

Chapter VII

Conclusion

The present thesis makes an attempt to study the issues of sex trafficking in the adjoining borders of Assam, West-Bengal and Nepal. In order to study the problem of sex trafficking in these areas, a field base research was carried out with an aim to bring out the narratives of sex trafficking survivors. The thesis specifically focuses on the pre-traffic and post-traffic lives of the survivors by documenting their lived experiences both as victims and then as survivors of sex trafficking at the later stages of their lives.

Trafficking in persons is defined as a condition where women, girls and children, especially from socially and economically vulnerable regions are recruited, transported and harboured through means of abduction, kidnapping, and allurements by using force, coercion and deceit. They are then put into exploitative labour conditions such as forceful begging, involuntary services such as prostitution, domestic labour, and masseuse in spa parlour for making monetary profits out of their labour. Human trafficking is considered as the third largest illegal business in the world that generates huge monetary profits by committing heinous crimes against vulnerable individuals. It violates the human right of such individuals at the supreme level by dismissing the question of choice and consent, thereby also violating their fundamental rights.

Having said this, trafficking in persons cannot be simply understood as a social and economic issue where girls and women belonging to socially and economically backward class, caste, region and families are targeted. Therefore, in a broader context, it becomes essential to critically analyse the problem of trafficking in persons by using the theory of intersectionality. It is with this aim, the present study, also takes into account the regional peculiarities that leads to double victimization of women in that area. By double

victimization of women, the researcher means the struggles, hardship and exploitation a trafficking victim had to undergo at a family level before being trafficked and at the hands of her exploiters after being trafficked.

While documenting the narratives and lived experiences of the survivors of sex trafficking the study found that the girl and woman were trafficked at a young age. They had a dysfunctional family system with constant occurrence of violence and exploitation at home. The perpetrators were mostly a family members or a known person. It is in this context, the study becomes further more important to understand the nature of violence, magnitude of exploitation a woman and girl faces at a family level which in a process pushes her towards the sex trafficking net.

The study, therefore, keeping this as a *prima facie* of sex trafficking attempts to enquire some of the important questions such as –Why a particular gender is more vulnerable to sex trafficking? What are the factors that lead to sex trafficking? Why a particular age group is thought to be more viable for a particular form of trafficking i.e. sex work, domestic labour, spa parlour jobs etc.,? What kind of vulnerabilities pushed them towards trafficking net? What kind of violence they had undergone during trafficking? What happens to the girls and woman after they are recovered and brought back? What are the government policies and schemes that are meant to help the trafficked victim post-rescue? etc., to study the problem of trafficking in the bordering areas of Assam, West-Bengal and Nepal. While attempting to find answers to above-cited questions, it is important to understand the functionality of a border that has become an important *modus operandi* for traffickers to illegally transport girls and women from and across India and Nepal.

Trafficking in persons, more precisely sex trafficking has become a prolific business module for traffickers in the region of Assam, West-Bengal and Nepal, because

of their systematic geographical location and open and porous border system. The women, young girls and children are trafficked from the region on pretext of job, marriage and better livelihood. Although literature around the world considers it as a commonly used tactic by traffickers to lure girls and women, however, the regional peculiarities exemplify the causes, methods of trafficking. Therefore it is with this idea of substantiating the literature with region specific data, the study on sex trafficking in the region of Kokrajhar (Assam), Darjeeling and Jalpaiguri (West-Bengal) and Kakarbitta (Nepal) is undertaken. The early stage of the study shows that there is a dearth on region-specific literature on sex trafficking, its proliferation and lives of victims. Therefore, the aim was also to contribute towards the existing literature of sex trafficking by conducting a study on these regions and bring out marginalized voices which otherwise are left unheard most of the time.

Literature on trafficking strongly suggest that the borders have become a site of endemic poverty, substantial illiteracy among women and children, and enormous violence. The problem gets compounded when borders are used by the militant group to propagate their agendas. During this time crime and violence against women gets magnified. Women and children become an easy target for both the militant groups and traffickers. With dysfunctional state machinery, endemic poverty, the militarization of the region and migration of people across the border, gender-based crimes such as rape, molestation, sex trafficking, kidnapping in the border increases. The empirical data on human trafficking and sex trafficking collected from the field suggests that underdevelopment of the region, lack of infrastructure, lack of education, superstitions, low status of women etc., have always been primary reasons for growing violence against women and proliferation of trafficking networks.

The present study is therefore located in the bordering route of travel in the states of Assam, West-Bengal and Nepal. As the study is situated on the routes of travel, it keeps

travelling from one region to another and focuses upon region-specific vulnerabilities of women. Because of the Treaty of Peace and Friendship, 1950, between India and Nepal, accessing of the border and making a cross-border journey had become easy for the citizens of both countries without any official checking of documents or stopping by the security personnel. Hence, this practice of hassle-free travel across the India-Nepal border provides an easy breeding ground for trafficking networks in both the countries. The traffickers can easily and illegally transport girls and women via these borders and smuggle them to other gulf and middle-east countries. However, while conducting this study it was noted that a woman in general, living by these borders had an untold narrative which hinted towards their daily struggles as natives of these borders. Thus this study also becomes important in terms of documenting the voices of these marginalized women, their struggles and the factors that have led to trafficking of young girls from the region.

The present study looks at the sex trafficking of women and children between three different age groups. The age groups were divided into a category of- below 18 years, 18 years to 25 years and 25years to 45 years. The total number of survivor respondent met during the study was 94. Meetings with them were conducted with the help of local NGOs which had been working in the issue of human trafficking. After the data was collected, the data was separated and analysed by using content analysis method. The age of a survivor at the time of being trafficked and rescued played a significant role in analysing the data collected. According to their age, these groups were categorized as minors, young adults and women respondents. The field data reflected that a minor girl was mainly absorbed for domestic labour where she was sexually and physically exploited by the *malik* (house owner/job provider). While young adult girls and women were mostly put into forceful commercial sexual labour and nanny works both within different cities in India and abroad. Other than looking into the lives of the survivors of trafficking, this

study has also captured the responses of combatting agencies such as NGOs and police personnel.

From the responses of these combatting agencies, the study brings to light the roots of sex trafficking which is manifested through gender base crime committed against a girl and a woman at family, home, and society level. Therefore, the study analyses her social position and location within the family system previous to her being trafficked. The study brings to light the gender-based violence such as -rape, molestation, child sexual abuse, gender discrimination, and domestic violence faced by the girls before being trafficked. Also, it brings out the implications of gender roles such as nurture, caretaker and caregiver which were forcefully imparted on resulting in them becoming school drop-outs, agricultural labourer to sustain the family's economic needs etc., from a very young age, exposing them towards trafficking net. The study shows that these crimes have a negative impact on their psychology which pushes them towards misery, trauma and stigma. In order to hide and conceal these crimes committed within the family, the family members adopt different means to silence and ostracized the victim. Under such circumstances, the girls opt to run away from homes to free themselves of family abuse and violence. The study found out that most of the time perpetrator of the crime was second wives and husbands of their parents. The study also highlights that the unstructured form of violence against women magnifies and their proneness towards trafficking increases when the region is hit with natural calamities such as flood, earthquakes, and ethnic and armed conflict. Thus, in making an effort to save themselves from all these vulnerability factors, choose to run away from home, elope with their partner and migrate outside their region in search of jobs, which then pushes them towards traffickers net.

The study found out that the primary requisites for recruiting girls for sex trafficking involve factors such as young age, slim body structure, fair skin texture, and

sharp facial features. Her being a virgin further multiplies her chances of getting forced into sex trafficking. The business of sex trafficking solely depends on the objectification and commodification of the female body. The man becomes the primary actor and exercises his control and establishes ownership over a female body in the form of a pimp, trafficker and customer. The female body, especially young and juvenile, becomes cite of extreme authority and experimentation. He exercises his power and dominance to perform his hidden desires which otherwise is not socially unacceptable in a 'normal heterogeneous relationship'. Under such a situation, a prostituting body becomes his cite of violence because of his purchasing power. The man can exploit her on the pretext of capital exchange and master and slave relationship. The girl is under the control, authority and in-debt of the brothel madam have to oblige by the customer's demand and become a submissive being. Hence, from the study, it was found that the easiest way to keep the demand and supply ratio in equilibrium, is to bring new girls into the sex industry who come from a poor background and are juveniles and young.

The study has attempted to document the voices and vulnerabilities faced by the women after they were brought back from the brothel and then re-integrated into family and society structure. It tries to demystify the negative aspects of rehabilitation by documenting the survivor's narrative after they return. It was found out in the study that a survivor, when rehabilitated back into family and community, continues to suffer from pain, trauma and loneliness. Some of them even thought of ending their life to relive oneself from pain, trauma and humiliation. Such incidence of committing suicide is not rare among the survivors. Ela, Sonia, Purnima were some of the survivor respondents who shared their stories of witnessing adrenaline rush under which they strongly wanted to end their life to procure peace. The situation of minors trafficked survivors living in shelter homes is no different. Lack of proper meal, daily essentials, abuses and battering by the

shelter home warden becomes the part and parcel of their lives. The minor minds start to find solace among themselves by sharing the agony and pain with each other. The scenario of post-rescue and rehabilitations for the traffic survivors is not so enduring. They continue to suffer from a life of hardship, social stigma, discrimination, and lack of sustainable livelihood. They live their lives in an atmosphere of self-doubt, self-blaming which results in deteriorating health conditions. The study found out that after return these survivors continue to have major health issues such as depression, anaemia, severe body pain, in some cases HIV/AIDS, and tuberculosis and health care facilities were made available to them. It is their trafficked identity which is given more prominence than the identity of a woman. Her traffic identity over-shadows her other problems and requirement of life.

The measures undertaken by the combatting agencies remain insufficient to resolve the issues of trafficking survivors after their return. The combatting agencies most often than not are governed by their abolitionist agendas which puts the survivors at the periphery. Lack of identity proofs to claim the rightful benefits of being a trafficking survivor is not made available to them. The NGOs and police lack information and provisions under which the survivors could obtain benefits from the government policies.

Recommendations

- A holistic form of rehabilitation and re-integration of a trafficking survivor is possible only when a society is aware and sensitive towards the status of women/girls in a family and society. Therefore, sensitization of society by dismantling conservative and orthodox belief system is an important need of the hour to provide a safe and secure environment for rebounding and re-building traffic victims confidence and morale.

- Formation of the special task force which would be solely responsible to look at trafficking cases, expediting the process of prosecution of traffickers, thereby breaking their chains and networks.
- The special task force for combatting human trafficking should include officials of both senior and junior ranks from CISF, BSF, SSB and railway police force posted at all major transit points such as borders, airports, railway stations and bus stops. They should be regularly provided with special training programs and awareness programs to identify, arrest and prosecute traffickers under special provisions.
- Post- rehabilitation and re-integration, the government and state statutory should make it mandatory upon the NGOs to furnish data of the rehabilitated and reintegrated victims. A record of each survivor rescued and rehabilitated should be maintained for at least five years, follow-up, and documentation of her well-being and proofs of her receiving a sustainable livelihood means should be kept by the NGOs.
- It was noticed that there exist no registration or documentation of cross border trafficking data by NGOs of both sides of the border. Hence mandatory documentation and reporting of trafficking cases will help in checking of records and prevention of re-trafficking of the victims. The NGOs should be advice to restrain itself from adding just numbers to their records and look into the holistic development of the survivors. To make it binding upon the NGO for keeping updated records of survivors, awards and appreciation should be initiated by the government.
- The NGOs and all other stakeholders should be held accountable for their work and a grievance committee should be set-up for survivors of trafficking. They should be made to produce all correct and true documentation of the list of

survivors, their rescue and rehabilitation which should be examined by the expert committee members. These committees should include members from academics, bureaucracy, judiciary, NGO.

- There is an immediate need to set-up a digitalised check-post and registration centre at both sides of the Indi-Nepal border to keep a record of all travellers irrespective of their mode of transport. This way it will help in raising alarm against a suspicious individual, group or activities. The recording, documentation and seizing of materials of material such as identity proofs, a document of travel, and other important documents will help as a proof to prosecute the trafficker and anti-social elements when caught red-handed.
- Gender-sensitive and gender-inclusive policy have to be developed to make it feasible for a woman to openly access spaces which fall in the public domain rather than limiting her activities and migration pattern, in this case, the borders. For this, a bottom-up approach need to be followed by intervention agencies which would consider the trafficking victim's voices while drafting a policy.