficking was the for profit motive of post-war trafficking. Apart from the trafficking of displaced persons for sexual exploitation, human trafficking during conflict was primarily based on armed groups’ immediate need for labor, “wives,” and combatants as documented in the literature. However, the literature on post-war human trafficking deals with economic need, profit making, and organized crime. Work such as *Traffickers Make Money Through Humanitarian Crises*” (IOM 1999) and *Trafficking in Human Beings in Transition and Post-Conflict Countries* (Klopcic 2004) explore the links between the trafficking of post-conflict victims, profit making, and organized crime. Links between drug trafficking and using trafficked women as drug carriers are also discussed in *Women, Violence, and Tajikistan* (Vandenberg 2001). One report by UNICEF (*Trafficking in Human Beings in Southeastern Europe, Limanowska 2002*) observes that when women are trafficked by organized crime networks that also engage in arms and drugs trafficking, trafficking in women appears to decrease as conflict increases because arms trafficking is more profitable.
Therefore even if sex work is to be regarded as work, as claimed by advocates of sex worker organizations, the conditions of work including the “ever-present occupation risks in prostitution such as violence, exposure to health-related concerns, criminalization, marginalization, exclusion from civil and labor rights and ostracism from local communities places sex work on a different and unequal footing in relation to economic, social and cultural practices of the mainstream labour market” (p. 321, Sanders, 2005).

An important recent work, *Barracks and Brothels: Peacekeepers and Human Trafficking in the Balkans* (Mendelson 2005) documents the extent to which peacekeeping operations in the Balkans have had the unintended consequence of serving the demand for trafficked females from Eastern Europe and Eurasia for prostitution. The report notes that beyond the implications that trafficking has for human rights and the rule of law, human trafficking in post-conflict regions has important security implications for peacekeepers that often go overlooked or are downplayed by defense officials and militaries. Criminal networks that traffic in humans provide trafficking networks in guns and drugs with revenue. Moreover, peacekeepers who serve with honor are being tainted by the minority who commit human rights violations and support these criminal networks.
Barracks and Brothels analyzes recent trafficking policies adopted by the U.S. Department of Defense, the North Atlantic Treaty Organization, and the United Nations, most importantly among them the zero tolerance policy on trafficking, and details the prevalence of existing attitudes—including indifference, denial, misperception, and even acceptance—that pose serious challenges to the comprehensive implementation of these anti-trafficking policies. Moreover, it moves beyond earlier literature in this area by providing detailed recommendations for these organizations, including training of staff, creating departments with each organization to investigate offenses and oversee the implementation of anti-trafficking policies, ending rapid repatriation of civilian contractor offenders, and establish monitoring mechanisms to follow up on repatriated international staff.

In 2006 the Ministry of Homes Affairs established anti-trafficking officers called anti-Human Trafficking Units (AHTUs) responsible for analyzing data, identifying causes, monitoring actions by state governments and meeting with state-level law enforcement agencies to check human trafficking across national and state borders. In 2007 five states were identified and selected as project state for implementation of the
AHTU plan and AP was one of these states along with West Bengal, Bihar, Maharashtra and Goa (Government of India, 2008).

**Trafficking of young girls**

“Defeated by acute starvation, Broto Kumar Reang sold his four year old daughter for food. Broto Kumar Reang reportedly sold his child to a well-off tribal in exchange for 10 kgs of rice…. The tribal’s in the area mostly belong to the Reang community and they practice traditional Jhum (shifting) cultivation. The Jhum crops they produced last season were not adequate and this created a severe crisis. They have to depend on state government reliefs. But, many claim that the officials did not distribute adequate reliefs to dispel hunger.” Starved tribals in distress areas are now in a desperate mood to go to any extent for food”, Mr. Jadu Mohan, former executive member of Tripura Tribal Autonomous District Council added”.

* (The Hindustan Times 22 March, 1999)

On February 6, Shyamal Tandi of Kundabutla village in Bongumunda block of Bolangir sold his sex-year-old daughter Hema, for Rs.5000 to a moneylender. The deal is complete with a written document that states the transaction clearly. Ramprasad Mangaraj, on his part says he
has “adopted” and “bought” the child…Shyamlal has been ailing for the last four years. He says I needed the money for treatment and food. My wife also could not work. I was left with no option but to give away my third daughter…Shyamlal was forced to take loan of Rs.2500 from Ramprasad Agarwal. When that finished he approached Ramprasad yet again for Rs.1000. When he needed money for the third time, he gave his child in return for Rs.1500…Shyamlal says he has no regrets and that at least one child can have secure life:

(The Hindustan Times. 19 February, 2001)

Sexual Exploitation

“Their playground is the brothel; they are the playthings and toys of lust. India reportedly has the world’s largest concentration of child prostitutes, accounting for one in every four of the global number. India’s children are no strangers to exploitation, but none of it is as brutuish as the terror to which these particularly unfortunate kids have been subjected. Raped at 10, tortured and starved to submission at 11, an abortion at 12 – and sexually violated 15 times a day till age and AIDS throws them on to the streets.
Majority of the Indian girls into prostitution belong to the Scheduled Caste (SC) and Scheduled Tribe (ST) communities.

(Times of India, 10 November, 1998)

Religious Prostitution

Religious prostitution is practiced in various parts of India and Nepal. Devadasi cults are found in Southern India and there are reports of temple prostitution being also practiced in other country such as Uttar Pradesh and Orissa.

“The playful 12 years old was excited about the new clothes bought for her Rajamani, a fifth standard girl of Nirmal town, had no inkling that her mother was forcing her into prostitution. Fifteen year old Begari Devamma was being readied to be dedicated to ‘Mahalaxmi devudu’ on March 3. The dedication only meant that village men could physically exploit her…. Despited a law against forcing girls to become ‘jogins’, the practice continues I several districts of the state, particularly in the Telengana district of Adilabad, Karimnagar, Warangal, Rangareddy and Mahboobnagar…..” The life of a jogin is miserable…she is expected to give
in to the demands of men in the village and sometimes dance in front of dead bodies. She is not even allowed to have footwear

(The Times of India. 27 December, 2000)

The victims of religious prostitution, the jogins and Devadasis join at at very early age.95 percent of Harijan (Scheduled Caste) families send about 5 -10 thousand girls every year in this practice.(Sinha.1996)

**Sex-tourism**

Any child without a physical handicap, irrespective of caste or class can be pushed into satisfying the sexual needs of the tourists. Conversations’ with groups working on sex tourism reveal that the tourism lure children with small toys, trinkets and fancy gifts.

Goa one of the hottest tourist spots in the country is known for child-sex tourism.”Goa is a known destination for sex tourists”, says the special rapporteur, Ms.Ofelia Calcetas-Santos (Op.cit)
Pornography

Street children or children from poor families and middle class families fall prey to foreigners who attract them through the riches of the world and lure them into such exploitation.

In December 2000, Forum Against Child Sexual Exploitation (FACSE), a Mumbai based NGO, helped the police unearth a child pornography racket being operation by a Swiss Couple from a posh hotel ‘the Resort’ at Marve Raod, Madha Island, Mumbai.

According to FACSE,: Interactions with children on the streets of Mumbai indicate that the use of children in pornography exists in an alarming magnitude & there is an urgent need to break the silences that shields such heinous acts from the public eye. The street children have reported that such incidents of children being picked up are very common. A fact that was confirmed by the street boys is that girls are picked up more often and receive more expensive gifts than boys. Often the impoverished parents of such children are in collusion with the offenders in lieu of the expensive gifts and other remuneration they are provided with. There have been cases wherein children have gone with such gifts alluring people more
than once. The police too admit their suspicions about the widespread existence of such rackets in Mumbai”.

(FACE.2000)

Displacement and Human Trafficking

The review found a handful of works that addressed the links between conflict-caused displacement and human trafficking. Some of these deal with issues related to IDPs while others deal with the vulnerability of refugees. One paper, Child soldiers, displacement, and human security (Alfredson 2002), specifically addresses the links between population displacements and the trafficking of child soldiers—two of these links are the displacement of child soldiers as combatants and the displacement of children to prevent their recruitment. This later topic is one mentioned in many works on human trafficking in Uganda. The IOM study on The Trafficking of Women and Children in the Southern Africa Region (2003) also found a growing trade of refugees being trafficked to South Africa for sex from the refugee-producing countries in the region.

Recognizing that the issue of sovereignty often makes it difficult for external donor agencies to provide IDPs with the same assistance refugees receive, Orphans of Conflict: Caring for the Internally Displaced (Steinberg
2005) discusses how states can address the needs of IDPs and recommends that one central agency, for example, USAID, be put in charge of IDP issues. One of the few case studies on displacements and human trafficking is Agrarian Conflict, Internal Displacement and Trafficking of Mexican Women: The Case of Chiapas State (Acharya 2004). This study explores the trafficking of both men (as agricultural labor) and girls (as prostitutes and bar girls) as a means to escape conflict and poverty.

Another is Armed Conflicts and Human Traffic in Tajikistan (Mirzoyeva 2004), which discusses women leaving conflict areas and their vulnerability to being trafficked for sexual exploitation to countries of the CIS and Persian Gulf States. A third, more recent case study, Abuse Without End: Burmese Refugee Women and Children at Risk of Trafficking (Young and Pyne 2006), describes the plight of Burmese refugees in Thailand at risk of being trafficked into sexual exploitation, begging in Bangkok, domestic servitude, and dangerous labor conditions. Unable to speak Thai and separated from families, their movement is restricted and they are completely isolated. Although recent newspaper articles and media press releases have addressed the sexual enslavement of female IDPs and refugees
in East Timor and Sudan, detailed accounts and programmatic responses are not yet available.

Research on human trafficking for labor exploitation is disconnected from theory as well. There are few attempts to analyze issues of cross-border trafficking for labor exploitation within existing international migration theories. There is also no attempt to develop a new theoretical framework in which to comprehensively analyze the phenomenon. Poverty and the aspiration for a better way of life are by far the most discussed ‘push factors’ and principal reasons for explaining why women and, in particular, children are at risk for trafficking (Williams and Masika 2002: 5).

Similarly to theoretical approaches, development of innovative methodologies to study human trafficking is also in its infancy. Reliance on unrepresentative samples is widespread. Most studies relay on interviews with ‘key stakeholders.’ Studies that do include interviews with victims are limited to very small samples. There is a need to emphasize the limitations of small samples for generalizations and extrapolations, while at the same time stressing the value of ethnographic investigations for formulating hypotheses for further studies, including preparation of survey questionnaires. The available literature on trafficking mainly consists of
reports of studies, *conferences and workshops conducted by international and domestic non-governmental organizations (NGOs)*.

National and regional level studies are fewer in number compared to the literature available at the state level. The recent importance accorded to trafficking on the international agenda is responsible for the rise in the number of ongoing research studies on trafficking in India.

Though not exhaustive, the current review explores various perspectives and debates, positions and conclusions on trafficking in women and girls. It is organized around the major themes that emerged from the literature, the definition of trafficking, the various stages of the operation and the anti-trafficking initiatives in India, while keeping in mind the objectives of the Action.

**A Research on Trafficking in Women and Children (ARTWAC).**

The Indian Constitution prohibits all forms of trafficking under Article 23. The Suppression of the Immoral Traffic Act, 1956 (amended to the Immoral Traffic Prevention Act) was in response to the ratification of the International Convention on Suppression of Immoral Traffic and Exploitation of Prostitution of Others in 1950 by India. Trafficking has been
an area of concern since the early 20th century. It especially attracted attention during the 1980s. More recently, there has been a widening of its focus. However, this was not accompanied by an independent and sustained mass movement, against trafficking in the country (D’Cunha 1998).

**Gaps in the literature**

The literature on trafficking reflects the dilemma of writing on a subject that is not easy to research and document and yet is too grave an issue to ignore. Considering the hidden and criminal nature of the problem, the data presented by most reports is valuable in face of this scarcity. While the adopted definitions, perspectives and approaches to the problem of trafficking may vary the concern with finding effective solutions is common to these studies.

The content and format of the majority of the studies are repetitive and appear to be recycled; so much so that the reports are indistinguishable from one another. Their objectives appear to be establishing the occurrence of trafficking, reporting the lacunae in the responses by different agencies and making recommendations. The information on trafficking is presented in
a narrative form or is a recording of incidents, events and cases. Much of the literature on trafficking reflects a high degree of outrage.

Most of the reports are on trafficking for commercial sexual exploitation, which is a reflection of the general understanding, till recently, of the association between trafficking and commercial sexual exploitation. The issues in the literature on trafficking echo the debates and concerns about commercial sexual exploitation. Thus, one finds that a seemingly new idea being pursued is invariably an offshoot of the fundamental debate about consent in commercial sexual exploitation.

Generally, the studies focus on children and some even club women and girls together. Those focusing on women are few in numbers, and any including men are non-existent. So far, there have been no studies which have dealt exclusively with the issue of trafficking for labor exploitation. This is understandable given the recent inclusion of this purpose in the definition of trafficking. Numerous studies on child labor and labor exploitation fail to focus on the recruitment practices of the problem. They merely mention that there is exploitation by dalals and children work for agents. These studies consistently report cases that fall within the purview of
trafficking. However, since the concept seems to be unfamiliar or unclear, these cases are grouped under the broader notion of exploitation.

According to Sanghera, the discourse on trafficking in South Asia is dominated by 15 myths. The reason they are myths is that none of the assumptions made is founded on any evidence-based data or research. She states that there is an ‘urgent need to develop and fine tune methodological aspects such as theoretical constructs, methodological principles, research techniques and tools, and methods for collecting data on trafficking’ (Sanghera 1999: 27).

One of the major gaps is the lack of studies on trafficking in India based on primary data. The data collected over the past decades is woefully inadequate. There has been no systematic attempt to gather information in an innovative manner at any significant level. Much of the data that is based on news reports differs only in the incidence reported from various regions.

**Challenges in Research**

The fact that this study was exploring uncharted territory, that took a clandestine activity like trafficking, presented formidable challenges in conducting the research. Locating respondents was by no means an easy
task. In the case of rescued victims, some were found in rescue homes but the researchers had to search for repatriated trafficked ‘survivors’ in the places they had been rehabilitated. In certain states where the research partners were unable to locate the respondents, the help of NGOs active in the anti-trafficking movement was taken.

Once the respondents had been located, it was not easy to gain their confidence and to assure them that their identities would not be revealed. Suspicion and fear created an atmosphere which acted as a barrier to truthful response. It required considerable ingenuity and perseverance on the part of the interviewers to coax them to part with information relevant to the study and to assure them of anonymity. Many times, interviews had to be rescheduled, postponed and even repeated.

Interviewing victims who were still trapped in commercial sexual exploitation was the most difficult. Segregating the trafficked victims from the non-trafficked ones in the brothels was certainly no simple matter. Moreover, as they were under the complete control of the exploiters, it was not easy to get them to speak the truth. The researchers had to make repeated visits to the brothels to interview some of the victims as they were busy with their ‘clientele’ and did not want to be disturbed. Clients would walk in even
during the ‘lean’ periods and would get preference to anything else. The interviewers had to adjust to such breaks in the interviews and be patient enough to wait for the interviewee’s convenience.

Often, when the victims were told that the project was being conducted by an Independent Researcher, it raised hopes that something would be done to mitigate, if not solve, their agony. The researcher had to assure them that something concrete would come out of the study. Many a time, the victims agreed to the interviews only when this assurance was given initially, the issue of whether predominance should be given to quantitative data or not was heavily debated. However, it was decided that adequate weight age would be given to both qualitative and quantitative data. Data collection also proved to be a formidable challenge.

Locating respondents, especially traffickers, was another difficult task. When the researcher was unable to find the interviewees, he had to identify appropriate research investigators and organizations to locate trafficked victims and even carry out their interviews. Traffickers, of course, were the most difficult to find. Most of the police officials who were approached were unwilling to spare time to respond to the interview schedules and group meetings had to be organized after talking to the police
higher-ups, where they were requested to give their answers. Once the respondents had been identified, it required considerable effort to earn their trust and to get them to answer truthfully.

The biggest challenge was to integrate field research with action programs. The experience that was gained by carrying out these programs gave deeper insights into the priorities that should be accorded to the programs and projects in preventing and combating trafficking of girls and women.