

SEX TRAFFICKING IN THE BORDERLANDS OF EASTERN HIMALAYAS

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CERTIFICATE

This is to certify that the thesis entitled “**Sex Trafficking in the Borderlands of Eastern Himalayas**” submitted by **Pooja Chetry** bearing registration number **13CWPG03** in partial fulfilment of the requirements for the award of Doctor of Philosophy in the School of Social Sciences is a bonafide work carried out by her under my supervision and guidance.

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A. Published in the following publications:

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DECLARATION

I hereby declare that the work embodied in the present dissertation entitled “**Sex Trafficking in the Borderlands of Eastern Himalayas**” is carried out under the supervision of **Prof. Rekha Pande**, for the award of Doctor of Philosophy in Gender Studies from University of Hyderabad, is an original work of mine and to the best of my knowledge no part of this dissertation has been submitted for the award of any research degree or diploma at any University. I also declare that this is a bonafide research work which is free from plagiarism. I hereby agree that my thesis can be deposited in Shodhganga/INFLIBNET.

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ABBREVIATION

AHTU---- Anti-Human Trafficking Unit

BLCPC---- Block Level Child Protection Committee

BSF---- Border Security Force

CWC---- Child Welfare Committee

CSE---- Commercial Sexual Exploitation

CISF---- Central Industrial Security force

DCPU---- District Child Protection Unit

DLSA---- District Legal Service Authority

FCST---- Forceful Commercial Sexual Transaction

GOLD---- Global organization for life development

GPCPC---- Gram Panchayat Child Protection Committee

KUK---- Kanchanjanga Uddhar Kendra

NGO---- Non-Governmental Organization

VC---- Vigilant Committee

VLCPC---- Village Level Child Protection Unit

SSB---- Sashastra Seema Bal

SOP---- Standard Operating Procedure

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Chapter I

Introduction

The present thesis delves in the issue of sex trafficking in the borderlands of eastern Himalayas, majorly focusing on the border districts of Assam, West Bengal, and Nepal. The study aims to highlight the grievous socio-economic conditions of these regions as a primary reason for increase in the number of sex trafficking cases. The thesis moves forward with an argument that when these socio-economic conditions get intertwined with cultural norms, they produce a layer of inequality, gender base discrimination and violence at home and society at large, which in a way leads to trafficking of women and children. Hence, the study lays its prime focus on sex trafficking of women, young girls and children in the borderland, and attempts to under the various causes for its proliferation, thereby providing a region specific field data on sex trafficking.

The study of sex trafficking in the selected area becomes important because of the dearth in region specific data. As the border of India and Nepal has remain open and porous for a long time under the Treaty of Peace and Friendship, 1950, migration of people, both legally and illegally, have been continuously taking shape under globalization and economic transitions. Hence under such circumstances, it become crucial to study the issue of sex trafficking that often takes place under the cover of migration for the purpose of jobs and economic prosperity.

Trafficking in persons, especially women and children, is a complex social issue which concerns the global society (Huda, 2006, pp 374). Since the mid-1990s, the issue of trafficking, more particularly trafficking of women and children has gained increasing

attention from the variety of researchers, activists, organizations, law and policy makers, and international agencies, under the rubrics of "trafficking" and "sexual slavery" (Kempadoo, 2001, pp 28). Nair and Sen (2005), articulates trafficking in persons as-“The concept of human trafficking refers to the criminal practices of exploiting human beings by treating them like commodities for profit. Even after being trafficked victims are subjected to long term exploitations” (2).

Growing violence against women worldwide has put human trafficking, especially sex trafficking, into an international agenda of anti-trafficking initiatives. Its connection with other related social issues such as bonded labour, exploitative labour, forceful prostitution, HIV/AIDs, unsafe migration has put it into a category of serious human rights violation. According to George, Vindhya and Ray (2010) - “with various available literature and data on trafficking of persons worldwide, there is little consensus over the absolute definition of trafficking” (64). With increasing focus on trafficking in persons, Palermo protocol 2003, was adopted as one of the important supplement to the United Nations Convention against Transnational Organized Crime, 2000, providing a universal definition of human trafficking.

The Protocol to Prevent, Suppress and Punish Trafficking in person, especially Women and Children, popularly known as Palermo Protocol, came into effect in 2003. It has 117 signatories and 173 participating countries. Since 2003 to date, this protocol has been in use as an important convention to combat trafficking in persons. The article 3 (a) and (c) of the Palermo protocol defines human trafficking as-

Article 3(a) points trafficking to be as a process of “recruitment, transportation, transfer, harbouring, or receipt of persons, by means of threat or use of force or form of coercion, of abduction, of fraud, of deception, of the abuse of power, or of position of

vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (Ghosh, 2009, pp 717).

While article 3 (c), states- “the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered as trafficking in persons even if this does not involve any of the means set forth in article 3(a)” (George, Vindya, and Ray, 2010, pp 65).

Therefore, the widely accepted definition on trafficking in persons, highlight three elements- a) actions b) means and c) purpose. According to United Nations commission on human rights and that of Palermo protocol, action can be read as recruitment, transportation, purchase, sale, transfer, harbouring, or receipt of person. While means can be read as force, fraud, coercion and deception, and purpose can be read as exploitation into slavery like labour conditions, prostitution etc., (Nair and Sen, 2005). Therefore, the question of consent as mention in 3(b) of the article becomes irrelevant when these elements are used on the victim. The child is defined as a person below the age of 18 years in article 3(d) (George, Vindya and Ray, 2010). Hence, when all these means are used to exploit and commercially benefit from the labour of another person, trafficking takes place. The question of consent becomes nullified. Trafficking in persons is therefore an international crime and human rights violations (Human rights watch, 1995; Huda, 2006; Chaung, 2006).

International Scenario of Sex Trafficking: A Growing Concern

Trafficking in persons is said to be the third largest illegal industry producing up to US\$ 9 billion in profit right after arms and drugs trafficking (U.S. Department of States, 2005). The clandestine functioning of human trafficking network makes it difficult to measure the magnitude and numbers of human trafficking cases, especially sex trafficking. However, estimated numbers of people trafficked each year varies from tens of thousands to millions (Huda, 2006, pp 374).

From the year 2007-2014, the UNODC reported an exponential growth in human trafficking (UNODC, 2016). The 2016 report of UNODC, states that in 2014, trafficking for forced labour stands at thirty eight per cent, while trafficking for sexual exploitation was fifty four per cent, and trafficking of other forms was eight per cent (UNODC, 2016). According to the UNODC report 2018, 49 percent women, 21 percent men, 23percent girls and 7 percent of boys are being trafficked each year (UNODC, 2018). The UNODC report 2018, further states women and children become the prime targets of trafficking network for the purpose of sexual exploitation and force labour. The trafficking in persons occurs for various purposes such as- bonded labour, domestic labour, forceful prostitution, forced beggary, forced marriages, forceful adult and child pornography, organ removal and recruitment of child soldiers in the area of conflict. Therefore with alarming statistics on human trafficking, pertinent concerns about human security, safeguard of human rights revolves around the problem of trafficking in persons.

Scholars such as Watts and Zimmerman (2002) have highlighted the magnitude of sex trafficking around the globe and estimate the problem to be most acute in Asia with an estimation of some 250,000 cases a year. The trafficking in persons report 2007 produce by United states estimates the figure of trafficking to be “around 8,00,000 women and

children are trafficked each year across international border; and 80% of these trafficked persons end up in forced sex trade” (George, Vindhya, & Ray, 2010, pp 65). This estimation of the number of trafficked victims vary and simultaneously increases each year according to the United Nations office on Drug and Crime report, 2018. Huda (2006) state that “such variations are due to the clandestine nature of human trafficking and numerous methodological difficulties in collecting data, statistics and information on the issue” (374).

Why Research on Sex Trafficking as a Gender Issue Important!

According to the recent data on human trafficking as presented in UNODC report 2018 sexual exploitation and forced labour remains the most prominently detected form of exploitation. It also mention that woman and children remain the prime targets of the traffickers. Sex trafficking is primarily a gender based issue which involves the systematic functioning of patriarchy, violence against women, the feminization of poverty, feminization of labour, globalization, feminization of migration and the capitalist market system. It is manifested in patriarchal culture where a female because of her gender is subordinated in a society. This subordination is perpetuated through dominance, control and victimhood of the female. The practice of consumerism, sexual objectification and commodification of women bodies leads to sex trade and building a ground for proliferation of sex trafficking. The information regarding its clandestine structure and size is always obstructed (Samarasinghe, 2008; Kingshott & Jones, 2016).

The theoretical literature and empirical research suggests that the network of sex trafficking primarily runs by targeting women and children, and coercing and deceiving them for the purpose of commercial sexual exploitation (CSE) (George, Vindhya, & Ray,

2010, pp 64). Samarasinghe (2008) states- “to be young and female are the primary prerequisite for recruitment into the sex industry” (2), where demand is for youthful bodies with particular kind of serviceable activities. The trafficking network kidnaps, buys, and sells and re-sells women and children on the basis on these prerequisites. Samarasinghe (2008) further explains that the traffickers target women and young girls on two primary principle- first, selection of the victim and pipelining of her vulnerabilities, second, exploration and exploitation of those vulnerability for her procurement. Therefore, trafficking of women and girls can be understood as a gender based crime where a particular gender is targeted because of her sexuality and vulnerabilities.

The power dynamic between the sexes is another contributing factor of sex trafficking. The trafficker, very often is a male, who is elder in age to the trafficked victim. Under such condition of age difference in a patriarchal society, a traffic victim because of her socialization and second class citizenship status in family and society, surrenders her rights, and provide consent to the trafficker who in most cases is a known person. The defining factor of age, gender and economic status of the trafficker ensures that the girls and women from poor background and developing nations surrender to the traffickers who are older in age to them and are particularly male (Samarasinghe, 2008, pp 2).

In terms of economic indicators, with the disparity in wages and gender based division of labour, a woman’s economic vulnerability leads her towards other forms of suffering in a society. In terms of employment in formal sector, it is very often noted that a woman gets less preference. If at all she is employed, she is underpaid for the same work compared to her male counterpart. Thereby reinforcing the existence of a glass ceiling in the work environment with no security of job for her. Low income with less remuneration and insecure job prospects, a woman is forced to take up gendered nature of work such as nannies, house maids and cooks in which she gets easily absorbed. Specific gender

oriented jobs opens new avenues for her. She agrees to migrate to foreign land in expectation of good remuneration for her labour giving rise to feminized pattern of migration. She is offered female gender oriented jobs and visa-free foreign travel by the trafficker, an offer which she does not want to miss (Kingshott & Jones, 2016, pp 3). Hence, with such examples of wage disparity, social- economic conditions and migration patterns, it can be inferred that sex trafficking is a gender based phenomena which works closely in alignment with the feminization of poverty and feminization of migration which contributes towards formation of gendered narrative of human trafficking victims. (Kingshott & Jones, 2016).

In relations to feminization of poverty and labour and migration pattern, the transported woman/girl becomes a victim to gender based violence such as sexual harassment in work place, rape, murder, sexual exploitations, domestic violence etc. The empirical data of UNODC report, 2018, shows that the girls and young women are married off without their consent and become subjects to sexual exploitation. UNODC report 2018 further highlights “the conditions under which the traffickers may target communities that are particularly vulnerable because of forced displacement, lack of access to opportunities for income generation, discrimination and family separation. Under such conditions of vulnerability, women, young adults and children become worst sufferers” (11). Particularly in countries facing armed conflicts, vulnerability towards trafficking increases in different ways. Areas with weak rules of law and lack of resources provide fertile terrain for traffickers to breed. Situation gets exacerbated under lack of access to basic needs. “Armed groups and other criminal organizations take opportunity of such situations to traffic victims including children for sexual exploitation, sexual slavery, forced marriage, armed combat” (UNODC, 2018, pp11). UNODC (2018) highlighting the precarious situation of women and children in conflict affected region states “abduction of

women and girls for sexual slavery has been reported in many conflict affected countries of central and West Africa and the Middle East. The women and girls in these areas are trafficked as ‘sex slaves’ or forced into marriage to appeal new potential recruit” (12). The empirical data highlighted in UNODC report 2016 suggests that women and girls under conflict become target of criminal groups and individual traffickers other than the armed groups. In situation of conflict, the refugees and internally displace populations are targeted by the agents of trafficking network by providing fraudulent job offers and marriage proposal to victims of conflict.

Sex trafficking is a gender issue not only because it involves gender-based violence, feminization of poverty and feminization of migration but, also because of the nature of prevention, protection and conventions policies adopted by international agencies to combat trafficking in persons. The anti-trafficking interventions and measures are misogynist and patriarchal in its form. The state machineries, law enforcement agencies and different international conventions under its various definitions and guidelines have reduced and made the identity of an adult women equivalent to that of a minor child. They argue that a woman irrespective of her social location and class is a potential victim of trafficking. Therefore, to protect these potential victims from getting trafficked they found a way in the form of imposing restriction on her free movement in the name of protection and prevention. Jo Doezeema argues that- the feminist campaigners and policy makers have created an image of an the innocent, unwilling women who is lured into sex industry by deceitful means as an instrument to garner sympathy towards these women who have entered into sex industry for making an living. Therefore, efforts of these campaigners to combat trafficking in persons are designed on the line of protecting this innocent women and punishing the bad woman i.e. prostitutes (Jo Doezeema, 2000, pp 24). Hence in today’s context, taking into account the ever present

socially constructed binary of ‘good woman v/s bad woman’, it has become important to examine the factors and condition that leads to the formation of the category of bad woman.

Trafficking in Persons in the Regions of India and Nepal: An Evolving Dynamics

Trafficking of young women and girls from the third world Asian countries is on rise. Huda (2006) writes - “Asia has become a major locus of sex tourism, prostitution and mail order brides” (375). Trafficking of women and children in the south Asian countries especially in India, Nepal, and Bangladesh is an impediment of various vulnerabilities which is brought upon by natural calamities, climate change, rapid urbanizations, and changes in the socio-economic, political conditions of the regions. Koirala, 2014-15 states that “the change in demographic and labour trends as an outcome of globalization and increase in demand for cheap labour coupled with burgeoning populations encourages migration whether legal or illegal, resulting in trafficking of women and young girls” (225). Koirala, further elaborates that the origin of such migration pattern is associated with structural inequalities, poverty, illiteracy, and lack of opportunities for livelihood (Koirala, 2014-15).

Other than the socio-political economy of a region, the historically ingrained local traditions and customs of that region also play a significant role in getting a girl trafficked. The Devadasi system that existed in South India in 9th and 10th century A.D. was a tradition of procuring young girls from lower castes as temple dancers. They were assigned the roles of dancing and singing to please the Hindu deity. In religious terms, they were considered to be married to god and therefore could not marry any mortal being in their lifetime, although they could establish relationship with kings and priests of the

temple and bear children with them. The Devadasis enjoyed high social status, and were considered to be socially and economically strong with land and other assets in their name. Over time, with the fall of dynasties and coming of colonial rule in India, these temple dancers started losing their social status. For survival they had to change their professions to prostitution. They began serving mainly the elites and higher caste males (Mishra, Mahal and Shah, 2000 as cited in Samarasinghe, 2008, pp 42).

Similar to the Devadasi system in India, In Nepal, girls from Dueki community were traditionally offered to the Hindu Nepali deities. Deuki girls offered to the temples were prohibited to marry and for which prostitution became their survival strategy (Samarasinghe, 2008, pp 70). This led to the young girls and children from the community to enter into sex work. Trafficking of Nepalese girls into the Indian side of the border started as the modern day practice. With the coming of the Rana's rules from 1846-1951 in Nepal, young girls from the hilly region of Kathmandu valley were brought as maid servants and concubines to provide sex to the male members of Rana regime (Samarasinghe, 2008, pp 71). With the fall of Rana's rule Nepal in 1951, the practice of bringing hilly girls into palace stopped and the market for concubine decreased. Therefore, when a comparative analysis of emergence of trafficking cases in India and Nepal is made, historically a common ground is found in the form of prohibition of Devadasi system in India and the prohibition of procurement of concubines in Nepal. The reason can be sited as the coming of colonialism in India which forced the Devadasis to go underground and work as sex workers clandestinely. Likewise with the decline of Rana rule in Nepal, the women and young girls who worked as concubine in the Nepalese palace started entering into sex trade for survival, which later took shape of trafficking in girls because of the increase in demand for young Nepalese girls in Indian markets. The history of female sex trafficking from Nepal to Indian brothels began in 1960's and significantly increased in

1980's (Samarasinghe, 2008, pp71). The recruiters who acted as the middleman for the Rana kings in procuring hilly girls, shifted their base, and established their networks and links with Indian brothels after the decline of Rana regime. They procure Nepalese girls from the hills and sent them across border to Indian brothels.

Therefore, close observation of human trafficking network suggests that human trafficking in today's times is an amalgamation of various factors such as globalization, modernization, and migration. As Hoogvelt, put it- "the current forces of globalization are manifested in moves towards international integration of market for goods, services and capital that supports a global market discipline" (Hoogvelt, 2007, as cited in Samarasinghe, 2008, pp 49). With easing of travel restriction in the first world countries, facilitation of cheap labour from third world countries towards first world in manufacturing and service sector, and creation of the perception of availability of jobs for men and women in foreign land, people have begun migrating fast across the border in search of jobs and for better livelihood. Simultaneously, with the increase in demand for women as cheap labourer in domestic sphere, manufacturing and entertainment industry under globalized economy, feminization of labour and work is taking shape, leading to feminization of migration. With lack of employment opportunities in rural areas, women and girls with no formal recognized skills are agreeing to migrate outside their villages in search of wage labour and personal freedom. This form of migration in search of wages lends them in the hands of the trafficker, and in some cases they choose to migrate with the trafficker.

Thus, under such conditions it becomes crucial to examine the socio-political-economic conditions of an individual and the region in order to highlight the gravity of trafficking problem in that particular region. Under the process of rapid globalization and international migration, women, young adults, and children from economically poor,

culturally, and socially oppressed, and politically volatile regions wilfully migrate in search of better life prospects. While being in search of better life prospects, they get deceived by traffickers and are sold into inhuman working conditions. The migrant labour force in these cases the trafficked victims are unaware of their working conditions even though they might know about the work pattern that would be offered to them.

After a trafficked person is deceived and coerced away from their home with fake promises of lucrative job offers in foreign land, or by fake relationship of love and marriage, the traffickers puts the victim into the most inhumane working conditions where exploitation of the human body is at an extreme level. A trafficked victim is thereby put into different form of exploitative labour conditions for money generation and profit making. In order to control and regulate the trafficked victim to function according to their terms, a gross form of violence, exploitation, physical and mental torture, trauma, sexual harassment is committed over their body. The nature of abuse and violence involves heavy battering, psychological torture, burning of body parts, low quality and quantity of meals, forceful consumption of alcohol. These violence and inhuman acts forces the victims to oblige to the traffickers orders. When forced and coerced to survive and work under such extreme conditions of vulnerability and sufferings, the victim most often commit suicide in order to relieve oneself of the pain and humiliation.

The United States Department report on trafficking in persons, 2018, prepared on the lines of the Trafficking Victim Protection Act, 2000, placed both India and Nepal in the Tier 2. According to this report, both India and Nepal do not fully meet the minimum standards set forth for the elimination of trafficking. However, the report also mentions that these countries are making significant efforts to combat trafficking in persons (United department of states, 2018).

Rationale of the Study

Chhetri (2009) opines that “Himalayan region being one of the most economically underdeveloped regions in Asia, human trafficking has been thriving at an alarming rate” (289). Recent decades have seen rise in borderland studies that have led to the employment of this category to describe the states of India and Nepal as they share a porous border with each other. The new understanding of borderland study have led to a paradigm shift, giving rise to agential readings of the regional peculiarities such as armed and ethnic conflicts, Maoist movement in Nepal, natural calamities, internal displacement of population, and human trafficking in the regions of India and Nepal. Proceeding from this framework of borderland studies, the central focus of this study is to analyse human trafficking, especially sex trafficking, in the bordering areas of Assam, West Bengal in India and Kakarbita in Nepal. The present study argues that internal conflict, natural calamities, and underdevelopment encourage the internal displacement of individuals from networks of families and communities due to lack of access to economic safety nets. Vindhya and Dev (2011), are of the opinion that literature on trafficking in women and children in south Asia is in abundance. However, there is a need to study the problem of human trafficking on region-specific level because of the dearth in region-specific data. They argue that-- “A region specific and locally contextualized data will yield theoretical and empirical insights, and lead to relevant policy intervention” (133). Hence, taking on from Vindya and Dev’s point of analysis, this study lays emphasis on geo-spatial location of the region. The study is located in parts of Assam and West Bengal in India and Kakarbitta in Nepal. It aims to understand the issue of sex trafficking and its proliferation through a region specific data collection.

Furthermore, narrowing of the study area has been done on the basis of its regional peculiarities. Selection of the districts of Kokrajhar in Assam, Darjeeling and Jalpaiguri in West Bengal, and Kakarbitta in Nepal was done on basis of their regional proximity with the border areas, travelling distance, and the intersection of boundaries because of India and Nepal's porous and open border system. The distance by road from Kokrajhar to Siliguri is 254 kilometres and currently takes six hours and thirty minutes by bus. Likewise, Google map shows distance between Siliguri, West Bengal, India to Kakarbitta, Nepal, as twenty-nine kilometres covered in one hour time. Thereby, establishing a close proximity between the border towns of Kokrajhar, Siliguri and Kakarbitta.

Adding on to the factors of minimum travel distance, open border system, and regional proximity, is the Peace and Friendship Treaty, 1950, between India and Nepal. This treaty provides free mobility across India and Nepal border for its citizens thereby establishing a hurdle free trafficking route for traffickers across international border. The newspaper report and empirical data reiterates the fact that trafficker taking advantage of the treaty are able to easily transport/traffic Indian and Nepalese girls to different metropolitan cities of India through these towns.

Transnational migration of population in recent times has increased in and across the districts of Kokrajhar, Darjeeling, Jalpaiguri, and Kakarbitta because of their close proximity to Kolkata, and other metropolitan cities of Delhi, Mumbai, Hyderabad, Bangalore, Pune, and Guwahati through buses, train and planes. With a less travel duration required, these areas have become more prone to human trafficking. Regional peculiarities such as chronic poverty, search for better employment opportunities, internal displacement etc. further makes these regions a hotspot for proliferation of trafficking syndicate. The chicken neck corridor of Siliguri, in West Bengal, act as a point of transit and destination for trafficking network operating in and across Assam and other north-

eastern states, Nepal, Bangladesh and Bhutan. With an advent of modernization and innovation of new technologies, mobile phones, and social media networks etc. the geospatial distance between states and international borders have been reduced virtually, which further provides a breeding ground for trafficking networks. The data from the field strongly suggest in-ward illegal migration of population from Nepal, Bangladesh to India via Assam and West-Bengal.

The long history of armed and ethnic conflict in Assam inducing internal displacement of population acts as another crucial factor for breeding of trafficking networks. Kokrajhar district has been witnessing ethnic conflict between the Bodo, Muslim, and Santhal communities of the region since 1994. West-Bengal, particularly the Darjeeling district and Dooars regions have witnessed revolt for separate statehood leading to displacement of people from the region. Similarly, the Nepalese civil war fought between the Nepalese government and Maoist from 1996-2006 led to huge displacement of population. Therefore it is in this context the present study is undertaken to identify and map the spatial and gendered vulnerabilities which leads to proliferation of trafficking in persons in eastern border areas of Himalayas in the selected districts of Assam, West-Bengal and Nepal.

Objective

- To identify the region specific vulnerabilities that leads to trafficking in women, young girls and children.
- To identify and map the gender specific vulnerabilities which contributes to trafficking in women, girls and children.

- To capture the individual lived experiences of a traffic victim during her pre and post rescue life.

Research Questions

- What factors led to trafficking of woman in the districts of Kokrajhar, Jalpaiguri and Kakarbitta?
- How were they recruited by the traffickers?
- What kind of violence did they face, degree of sexual and non-sexual violence?
- Under what circumstances did the traffic women/girls choose/agreed to take the risk of migration to foreign land?
- What are the gender vulnerabilities faced by the trafficked survivors during the pre and post rescue period?
- Examine the life of a traffic survivor after rehabilitation?
- Has she been entitled to sustainable means of livelihood after rehabilitation?

Conceptual Framework

To understand the issue of sex trafficking through feminist approach following conceptual framework has been adopted in the study - feminist theory of violence, sexism, racism, and class struggle put forward by bell hooks in her book *Feminist theory: Margin to Centre* (1984), and Intersectionality theory by J.C. Nash (2008)- *Rethinking Intersectionality*, and K. Crenshaw (1989)- *Demarginalizing the intersection of race and sex: A black feminist critique of anti-discrimination doctrine, feminist theory, and antiracist policy*.

In the book, one of the arguments put forward by hooks is that of- the “absence of choices” for an individual, around her surrounding, that becomes the primary point of contact between oppressors and oppressed. She further states that an oppressed person might truly know that they are being exploited but do not organize a resistance against the oppressor, and lastly, the violence is inextricably linked to the power structure, the violence exerted by the powerful over the powerless, dominant over the dominated. The party in power always uses coercive measures to retain/maintain the power if/when challenged or threatened. When we used this theory of “absence of choices” in cases of a sex trafficking victim, and analyse her socio-economic location, background, her after-life as traffic victims in the brothel or in shelter homes, this theory of “absence of choices” aptly fits into their life conditions.

The field data strongly suggested that the women, young girls, and children trafficked from the studied districts of Assam, West-Bengal and Nepal had very limited or no resources available to them in order to sustain their life. It was due to this absence of choices for job, sustainable means of livelihood in their close surrounding that forced them to venture out of their hometown in search of work. Taking advantage of this absence of choices around trafficked victims in their hometown, they felt prey to trafficker’s lucrative false job offers.

Furthermore, on examining socio-economic conditions of the trafficked victim, it came to light that their poor socio-economic background, along with broken family system, alcoholic parents, domestic abuses, sexual violence and lack of financial support from either the family or the state programs built a passage for them to come in contact with a trafficker. At an inter-personal level, when they came into close contact with the trafficker, the trafficker enacted as a “messiah” to them in their time of distress by providing money for survival. S/he gave such offers which were hard for the victim to

reject. Taking advantage of their economic needs and social vulnerability, the traffickers exposed the victims to exploitative living conditions and working environment, which the victim talked about and experienced, but could not escape from as mentioned during the time of interview e.g. – abusive owner who sexually exploited traffic victim Sumi.

The money invested upon the victims by the trafficker and the power exerted through money and muscle played a significant role in keeping the victims captive by the traffickers for a significant period of time, i.e., till the time they are productive for the business. On the other hand, when we examine the living condition and after life of a traffic victim post rescue when she comes into close contact with the civil society organizations, the field data suggest that a similar kind of exertion of power and authority was imposed upon the victim in the name of protection, safety, security, rehabilitation, re-integration etc., by the same organizations. Therefore, when there is absence of choices for sustaining a healthy life for a traffic victim in both the pre and post traffic situation, she is suppressed, oppressed, and dominated by the party in power. Though she knows that she is being exploited in different forms and magnitude by both the trafficker in the earlier life and the civil society organization in present condition, she prevents herself from organizing a resistance against them. Her resistance, if any, take place in form of running away from brothel or shelter home, which again has a high probability of putting her into a situation of discreet danger.

A woman because of her gender, class, and certain cases because of her caste (in Nepal and some parts of India are prone to sex trafficking), gets trafficked into exploitative, abusive and violent labour conditions such as sex work, spa parlours, dance bars, and nanny jobs. It is with this understanding of trafficking as observed in the field data, the theory of intersectionality is used in the study to understand the subjective experience of a traffic victim. The feminist theory states that-- experience of a single

woman cannot be homogenised as experience of every woman who gets trafficked and therefore, there is always a need to study the experience of each woman as a single entity. It is with this reflection, the researcher has tried to document the experiences of a traffic survivor based on her race, class, caste, and marital status. The data collected during the field work is then analysed using the theory of intersectionality to understand the impact of these multiple identity that every woman holds apart from her gender identity which results in her oppression.

Another important aspect of conceptualizing a framework for the study is the kind of research methodology used in this research. It is with this thought of using a qualitative research method, a conceptual theory of “conscious partiality” as produced by Marie Mies in her article Feminist research: Science, violence and responsibility. A feminist understanding of the topic has been developed by using feminist research methods and methodology as put forth by Sandra Harding in her book *Feminism and Methodology* (1987). Here, she mentions that there is no distinctive feminist method of social enquiry. She states that the feminist researcher use the same traditional androcentric tools of listening to or interrogating the informants, observing the behaviour and examining the historical records as done by any other social scientist. However, she mentions that even similar androcentric tools are used by feminist researchers, the way in which these tools are used are strikingly different from traditional androcentric approaches. For example- a researcher using feminist methodology will always conceptualize the lives of a woman and man different from each other by using same tool of observation, listening or documentations.

Maria Mies states that neutrality and indifference towards the research subject has to be replaced by conscious partiality when a researcher is doing a research. Conscious partiality advocates considering the views in the field through bottom up approach where

information provided by the research subject must be placed above all. Taking this approach of conscious partiality in the field the researcher had used the method of self-reflectivity by acknowledging her privilege position. As a woman coming from upper class and caste background in comparison to the traffic victim, the researcher attempts to understand their life struggle on the basis of the information provided by them without any prejudice. The researcher while conducting the study takes into consideration that a woman bears multiple identity based on her class, caste, social relationship and sexual orientation. These multiple identity thus leads to her curtailment of personal freedom and space. In specific context to field work carried in the border of India- Nepal, the researcher witnesses the curtailment of freedom of a woman based on her gender identity. The researcher became her own subject of study for the research while crossing the India-Nepal border for the purpose of study, she experienced that as a women traveller she was intercepted by the anti-trafficking activist on the suspicion of her being a traffic victim. Verification, authentication, and identification of the researcher's case took place after prolong observation by the concerned activist. On finding the researcher's genuine purpose of travel, she was allowed to cross the border. Such kind of stopping of woman while crossing the international border is a daily routine for the intercepting agents in both India and Nepal. The researcher's own experience of interception made her realise that when a woman crosses the border alone, she becomes more prone to cross-questioning by state agents because of state regulated intervention and prejudice against women because of their gender and sexual orientation. The researcher believed that she was intercepted merely because of her gender and gender based discrimination that is propagated by the society in name of safety and security of woman community at large. Simultaneously, Harding (1987) states that "the relationship between the researcher and the research subject should be a reciprocal one where hierarchical relationship between the two is

broken down” (189). She states that “in feminist research women’s personal experience is taken as a significant indicator of the reality against which the hypothesis is tested” (8). Thus, breaking of hierarchy, knowing about one’s own social position, and giving prime importance to the indigenous knowledge of research subject is an essential component for conducting a social science research on sensitive topics.

Contestation in the Field: Challenges, Limitations, and Dilemma Faced During Fieldwork

Sex trafficking of women and girls is a sensitive issue, for which personal identification of sex trafficking survivors by the researcher herself became difficult in the field. In order to overcome this problem, the researcher identified the NGOs working on the issue of trafficking in persons and approached them for conducting the study. Later on interviews with the survivors of trafficking was collected through the links provided by these NGOs. However, establishing contacts and associations with these NGOs in itself became a major challenge at the beginning of the research work. First, the researcher faced great obstructions in making contacts with the NGOs during the initial stages of the field work. Her request for conducting field work was denied by the NGOs on the ground of maintaining privacy of the survivors. Her mails and messages were not responded and on continuous pursuing of the matter and sending request mails, continuous calls, the researcher was finally allowed to conduct field work within a restricted time period.

During these periods, the researcher voluntarily offered to work for three months in a NGO in Guwahati, Assam, in order to get an access to the sex trafficking survivors in their shelter home. She did free documentation of the reports and other related work of the NGO in order to gain access to the trafficking survivors. However, all her efforts were laid

futile when she was not given access to meet the survivors. Under such circumstances, the researcher had to find other ways to contact other NGOs to carry forward her work. Over investment of time in a particular NGO without any beneficial result delayed the research project for six months until new contacts were established for conducting field work. Similar kind of restricted entry was witnessed every time the researcher approached an NGO for field work. On continuous pursuance, the researcher was given access to the survivors and meetings were held. Meeting with the survivors of human trafficking and more specifically sex trafficking was allowed four times during these periods of study by the concerned NGOs.

The second problem witnessed in the field was establishing contacts with the primary respondents i.e., the survivors of sex trafficking. Sex work, in itself is stigmatized and taboo topic of discussion under a social structure such as family, marriage, community, village etc. in India and Nepal, therefore fixing a meeting with such survivors became a big challenge. Even when meeting with respondents was arranged, bringing the topic of sex trafficking into discussion became difficult. This problem in particular was faced because of the fact that most of the adult women/girl survivors of sex trafficking had been re-integrated into a family structure. They had in-laws and children from whom the fact that they were sex trafficking survivors was totally hidden. Therefore, under such circumstances they did not wish to be identified as a sex trafficking survivors in their present life. It had been five to six years that they had been now re-integrated into family structure and were living a normal family life. Many of them were mothers to minor children, therefore, opening up as sex workers in past could jeopardize their family life, a fear that took toll over the survivors.

The women were presently living within a community structure in a village circle. They were apprehensive and therefore refrained themselves from opening up as sex

workers in past because of the fear of being socially boycotted from village. They felt that opening up about their past life could possibly risk their social relationship in present time and the family would be ostracized at community level. Therefore, an obvious reluctance was witnessed on the respondent's face to open up about their past life and be identified as sex trafficking victims. Under such situation many responses of the traffic survivor were either not documented or left unquestioned. The field experience during interview sessions with these survivors left the researcher in perplexed situations. Efforts were made from the researcher side to gain their trust and make them believe that the responses would be kept in utmost privacy and only be used for research purpose. In order to make them comfortable with the process of interview, researcher limited herself by not cross-examining or evaluating the traffic survivor's experience/responses in detailed form. The researcher took special measures to not jeopardize the present life of the survivor by overtly cross-questioning her or forcing her to speak without her willingness. As it was village set-up interviews had to be stopped in between and questions were deviated from main interviews schedule when a neighbour would come and listen to the interview. These in a way left a dearth in data collections as interviews in many occasions were stopped abruptly. Also, question about her agency, perceptions and experiences as a sex worker, if any, remained unanswered at different levels because of time limit, short visits and extensive travel between the three regions, the village settings, respondents social location and position.

Third, challenges faced in the field were in form of check post and restricted entry point set-up by the NGOs. The researcher was provided with filtrated information and meeting with the survivors was held under surveillance. The researcher twice was allowed to stay in a shelter home of one of the NGO for fifteen days, each time, where children below eighteen years of age were kept. Not all the NGOs visited for the course of field

work had a shelter home for the victims of human trafficking. This further made it difficult to reach the survivors of trafficking. Among the six NGOs approached for field work, two NGOs in Assam had a shelter home. Nedan foundation under the supervision of Children Welfare Committee (CWC) in Kokrajhar district allowed the researcher to have an access to its shelter home. While on the other hand GOLD NGO, Guwahati, Assam, did not allow the researcher to meet the survivors. The Maiti Nepal, Kakarbitta, Nepal, had a shelter home, but researcher's entry to it was restricted by the staff. The three NGOs approached in West Bengal in two selected districts of Darjeeling and Jalpaiguri districts mainly worked on interception method for combatting trafficking in person and therefore did not have a shelter home neither for children nor for adult victims. Hence, to collect data, reliance was made with the NGO staffs who took the researcher to the homes of traffic survivors re-integrated back into community life.

During the time of stay in the shelter home, Kokrajhar, the researcher tried to establish a friendly relationship with the children living in the shelter home. She tried to build a rapport with them in order to have close observation of their living. These children were victims of domestic labour, children internally displaced during the time of ethnic conflict, victims of child trafficking for domestic labour, bonded labour, sex trafficking, molestation and rape. However, during the days of stay, the conversation and friendly meeting with the children were continuously monitored and controlled by the caretaker of the shelter home. It was later revealed to the researcher during her stay that, the caretaker, a Bodo women in her early 30s, was earlier a victim of child marriage and domestic violence and was rescued by the same NGO. She now stays in home as an adult and works as an employee of the NGO presently. She is pursuing her under-graduation through open learning. The researcher believes that her past history and her present work as caretaker

shapes the discourse of working pattern and behaviour of the caretaker, for which she had built a shell around her, researcher, and the children of the home.

The caretaker was responsible to look after the girls of the home and monitor and control their activities. The caretaker always intervened and monitored the meetings with the children. The caretaker behaviour reflected untrustworthiness and perplexity towards the researcher. As an outsider living in the shelter home, caretaker maintained a distance with the researcher. In many of the meetings the children complained about her bias, dominant and ill-behaviour towards them. There were reported cases of girls running away from the shelter home because of prejudice faced at the hands of caretaker and NGO staffs.

On many occasion, the researcher herself became perplexed seeing the working pattern of the shelter home. As an outsider, she refrained herself from intervening in the affairs of the caretaker when the caretaker restricted the girls from meeting the researcher. The researcher adopting a careful approach in the field had restricted herself to a limited space allowed by the caretaker for conducting meeting and interviews with the children. She adopted careful measures in order to not jeopardize the situation for shelter home children. The researcher feared that once she leaves the home, children might be placed under the purview of the caretaker for mingling with the researcher and giving her information of the home. Thereafter they may face the brunt of the caretaker's anger. There were incidences where the girls were at the receiving end of severe beating and verbal abuse by the caretaker. Many girls complained about abusive name calling by the caretaker.

The incidences of battering and severe punishment were cross-checked with other employees of the NGO who lived in the same compound. Therefore, the challenges while

conducting the field work was not only on ground of the researcher gender, location, identity and accessibility of data but was an amalgamation of various factors. The researcher had to deal with different kinds of moral dilemma while conducting the research with children and married traffic survivors. During each interview, the researcher had to be self-reflexive about her social positioning. The researcher had to draw a line of how much information to seek, under what conditions and circumstances to seek those information. The respondents in question were minors affected with different kind of social issues, had no parents to look after them and were therefore under the mercy of the caretaker. While the married woman now were living a socially engaged community and village life, pressing them to speak about their past life appeared ethically wrong for the researcher.

Fourth, challenge came in the form of the existing power structure in the field between the NGO staffs, the survivor respondent and the researcher. The hegemony relationship that existed between the caretaker, minor inmates of the home, adult survivor and researcher was clearly visible during the field work. However, the researcher because of her own politics of carrying out the work had to side line this hegemonic relationships. The caretaker being in the upper strata because of her status as caretaker and staff of NGO exhibited her full authority, control, power over the children. By doing so she restricted the accessibility of required information for the researcher. Children, on the other hand, having the status of a victim were under the welfare of the NGO and hence under the caretaker. Because of the children's victim status, age, gender, and socio-economic background of their family, they held a submissive state before the caretaker.

The researcher because of her gender, location, identity as an outsider to the field, and towards the issue of human trafficking in the ground had to face challenges in term of language speaking. The researcher was able to speak two local languages i.e. Assamese

and Nepali spoken in the region of Assam, West-Bengal and Nepal, yet establishing a rapport with the NGO staffs in general and with the victims in particular became difficult. The researcher's identity as an Indian Nepali women in many occasions became her boon and drawback in the field. In West-Bengal while conducting field work in Siliguri, Oodlabari and Panitanki, the researcher's Nepali identity and knowing the language and ability to communicate in Nepali helped in accessing data from the field. As the organization members mainly converse in Nepali language, and were Indian Nepali themselves, it helped to identify with them in terms of language spoken and ethnicity. While in case of Kokrajhar and Guwahati, Assam, which is another area of study, initial stage of accessing data was difficult because of researcher identity, location and different ethnicity. Though the researcher's home is in Assam, yet finding a starting point for the research became difficult. In Kokrajhar during the time of field study, different forms of protest and rallies were carried out for the demand of separate statehood and identity movement. The NGO staffs actively participated in such rallies and the founder of the NGO was also an adherent supporter of the movement. Therefore the researcher presumed that it was for this reason possibly all verbal official activity and conversation between the NGO staff took place in Bodo language. This puts the researcher a step backward while gathering information as the language was unknown to the researcher. Being an outsider she was not able to participate with the staff to gather insight about anti-human trafficking measures undertaken by the organizations at length.

While on the other hand this same outsider Nepali identity helped the researcher in establishing a relationship with the survivor inmates of the shelter home. Some of the children belonged to Adivasi community, they felt discriminated in the shelter home because of their identity as Adivasi girls, compared to other Bodo inmates. These Adivasi girls found solace when researcher introduced herself as a Nepali woman. Nepali

community in Assam is considered to be an outsider and not belonging to the region by many of the local people. The popular belief in region of Assam is that all Nepali speaking people of Assam are immigrants, settler community. Though historically, Indian Nepali speaking people have migrated to different parts of India during colonial rule but in today's time they have been a legitimate population of India. Even though Indian Nepali people have been constitutionally granted Indian citizenship yet in many parts they are still considered as outsiders by local people. The Nepali speaking people in Assam mainly practice dairy farming as their means of livelihood for which they are also looked down upon.

Fifth, carrying out field work in the remote villages was a challenge in terms of safety and security reasons. Travelling to field started in early hours of the morning as to avoid late return. The frequency of public vehicle running in those remote areas was less. When the researcher had to visit the rehabilitated women, she had to travel for four hours daily and the route to this villages was through thick reserve forest. Public transport was less for which the researcher had to hire a local taxi to reach out to these places and return before it was dawn. The outsider identity of the research made her become extra cautious because of the regions backwardness and regions history of being conflict affected for over a decade and more.

Methodology

Borders are a complex zone of accessibility, and conducting fieldwork in borderland on a subject like sex trafficking is a complex affair. To extract reliable data on issues of sex trafficking is a challenging task because of stigmatization of woman/girl victims, clandestine nature of the business of human trafficking (Huda, 2006). Scholar

such as Rayaprol (2016) suggests that field sites have been transformed over time and feminist researchers have used spaces both within and outside of what was conceived as traditional borders and boundaries. It is with this change in perspective towards transnational borders and boundaries, a study on sex trafficking in the borderlands of Eastern Himalayas have been undertaken using a qualitative method of enquiry in the field.

Sample Size and Area of Study

The sample size includes 94 numbers of survivor respondents, 43 numbers of NGO staff respondents and 13 numbers of police official respondents, a total of 150 respondents were interviewed for this study. The study of sex trafficking in the region of Assam, West Bengal and Nepal have been conducted with the help of the NGOs working in the issues of human trafficking, especially sex trafficking. The study has been conducted from March 2016 to October 2018 at a level of 15 days to 45 days of field work according to the suitability of time of the NGOs and survivors respondents of trafficking.

The field work in Assam was conducted in three phases for 30, 30, and 15 days each. In West-Bengal, field work was carried in two phases with the NGOs in Siliguri and Panitanki regions for 30 days each and in Nepal, single phase field work was conducted for 25 days. As part of the field work seminars, workshops on human trafficking, awareness rallies against human trafficking and traffickers organised by the NGOs were also attended. In Assam, two NGOs were approach. In Guwahati city, GOLD NGO was approached while in Kokrajhar district, Nedan Foundation was approached. In Darjeeling and Jalpaiguri districts NGOs such as Kanchanjanga Uddhar Kendra (KUK), Dooars

Expressmail, Tiny Hands, Panitanki, India were contacted. In Nepal, NGO staffs of Tiny hands, Nepal, and Maiti Nepal were interviewed in the border town of Kakarbitta.

In Assam and West Bengal field work was conducted by visiting the NGO offices located in different districts, meeting the survivors at their home, in NGO offices and meeting the minor survivors in the shelter home in Assam. Interviews of the minor respondents of the sex trafficking was collected in shelter homes which functions under Children Welfare Committee, Kokrajhar. The responses of young adult girls and women was collected by visiting them at their homes in Kokrajhar districts and Jalpaiguri districts and in NGO offices of Nedan Foundation, Kokrajhar, and Dooars Expressmail, Oodlabari, Jalpaiguri districts, Tiny Hands, India, transit office in Panitanki.

While in Nepal, field work was majorly done by participating in the interception process conducted by the NGOs in border town of Kakarbitta, which falls under Jhapa district of Nepal. The field work conducted in Nepal had the most restricted entry. The researcher examines this restricted entry as a method adopted by the NGO to limit the information in terms of her being a student scholar, whose visit brings no profit (economical or otherwise) for the organization. The researcher builds this presupposition on the basis of her conversation with the Organization's general secretary who disposes researcher's interview schedule and replies that “ *My answers are a basic reference point which you could find anywhere in internet as I am not giving you any inside story*” (Personal interview, General Secretary, Maiti Nepal, Kakarbitta office).

Three different category of survivor respondent has been created on the basis of their age. Survivor respondents met for interview in the shelter home in Kokrajhar, Assam, were below the age of 18 years and therefore are termed as minors in the study. Girls interviewed in the age group of 18 years to 25 years are termed as young adults and

women survivors in age group of 25 to 45 years were the third group who were also interviewed. These three categories of respondents on the basis of their age were done after the interviews were completed and different patterns of field responses emerged from the study. The sample size of the minor, young adults, and women respondents have been given in the data analysis Chapter III, which provides a background to the study.

Techniques of Data Collection

The primary method of data collection was done by using qualitative method of enquiry such as structured and semi-structured interviews, participatory observation method, focus group discussions and case study. Case study data of victims includes their personal history files collected from the NGOs. Because of the nature of the study and the stigma attached to the topic of research i.e., sex trafficking, a conscious decision was taken to employ non-probability sampling methods such as purposive sampling and snowball sampling methods to conduct the study. Bernard (2006) mentions that -“in-depth research on sensitive topics requires non-probability sampling. It can take months of participant observation fieldwork before you collect narratives about topics like sexual and reproductive history or bad experiences with mental illness or use of illegal drugs” (186).

Henceforth, a purposive sampling method was used to locate the NGO which exclusively worked on human trafficking, more precisely on sex trafficking in the regions of the study. A purposive sampling technique is used under condition when a researcher decides the purpose he/she wants her informant to serve, and then go out to find some (Bernard,2006). While Tongco (2007) states that- “the purposive sampling technique is the deliberate choice of an informant due to the qualities the informant possesses” (147). In this study, the researcher first started her work of finding key informants in Assam.

When she was able to locate the informant in the form of NGO workers in Assam, she further used snowball sampling technique to locate other NGOs working on the issue of sex trafficking in the region of West Bengal and Nepal. Similar technique of snowball sampling was used to locate and find sex trafficking survivors in the area of study. According to Bernard (2006), snowball sampling method is a part of “network sampling method which is used to study the populations which are hard to find or hard to study” (192). Further describing this method of sampling, he provides three reasons as to why these group/population are hard to find or study. According to him the three reasons are: A) they are few in numbers and are scattered over a large area. B) They are a population/group that are stigmatized in a society and therefore remain reclusive. For example- HIV positive people, and people who are actively hiding from the society for various reasons. C) They are the members of elite group who do not wish to participate in the process of data collection. Finding Bernard’s three reasons aptly fitting in present study, the method of snow ball sampling was used for the present study.

Thus, the researcher had used snowball sampling method and adopted the technique of participatory observational method for data collection. She had established inter-personal relationship with the children in the shelter home by mingling with them. She heard their stories from school, their past life. Shared food, celebrated festival such as Holi, Durga Puja with the children and helped them in their kitchen works. She played *antakshari* (singing movie song) and heard them sing Bollywood songs in order to closely observe their behaviour, attitudes, moods. Spending quality time with them helped her understand their moods and perception about the shelter home, staying in it and hearing their dreams of future. These activities gave a close access to child’s mind and their thought process. The researcher’s presence among the group of children helped to closely understand their moods, observe their body languages and daily routine to get a picture of

their life in the shelter home. While the study was conducted, conscious efforts were made not to put the survivors in an uncomfortable zone where recalling their past experiences put them into traumatic state. Their permission was taken to document their stories in verbal form. The identity of the survivors have been kept anonymous by changing the name during documentation.

Secondary source of data collection includes- national crime bureau report, newspaper articles, magazine reports, NGO annual reports, books and articles on the topic of sex trafficking, child trafficking and human trafficking etc., collected from the internet and NGO offices.

Table 1- Chronologically Explains the Collection of Data

State/country	District	Area	Victims met in Shelter home and in NGO office	Victims Met at their home after rehabilitation	NGOs Staffs interviewed	Police officers interviewed
Assam	Kamrup Metropolitan District	Guwhati	2	0	4	10
Assam	Kokrajhar,	Kokrajhar	25	10	13	2
West Bengal –	Darjeeling	Panitanki and Siliguri	20	0	17	1
West Bengal	Jalpaiguri,	Oodlabari	17	3	1	0
Nepal	Kakarbitta,	Kakarbitta	17	0	8	0
Total			81	13	43	13

Chapter Scheme

The present thesis is divided into seven chapters, including introduction and conclusion.

The chapter I- *Introduction*, introduces the issue of sex trafficking to the reader. It highlights the magnitude of the problem by referring to international, national, and region specific scenario of trafficking in persons. In doing so it attempts to highlight the grievousness of the issue, and the urgency to study it for having a region specific empirical data in order to have a meaningful policy interventions. The chapter also has a section on research methodology that elaborately discusses about the research tool used in the field for data collections.

The chapter II- *Understanding Sex Trafficking through Feminist Lens: A Critical Reading of Trafficking Literature*, provides a broad overview of trafficking scenario, its historical emergence, and its existing co-relation with prostitution, migration and globalization. It starts with historical approach towards trafficking and thereby traces and talks about the contemporary debates that continue to have an effect on the lives of a trafficked woman. Proceeding on from this historical and contemporary point of reference, the chapter discusses about different international convention and protocols adopted to combat trafficking in persons and the chapter concludes with the present anti-trafficking bill of 2018, in India, and the policy of “total ban” in Nepal.

The chapter III- *Sex Trafficking in the Borderlands of Assam, West-Bengal and Nepal: A Background*, provides an overview of the region, and its historiography. The chapter by providing the regional context to trafficking attempts to highlights the factors that makes it vulnerable and prone to human trafficking, more specifically sex trafficking. Highlighting upon the porousness of the border, researcher cite it as one of the prime

reason for rapid growth of trafficking cases in the regions. Along with the overview of the region, a socio-demographic profile of the victims of trafficking, the causes and methods of trafficking, trafficking networks, sale price, breaking the morale of victims etc., are also discussed in this chapter in order to provide an insight to the readers about the trafficking scenario of the region.

The chapter IV- *Vulnerability, Violence, and Survival: Life before Being Trafficked* talks in details the life situation of the traffic victim before being trafficked. It points towards the kind of life struggle they had undergone and the kind of vulnerabilities that had pushed them towards the trafficking net.

The chapter V- *Sex Trafficking: Rescue, Rehabilitation, and After-life of a Trafficked Survivors*, is the data analysis chapter. It brings to the fore the violence and trauma a traffic victim undergoes when she is being trafficked. It talks about the problem, violence and experience of a traffic victim “during trafficking” phase i.e. when she is being transported/carried outside from her home town. The later part of the chapter talks about the post-rescue experience of a traffic victim where she becomes a survivor of sex trafficking.

The chapter VI- *Institutional Responses of NGOs and Police to Combat Trafficking in Persons: Measures and Actions*, documents the responses and measures undertaken by the institutions of higher authority and civil society organizations to combat trafficking in persons. It also critically analyses these combatting actions in order to find out how far these actions have a meaningful intervention and impact on traffic survivors life post rescue.

The chapter VII- *Conclusion* provides in brief the summary of the earlier chapters. It highlights the major findings of the study and provides recommendations in terms of

policy interventions. The recommendations provided in this chapter take into account possible actions that need to be undertaken in order to better the life-chances of trafficked women and girls by enhancing their skills for livelihood generation and survival.

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Chapter II

Understanding Sex Trafficking Through Feminist Lens: A Critical Reading of Trafficking Literature

The chapter analyses the different international state instrument and apparatus used to control the illegal business of sex trafficking in forms of laws and policies. It traces the history of emergence of trafficking, trafficking protocols, and its implementation and impact on the lives of trafficked victims worldwide. By examining these theoretical literatures on trafficking in persons, international laws and frameworks, the chapter thereby argues that under the dearth of a uniform anti-trafficking apparatus, the victims of trafficking suffer from different kind of problems post-rescue and rehabilitation to live a ‘normal’ life.

There are no uniform legal apparatus which addresses post-rescue problems of the traffic victims faced during the restoration and re-integration period and provide them immediate support. In the global scenario, countries have agreed upon and have become members to universal trafficking definition of UN Protocol to Prevent, Suppress and Punish Trafficking in Person, especially women and children, 2003, that defines trafficking as a transnational organized crime. Yet, because of their geographical locations and different state policies, the party nations to the UN protocol have chosen to differ upon certain clauses and articles of the protocol resulting in different anti-trafficking laws in each nation-state. They bring out their own anti-trafficking laws which are not uniformly applicable to other nations across border. These in a way leaves the traffic victims without protection from cross-border trafficking and its effects. Under such conditions the victimization of a trafficked victims becomes double-fold when trafficked

outside the country. The law of the destination country under which the rescued trafficked victim was treated under becomes inapplicable the moment she is repatriated back into her country of origin. The process of repatriation because of cross border state mechanism becomes lengthy, ugly, and hazy for the trafficking victim where she has to undergo trauma and mental torture. Similar process of registration, filing of the case, reporting and cross examination of her statement by the police officials makes the experience of the victim psychologically challenging and traumatic. Under such conditions, many times, it is witness in the field that that the victim develops a withdrawal syndrome from family and society. The case of trafficking goes unreported and the traffickers remain scot-free.

Billions of dollars are spent by the state in the name of counter-trafficking initiatives but its effectiveness on the lives of the trafficking victims is visibly absent. Therefore, it becomes important to examine the effectiveness of counter trafficking legislation for combatting trafficking in persons. Drawing from the historical analysis of different international, national, and regional laws on trafficking in persons, and examining their workability and benefits for the trafficked women, this chapter further argues that different laws on trafficking in women reinforces the ‘victim characteristics’ of a women, denying and depriving her the right of autonomy and free mobility.

Hence, in the process of analysing the historiography of trafficking in persons and its related laws this chapter attempts to build a ground for the forthcoming chapters in the thesis. The coming chapters of this thesis would reflect upon the socio-economic, political, and cultural conditions pushes them towards trafficking net and also describes the living conditions of the victims when they return back to their states/homes as survivors of sex trafficking. While discussing about their pre-trafficked life conditions, post-rescue life situations, the emphasis would be on analysing the actions and efforts undertaken by state

machineries such as legislature, executives and judiciary of the state to combat trafficking in persons in the areas of study.

In order to understand the current scenario of sex trafficking in the regions, the researcher has tried to historically trace the emergence of trafficking in persons. The chapter in a conjoint pattern moves towards the existing debate between prostitution and trafficking. Through various theoretical literatures on trafficking and prostitution, this chapter looks into the positioning of sex trafficking victims within the broader theoretical framework of agency or coercion. The existence of differencing viewpoints between the feminists and activists group on prostitution and sex trafficking has been witnessed through detailed reading on the subject. Therefore, on the basis of these readings it can be surmised that- one feminist group understands prostitution as women right violation, sexual exploitation of women body, whereas other group believes that prostitution or more precisely sex work is also a form of labour like any other. While discussing and deliberating on sex work and its effect on women's life, feminist groups have taken opposing stances and have extensively debated on the interpretation of the concept of 'consent'. As Crawford puts it—"their stances were related to the broader question of women's agency and right to engage in commercial sexual transactions" (Crawford, 2010, pp 10).

However, as a researcher, while reading, understanding, and analysing the debates on prostitution and trafficking, I, do not wish to take any particular stand, or validate one group to be right over the other. I do this on the basis of my meeting and fieldwork conducted with the women survivors of sex trafficking and women engaged in sex work wilfully, in two different locations, for two different studies. Each woman met during the field work for two different studies had their side of the story to narrate, which was sternly different from each other. However, the common point of reference in their narratives

were the amount of violence, taboo and stigma they had to face which had adversely affected them morally and culturally as a woman to a great extent. Therefore, I, as a researcher believe that-- it is best left to the women in question to determine her own agency or victimhood, to decide upon trafficking and prostitution in her own present context. It stands true that the location, context, socio-economic, political, and cultural scenario of the region where a woman is involved in prostitution or is trafficked from, determines her agency or victimhood. The sexual, physical, mental exploitations that a woman experiences while being trafficked for sex trade or being into the business of prostitution voluntarily, make the experience of a woman different from each other. However, on saying so, I also believe that trafficking of women for commercial sexual exploitation has a greater psychological impact on a woman and moreover on a minor because they are pushed into it by force and deception most of the time.

As a researcher begins the chapter with analogical reference to historical emergence of trafficking in women during the white slavery period, and from there on move towards the present era where trafficking in women from South-Asia (India and Nepal) is becoming a burning issue of world affairs.

White Slavery and Sex Trafficking: A Historical Approach

The origin of trafficking debate date back to the 19th century when as Kempadoo notes, “the gendered international migration patterns set the stage for racial social panic about the white slave trade” (Kempadoo, 2005, cited in Segrave, Milivojevic and Pickering, 2009, pp 1). Historically, if we look into the era of ‘white slavery’, it started in 19th century when in the European nations, the industrial revolution and technological innovation began. It was the period of social and economic change which led to migration

flow and “intensification of urban poverty” (Julia Tomas, academia online readⁱ). Scholars such as Stalker and Tilly argued that “these migration constituted part of the large scale international relocations and displacement of people that followed the abolition of slavery in the nineteenth century, and accompanied the internalization of waged labour embedded in the period of globalization between 1850 and 1914” (Stalker 2000; Tilly 2004, cited in Kempadoo, Sanghera and Pattanaik, 2012, pp 12). The number of brothels increased and prostitution flourished, followed by consequent increase of venereal diseases (Azevedo, 1864; Corbin, 1978; Bartley, 1999; as cited in Tomas, an online read).

Doezema (2002) stated that the practice of women trafficking for sexual exploitation and servitude existed from the period of 1880s “when outcry against white slavery in Europe and America” became very loud (22). The existential phenomenology of white slavery according Doezema (2000) meant different things to different social actors, in their own local settings i.e. their geographical or ideological locations. Even though different social actors understood it differently, Doezema provided a broad definition of white slavery as-“the abduction and transport of white European women for prostitution in South America, Africa or the Orient by non-western men or other subaltern” (Doezema, 2002, pp 22). It meant “the procurement, by force, deceit, or drugs, of a white woman or girl against her will, for prostitution” (Doezema, 2000, 25). White slavery, as argued by Cobin, denotes international trade of white women and girls for prostitution was white slavery while prostitution carried out within the country did not fall under the practice of white slavery, both phenomenon are separate and distinct from each other, though related (Cobin, 1990, as cited by Doezema, 2000).

Hence, within this basic understanding of white slavery as postulated by Doezema and other scholars, if this definition and contextualization of white slavery is examined on the basis of its location and people involved in trading (customer location and positioning

within the society), then it can be inferred that the dominant white slavery discourse was built on the pillars of Eurocentrism. A woman's engagement into sex work within her own country was normalized. She being sexually exploited by man of her own society was considered as a normal behaviour and non-disruptive of 'honour' of the white society when done within the country i.e. Europe and America. But, the same phenomenology becomes problematic and unacceptable to the white society, especially its men, when their women were exploited and abused by a third world man, who supposedly is inferior to them in race and class. They believed that their 'honour' and 'race' got diluted and contaminated when their women had sexual relations with these inferior race men.

Thus, if we analyse the nature of the trade that took place in 1860's where women's body as a 'product' was made available for sale in the market for capital returns then we can infer that white slavery of Victorian era is equivalent to trafficking of women and girls of contemporary times. It is often marked as a resembling act where women migrated outside the country for work, mostly towards sex trade. The movement of women and girls in contemporary times does not highlight movement of a particular race or class into sex trade but precisely appears as a movement of women and girls from under-develop/developing countries towards more developing/developed countries in search of livelihood. According to Kempadoo (2001), trade of young women from the undeveloped countries takes place within the undeveloped nations for different exploitative purposes. For example trade of young girls from Nepal to India, Sri Lanka, Bangladesh to Saudi Arabia, Philippines to Italy, and Thailand to Netherlands have been reported in many instances for prostitution and also for domestic servitude. However, these countries act as both source and destination countries for human trafficking. Primarily Nepal, Bangladesh, Myanmar, and Vietnam, act as a source country while the

destination countries are- India and Thailand, with Middle Eastern countries becoming the new destination points (Datta, 2005; Huda, 2006; U.S. Department of States 2007).

Thus, the 19th century discourse on white slavery in Europe and America laid a founding ground to reject sex trade as a source of livelihood generation. The primary concern of 'morality and honour of white society' put it into a 'helm of urgency' and therefore was widely covered in newspapers of those times. The white society found itself in a state of moral panic when increasing incidences of white women entering into prostitution was reported. Therefore, implementation of corrective measures were thought to be necessary to protect those women who have turn vice by entering into sexual servitude. However, it was believed that the white women were abducted and forced into sexual servitude by the unknown "other". It was on these premise, national and international legislations were adopted to stop the trade in white slave. The Mann Act 1910, which came into force in America, made it illegal "to transport women or girls in interstate or foreign commerce for the purpose of prostitution, debauchery or any other immoral purpose" (Conant, 1996, pp 99). With the adoption of different legislations on white slavery, prostitution and trafficking of women, feminist groups with differencing viewpoints began to voice their opinions on prostitution and trafficking of women. Different discourse on trafficking in women and prostitution began to shape their thoughts and started forming groups.

Ideological Debate on Prostitution/Sex Work and the Related Laws

Primarily, two groups were formed on the basis of ideological differences, one group vouch for purity movement and were abolitionist by thought. The abolitionist belong to a school of thought which socially and morally believed that a woman wilfully

cannot consent and choose to solicit as prostitute where she has to sell her own body for money and put the 'honour' of community, race, and family at stake. Therefore, the debates on white slavery majorly moved around the issue of consent and choice. Seeing the white women as victims of slavery and forceful prostitution, their objective was set to get the society rid of 'vice or immoral woman' mainly the young vice woman. Scholar such as Doezema opined that the characteristic which separates the white slave traffic victims from women in prostitution is the forceful immoral life they had to live (Doezema, 2002). Therefore, the term 'white slave' was used only for those women and girls who were actually forced into slavery (Sims 1910, as cited in Doezema, 2002, pp 22). "Many campaigners against the white slave trade saw all prostitutes as victims in need of rescue, others argued for the importance of distinguishing the willing prostitute from the victimized white slave" (Doezema, 2002, pp 22).

On the other hand, the opposing feminist group believed in regulating the act of prostitution. According to the feminist groups prostitution was an indispensable evil that needs to be controlled through state measures. This group of feminist were known as regulationist. The lobby of regulationists acknowledged that there are women who have entered the profession of sex work willingly. And, they termed this group of women as 'fallen women'. The regulationist opined in a collective fashion that prostitution is a necessary evil of the society which has to be controlled by using state regulatory measures (Doezema, 2002). Their idea behind regulation of prostitution was in terms of it being a necessary evil. The regulationist wanted a state control system for sex work and sex workers. They vouched for a licenced brothel. However, under the regulationist approach, the feminist group stated that a woman involved in sex work had to undergo a mandatory medical examination. It was a forceful imposition by the state upon the women involved in sex work, which restricted their mobility as they were seen as 'fallen women' and

therefore, spreader of venereal disease. Even though they acknowledged the presence of wilful sex in exchange of material benefits but their idea of fallen women did negate the identity of women as sex worker by terming them as ‘fallen women’.

With the spread of venereal diseases in the European and American society, women involved in sex work were forcefully made to undergo a mandatory test/ medical examination to check if they had venereal diseases and transmitted it into the society. It was under this context, the Contagious Disease Act 1860, was forcefully enforced upon the women engaged in sex work, to monitor their life during Victorian era. Forceful imposition of this law was done in order to protect the life of a Victorian army, the man and the state. Measures were undertaken to secure the Victorian army from infusion of venereal diseases by compulsory vaccination and routine check-up of the woman engaged in sex work.

The woman engaged in sex work was considered to be ‘loose and immoral woman’ who had had sexual relations with many men, and therefore were carrier of virus. Their existence was seen as a threat to life of an army man, society and the state. The army being the embodiment of nation’s pride and interest, the life of an army man was seen as supreme importance. Hence, to protect lives of a white army man, the state ran campaigns to forcefully catch and detain the sex workers. They were asked to undergo tests in order to monitor their health and take vaccination against venereal diseases. When found infected with the disease, they were put behind bars. The contagious disease act was not for the welfare of the woman engaged in sex work but was used as a tool to control and punish a woman. Under this act, the character of a woman was put under scanner because of her profession. Whereas the same act did not demand from its army man to get tested for similar disease unlike the woman engaged in sex work. The possibility of an army soldier equally being a carrier of venereal disease was not considered by the state. A

woman having a sexual relation with this army man, and thereafter getting transmitted with the venereal disease from the soldier was never a question which grabbed the attention of the state and its statesmen. In state's perspective, the life of a woman is of zero significance. A woman by virtue of their being considered as second class citizen of the state and moreover being into sex work make them less deserving for state's welfare programs because of their 'fallen status'. This understanding of fallen-ness of a woman stands true even in today's contemporary society where woman engaged in sex work is still stigmatized and tabooed in a patriarchal setting.

The understanding of 'fallen woman' was generated during the white slavery era when a woman entered into sex work and her deviance towards the social norms were noted. It was during this time, a new understanding was developed. It was believed that only under desperation, force, and threat a woman would agree to sell her body for money or for any other material benefits. It was reiterated by the white patriarchal society that a woman does not have any kind of desire of her own-- be it sexual, physical, or material. Therefore, she does not own her own body. In short, she was considered as a sexually passive being. The sexually passive nature of hers, made her an innocent, virtuous woman and once this virtue was lost, she was considered as a threat to the society. So, to prevent a woman from turning vice and against society, social norms were used to control her body, actions, thoughts and movements. The society conducted/regulated the behaviour of a woman in such fashion where she was made to believe that the society and man owns her, her body, mind and sexuality, both morally and culturally.

Hence, the construction of a woman's sexuality and virtuousness was primarily built on a premise that--it was only under coercion and force, a woman would consent for sex trade. It is under no other means, a good, respectable, and ethical woman would agree for sex trade with an unknown man in exchange for money or goods. The white race was

considered to be the supreme and pure race with great values, etiquettes and elite-ness, therefore the popular belief of that time was-- white woman will never submit herself to a random, stranger. This was beyond the belief system of a white patriarchal society at large. Henceforth, the question of wilful, consensual sex by white woman for money was dismissed. Taking this argument of virtuous women who will never surrender her modesty for material benefits under “normal” conditions is even used today by anti-sex work activists. Consensual sex by a woman in exchange of money is still considered as immoral and non-pervasive in a patriarchal society. It is in this line, “the anti-prostitution activists assert that all individuals in sex industry are coerced or trafficked, therefore equating all prostitution with trafficking” (Lerum and Brents, 2016, pp 18).

Here, the question of ‘consent’ and ‘use of force’ plays a pivotal role for determining the laws that defines trafficking in persons both during the era of white slavery and contemporary times. The concept of consent and force has been debated around the world taking into account whether a woman has the power and agency to consent for a wilful sex in exchange of money. Even today, sex with random unknown men as a source of livelihood is considered morally and culturally wrong and unacceptable. In a traditional patriarchal society where a woman is seen as a flag bearer of family and society’s honour, her consenting for sex in exchange of money, is a belief that state does not subscribe to and therefore demands abolition of sex work. The public discourse on sex industry during all times, irrespective of an era, often polarises the ideas of choice, coercion, force and gender; thereby frequently conflating sex work with sex trafficking. Lerum and Brents (2016), however, provides another approach to understand sex work and sex trafficking which differs from the conflating idea of sex work and sex trafficking. They argue - “theorizing all working conditions, including those for sex workers as a complicated and contextualised continuum which may contain various

aspects of privileged, agency, coercion, and structural constraints” (17). Henceforth, it becomes important to examine all aspects of sex work and sex trafficking separately, rather than homogenising these terms as a conflating singular units which though involves force and violence but in different quantum.

Thus, taking into consideration the opposing stance of the two feminist groups, European nations passed different legislation to control and curb the activities of women into prostitution. According to Rijken, (2003) the first law that was implement to control the illegal trade in white slave was in the form of International agreement for Suppression of the White Slave Trade, 1904. This law defined trafficking as a compulsive procurement of women and girls for immoral purpose outside the region. In 1910, the International Convention for the Suppression of the White Slave Traffic “broadens the definition by including trafficking within the national borders” (Derks 2000; as cited in Segrave, Milivojevic and Pickering, 2009, pp 2). Both definitions required that coercion or fraud has occurred in the process of recruitment of victims of trafficking. However, this condition was removed in 1933, with the coming of the International and national convention for the Suppression of the White Slave traffic in Women into force (Segrave, Milijovec and Pickering, 2009). “Within this convention trafficking was defined as a transfer of woman to another country for immoral purposes, regardless of their consent” (Derks, 2000:4-5, as cited in Segrave, Milijovec and Pickering, 2009, pp 2), as long as trafficking has occurred across nation-state borders (Rijken, 2003:55, as cited in Segrave, Milijovec and Pickering, 2009). This approach to trafficking was further broadened after the Second World War, by the UN Convention for the Suppression of the Traffic in person and Exploitation of the others, adopted in 1949. The convention defined trafficking in persons regardless of consent of the trafficked person (Saunders, 2000; Doezeema 2002; Rijken, 2003 as cited in Segrave, Milijovec and Pickering, 2009) at the time declaring

prostitution to be incompatible with the dignity and worth of the human person (Saunders and Soderlund, 2003 as cited in Segrave, Milijovec and Pickering, 2009). Thus the 1949 convention formally equated sex work and trafficking thereby recognizing all women in sex industry as victims who needed to be rescued (Segrave, Milijovec and Pickering, 2009).

Thus, on examining and reviewing the context and period during which the above cited laws were legislated, it can be concluded that the laws were primarily foregrounded on the pretext of morality, culture and white race. Women in those times were categorised as victims and not an adult capable of taking her own decision. Nowhere in any of the above mentioned laws--the health of a woman, her body conditions, her agreement to laws seek/ considered during the formulation of law to protect/safe guard her so called 'prestige' and 'morality'. The safety, security, hygiene, and healthy body condition of a woman who had entered into sex trade was never prioritized. It was a white man's body, his service to nation, white society's morality that was centrally focused in the contagious disease act. The white slave traffic act was concerned with the morality of a woman and her deviance. Therefore, this legislation was passed with an aim to control women's sexuality. Her free mobility was restricted with a guise of preventing a white woman from becoming victims of sex slave trade and preserving the superior, elitist white race from polluting. Anna Weekes rightly points this action of the white society in her article "*South African Anti-trafficking Legislation: A critique of control over women's freedom of Movement and Sexuality*", she writes-

"Treating adults, and particularly women, as equal to children within the legislation relegates adults to a position of vulnerable victims who have no agency and therefore need the relevant authorities to act on their behalf. It does not lend itself to a legislative framework that actively engages victims in legal process,

respects their rights and needs and acts in their interest” (Weekses, 2006, pp 29-30).

If we examine the post trafficking situation of a trafficked victim in present context on the basis of the above quoted lines and purview it under the White slave traffic Prevention Act, than the very foundation of the act falls under scrutiny. The act comes out to be very biased, discriminatory, and patriarchal towards women as an individual. Women as a cognitive adult, is barred from making her own individual life choices, define her own agency, and voice her opinion to choose or not to choose sex work as a profession. Moreover, the white slave traffic prevention act takes under consideration and previews only the white women who had entered into sex work, it remains silent about the non-white women working as sex workers, thereby establishing a racial discrimination in its approach. It disregards the fact that women of colour were also trafficked and sexually exploited in that era. The silence in literature over the issues concerning marginalized black women of that period talk in volume about the kind of oppression a black woman had faced in the hands of the state. The law categorically and clearly emphasizes on elite white woman's life and her sexuality, their diversions without making any reference to the life of a black woman and her struggle. Also, equating women with a child while formulating anti-trafficking laws not only negates the cognitive intelligence of a woman, it reinforces the patriarchal idea that woman are meek characters who needs a man to safeguard her, and take rational and sound decisions on her behalf. The very hypothesis of woman being weak individual, and, therefore, they need protection under laws similar to a child should be changed keeping in consideration her age, her location, her decisions based on her choices, her capabilities and credentials. Thus, the White Slave Traffic Act and Contagious Act comes around as androcentric in its implementation, as both acts revolved around the life of man of that particular era with complete silence in regard to the

question of a woman and her body. However, with passing of time there was availability of literature which began to discuss trafficking of woman for commercial sexual transactions. (Banerjee, 2010) stated that trafficking did begun to be associated with transportation of women for ‘immoral purposes’ such as commercial sexual exploitation, which had its linkages with new evolving phenomenon of urbanization, globalisation and migration.

From Prostitution to Trafficking- The Time Travelled

Alongside the development of international commitment to fight against trafficking, extensive literature has been developed in relation to prostitution and sex trafficking simultaneously. The common point which connects prostitution and sex trafficking in same line is the use of women’s body for generation of capital through forceful and coercive means. The traffickers, pimps, or the madams of the brothels sees the young women and underage girls as a raw material that are turn into refined products when put into prostitution or sex trafficking. Money is generated from them when their bodies are sold into the market.

Sex trafficking has been analysed from different standpoints, driven primarily by the competing political agendas of agencies and groups who have engaged in the trafficking debates. The radical and anti-pornography feminists and ‘pro-sex’ advocates clashed over the idea of ‘consent’. They argue on the point that—whether it is at all possible to choose prostitution as a profession and consent to sex work in one hand, while on the other hand, they argue over the issue of sex work which involves coercion and force. Taking in account, the UN definition of trafficking to analyse the point of reference of consent and coercion, the protocol defines trafficking as recruitment through force,

coercion, or deception. Hence, availing of consent from a trafficked victim does not stand true in case of trafficking. The UN's definition of trafficking also bring under its ambit sexual exploitation of a person for commercial sexual exploitation by other, and therefore prostitution too falls under its purview. Hence under UN's definition of trafficking, prostitution, and sex trafficking of women have become synonymous terms. This section therefore aims to look into the polarizations debates of trafficking and prostitution through the lenses of anti-sex work and pro-sex work group.

Keeping in accordance with the question of choice and consent, the two groups had actively involved themselves into this discussion and debate of anti and pro sex work. These groups were called as the neo-abolitionist and non-abolitionist. Representing one main faction in the prostitution-reform debates are the neo-abolitionist, an unusual alliance of feminists, neoconservatives, and evangelical Christians. The neo-abolitionists believe that prostitution is exploitative and degrading to women, a form of violence against women that should be abolished. Leading feminist thinkers in this camp include U.S. based feminists such as Catherine Mackinnon, Kathleen Barry and Sheila Jeffereys and were radical in their thoughts.

According to radical feminists there is no distinction between forced and voluntary sex trade of women. In their views, choice and consent of any form is not possible to obtain in sex trade of a woman because it is an institution of male dominance, which takes place in the absence of meaningful choice. Joining these feminists in their neo-abolitionist advocacy efforts are conservatives and evangelical Christians.

Unlike their feminist's allies, conservatives and Christian's neo-abolitionists supporters believe that the wrong of sex trade lies in its departure from the traditional social values rooted in heterosexual, patriarchal marriage and family system, where

sexuality is expressed within confinement of private spaces such as home. For conservatives and some Christian activists, women's place is in the home rather than in market. For them sexual transaction of a woman's body for material benefit is more of an issue of conscience and morality; rather than of income generation possibilities or labour.

Supporting this claim of neo-abolitionist group as prostitution being exploitative towards woman and their body and moral vice, the US government under Bush rule actively advocated the anti-prostitution ideology. Scholar such as Ford, Lyons and Schendel stated in their article *Labour migration and Human trafficking: An introduction* in 2003 that, the United State Secretary directed the field officers of United State Agency for International Development (USAID) to stop funds towards organizations working on anti-trafficking, if they advocated the legalization of prostitution or consider sex work as a legitimate form of labour or employment choice. "NGOs working in the trafficking field were required to declare their opposition to prostitution in order to be eligible for, or maintain, USAID funding" (Ford, Lyons and Schendel, 2012, pp 4).

Modern-day anti-prostitution feminists and their conservative and religious allies have resurrected the abolitionist rhetoric, targeting prostitution on global level. As Jeffreys explains, prostitution is unequivocally damaging to all women, in that if one woman is a prostitute, all women can be treated as prostitutes because voluntary prostitution is almost certainly an ontological impossibility. States vary enormously in how they characterised and address prostitution. There are generally four regulatory modes: a. complete criminalization (prohibitionism); b. Partial criminalization (toleration); c. Decriminalization; and d. Legalization. The criminalization paradigm views prostitution as a social evil that should be subjected to penal measures, though the approaches vary as to whether prostitutes themselves are targeted. Prohibitionist approaches target all actors (brothel owners, pimps, and prostitute) whereas the toleration approaches exclude the

prostitute from the penal measures applicable to all the actors. Decriminalization leaves the relationships between prostitutes and pimps, brothel owners, clients and others outside the criminal framework and punishes only acts illegal under generally applicable criminal law, such as rape and assault. Legalization also adopts a non-penal approach to prostitution but actively regulates the industry through zoning restrictions, licensing requirements and public health measures such as mandatory health check-ups.

Neo-abolitionists embrace the power of criminal law to combat prostitution and generally favour the tolerationist approach. They believe in the expressive role of criminal law to stigmatize the buyers of sex as socially or morally tainted. In their opinion pimps, brothel owners, managers, clients, or any other third parties who assist women to travel and work in the sex industry should be prosecuted for rape, trafficking or for both. Meanwhile, the neo-abolitionist are also of the view that whether women are victims of male patriarchy or a by-product of social deviance, women engaged into sex trade should not be penalized rather they should be the target groups of rescue and rehabilitation efforts. The popular understanding regarding sex trade is believed to be coerced or forced, henceforth anti-trafficking laws are seen as a legitimate means for abolition of sex trade. The definition of trafficking should eliminate any distinction between forced and voluntary prostitution, thus enabling its application to prostitution writ large. Therefore, the key argument of the neo-abolitionist group is that-- they believe in prostitution the question of choice is non-existence. It is gender based crime committed against women which objectifies women and her body and dehumanises her. However, agreeing to form of objectification, nonexistence of choice for women in prostitution at the entry point because of lack of meaningful life sustaining choices and amount of violence they undergo both at the hands of customers, police and middleman while engaging in sex trade for livelihood, the researcher, differs from the neo-abolitionist point of view on grounds of

morality, conscience and traditional social values put forth by the evangelical Christians. The burden of family's honour, morality and social values are so over bounded on women that, her sexual choices, desire gets no acceptance in society. If she dares to reject the prescribe norms set by the moral and social authority she is termed as social deviant who is bounded by ramification and rectification.

Opposing the neo-abolitionist view is a diverse group of advocates who share disagreement with the neo-abolitionist agenda of abolition of sex work completely. They are pro-sex work and see it through the lens of labour rather than a political, moral, or pragmatic reason of women's oppression. These groups of activist/feminist are called as 'pro prostitution' or the non-abolitionists. Non-abolitionist feminists adopt liberal, postmodernist discourse toward sex work debate. They have uniformly objected to the neo-abolitionist feminist argument of 'false consciousness' under which women lay claims of voluntarily engagement into prostitution. The non-abolitionist argument is based in the advocacy of sex workers rights movement where this group make a clear distinction between trafficking of women, forced prostitution and voluntary sex work. They embrace the 'pro sex work label' on the ground that for some women sex work as a form of labour can be liberating, an expression of women's right of sexual self-determination and equality.

While the neo-abolitionist suggest that sex-work as liberating position describes only a small minority of cases and believe that women can voluntarily engage in prostitution with the understanding that sex work is one constrained option among many, all of which are undesirable or harmful. Non-abolitionists are unified in rejecting criminalization of prostitution. In their view, prohibitionist subject sex workers to exploitation that follows from legal regime that criminalizes and thus marginalizes their activities in the informal sector. Even a toleration approach at best deprives these women

of livelihood by potentially driving customers and bosses away and at worst compromises sex workers safety by forcing them to bargain in the shadows and subjecting them to state sponsored violence or rape by the police. Non-abolitionists disagree however over whether decriminalization or legalization is the better approach; their preference is often contingent on national and political context. For some, legalization has the advantage of formally recognizing prostitution either as a valid livelihood option or as an activity that is better regulated than left to the market. For others however, legalization carries the potential for overregulation by the state, resulting in these women being marginalized in red-light districts and stigmatized as disease carriers. Decriminalization is favoured particularly among some sex workers advocacy groups, because it brings prostitution out from state control. For those uncomfortable with sex work as a liberating perspective, decriminalization may be appealing because it falls short of official state acceptance of prostitution as a livelihood option. With respect to non-abolitionist engagement with the trafficking movement, non-abolitionist feminists insist on a distinction between trafficking and prostitution, with the “trafficking” label applying only to those cases that fit into the paradigm of forced or coerced labour. Non abolitionists agree that where trafficking exists it should be punished. But absence of coercion, force or fraud, adult sex workers’ agency however constrained should be acknowledge and respected.

Globalization, Migration and Trafficking in Persons: The Inter Linkages

Global report on Trafficking in Persons, UNODC, stated that factors such as globalization, population growth, economic inequalities and rapid affordable telecommunication and transportation services has increased the human mobility across the globe (Global report on trafficking in person, UNODC, 2016). According to

International migration report, in 2017 the number of international migrant population worldwide grew to 258 million from 248 million in 2015. The number of international migrant population was 220 million in 2010, 191 million in 2005 and 173 million in 2000, reflecting upon a significant rise in the number of international migrant community (International Migration Report, 2017). Movement of a person across border does not always bring better human development outcomes. According to Human Development Report (2009) “inequalities characterises not only freedom to move but also controls the distribution of gains from the movement. When the poorest migrate, they often do so under conditions of vulnerability which reflect their limited resources and choices” (10). Migrants, particularly women and children fall victims of human trafficking, a heinous form of exploitation (International Migration Report, 2017). They have to pay different cost for migration which can be both monetary and emotional in form. The migrant worker faces different kind of hurdles in the host countries because of their migrant status. They have to work for less pay, for longer hours and in worse conditions than the native born workers. A migrated person gets separated from his/her family and friends, have to give high monetary fees for making movement across the borders. They carry high risk of working in dangerous occupations, face physical damages to body. If the migration is done through illegal border crossing then the risk becomes double fold and can even amount to death. Abuse of migrant female domestic workers occurs in many cities and countries around the world. According to a research-- in the Arab state, the abusive and exploitative working conditions are associated with domestic work. The lack of a redressal mechanism traps the migrant women in a vicious circle of poverty and HIV vulnerability (Human Development Report, 2009). They face human rights violation, abuse and discrimination.

With the availability of research data from human development reports, international migration reports and global report on trafficking of persons a clear link can

be established between globalisation, migration and human trafficking. A trafficked person may not be necessarily forced or coerced by the trafficker but because of their location specific different socio-economic, political, and cultural problem such as chronic poverty, conflict, underdevelopment, and lack of sustainable livelihood opportunities are compelled to make illegal migration across the border. The trafficked victims end up in the hand of traffickers envisioning a better and improved life. The trafficker on the other hand taking full advantage of the victim's desperate conditions deceive them into exploitative conditions (Global Report on Trafficked Person, 2016; Human Development Report, 2009). Therefore in an effort to combat human trafficking, the 2030 Agenda for Sustainable Development, lays emphasis on recognizing the phenomenon of international migration as a major relevance for the development of the countries of origin, transit and destination. Sustainable Development Goals, 2030, set up in 2015 by United Nations, plans to reduce the inequality of income and disparity among the world population by facilitating orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well managed migration policies. It also seeks to reduce remittances transfer fee, to promote labour standards for migrant workers.

Another key element which determines the laws relating to trafficking in person is the social and physical mobility of women in different locations and time in search of livelihood. In trafficking, it is migration and smuggling of women and girls which can be seen as the physical mobility by adopting both legal and illegal means within and across borders in search of livelihood and better prospects. The illegal means is taking help of the person who smuggles people across borders by taking money in return. The Transnational Crime Convention contains two different protocols such as UN Trafficking Protocol which is also known as Palermo Protocol, 2003 and Migrant Smuggling Protocol which

came into force in 2003-04, to deal with the problem of Trafficking in person and illegal migration. The trafficking protocol identifies three separate elements such as actions, means and purpose, emphasising mainly upon recruitment of a person through force, coercion and deception for exploitative purpose as human trafficking, and in the process of defining the victims of trafficking, if it is found that when these three elements are used, then “*consent*” becomes irrelevant. According to *Migrant Smuggling Protocol*, it is “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national or a permanent resident” (United Nation, 2000, 41 as cited in Ford, Lyons and Schendel, 2012). According to Ford, Lyons and Schendel, (2012) “trafficking may occur in both legal and illegal migration streams, whereas smuggling imperatively would involve illegal movement of people across national borders” (5). The difference between the two protocols lies in the purpose for which an individual is trafficked, since smuggling is deemed not involved exploitation of the individual at the point of destination (Ford, Lyons and Schendel, 2012). The line between trafficking and smuggling is blurred because in most cases the same group operates as traffickers and smugglers who smuggle people through the border and also involve in human trafficking. During this period the person who had been smuggled as illegal migrant, who crosses border may change job and enter into exploitative labour form thereby changing his/her status from illegal migrant to trafficked person. The UNODC acknowledges the fact that there is a blurred boundary between the Trafficking of persons and illegal human smuggling, but opine a different view on the presence of coercion, deception, exploitation and money transaction that takes place between the two parties before the departure from the country of origin. Quoting UNODC report 2003, Ford, Lyons and Schendel states that-“It states that the smuggled person usually pay the amount ‘upfront’ and upon entering the destination country have

ended their ‘contractual’ arrangement with their smuggler. Trafficked persons, on the other hand, may pay a percentage or pay nothing upfront and incur a debt for the remainder of the trip. This situation creates a type of debt bondage and places them at the mercy of the traffickers and in situations in which they are easily exploited” (UNODC 2003:25 as cited in (Ford, Lyons and Schendel, 2012).

If we take a close look into the life of a trafficked woman, we see that it’s her desire to take an upward social mobility route in her life which gets her trafficked. The desire to rise above the endemic of poverty, desperation makes her accept the proposals of trafficker for better life without realizing that she is falling prey to the trafficker. Hence she migrates putting her life at risk with half or no information about her migration process, the country or city to which she makes illegal migration. The information provided by the traffickers are either false, cooked up or half true stories about bright future. A woman/ girl who are in despair and in need of good fortune easily believe the trafficker’s story of fortune and fall to his trap.

Many women migrate internationally from India to Middle East as migrant domestic workers through improper channels and become victims of trafficking and forced labour. The aim of the trafficker in this context is the exploitation of one’s labour, while smuggling of people aims at illegal crossing of border, establishing a very thin line between the two. It so happens that the illegal smuggling of persons at times transcribe into trafficking of the people because of the unknown risks that a woman undertakes. Thus, if we apply the concept of choice or consent in these cases in relation to the above two protocol, than it negates any form of choice or consent given by women/ girls in question as they are unaware of upcoming life risks during such illegal migration. In defining the victims of trafficking, the question of consent becomes irrelevant because once it is established that she had been deceived and forced into sexual slavery or any other form of forceful labour, trafficking is established. Referring to the thin line relationship between the process of illegal migration and trafficking, scholar like Banerjee states that- “the term used to describe the abuse of women in the

process of migration was ‘trafficking’” (Banerjee, 2010, pp 114). To further elaborate on the situation of illegal migration, quoting Gallagher in her article Human rights and the New UN protocol on trafficking and migrant smuggling: A preliminary analysis states that-- “opportunities for lawful migration to the preferred destination have dramatically diminished at the same time as individuals are moving further, faster, and in far greater numbers than even before. A growing demand for the third-party assistance in the migration process is a direct consequence of this reality” (Gallagher, 2001, pp 976-977). “The crucial distinction, therefore, is the forced labour or slavery-like conditions that always characterize trafficking, which is understood to be inherently exploitative and not incidentally exploitative as is the case with smuggling” (Kempadoo, 2005, xii as cited in Ford, Lyons and Schendel, 2012 pp 5).

The border trafficking literature indisputably links migration conditions to trafficking, yet is sharply divided about the impact on trafficking. Scholars such Stocker and Shelly (2005:1) argue that “strictly limited internal and international migrations eliminate the possibility of trafficking” (as cited in Segrave, Milijovec and Pickering, 2009, pp 6). While Rijken (2003), opines that “the abolition of border control facilitates trafficking” (6). The rigid immigration laws and visa regimes fuels migration processes leaving women more vulnerable to different forms of exploitation, including trafficking. Thus the negligence to address the problem of labour-migration in a globalized economy initiates a risky migration pattern of man and women from poorer counties into informal sector.

Banerjee, 2010, in the chapter of her book *Borders, Histories, Existences: Gender and Beyond* opines that women from developing countries and countries that are facing civil and political unrest generally migrate to developed worlds where gender inequity is high, which force them to enter into informal sector such as sex trade where labour protection laws are minimal. Further, discussing and analysing this process of migration into informal exploitative labour conditions, she states that international communities have legislated actions addressing the vulnerability of women engaged in informal sectors of sex trade, and termed such abuse faced during migration as

trafficking. Addressing the concerns around sex trade, international communities passed and adopted measures to abolish sex trade of women thereby terming prostitution and trafficking as part of the same process.

UN Definition of Trafficking and its Larger Implication on Trafficking Laws over the World

The Palermo Protocol

The increasing international focus on trafficking of person culminated in the adoption of The UN Convention against Transnational Organized Crime in 2000, which was supplemented by three protocols. Among the three protocols, the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children popularly known as Palermo protocol was adopted to define trafficking universally. It was established as the first common definition for trafficking in person. It came into force on 25th Dec 2003 through article 17 of the UN Convention, 2000. The Palermo protocol was borne out of fragile consensus developed among the participating member states of UN convention on the highly complex and contested issue over legal definition and framework for addressing the transnational problem of human trafficking. The drafting sessions witness heated arguments and debates relating to the formulation of definition of trafficking in lines of whether to encompass or not to encompass voluntary prostitution within trafficking definition, globally accepted anti-trafficking and migration policies to protect the human right of trafficked persons.

Under the UN Convention against the Transnational Organized Crime, 2000, the Palermo protocol is said to be the first major international intervention to address trafficking based on the expanded understanding of the term that included forced labour

and prostitution of women and children within its broad spectrum. The international community has accepted the definition arrived at the Palermo Protocol which defines 'trafficking in persons' on the ground that there was no universal instrument that addressed all the aspects of human trafficking and that there were no effective actions for preventing and combating trafficking in person, especially women and children. The international community also agreed to the point that there has to be an international mechanism and approaches through which trafficking can be stopped right from the origin, transit and destination countries in order to prevent trafficking from occurring, punishing the traffickers, protecting the victims especially women and children and recognizing their human rights.

In order to combat trafficking in persons an international protocol has been adopted in the form of Palermo protocol which is divided into different articles giving a clear understanding about its origin and purpose of adoption. According to United nation, 2000:2, it is said to be the first major intervention to address trafficking based on an expanded understanding of the term that included forced labour (as cited in George, Vindhya and Ray, 2010, 65). Segrave and Milivojevic`, 2005 stated that the Palermo protocol which came into force in 2004, identified all trafficked persons as victims of crime. Pearson, 2000, was of opinion that it encompassed within its purview all non-consensual, economic-exploitative, slavery like conditions and relations of work and life at any stage in migration process (as cited in George, Vindhya and Ray, 2010, pp 65).

The Palermo protocol had been divided into four different provisions with twenty different articles within these provisions defining the different steps procured to combat trafficking. I, in this section will briefly mention about all the articles of Palermo protocolⁱⁱ. The first provision of the protocol is general in nature; it has five articles within it- a) Article 1- Relation with the United Nations Convention against Transnational

Organized Crime. This article gives a general idea about the protocol which acts as a supplement to the convention. b) Article 2- Statement of the purpose- it states the purpose of the protocol which are- combating trafficking especially women and children, protection of their human rights and establish and promote cooperation among state parties for combating trafficking.

A) The recruitment, transportation, transfer, harbouring or receipt of persons by the means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

B) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

C) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in person” even if this does not involve any of the means set forth in subparagraph (a) of this article;

D) “Child” shall mean any person under the age of eighteen years. (UN 2000:2 as cited in George, Vidhya and Ray, 2010, pp 65).

State Responses to Combat Trafficking of Persons

Human trafficking has been considered as one of the most heinous crime and many international agencies, organizations and networks have come together to build anti-trafficking units and policies of different size, scale, influence and ideology to combat it. After the signing of the trafficking protocol in 2000 many state agencies such as national police, immigration agencies, feminist groups, human rights organizations and development agencies have been making efforts through projects, programs, protocols, organizations etc., to combat this heinous crime in their own individual and collective ways. According to scholar Fiona David (2009), there were only a handful Southeast Asian countries such as Cambodia and Thailand which used the word trafficking in their anti-human trafficking laws. With the change in time, more funds were coming in from the donor countries such as United States, Australia and European nations, and therefore nine out of ten ASEAN countries began formulating anti-trafficking laws, programs and policies in order to attain benefits from these donor countries. This major shift was the result of increasing pressure building links between border control and development agendas.

United States primarily became a major influence in monitoring and combating human trafficking in terms of its foreign policies since 1990s. With exponential growth of regional anti-trafficking initiative because of the UN Protocol to Prevent, Suppress and Punish Trafficking in Person especially Women and Children, United States became one of the first countries which took stringent measures for combating trafficking in its region through foreign policies. The US launched its 'three Ps approach' i.e. to punish traffickers, protect victims, and prevent trafficking from occurring' (Ford, Lyons and Schendel, 2012, pp 2).

The US had made these three Ps as the central component of the proposal as presented to the UN for the establishment of trafficking protocol (Ford, Lyons and Schendel, 2012). U.S. law and policy have fuelled controversy over anti-trafficking strategies, both at home and abroad. In 2000, the United States led negotiations over a new international law on trafficking, the United Nations Protocol to prevent, Suppress and Punish Trafficking in Persons, Especially women and children (The U.N. trafficking Protocol). At the same time, the United States enacted a comprehensive domestic law on trafficking of person, the Trafficking Victims Protection Act 2000(TVPA). It defined trafficking as the movement or recruitment of men, women, or children, using force, fraud or coercion for the purpose of subjecting them to involuntary servitude or slavery like conditions in one or more of a wide variety of sectors such as agriculture, construction or commercial sex. These legal definitions reflect a concerted effort to move away from traditional perspective that narrowly defined trafficking as the movement or recruitment of women or girls into sex sector and towards a broader understanding of the problem as also involving the exploitation of women, men and children in non-sex sectors (Chaung, 2010).

The US developed an international framework in terms of its annual report called ‘Trafficking in Person Report’ initiated in the year 2001, to combat trafficking. Under this act, U.S. had divided the countries into three different tiers in order to comply with US minimum standard for elimination of trafficking. Tier one countries are one which fully complies with the minimum standard set by the US in its Trafficking Victims Prevention Act, 2000 (TVPA). Tier 2 were the countries which do not comply with the TVPA but are making efforts to bring themselves within the compliance. Tier 3 were the countries which are neither trying to comply with the TVPA nor making any significant effort to bring themselves under compliance. Along with placing the countries under different tiers, the US places countries under ‘Tier 2 Watch List’, meaning the country which fails to make

any significant effort to combat trafficking in persons. The number of trafficking victim cases in that country is increasing significantly. The watch list also has a tier 3 where the tier 2 countries are under observation for two consecutive years. During these two years if these countries fail to make any improvement in their efforts in combating trafficking, they are directly demoted to tier 3. Demotion to tier 3 status means cutting of funds, non-trade related assistance, non-humanitarian aids and facing opposition from US in seeking fund from world institutions. Basically, it meant that US would be using its power as the first world country to dictate its terms to other third world and developing countries under watch list tier 2 and tier 3 to combat trafficking by making amendments to its TVPA. The major criticism put forth against US TVP act is that the injection of US framework undermines the efforts establish by Palermo protocol to bring the international agencies and countries together to fight trafficking collectively.

In a local context to fight the menace of human trafficking, Indian states have adopted laws under various article and sections of the Indian constitution and Indian Penal Code. The immoral traffic prevention act, 1986, criminalizes trafficking of persons for the purpose of commercial sexual exploitation and penalises the perpetrator with 7 years of imprisonment or a lifetime imprisonment. Similarly section 370 and 370 (a) of Criminal law (amendment) act of 2013, defines human trafficking as prescribed in Palermo protocol, 2003. While section 366(a) and 372 of Indian Penal Code (IPC), prohibits kidnapping and selling of minors for prostitution. Article 23(1) of the Indian constitution also prohibits human trafficking. Along with these specific trafficking laws, there are other Indian laws such as prohibition of Child Marriage Act, 2006, Bonded Labour System (Abolition) act, 1976, Child Labour (Prohibition and Regulation) act, 1986, and Protection of Children from Sexual Offences (POSCO) act, 2012, which is used by the Indian state to prosecute the perpetrators of human trafficking.

The Indian parliament has also passed a bill in 2018 on Protection, Prevention, Rescue and Rehabilitation of a traffic victim. This bill proposes to set up a national Anti-Trafficking Bureau to investigate trafficking cases and lays emphasis on the process of rescue, protection and rehabilitation of trafficked victims by setting up of anti-trafficking units in every district. As a nodal authority it would be responsible to combat human trafficking in the country. It would be responsible to provide immediate care and rehabilitation to the rescued victims. Another primary element highlighted in this bill is the aggravated forms of trafficking. The aggravated forms involves trafficking for force labour, surrogacy, begging, sexual exploitation of children etc. the bill has pointed a higher amount of punishment to the offender under this aggravated forms of trafficking.

This bill reflects upon certain points such as punishment to offenders, setting up of anti-trafficking units, preventive measures for combatting trafficking, protection and rehabilitation of victims, setting up of special courts to expedite the pending trafficking cases, and recognizing human trafficking as cognizable and non-bailable crime. However, all these initiatives have its own demerits attached to them. The proposed idea of setting-up an anti-trafficking unit in every district is pre-existing in many Indian states. The field data suggest that this unit remains non-functional because of lack of numbers of labour force in the department which would look into the trafficking cases. The bill fails to mention the working procedure and number of police personal appointed to look into trafficking cases specifically or setting up of separate department officers whose prime duty would be to handle and solve trafficking cases specifically without being overburden with other department duties.

The bill proposes for the establishment of anti-trafficking relief and rehabilitation committee (ATCs) at the national, state, and district levels. It will initially allocated a fund of rupees 10 crore for relief and rehabilitation purpose. The committee will be responsible

for- a) providing compensation to victims. B) Repatriation of victims and C) Re-integration of victims in the society, among others. The bill talks about setting up a committee for rehabilitation, repatriation and relief for the victims of the trafficking but does not talk about their socio-economic status. The condition under which they have been trafficked or compel to move with the trafficker. Once the girl or women return from the brothel or when the news spreads of her being engaged into commercial sexual exploitation and stories of sexual abuse as a domestic worker, she is stigmatized in the whole community and society. The bill does not talk about steps to be taken to improve her status as survivor of sex trafficking or bondage in her immediate family or community.

The bill also remains silent about the amount to be paid as compensation to the victim and making the procedure of processing compensation easier and accessible for the trafficked victims. It also fails to address the primary issue of how long and till what age will the compensation be given to the victim.

The bill has not mentioned any specific details as to how the re-integration process will be carried out for the victims. It mentions about various schemes and programs to combat trafficking but does not mention about rehabilitation process within the community. Rehabilitation of survivors in the shelter homes in the districts only provides a temporary solution and have negative psychological impact which is not addressed in the bill. As India is a land of diversified culture and ethos, and where the society is patriarchal in nature, the status of women is low and is she is marginalized by virtue of her being women, the re-integration process of a double marginalized and victimized women will be a difficult process. Different states in India have different community rules, norms and customs set for women, under such circumstances how does the Indian government plan to re-integrate the girls and women survivors of trafficking is an important and pertinent question. The bill does not mention any kind of schemes, policies or benefits for such

victims of trafficking which might make her re-integrations possible and smooth to certain extent. Another problematic area of the bill is when the victim is put into witness care for effective prosecution. The bill does not reflect elaborately upon what it means by witness care. How will the bill decide upon the witness care? What kind of safeguards will the state provide to the witness under witness care? Will the victim be given a choice to testify or not testify against her perpetrator? Because if the perpetrator of trafficking is pronounced not guilty by the court, who will take responsibility of the victim protection and that of her family members. These questions pertaining to the lives of a survivors post rescue remains unaddressed and missing in the trafficking bill 2018 in India. Also, the punishment decided through this act cross-cuts the offences and punishment decided by the various laws under Indian penal code under criminal acts.

On the other side, Nepal, another area of present study has also adopted various laws through its constitutional articles to safeguard the rights of women and children and prevent the occurrence of human trafficking. The constitution of Nepal guarantees equal rights to women and children of Nepal. It is on this line article 39(4) prohibits working of children in hazardous conditions and article 39(5) prohibits child marriage, illegal transportation and trafficking of children. Article 29(3) ensures freedom from exploitation, including trafficking, force labour and slavery like conditions. The Muluki Ain, 1910, was adopted under the article 93 of the constitution of Nepal to maintain peace and harmony between citizens of different class, tribes and region. Chapter 11 of the Muluki Ain lays down the definition of human trafficking and measures to curb it (Asian L II). It also elaborates upon the amount of punishment to be given to the perpetrators of human trafficking. The Nepal government comprehensively discusses the measures to combat trafficking and prosecution and amount of punishment under the Human trafficking and

Transportation (control) act, 2064 (2007) and regulation (2008). This act also talks about human rights of the trafficking survivors (National report of Nepal, 2015-2016).

However, in recent times the moral panic associated with trafficking for sexual exploitation in Nepal have resulted in many women being refused the right to leave the country for any form of travel (Frederick 2005; Joshi 2005; Hausner and Sharma 2011 as cited in Ford, Lyons and Schendel, 2012). Prior to 2010, for example, all women's migration to the gulf for low skilled work was restricted. After a period of open regular migration channels, in August 2012, the Government of Nepal announced a new ban on women under the age group of 30 years from migrating to Arab states for domestic work. This decision is commonly referred to as '*age ban*' in Nepal's legislation. The age ban was introduced by Nepal's cabinet without official public consultation or publication. An incomplete description of the decision was announced in a press release. In 2014, the age ban was temporarily expanded, stopping women of all ages from migrating from low-skilled work through the regular channels in Nepal, regardless of the country of destination. It is commonly known as '*Total Ban*'. In 2015 again, the Nepal Government issued a new directive, reopening regular migration channels for women migrant domestic workers, wishing to work in certain destinations countries of Arabs states and South- East Asia. The age ban had mixed reactions. The reactions garnered from the young women was such as- most participants said the age ban would not change their minds about leaving or migrating again. Further, those affected by the total ban on women's migration insisted they would leave nonetheless, even if they had to travel illegally

Thus in the name of protection and prevention, the international and national laws are increasingly becoming pervasive in curtailing women's movement across borders. The agencies formulating laws without taking into account the regional vulnerabilities enact legislations which go against the beneficiaries. Therefore, taking into account the regional

vulnerabilities with primary focus on human trafficking, the next chapter looks into the background of the selected regions for the study. It does so in order to locate the lacunas for which human trafficking is on rise even when preventive measures are continuously undertaken by the concerned authorities.

Notes

ⁱhttps://www.academia.edu/11405766/The_cultural_myth_of_white_slavery_ access on 8/7/2019

ⁱⁱThe different article in the Palermo protocol has been taken from the United Nations Human Rights, office of the High Commissioner official site. Though not all articles of the Palermo protocol has been discussed in this chapter, however the full text on articles as discussed in the protocol can be found in the official site with the web link as <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>

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Chapter III

Sex Trafficking in Borderlands of Assam, West Bengal, and Nepal: A Background

News reports of Nepalese women and girls being trafficked from Nepal into India and then to different Gulf countries have been continuously reported in different newspapers, magazines etc., for over a decade now. Recent online news articles titled *50 women from Nepal are trafficked to India every dayⁱ*, and, *How a few volunteers at Bagdogra airport are helping curb trafficking of Nepalese womenⁱⁱ*, reiterates the precarious incidences of cross-border trafficking of Nepalese women into India. These articles highlight the modus operandi of traffickers in and across the India-Nepal border. Reinforcing the grievous condition of trafficking of Nepalese women and girls to Gulf countries via India, they seek immediate attention on the issue of forced commercial sexual exploitation of women and girls. Thereby, signally towards the growing syndicate of cross-border sex trafficking.

Nepal has always attracted international media attention as a source country of trafficking because of its economic vulnerability, political instability, and natural calamities. Whereas, the geopolitical region of India has made it an origin, transit and a destination country in South Asia. The porous border system between India and other developing countries in its north and east sides such as –Nepal, Bhutan, Bangladesh, Myanmar etc., has made India into an origin, transit and destination country of human trafficking. Hence, moving on with this perspective of open and porous international border system, political instability with economic slowdown in the region, it can be inferred that- growth of human trafficking network in the bordering areas of India and

Nepal is on rise. Henceforth, based on this praxis, it becomes important to study the historiography of the region.

The chapter therefore attempts to understand as to why (in India) the regions of Assam and West-Bengal and (in Nepal) the area of Kakarbitta in Jhapa district, is more vulnerable to trafficking in persons. To find an answer to the above question, the chapter attempt to trace the history of the region, its political scenario, the socio-economic conditions and cultural life of the people to better understand the regions. The chapter on the process of tracing the history of the region attempts to simultaneously provide a background for growing sex trafficking network in the regions.

Upon conducting a field survey it was found that each district had suffered a discrete social problem, which separates it from the other study areas. Thus, making the socio-economic, political, and cultural understanding of each region diversified from each other. Other than reflecting upon the historiography, political and cultural linkages of trafficking in persons, the chapter also discusses the causes, methods, the traffickers, and trafficking scenario in the region. This has been done because the researcher believes that the traffickers taking advantage of the regional peculiarities such as -underdevelopment, lack of infrastructure and social history etc., are able to grow and multiply their networks in the region. Hence they have been parallelly highlighted in the chapters as causal factors of trafficking.

Furthermore, in the process of mapping the region and the problem of human trafficking, the chapter highlight the magnitude of the problem, and its prevalence. To study the density of the problem of sex trafficking in the regions- age, ethnicity, marital status, and educational qualification of the victims have been mapped and is elaborated in the latter half of this chapter, signifying the co-relation between region's under-

development, human trafficking and the victim's background and profile. The second half of the chapter also provides an overview of trafficking by discussing the tactics a trafficker adapts to traffic a woman/girl and then pushes her into exploitative labour conditions.

The chapter begins by tracing the ties between India and Nepal which is embedded in the Treaty of Peace and Friendship signed on 31st July 1950 between the then Ambassador of India in Nepal His Excellency Shri Chandreswar Prasad Narain Singh and Maharaja of Nepal Mohun Shamsher Jang Bahadur Rana.

India and Nepal's Diplomatic Relation and the Treaty of 1950

In recent times the socio-economic-political relationship between the two neighbouring countries i.e., India and Nepal have undergone various forms of commotion. Socio-political condition prevailing in Nepal during the 2015 earthquake and adoption of the country's new constitutionⁱⁱⁱ in the same year not only affected its economy and political stability but also, its relationship with India. India's action of unofficially blocking^{iv} the fuel, rice, sugar and other essential supply to Nepal in 2015 depleted its economic structure to a great level. The agitation carried out by the Madeshi^v people of Nepal in its southern Tarai^{vi} region against the adoption of the new constitution prevented the Indian truck drivers from entering Nepal for safety reasons. They were compelled to stop within the Indian side of the border. This action of Indian truck drivers carrying essentials goods and fuel but not entering into Nepal's territory, made Nepal and its citizen suffer. The sufferings for Nepal and Nepalese people continued for over four to five months in a row, where they lacked food supply, medicines, and fuel. It was during these times, Nepal alleged India for fuelling violence in the country and instigating the strike purposefully against Nepalese government.

The reason for Nepal to believe that India was behind this protest was because of the Madhesi Community of Nepal. They are said to have a close affinity with India as they reside close to the southern borders of Nepal which are adjacent to Indian states of Uttar Pradesh, Uttarakhand, Bihar, West-Bengal and Sikkim. They share similar cultural, ethnicity, and speak similar languages such as Maithili, Bhojpuri, Awadhi, Tharu, Hindi, Urdu and other local dialects etc., that are also spoken in Indian side of the border. The basis for such accusation was built on the premise when India urged Nepal to re-consider the provisions of their constitution. On the other hand, Nepal finding a solution to its problems signed an agreement with China for fuel supply.

Historically speaking, the relationship between India and China is considered to be hostile because of borderline dispute. Nepal has been acting as a buffer zone^{vii} between India and other countries since the British India period. The triangular relationship between India, Nepal and China was from the time when "the independence of India in 1947, followed by the establishment of China in 1949 heralded a period of tremendous geopolitical change and tension around Nepal" (Rana, 1971, pp 645). Therefore, when Nepal had signed a deal with the Chinese government in 2015 to resolve its fuel crisis, the Indian government saw it as a matter of concern. India's sovereignty and border security heavily depend on Nepal's foreign policy as the Himalayan state "skirts five hundred miles of its northern border along the People's Republic of China and on the southern slopes of Himalayas" (Shukla, 2006, pp 355). It is with a prerequisite, India needs to maintain an amicable diplomatic relationship with Nepal for security purpose as "Nepal remained an important foreign policy variable with China annexing Tibet since early 1950's" (Ibid, 335).

The annexation of Tibet in the southern border of Nepal by China not only raised concern for India but, Nepal too became equally concerned about its security. In 1950

when China had taken control of Tibet, the regional politics of South Asia witness a change. Influence by the regional politics and growing security concern, India and Nepal signed a treaty called the Treaty of Peace and Friendship, 1950. The signing of the treaty of 1950 was a strategic move from the Indian government at that time because of its compounded interest of security as it had an open border with Nepal. Nepal, was economically weak and political instability during that time, raised concern of it being politically annexed by China through Tibet border. Therefore to protect both the country's border, the signing of the treaty became important.

This treaty complied with the earlier treaty of peace and friendship signed between Nepal and British India in 1923. The treaty of 1950, had some similar clauses as mentioned in the Peace and Friendship Treaty of 1923. For example, clause 2 of 1950 was similar to clause 3 of 1923 and the points highlighted under clause 5 remained the same in both 1923 and 1950 treaty. Thapiyal (2012), writes- according to clause 2 of the Treaty of Peace and friendship, 1950, India and Nepal “agreed to inform each other of any friction or misunderstanding with neighbouring states likely to cause any breach in the friendly relations subsisting between the governments” (120). While clause 3, stated that mutual consultation will take place between the countries to resolve issues concerning the security problem of both the countries. Clause 3 also provides an additional benefit to Nepal by allowing it to use India's border for importing arms, ammunitions, warlike materials and equipment for security reasons of Nepal from and through India. “The threat to one country was looked upon by the other country as a threat to its security and this common threat perception was a hallmark of the Treaty of Peace and friendship 1950” (Thapiyal, 2012, pp 121).

Other than serving the security interest, the treaty of 1950 opened a passage for both the countries to engage in economic relationships with an exchange of trade and

commerce. Under clause 6, “the citizens of both states were allowed to participate in the industrial and economic development without discrimination in another country” (Ibid, 121). Similarly, clause 7 provided “the citizens of both the country with an opportunity to enjoy the right of residence, engage and participate in trade and commerce, own property and free mobility in either of the country” (Ibid, 121). Therefore under this treaty, social and cultural linkages were built between the countries which found affinity in their social systems, common religion, ancient cultural ties, and building of relationship among the citizens through marriage, pilgrimage, trade, and coming of Nepalese students to India for higher education. According to Shukla (2006) "the popular and cultural ties between two south Asian countries have consistently been close and have reflected the historical, geographical, cultural and linguistic links between the nations" (355). These clauses remain the same for the citizens of both countries with exchange of warmth between the citizens through a different form of social relationships and business.

The geopolitical location of Nepal has always made it an important ally to India. Nepal's increasing leaning towards China in terms of its foreign policy not only raised India security concern but also its apprehension in terms of its socio-cultural-economic and political relationship with Nepal. The relationship between India and Nepal began to see its pitfall during the late 1940s when Nepal saw India's approach towards its internal affairs as an infringement to its sovereignty. Nepal as an independent state had always kept itself in isolation from other countries. The Indian government and its official increasing interference in the internal matters appeared to the Nepali regime as disturbing and unnecessary. Adding to the growing concern of Nepal about its sovereignty, the remark of the then Prime Minister Nehru's about Nepal in the Indian parliament on 6th December 1950, further enraged the Nepali leaders. In his speech, Nehru referred to “Nepal's independence as only formal which embarked a note of suspension and

ambiguity in terms of India's attitude towards Nepal sovereignty” (Rana, 1971, pp 646). The resentment towards India was also developed in terms of India using the treaty of 1950 as a tool for its vested economic interest/benefits by extracting its water resources, carrying trade and commerce for its profit by levying higher taxes on import of commodities from Nepal small industries. Thus, leaving Nepal with a small share of profit as compared to the Indian economy. India remains the major importer and exporter of Nepal economy.

With the shifting of power and change of leadership, King Mahendra in 1955 brought changes in the foreign policy of Nepal by trying to establish neutral diplomatic relations with its neighbour. Nepal in 1955 signed a treaty under the principle of Panchasheel. Therefore, with changes in Nepal foreign policy, India and Nepal special relationship status started to change. Even though the treaty of Peace and Friendship still exist between the two countries, however, the sentiment under which this treaty was signed has undergone various changes. Though even today, the basis of India and Nepal ties is determined by their cultural, historical, economic and geographical considerations, leading to the continuation of open border system and freedom of movement for its citizens across the border. But, with a change in time, the misuse of the open border for criminal activities such as robbery, theft, murder, smuggling, drug pedalling, human trafficking and illegal migration has been noted. The below section discussed the local realities of the region and the usage of the open border system for the proliferation of human trafficking of girls and women.

Land and the People: Historiography and Local Realities Leading to Human Trafficking in the Region

United Nations Office on Drugs and Crime (UNODC)^{viii} while addressing the issue of human trafficking and smuggling of migrants in its official website have stated that the South Asian countries have become the main source, transit, and destination point for trafficking in persons mainly for sexual exploitation, forced labour, and organ removal. The reasons cited by UNODC for the rise of such activities in the region is its increasing socio-economic inequalities, intense internal migratory flow, open and porous border system between some of the countries such as India, Nepal, Bangladesh, and Bhutan.

With an open and porous border system, nations that share boundaries also engage themselves in trade and commerce, giving rise to a globalized economy with growing interdependency. While mentioning about the growing globalized economy and interdependency, UNODC on the other side has also highlighted its shortcomings by referring towards a combined corrupt system that exists in the borders of these states. The trade and commerce between nations in an open and porous border gives rise to different kinds of illegal activities. Raising concern around one such issue is of-- trafficking in persons combined with illegal migration flow. In an observation made by UNODC in its global trafficking report 2016- an open and porous border system poses a great challenge for border security guards and immigration officers to identify and report the cases of human trafficking. Empirically speaking, the South Asian countries include developing nations that are characterised with chronic poverty, population explosion, illegal migration, unemployment, lack of infrastructure and underdevelopment. When these problems gets added with already existing problem of armed and ethnic conflict, natural disasters, increase of gender base in the region, the negative impact falls heavily on its

citizens. Under such situations natural disasters, gender-based discrimination and gender-based violence etc., exacerbates the vulnerability of women and children in the region.

India and Nepal are the two South Asian countries from which the highest numbers of trafficking cases have been anecdotally reported by the NGOs working in these regions. The empirical data collected by various organisations such as UN agencies, NCBR reports of India and Nepal imply that the registered numbers of trafficking cases increases every year, making it the worst-affected areas of human trafficking. Human rights watch (1995), stated that women and young girls from rural and hilly villages of Nepal were rapidly transported illegally into Indian borders, they were then forcefully sold into commercial sexual exploitation. Further, worsening the situation, these women and girls are sent to different foreign countries from India via fake passport and fake identity proofs, and later sexually and physically exploited in the workplace. Even though new policies and programmes are being implement in both India and Nepal to combat trafficking, the trafficking scenario remains similar to that cited in Human Right Watch, 1995. The Trafficking in Person's report-Nepal, 2018, published by the United States department of States, reiterating facts similar to Human Rights Watch states the precariousness of open border system under which a large number of illegal migrant travelling to India was reported with the help of unregistered recruitment agencies. These migrant mostly end up being forced into domestic servitude and sex work.

The reason for such illegal willing migration of people from both side of the border can be found in their close cultural, religious, political, social affinity and linguistic commonness. The open and porous border system between India and Nepal provides an easy passage for trafficker to illegally smuggle young girls and women from Nepal to India and Vis-a versa. The ethno cultural linkages along with exchange of ties in form of trade and commerce, marriage and education has been taking place between the citizens of

both the countries for years now. These has helped the traffickers to persuade people to make willing migration across the border.

With growing technological innovations, rapid growth in transportation and communication system, capitalist expansion, the distance between the two countries have been reduced to mere geophysical locations. Bhattarai (2005), quoting the term “geopolitics” (first used by a Swedish political scientist called Rudolf Kjellen) states that- “geographical location, size, population, natural resources, physical features, natural environment etc., determines a country’s political, military, economic development, and cultural characteristics. Geopolitics is the study of the relationship between geographical factors and the politics of states and nations, and states’ interactions with their neighbouring countries and the international communities” (1).

The geographical location, open border system, culture and religion, along with the Treaty of 1950 have made India and Nepal inter-dependent states. They have for a long period in time become inter-dependent upon each other for economic and security purpose. Henceforth, this section looks into the importance of all these factors to establish a causal relationship between an increase of human trafficking cases and the demographic profile of the region.

Nepal is a land lock country in the Himalayan range, surrounded by India in its east, west, and south, and, China to its north. “The geographical location of Nepal covers 14781 square kilometres of area and is approximately located north-west to the south-east orientation between 80° 04` and 88° 12` east longitude and 26 22` and 30 27` north longitude” (Kumar, 2017, pp 30). Area wise when compared with India, it is 23 times smaller and in comparison to China, it is 68 times smaller (Kumar, 2017).

Nepal has a long history of armed conflict between the monarchy and the Maoist. To overthrow the monarchy and establish democracy and people's rule in the state, Maoist has been waging war against the state. Bhattarai (2006) stated that- "the Maoist war was launched in 1996 and had become one of the most successful insurgencies in recent times. The eight years of Maoists insurgency and counter-insurgency operations had its implication in the economy of the state. This war had brought the death of over ten-thousand people, the loss of an enormous amount of public and private properties, destruction of scarce rural infrastructure and downfall of the economy" (29). The after-effect of which strongly fell upon the lives of the common citizens, especially women.

Mass killings, disappearances, violence had become a synonym to the political affairs of Nepal in the early 1990s. According to Bhattarai (2006) the casualties of Maoist operation for freedom from monarchy was huge. Bhattarai had quoted the INSEC data in which he had stated that- "According to INSEC, a human rights organization, 6,804 Maoists were killed by the security forces between the period of February 13, 1996, and October 9, 2004. This figure does not include the people who have disappeared from police and army custody. According to official statistics, the number of people (including security personnel) killed by the Maoists stood at 3,583 as of October 9, 2004. The total number of abducted people in the same period stands at 20,434. Some 200,000 persons, mostly teachers, landowners and government employees have been displaced from their homes and 250 have gone missing" (2).

Further mentioning about the effect of conflict on women and children in Nepal, Bhattarai (2006) stated- "The trauma faced by widows and orphans, sexual violence, forcible eviction of women from their homes, beating, torture, arbitrary detention and so

on, has been appalling. The migration of conflict-affected people to India and abroad remains unrecorded. Child Workers in Nepal Concerned Centre (CWIN) reveals a record of 1,158 children directly affected by the violence and 197 boys and 81 girls killed, 4000 uprooted from their homes and 300 injured. Not only has it become a major cause of death and destruction, but it has also shaken the fourteen-year-old multi-party democracy to its very foundation. Following police failure to contain the insurgency, the army was mobilized from late 2001 but with little effect. The death toll has continued to increase and so has the destruction of rural infrastructure. This leads political analysts to conclude that the conflict has evolved into the most serious internal crisis Nepal has faced since its founding in the mid-eighteenth century” (Thapa, 2002: 77 as cited in Bhattarai, 2005, pp 29).

Hennik and Simkhada stating about the reason for low status of women in Nepalese society write –“affected with insurgency and underdevelopment, Nepal disruptive situation becomes worst for women under its patriarchal society. Women are largely confined to domestic environments and duties. Their access to knowledge, skills, resources, opportunities and power remain low” (UNICEF 1996; Shtrishakti 1995; Acharya and Bennett 1981 as cited in Hennik and Simkhada, 2004, pp 6). Enrolment of girls in primary school is 61%, while that of boys is 80%. The adult literacy rate further reflects disparities in education, with 23% of adult women literate compared with 57% of men (UNICEF 1996). “Early age at marriage and consequent movement to reside with the husband's family also obstruct girls' secondary education. Nepal has a high incidence of son preference, as sons provide economic insurance for parents; daughters will marry and care for their husband's family and so investments in their future are less valued” (UNICEF 1996, Leone et al 2003; RIDA 1991as cited in Hennik and Simkhada, 2004, pp 6).

“Women in Nepal have low status within the family and males enjoy the primary rights over the paternal inheritance. The property will automatically pass through the male lineage, and once married a daughter holds no inheritance rights as long as her brothers or sons of brothers are alive” (HMG/Nepal 1990 as cited in Hennik and Simkhada, 2004, pp 6). “Early marriage in Nepal is common; the average of marriage for girls is 16.6 years.” (Ministry of Health et al 2002, as cited in Hennik and Simkhada, 2004, 6). In a Nepali society, girls are given very less scope to deliberate and choose a partner of their own, the bride’s parent start the negotiation process with the groom’s parents for the marriage to commence two parties.

The ground realities leading to trafficking in persons in Assam and West-Bengal in India is no less different. The region of Assam and West Bengal has a turbulent history of social and ethnic conflict. The study areas of Kokrajhar, Darjeeling and Jalpaiguri is considered as an underdeveloped regions and is circumscribed with several problems such as poverty, underdevelopment, conflict, flood, lack of implementation of government initiatives and livelihood generation policies, unemployment of youth etc., leading to reporting of trafficking cases from the region. One of the universal cause of trafficking in persons has always been poverty. However, poverty cannot be simply understood as an economic indicator for a growing number of trafficking cases in these region. The associated anti-social factors such as excessive and addictive alcoholism, gender discrimination within the family and society, wife battering, child marriages, fake marriages, broken family system, second marriage of husband/father, dead/absconding mother, secret killings during times of ethnic conflict, political instability etc., have led to the rise of trafficking cases in the region. The effects of all these social problems heavily fall upon the people of the region, more importantly upon women and children.

As the region have a history of witnessing social upheaval at regular interval of time, they leave a deep and dark impact on the daily life of the population of the region. The nature of unwanted call for strikes in form of state and district bands and Chaka jam (total closing of transportation) for 24hrs, 12hrs and 6hrs respectively by student unions, different local federation and organization, and opposing political parties to stop the smooth functioning of the state government, and disruption of daily life affects the daily activities and hamper the petty, marginal, daily wage earners largely. Students are barred from going to schools, shops and markets are closed, which creates an atmosphere of fear within the public. Under such conditions, the youth of the region prefer to migrate out of the region in search of better life prospects. The conditions of villages nearby border areas are more deplorable. Total absence or lack of social structures and institutions, schools, hospital, outreach of livelihood generation programs, lack of proper transportation and communications facilities, construction of roads, housing schemes for pacca houses and sanitation, schemes for increasing agricultural productivity, open border system, migration of people from rural space to urban space in search of jobs and better life prospects etc. leads to trafficking cases in the regions. Most of the trafficked victims were school dropouts with the highest education received being from class V-X.

The means of livelihood and income generation of the families' affected with trafficking in human are- domestic help, tea plucking, marginal farmers, cooks in village primary schools, agricultural workers, local alcohol sellers, marginal local weavers, vegetable vendors, marginal farmers, and petty shopkeepers etc. The land which these families possess is either not cultivatable or under a mortgage. Many of the family bear a small plot of land in the village which is divided between brothers of the father and is the reason for conflict among them. It does not provide benefits of agriculture or sustainability of the family. The tea garden worker earns a meagre amount of Rupees 115 per day, which

is not sufficient for feeding a large number of the family. Local alcohol seller family becomes a target of the village people and also its customer, and suffer the brunt of the society because of their occupation. They most often get involve into fight and disputes for selling alcohol in the village and the customer also creates ruckus after drinking. The customer many a time fails to pay back the money. The family is jeopardized for selling alcohol. The village community look down upon family and the girl child and women of the house are taunted by village women because of alcohol business and village man exploit and harass them as an available woman. This becomes a breeding ground for the trafficker to target such family which is outcast by the village community. Many women from these poverty-stricken family go out to work as construction site workers, marginal labour in fields and get sexually and physically violated by the owner and co-workers. All these hard-hitting realities of daily lives when get cajoled give rise to a larger problem of trafficking in the region.

Origin, Transit, and Destination: The Trafficking Route in and Across the Border

This section looks into the different districts chosen as the study area. Its vulnerability and the functioning of the trafficking network across these districts.

The district of Kokrajhar, in Assam, falls under the autonomous body of Bodoland Territorial Council (BTC). Being the largest district within the BTC and the strategic location of Bodoland secretariat in Kokrajhar, trafficking of woman and young girls from the town area is comparatively lower than the villages. Nedan Foundation, in Kokrajhar, was contracted to carry out the fieldwork in the region. According to the field data, trafficking of young girls and women majorly takes places from the remote borders and forest encroached villages such as Sorolpara, Ultapani, Dotma, Srirampur, Kotchugoan of

Kokrajhar district. These villages have witness ethnic conflict and internal displacement of the population; a major contributing factor of trafficking in persons in the region. Another major highlight of Kokrajhar region was its border proximity with Bhutan. The BTC areas such as Kokrajhar, Chirang, Baksha, Udalguri etc. are more prone to trafficking because of their proximity to Indo-Bhutan Border and the inter-state border with North-Bengal. India (Assam) share 265.8 km of border with Bhutan. The districts that shares the border with Bhutan falls under BTC areas. They are Baksha-Bhutan- 90kms, Chirang-Bhutan- 70kms, Kokrajhar-Bhutan- 40kms, and Udalguri-Bhutan- 80kms. Kokrajhar (Assam) and Siliguri (North-Bengal) shares a border distance of 257kms. Its proximity with border areas with frequents aerial and road services for transportation make it's a preferred destination of traffickers because of underdevelopment, lack of government infrastructures and institutions in areas bordering states and international boundary line. Social issues such as child marriage, molestations, kidnapping, rape, domestic violence, sexual abused, unemployment, underdevelopment have further escalated the problem of children and women trafficking in the region thereby making it as a hub of trafficking networks. Kokrajhar majorly acts as an origin point for trafficking synergy.

Like Kokrajhar district, the districts of Darjeeling and Jalpaiguri in West-Bengal, have been witnessing identity movements and demand for separate statehood by the Indian Nepali community in the hills of Darjeeling, and the Kamtapuri/ Kamtapur people of Koch Rajbanshi origin in parts of the Dooars region in West Bengal. The identity movement, demand for separate statehood, the economic vulnerability, lower socio-economic status of tea tribe people and shutting down of tea gardens in the Dooars regions resulting in loss of job and livelihood had contributed to the growth of trafficking cases in the region. The cases of illegal and unsafe migration through shared international porous borders of Nepal

and Bangladesh thus have farther multiplied the chances of young girls getting traffic from the region. As stated by anti-trafficking activists in the region-

"because of lack of employment opportunities in the Dooars regions and the hills of Darjeeling, the younger educated generation irrespective of caste, class or gender make unsafe migration outside the state, making them easy prey for traffickers" (personal interview, Dooars Expressmail, 5/9/17).

The districts of Kokrajhar, Darjeeling and Jalpaiguri are connected with a thin chicken neck corridor called Siliguri which acts as a major gateway. All to and fro travel routes of the north-eastern part of India to other major metropolitan cities such as Delhi, Mumbai, Pune, Hyderabad, Bangalore etc. passes through Siliguri and New Jalpaiguri junction in West- Bengal. The means of connectivity i.e. roads, airways and trains halt by the major junctions of West-Bengal, thereby making it an important destination and transit point of trafficked girls from Assam and other north-eastern states. It also acts as a transit and destination point from Nepal for the daily travellers across the India-Nepal border through Panitanki-Kakarbitta route. Taking advantage of the porousness of the border, the traffickers from Nepal illegally transport young girls and women into Indian borders. The victims mostly belong to the remote corner of the villages where the government policies, infrastructures and facilities have not reached. These places are known as zero man's land because of its remoteness, underdevelopment, backwardness etc. In Nepal the traffickers reach to the most backward, hilly and Terai regions such as Sindupalchok, Jhapa, Dading, Gurkha, Chitwan, Baglung, Nepalgunj, Kathmandu, Kavrepalunchok, Nuwakot, Narayanghat etc. and from there they are illegally brought into the bordering areas of India-Nepal.

Nepal shares a border with five Indian states of Sikkim, West Bengal, Uttar Pradesh, Bihar, and Uttarakhand. Therefore, to traffic girls to Indian side becomes easy for traffickers without having to produce any passport or official document of travel. Girls are brought into India through Panitanki (Jalpaiguri district, West-Bengal), Naxalbari (Jalpaiguri district, West-Bengal), Gorakhpur (Uttar Pradesh), Sonauli (Uttar Pradesh) and Birganj (Nepal), Raxaul (Bihar), the border towns between Nepal and India. Once they enter the border of India, they are transported to Delhi, Mumbai, Bangalore, Hyderabad, Chennai, and Pune, and to different other states, cities and towns as per the demand of the girls. Some are even sent abroad to Middle East countries as domestic helpers, nanny, nurses.

According to Marg organizations, which works towards combatting trafficking in Darjeeling District, stated in one of the workshops in Guwahati, Assam, that because of increasing capitalism and globalization, the air services from Bagdogra airport in Jalpaiguri district act as a transit point for traffickers to reach different corners of the country within reasonable airfares. He opines-

"The frequency of the flights have increased, fares compared to earlier times have marginally come down and Bagdogra airport now holds good connectivity with other Indian states, therefore traffickers prefer taking economy flight tickets for the victims for easy and hurdle free transportation" (workshop discussion, Marg Organization, 29/10/18).

Resonating similar views about the travel route, availability of a different kind of mode of illegal transportation of girls, easy capital follow, and trafficking route, another respondent, an anti-trafficking activist from Panitanki area opines that Siliguri town in Jalpaiguri district act as an origin, transit and destination point-

"The large influx of money and much big crime syndicates working together, trafficking of girls from Bagdogra airport have become a preferred route." (Personal Interview, Tiny Hands India, 28/08/17).

Tiny hands India, an anti-trafficking organization working towards combatting trafficking in the India- Nepal border points towards another preferred route of the traffickers in transporting the women and girls from Nepal border. The Mechi River which flows in between the India and Nepal Border is now becoming a preferred route of travel for traffickers. The traffickers cross the Mechi River by foot which in total is a distance of 5km and reaching Naxalbari town of Jalpaiguri district becomes much easier for the trafficker and the victim avoiding any kind of surveillance or hindrance. On getting caught by the local, or anti-trafficking units they respond saying that-

"We have come to take bath in the river because there is no visible boundary line in the water level, we have unknowingly crossed the Indian side while bathing and washing clothes." (Personal Interview, Tiny Hands India, 28/08/17).

Trafficking Network and Their Working Pattern

The trafficking patterns in the region is similar to the trafficking patterns adopted by traffickers universally. Because, poverty is the main cause of trafficking in person, the traffickers exploit the feelings and sentiments of the poor people employing false promise for job, education and marriages. Methods of luring of women and children from poor families have been modified by the traffickers in recent times. Though the pretext remains same while the technique and modus operandi have changed. Earlier they used to move in a group, now with coming of technology, mobiles and other social media, the traffickers give directions to the girls over phones, and they break into different layers of trafficking

units. The trafficker who is at the topmost order hire a new or random person to transport the girls from the village to the destination city.

The trafficking hands keep changing from one place to another to commit a minimum fault. With synchronization of the plan and the objective of the trafficking network remains not to be caught by the vigilant police officials and NGO staffs who continuously monitors the buses, trains and airports. These are the places from where the traffickers mostly transport and traffic the girls, women and children.

As the trafficking network is divided into different layers for its smooth functioning. These layers of trafficker mostly include persons such as the victim's uncle, aunty, boyfriend, husband, neighbour or an acquaintance assigned for luring the girl and her family with promising offers of marriage, job, house, love etc., in a new place.

The second layer of the trafficker's network consists of a group of two persons who would monitor the moves of the girl and the women from the village to meeting points. From there another group of trafficker would take over, leading the girl to her destination. In the case of cross-border trafficking, trafficker would carry out surveillance of the girl through distance. She would be given instructions and tickets before the travel is made. According to the instruction the girl makes her move. Trafficker would follow the girl but from a far distance to misguide the NGO people and border police. As stated by the field agents monitoring the activities of trafficking network, mentioned that the traffickers generally appoint random people in the border to help the Nepalese girls cross the border by foot, rickshaw etc. and offer money in return of successful transportation. The process of random picking up of transporters is done to shape the trafficking process as a normal cross border activity and thereby maintain the anonymity of the lead trafficker's identity. The transporters or the one-time petty trafficker have no idea about

the whole process of girls being trafficked or smuggled out of Nepal region. They are paid a meagre sum of Nepali rupee 2000 for helping them cross the border.

Trafficking of Nepali girls mostly is done by making a fake passport and then they are illegally smuggled outside the country. All the documents such as identity card, ration card, address proof required for making a passport is rigged by travel agents who have a network of traffickers for accomplishing the work. The travel agent prepares documents, get a passport, visa for travelling and help in transportation of girls as labourers into the Middle East and Gulf countries. All this arrangement is done clandestinely and is part of the larger syndicate of human trafficking racket. In case of cross-border trafficking, the traffickers generally appoint random people in the border to help the Nepalese girls cross the border by foot, rickshaw etc. and offer money in return of successful transportation. The process of random picking up of transporters is done to shape the trafficking process as a normal cross border activity and thereby maintain the anonymity of the lead trafficker's identity. The transporters or the one-time petty trafficker have no idea about the whole process of girls being trafficked or smuggled out of Nepal region. They are paid a meagre sum of Nepali rupee 2000 for helping them cross the border.

The girls from Assam and North-Bengal are trafficked similarly as that of Nepalese girls. The preferred mode of transport from Assam has been train. The girls are illegally transported out of the state through trains. The girls are taken out in groups through big junction such as Guwahati, Rangia, New Bongaigaon, Kokrajhar and New Jalpaiguri stations. Each of these junctions has a long halt time, and the train stops in the junctions for at least 15mins. As the girls are in a group of 5-8 numbers when being trafficked, therefore these stations become the preferred transit points because of its halt timing. The traffickers instruct the girls to board a particular train on arrival and from a distance keep a watch over the girl's movement.

The Target Group

The girls between the age group of 12-28 years are the prime target group of the traffickers. The demand for girls in between these age group is more and they are mostly put into prostitution because of their age, virginity, facial features with sharp nose and eyes, fair and smooth skin with long shiny, straight hair, and athletic and tone body structure which increases their demand in the sex market. The trafficker is willing to pay a hefty amount of Rupee. 60,000 to Rupee. 1lakh depending upon the features, age and virginity of the girls. The trafficker takes care of all transportation charge, fake passport charge, food and lodging of the girl from her home till brothel and later on sell her for a higher price and leave her in the bondage of the madam/ didi in brothels. They are also used as carriers of illegal business such as drug supply and arms supply. However, there are cases of minor girls in the age group of 7-11 years, trafficked for domestic labour within the Indian States.

Profiling of a Trafficking Victim

The socio-demographic profile of a trafficking victim includes the present age of a trafficking survivor and her approximate age when she was traffic, education qualification, marital status, ethnicity, livelihood generation method (income).Data on 94 trafficked victim from different NGOs were collected and sorted based on their case history. On the basis of their cases history, one to one meeting was established. They were victims of different kind of sexual exploitation under different circumstances. The interviewed respondents were between the age group of 8-36 years.

Table 2 Chronologically explains the total number of Victims

Districts	Women (25 to 45 years)	girls(18+ to 25 years)	Minors (Below 18 years)	
Kokrajhar	24	15	13	
Darjeeling	08	10	-	
Jalpaiguri	14	07	-	
Kakarbitta	02	01	-	
Total	48	33	13	Total= 94

Age

The category of the age of the trafficked survivor was divided into two part where the present age was collected and the approximate trafficked age at the time of being trafficked was calculated. This was done to find out, how young the victim was when she was trafficked. Another reason for calculating the present age and the age at the time of traffic was to map the high demand age group among the traffickers.

The data reflected that the young girls between the age group of 05-35 years were trafficked majorly. The girls below the age group of 5-15 years were trafficked for domestic labour within India. Between the age group of 15-25 years, girls were trafficked as a viable candidate for prostitution, spa parlours and dance bars. Women in between the age group of 25-35 years mostly sent abroad as domestic helpers where they were sexually and physically exploited. Some of the women in their 20's have been put into prostitution in Gulf and Middle- East countries. The present age of the trafficked survivors ranged

between 8 to 36 years, they are currently school-going children, housewives, and unmarried girls.

Table 3- Explains the Age of the Trafficked Victims

Age Range	Number of Traffic Survivors within the present age of	Trafficked For
5-15	10	Domestic labour within India
15-25	37	Sexual commercial exploitation within India
25-35	42	Domestic labour in middle east countries, cross-border sexual commercial exploitation.
35-45	05	Domestic labour, Nannies, and sexual exploitation.

Marital Status

In this category, the marital status reflects the presently married, unmarried, the separated status of women and girls. However, efforts were made to document the married, unmarried, separated status before and after trafficking. The total numbers of married women are 42. These 42 numbers reflect the current marital status of woman irrespective of the fact that they were married pre- and post-rescue. These married women currently fall under the age group of 20 years to 45 years. There are 32 numbers of unmarried girls, they are minor girls and young adults' in-between age group of 5years to 30 years. Separated women and girls numbers stand at 17. They are women and girls who

were either child-bride or married women in the past and have now separated from their husbands over the period. Their eight cases of child bride later separated from husbands.

Educational Qualification

The educational qualification of the trafficking survivors highlights the current educational qualification and the qualification they have attained before being trafficked. While the educational qualification of children living in the shelter home could be accessed accurately, the educational qualification of adult women and young adult girls were not known in 15 cases.

Among 70 respondents, all seven minor respondents have been re-enrolled back into vernacular language state-run schools. The minor under the child welfare committee direction are re-enrolled into school for attaining elementary education. These minors are in different classes starting from class I to class XII. The procedure of re-enrolling includes getting a birth certificate for the minor girls from the *gaonburah* (village head). On enquiring about the last educational qualification attained by the girls, the girls are re-enrolled into the same class and from thereon they carry forward their education. After re-enrolments, five girls from the shelter home have appeared for matriculation examination since 2015. 3 have cleared the matriculation examination, while other 2 failed to clear. Presently, three girls are continuing their 10+2 education. Another batch of 2 girls is preparing to appear for their X board exam under state board in 2019.

Other respondents falling into the category of young adults and adults are school dropouts whose maximum education attained is till class VII. Many of them were school dropout before being trafficked because of their economic, social and political conditions and therefore do not wish to continue with their education because of peer-pressure in

schools. The traffic survivors at the age group of late teen years, an adolescent mind believes that going to school would not do any good as they have lost interest over studies. Also, going to school and sitting in one place for hours is a waste of time. According to a trafficking survivor, with a chuckle in her voice, she testifies that-

"Sister, studies do not interest me, I find it boring. I am willing to learn some handwork and earn money." (Personal interview, Rakhi, 27/11/16).

The survivors in their late teens and early twenties, post-rescue have been enrolled in vocational training programmes for livelihood generation. Because the girls in the late teen years and early twenties find it difficult to complete their elementary education, they are provided with training for livelihood generation. An anti-trafficking activist testifies about the interest of young girls to learn vocational training. He states-

"Because the girls want to learn different skill rather than wanting to attain schools, therefore, we train them into weaving, incense stick making, soap bar making and sewing. To make them self-dependent." (Personal interview, Nedan Foundation, 3/3/16).

There was no case where a respondent was illiterate. All of them were able to read, write and sign their name in vernacular languages.

Ethnicity

The respondent belonged to a different ethnic group such as Bodo Christians, Bodo Hindu, Santhali Christian, Santhali Hindu, Bengali Muslim, Nepali Hindu etc. All the Bodo community respondents belonged to schedule tribe community irrespective of their religion, likewise, the Santhalese belong to other backward communities in Assam and in West-Bengal they are schedule tribes. The respondent from the Nepali community

belonged to schedule tribe, other backward caste and general category. The Bengali Muslim women and minors interviewed in Assam were from other backward castes.

Livelihood Generation

Livelihood generation (income earned) ability of the women and young girls in between the age group of 18+ years to 36 years have been collected. This group of women and young girls are school dropouts who have undergone vocational skill training for 3 months such as weaving, tailoring, beauty parlour, basic computer application, incense sticks making, soap bar making etc. These group also includes women who choose to start their own small business of animal husbandry and vegetable cultivation. The women and girls choose according to their preference the kind of training they want to undergo. These women and girls lived with their families and join the course every week where the classes were conducted in a nearby place of their home by a local instructor. On completion of the course, the NGO itself provides a certificate, which is not recognized under any official body of certification.

A computer trainer in an NGO testifies-

"Training is provided to girl's survivors and other potential victims willing to learn computer application. They are divided into a group of ten students. They are mostly village children who cannot afford to take computer coaching privately. Therefore here, in the NGO office or nearby village composite centre, we provide basic computer application training. Likewise, there are training for other vocational courses as well." (Personal interview, Nedan Foundation, 20/11/16).

On completion of such training, the young girls are provided with monetary support by the NGO to buy sewing machines and take tuition classes of other village girls

in sewing and earn a monthly income. Similarly, women and girls, who choose to start their own business are provided with monetary support to work as a marginal vegetable vendor in the local market. Few families were economically supported to start marginal scale animal husbandry farms such as poultry, piggery, goat etc. Some families are provided with Ox and bullocks for agricultural farming. Some are provided with monetary support to buy seeds for cultivation of vegetables and spice products such as ginger, turmeric etc. which are later sold in local markets and the bordering town.

On average, a girl and woman earn a monthly income of about RS. 3,500- RS. 5,000 from tailoring business, working in the parlour, selling vegetable and animals such as pigs, hens, goats in the local markets. Some of them are work as sale girls in a local garment shop, peon and office assistant and on average earn around RS. 5,000- RS. 6,500. According to official records of the NGO, some of the trafficked survivors rescued by the NGO are absorbed as field base workers and office workers in the NGO office itself. They work as a salaried worker who is paid according to their educational qualification and work done. They earn around RS. 5,000 to RS. 10,000 monthly. One such example is Agni. Agni, (name has not been changed in this case, as she consented for using her real name) states-

"I have been working with Nedan Foundation for 10 years now. After I was rescued, sir brought me here with him. My mother allowed me to continue staying here because she was afraid I will get trafficked again. I was a naughty child. Now, I earn money and give a small part of it to my mother (giggles)." (Personal interview, Agni, 12/3/16).

It has been observed from the field that the girls and women presently working as marginal businesswomen, entrepreneurs, vocational skill trainers, office assistants, sale

representatives etc. are happy and content that they do not have to move out of their homes and earn money. These women and girls shared their satisfaction and happiness of being able to earn from their home, which put them into the safe horizon and close to their family unlike before. Some of the respondents believed that earning money has made them self-sufficient and able to look after their family members. This financial independence has given them a position in the family for which the male members fail to establish social control and male authority over them. Their voices and opinions have started to matter in household decisions even though they are tied by gender-specific roles.

Trafficking of Women and Girls: Causes and Methods

This section looks into the main reasons/factors responsible for the increase of trafficking in persons. It looks into different methods of trafficking adopted by the traffickers to lure a victim from the region.

As found in the field by the researcher and substantiating it with literature, Samarasinghe (2003), points out that individuals precisely women, girls and children in between the age group of five to 25 years, and mostly belonging to rural, poor, with little or no education background are primarily targeted by the traffickers. Increasing poverty when clubbed with lack of opportunity, unemployment, gender inequalities and labour policies of the state etc., provides a procuring ground for traffickers in Asia Pacific region (Datta, 2005). It encourages the exportation of female labour outside the state through illegal migration. These subsequently leads to trafficking of women, exploitation and human rights violation. According to Huda (2006)- “the contributing factors for the growth of sex industries in Asia, and around the world are the mobility of people via

tourism, migration policies of the government, and the building of infrastructure for sexual entertainment in Asia” (375).

Causes of Trafficking

According to the analysis made by Koirala's(2014-15), human trafficking of women and children in South Asian region (India, Bangladesh and Nepal) is based on the selected impediment of socio-economic development and vulnerability brought by factors such as natural calamities, structural gender-based violence, culturally sanctioned practices, economic insecurities, and globalization. These factors most often than not have a universal pattern which stands true for all regions.

Taking Koirala's analysis of human trafficking forward, the causes of trafficking in the selected study area is deep-rooted in its socially circumscribe conditions such as socio-economic deprivation, large number of family members with little income or no income, chronic poverty, political instability, poor governance of the state, changing social structure, and community life of the people. It was discovered in the fieldwork that the families which fall prey to human traffickers had- a large number of family members with a single earning member. They did not have any agricultural land or moveable property such as goat, cow, and bullock of their own which could earn them money by rearing or selling it. Many families had a history of debt boundedness. It was also found during the fieldwork that mostly the girls who were trafficked had parents suffering from alcohol addiction. As a reason for which, all responsibility fell upon the elder child. The elder child being girl had its own implications as she has to perform her assigned gender role as well as take the family, siblings' responsibility in the absence of her parents. In addition to that, economically vulnerability, disruptive family system, the endemic of internal

displacement induced by ethnic conflict, Maoist insurgency, also had a major effect on woman and children of the region. Homelessness, economic vulnerability, lack of livelihood options within the village and community life made them more prone to human trafficking. Other social problems such as child marriage, female mortality rates, marital discord, broken family system and gender-based violence further acted as a contributing factor for increasing trafficking cases in the region.

According to the respondent, a police officer, there is a causal relationship between human trafficking, poverty, natural disasters, political instability, ethnic conflict, child marriage and cultural practices of the region. In a workshop organized on the issue of human trafficking, the respondent highlights the relationship with an example from the ground- he starts with a question –

"Why a particular community and region become the prime target or a hub of the trafficking syndicate when many regions in the same state suffer from similar kind of natural calamities?"

Elaborating the conditions, he states-

"Answer lies in their economic conditions, social relationships and the number of family members in the poor household. The poverty-ridden family who resides by the riverbank side, affected with the flood, or a family who suffered from ethnic conflict are most vulnerable and often become the soft target of traffickers. A family who struggle for daily survival and who have four to six children to be feed will start caring less about their children and more about survival. Either they would send their children off to work as a domestic worker at a very young age or the child will elope or be sold for some money"(personal interview, IGP, Assam, 28/10/18).

Another respondent notes that to survive the extreme condition of poverty, parents with little resources either give away their daughters as a child bride or sent them to work outside as domestic workers. Later on, these girls are sold into prostitution as performers in dance bars, circus etc. by the recruiting agent.

"The cultural and societal pressure of getting the girl married, poor economic background of the family, the low status of a girl in the family and parent's ignorance in fact-finding of the groom's background, all play an equal role in getting the girl trafficked." (Personal interview, Kanchanjanga Uddhar Kendra (KUK), 2/09/17).

On asking whether the parents knew about the conditions where their daughters would be used as a sex slave, the respondent replied that no parents will ever willingly sell their daughter's into prostitution. It is the condition of chronic poverty and desire to earn some amount of money for survival they agree to send their daughters for work as a labourer but not into prostitution. If the condition were conducive for them, girls would not venture out. Adding on with the views of the first respondent the second anti-trafficking activist respondent states-

"Due to lack of job opportunities in their hometown and villages, educated youth, equally the girls have now started going to metro cities such as Bangalore, Chennai, Mumbai, Pune, Hyderabad and Delhi etc. and started working in beauty parlours. There they are sexually exploited in name parlour work". (Personal interview, Dooars Expressmail, 5/09/17).

Therefore, the causes of trafficking mainly function on the push and pull, demand and supply factors where the traffickers target the young people, especially women and girls coming from economically poor and deprived sections, victims of gender-based inequality and violence. The victim's desires and aspiration to move out of dire poverty

conditions, their 'want' of getting exposure to the outer world, which they believe is full of opportunities creates a ground for trafficker to procure these girls and women. Likewise, the demand for the young virgin docile female body and the purchasing power of the customer for such submissive bodies helps the clandestine business of sex trafficking to grow.

Methods of Trafficking

The victims of trafficking are lured with a promise of 'better life' in comparison to their present life which is full of hardship and unfulfilled dreams, needs and aspirations. The girls and women are mostly lured with false promises of lucrative job prospects in metro cities, fake love affairs developed over Facebook, WhatsApp, miscalls, an acquaintance of a friend, which leads to fake marriage proposals. The trafficker creates a visionary world for the girl where she would have a stable job with constant and adequate flow of money for her and her family's survival. Other than luring the girls with false jobs and a false marriage proposal, they are also trafficked through the means of drug and kidnapping. In some cases, these girls are coerced into prostitution by the means of forceful drugging and abduction (McGill, 2003).

The trafficker, mostly a man, comes in contact with the family through some acquaintance, possibly a neighbour, distant relative and in some cases belonging to the same village, family lineage etc. He builds a good rapport with all members of the family, especially the father, and elderly male members of the family. As a prospect groom, he offers a marriage proposal for the girl of the house. Simultaneously with a marriage proposal, he convinces the family for a low budget marriage, without dowry or other materialist things. He shows empathy towards the family by understanding their critical

financial condition, and not overburdening them with extra expenses in the name of marriage. Taking advantage of their vulnerability, he establishes an emotional chord with the parents and promising to keep the daughter happy after marriage.

The chairperson of Dooars Expressmail, an anti-trafficking organization, describes the whole process of trafficking as a web knitted by the trafficker to smoothly lure the girl from her house. He explains the process in the following words-

"The trafficker is so smart that he brings in a fake family member from his side, especially a female to give the whole trafficking process a realistic touch. Because his house is far away, and nobody is there in his home to take care of him, therefore he creates an urgency of getting married.

He does not demand dowry, which again is a tactic of trafficker to gain confidence and a process of "good image building" before the bride's family. The marriage takes place in the bride's home according to her customs in the presence of all relatives and villagers. This reinforces the marriage system, its sanity is established with society acknowledgement of the marriage. The groom (trafficker) stays for a few days in the bride home and thereafter taking the parents' permission takes the bride with him."(Personal Interview, Dooars Expressmail, 5/09/17).

Patriarchy is the absolute rule of the father or the eldest male member over his family (Geeta, 2009, 4). Therefore, targeting the mind-set of the elderly male member and winning his trust becomes a crucial event for the trafficker. As the head of the family, if the father or the elderly male member are convinced by trafficker's words and acts, then it becomes easier for him to win the trust of the girl, as she would obey her father's instruction. The functioning of patriarchy in the family structure is an essential element for the trafficker to lure a girl smoothly thereby convincing the family about his genuineness

towards the girl. Marriage as an important institution of society and approve the form of social relationship, a man without a woman to take care of him, his family and nurture his needs are seen with empathy. His vulnerability establish and prejudice formed in his favour. From the above-mentioned details of the trafficker using marriage as a method of trafficking, the biological determinism gets reinforced with reinforcing of gender biases and gender role in the society. It helps the trafficker to garner sympathy for his loneliness and vulnerability in absence of a woman to take care of him, taking advantage of such social norms, he becomes fugitive after a couple of days with the girl.

With the change in time, the trafficking syndicate have developed newer techniques to traffic girls. The trafficking syndicate have broken themselves multiple layers. They no longer move in groups rather they have become more technologically advance and savvy. They organize the whole business over phones. The traffickers find soft targets of young girls and women in a particular region and a particular age group. They follow and observe the girls for a month or two, establishes contact with them by showing genuine love interest and later convince them for elopement. Such a relationship is short-lived, till the time the girl is not trapped by the trafficker. One such case was of Sita's, she was 20 years old when trafficked. Sita testifies her trafficking story as-

“He called me from an unknown number, said that he liked me, my sincerity towards work and my beauty. I was clueless from where he got my number, I annoyed at first, but later when he continuously started to call me, praise me, I too started falling for him and waited for his call. After one and half month of encounter ship, we eloped.”
(Personal interview, Sita, 12/8/17).

With stringent laws, and active anti-trafficking activities on the ground, the traffickers have adopted a technique of training the girls before crossing the border. When

the girls are illegally transported across borders within the state and outside the country, they are trained to answer in a convincing manner, and with confidence when intercepted by the anti-trafficking activists. When caught in between of the travel by anti-trafficking agency, they fake their relationship as husband and wife. They provide various reasons for travel such as travel for treatment, for holidaying, visit relative's home etc. An anti-trafficking activist intercepting the India-Nepal border via Panitani-Kakarbita route testifies-

"Most often when a trafficker is caught with a younger woman, he claims that they are husband and wife. When we cross-question them separately, then only we come to know that they are faking the relationship. On separately cross-questioning stringently, many times it so happens that their answers do not match. Then we come to know it as a case of trafficking."(Personal interview, tiny hands, India, 28/8/17).

Conclusion

Thus, the proliferation of sex trafficking network in bordering areas of Assam, West-Bengal and Nepal is an amalgamation of the region's economic vulnerability, political instability, and identity movement leading to ethnic conflict between different communities. Internal displacement of population and porousness between borders further adds to people's vulnerability. The geographical location of the West-Bengal and it sharing an inter-state border with Assam, and the international border with Nepal, Bhutan and Bangladesh, making it an origin, transit and destination point for trafficking network.

It has been observed that the region has its historical incidences of conflict, insurgency, internal displacement, traditional and cultural way of life, and with the rise in the recent phenomenon of in-ward and outward migration from the areas of study,

trafficking is on the rise. Hence it is on this context, it has become important to examine the intertwining factors of a family system, regional peculiarities, and globalization etc., for conducting a study on sex trafficking at a regional level. Thus, the next chapter attempts analysis the role of a family system in pre-traffic life of a victim by examining the role of family, education, poverty, underdevelopment and her social location.

Notes

ⁱ Published in India today, dated 7th October 2018. Accessed on 6th September 2019.

<https://www.indiatoday.in/mail-today/story/50-women-from-nepal-are-trafficked-to-india-every-day-1357737-2018-10-07>

ⁱⁱ Published in Scroll.in, dated 22nd October 2018. Accessed on 6th September 2019.

<https://scroll.in/magazine/895075/how-a-few-volunteers-at-bagdogra-airport-have-successfully-curbed-trafficking-of-nepalese-women>

ⁱⁱⁱ. A new constitution was promulgated in Nepal on 20th September 2015. According to the new constitution, the Nepalese parliament would constitute 165 member seats. 100 seats would go to the hills and mountain regions while 65 seats would belong to the Tarai region. The Madhesi community argued that this allotment of seats were totally bias and discriminatory considering the population of the country. They stated that hills and mountain population is less than 50 percent of the country's total population while the Tarai region constitutes 52 percent of the total Nepal's population.

Therefore, the adoption of this new constitution led to uproar, rage and dissatisfaction among the Madhesi and Tharu communities of Nepal which consist of 70 percent of the Tarai population. The reason for their dissatisfaction and anger was in the provision of the new constitution which stated to form seven new federal province state in Tarai region. The problem that existed in this provision was that among the 22 districts of Tarai region, only eight districts, Saptari in the east to Parsa in the west were granted province state

status while the other fourteen districts were to be merged with the hill districts. The Madhesi and Tharu communities believed that this merging would convert the local people of the region into a minority and divide their ancestral land; a politically motivated action to marginalize them in their own land. (Deysarkar, 2015). Also see news article report on adoption of the constitution and the uprising among the Madhesi people.

<https://www.bbc.com/news/world-asia-35041366> access on 14/9/2019.

^{iv}See Washing post article on economic blockade
<https://www.washingtonpost.com/news/worldviews/wp/2015/09/29/nepal-is-angry-with-india-so-it-turns-off-the-tv/>

^v Ethnic minority community living in Tarai region of southern Nepal, said to have a close affinity with India. The tarai region is the ‘Madhya Desh’ between Nepal and India and hence become ‘Madesh’ and its inhabitant becomes ‘Madeshi’. (Deysarkar, 2015, 687). The protest led out by the Madhesi people against the new constitution can be read on the following link.

<https://www.bbc.com/news/world-asia-34280015> access on 14/9/2019.

^{vi}The Tarai is used loosely to refer to the geographical southern belt of Nepal. Geographically the Tarai is a strip of tropical flat land that ranges from 26 to 36 kilometres. It occupies 34,019 square kilometres and makes up to 23 percent of Nepal’s total area. (Deysarkar, 2015, 686).

^{vii} British India regarded Nepal as a buffer between India and Russia and independent India also considered it as a principal buffer to India, defending its northern frontiers. (Shukla, 2006, 355).

^{viii} Trafficking in persons and smuggling of migrants in South Asia has become a growing concern. UNODC in its official website states that 71% of trafficking victims worldwide are women and girls and 3 out of 4 trafficked women and girls are sexually exploited. <https://www.unodc.org/southasia/en/topics/frontpage/2009/trafficking-in-persons-and-smuggling-of-migrants.html>

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Chapter IV

Vulnerability, Violence, and Survival: Life before being Trafficked

This chapter looks into the life of a trafficked victim before being trafficked. It maps the surrounding conditions and vulnerabilities of a trafficking victim that exposes her as an easy target of traffickers. While mapping the socio-economic and cultural conditions of the victim, her family, and home, the primary data reflects that economic vulnerability and emotional crisis at home, disruptive family bonds, issues within the family system, troubled childhood had a causal relationship in the process of victim's getting trafficked. Hence, the chapter takes into account the socio-economic and cultural conditions under which the victim and her family lived, and the impact it had on her life and survival.

During the data collection period, it was found that the above-mentioned factors had a negative effect on a victim's life, irrespective of her age group. Hence, this chapter attempts to analyse the disruptive family system, its structure and relationships as an important reason for trafficking. The analyses are made by tracing the family history, background and early life of a victim, thereby building an important praxis for defining the phenomenon of trafficking and its relation with the victim's early life.

The chapter moves with the argument that along with the existence of the universal reasons of trafficking such as poverty, region's under-development, natural calamities, and structural inequalities in the society; her lower status in the family and gender discrimination faced by her in early years of life pushes her towards the trafficking net. The researcher makes this point of analysis based on the observation made in the field. The field data strongly suggest that a girl/woman belonging to a poor, economically

vulnerable background, with a broken family structure is more prone to trafficking than a girl of the same age group coming from a stable family system. Her chances of getting traffic magnify when above disruptive family structure is combined with other factors such as- large family system, their relationships with the family members and parents, family members being superstitious by nature, and lack of education in the family. She becomes vulnerable because of her situation, position, and location within the family structure.

The operational definition of family states it to be a group of persons who are related to each other through blood or marriage (Burch, 1967). Family as an important component in an individual's life had a major impact on how one conduct and faces the challenges and struggle to sustain their daily life. According to Henry (1994), an adolescent child experiences a moderate level of cohesion and adaptability when there is a high level of family satisfaction. Stability within the family system, coherence in the parent-child relationship, love and support, the collective festive celebration in family etc., increases the family life satisfaction in an adolescent child. Whereas with continuous violence and fights in a family, usages of punitive measures for behaviour correction and withdrawal of love and support negatively affect the growth and mental health of an adolescent. Henry (1994) have "hypothesised that adolescents in single parents and step-families would be less satisfied in their family relationships than those in intact families." (449). Taking Henry's point of analysis into the context of this study, the girls were trafficked at very young teenage years and came from disruptive and dysfunctional families. The girl respondents used terms such as *beyakopal* (Assamese word meaning infortune), *futeko bhagya* (infortune in Nepali), *paap* (regional word for sin both in Assamese and Nepali) and *paila janam ko naramro karma* (sin of previous life as said in Nepali) to describe their lives. They mentioned that because of the struggle faced in the

early years of life, they choose to escape from the family misfortune. While trying to escape from a dysfunctional family system and venomous relations, they ended into bigger adversity of life, from where return became difficult for them. Referring to the struggles, hardship, and misfortune of life, they used the above-mentioned words in local languages to signify bad luck, cursed and ill-fated lives of themselves. By using this terminology to describe their life situation, they portrayed the everyday hardship they had to undergo because of the fate they were born with, problems within the family and its repercussions on their life. They believed that the violence, trauma, atrocities they faced at a personal level were because of their ill-fated life and sins committed in previous lives. During an interview, citing the ill-fate as one of the important reason for getting traffic, Rima, a young girl, 22 years of age, stated that she must have committed a great sin in her earlier life for which she decided to run away from her home on that ill-fated day and latter landed herself into a brothel. It would have been better for her to stay at her own home, tolerate the beating of her parents than of those in the brothel. She further continues with a painful voice. Her sins must have been bigger in her earlier life, else why would god do injustice to her at such extent. (Personal interview, Rima, 2/11/16).

Crawford (2010) taking note of Nepali society through her fieldwork in Nepal defines trafficking as-a by-product of the social construction of gender, power, and class within a particular historical period, social location, and culture. Taking Crawford's definition of trafficking, it can be understood that- trafficking in persons is an intersection of multiple components such as- gender, class, caste, hierarchy, economic vulnerability, patriarchy etc. that pushes the victims into a web of disadvantageous, exploitative labour conditions from which they failed to escape. Intersectionality, therefore, can be defined as an approach which is used to examine the multi-dimensionality of human experience, their problematic life conditions, and their struggles, that is produced by the intertwining of

these factors with each other. Scholar such as Waylen, Celis, Kantola, and Weldon (2013) thereby elaborating upon idea of intersectionality state it to be an-“assemblage of ideas and practices that maintain that gender, race, class, sexuality, age, ethnicity, ability, and similar phenomena cannot be analytical understood in isolation from one another; instead, these constructs signal an intersecting constellation of power relationships that produce unequal material realities and distinctive social experiences for individuals and groups positioned within them” (3). Nash’s (2008), propagating the theory of intersectionality in feminist studies define it to be a theoretical tool of analysis to understand the subjectivity constituted by factors such as race, class, gender and sexuality to combat hierarchy, exclusivity, and hegemony. Nash farther explains that intersectional projects centres around the experiences of the subject whose voices have been ignored (Nash, 2008, pp 3). Holding similar views, Crenshaw had much earlier postulated a theory of intersectionality regarding the marginalization of the black women. Reflecting upon the black women experiences, Crenshaw (1989), argued that adding black women into the already established analytical structure of race and gender excludes them from the discourse of feminist theory and antiracist policy. She holds this view because of the racist and sexist exclusion of black women from mainstream narratives which was discriminatory in its fundamental. Quoting Crenshaw, she states -“Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which black women are subordinated” (140).

Therefore bringing Crawford(2010), Crenshaw (1989), Nash (2008)and Waylen, Celis, Kantola, and Weldon (2013), argument of intersectionality in reference to the trafficked person’s life and then contextualizing it with their life situations, the researcher in this chapter argues that a trafficked woman and girl in their early lives have been a

victim of exclusion, discrimination, violence by their family members and society, because of their sexuality, family's economic conditions, existing family structure, and rule of patriarchy at home. The family structure in a patriarchal society lays its very basis on domination, subordination and suppression of women. This remains true for the selected study area (in this case India and Nepal) where the women respondents have signal towards the presence and occurrence of continuous domestic violence, mental trauma and withdrawal of support from parents in their early life. The perpetrators of violence were their close family members, namely, father, step-father, step-mother, brother, husbands and boyfriends etc., the people whom they trusted and thought to be their own. The subject matter of the theory of intersectionality in Indian and Nepalese context would, therefore, depend upon factors such as -caste, class, gender, sexuality, religion, region, age, location. Other factors which would add to the theory of intersectionality in case of trafficked victims would be their social identity, number of siblings, number of family members, earning members, addiction habits of family members, and family social position within the community etc., that pictorially describes her family.

The researcher also argues that the paramount of violence, discrimination, and exclusion faced by each trafficked victim at the family level is different from each other. Though they have been victims of domestic violence and atrocities in their own homes, their lived experiences, however, would differ because of their social location and the dynamics they shared with the family members. Henceforth, universalising and clubbing the lived experience of all victims of trafficking under a homogenous category of 'victimhood' would be a practice of exclusion in itself. It is in this pretext, the chapter looks into the different kinds of lived experiences a victim of trafficking had undergone as a minor and young adult during their initial life.

In the chapter randomly selected interview extracts have been highlighted to explain the lived experiences of the traffic victims. Interviews have been primarily collected by visiting the respondents at their homes, the process of which is explained below.

Insight to the Field: Meeting the Trafficking Victims

Data was collected by meeting the victims (below the age of 14 years) and minors (below 18 years) of trafficking in the shelter home by staying with them in the home. These minor girls have been partially rehabilitated. By partial rehabilitation, the researcher means that the children will continue to live in the shelter home till the time they turn adult as mentioned by the NGO chairperson. An attempt to bring back normalcy in their life has been done by re-enrolling them into schools, where they can meet new people, make new friends and be part of the community and neighbourhood. As the shelter home is located in a Bodo village, the minor girl children were free to intermingle with the community people. While meeting trafficked children was easier, the scope of the study in terms of victims rehabilitated back into the home, family and community were limited to the respondent with whom contact could be established through telephonic calls by the NGO staffs. The names of the possible respondents (between the age group of 15-45 and not living in the shelter home) was retrieved from the data of the NGO after which a probable list of respondents was prepared. On failing to reach the respondents over the phone because of the remoteness of the location and their houses (being in forest encroach villages, far-reaching tea garden areas, and in internationally bordering villages and town areas) the researcher along with the NGO staff made random visits. On agreement of the survivors to meet and provide interview the researcher explained the purpose of the visit.

Information was provided about the purpose of the visit. The respondents were beforehand given an insight into the kind of issues that would be touch upon during the interview. On providing full information, their consent taken to proceed with the interview schedule, the data collection was conducted.

Because the women, young girls, and minor girl children have been repatriated back into their families, in the community, into marriage system, schools and interviews have been taken according to the suitability of their time and environment to talk. On the days of the random visit, a simple meeting took place with the survivors in their home, describing the purpose of the researcher's visit. As the survivors have started living a 'normal life' putting their past life as traffic victim behind, their identity has been kept anonymous, privacy maintained and the decision taken by the victim to share or not to share about their life experiences respected.

The understanding developed from the interviews taken during both phases (before and after rescue) is that- the traffic victim believed her life has turn upside down. The girls and women interviewed were sexually exploited, molested and raped. With much difficulty, they have resumed back to their daily life in the company of their same age fellow mates in the shelter homes. While in case of the others who had returned to their families, are settle now with husbands and children, have consciously decided to move forward in life by disconnecting themselves from their past. This resuming back to daily life appears as a normal act for an outsider coming on official visits, inspections, and research work. But for the survivors, coming into terms with life post-rescue has been psychologically difficult. Therefore they have consciously adopted the method of 'dis-remembering the past' to forgo the pain in the present.

The interview of young minor girls who are in their late teenage years and young girls in their early twenty years spoke about the difficulty they face in dealing with their tormenting past. They stated that it becomes very difficult for them to forget about the wrongs done to them in past, and therefore finds it difficult to trust people now. Observation of young adult girls and women's lives at the village level highlighted that they had very limited friends of similar age group within the community or otherwise. The fact that these minors, young girls and women were a victim of sexual exploitation, harassment and violence by their family members such as step-father, boyfriend, husbands etc. and their past-history of living a life of forceful sex worker prohibited them from making friends or trusting anyone to confide their secrets or feelings. They suffer from a serious issue of bestowing their trust and loyalty on any second person. To overcome the fear of trusting any person, they try to forget incidences from the past and concentrate on new things. Many of them have engaged themselves in different works such as looking after family, children, cooking, weaving, sewing, setting up of small poultry farms, and rearing pet animals as a means of living.

In case of the minor girls interviewed in the shelter home, observation of their behaviour reflected that they liked to be left alone and aloof at times, moving away from the chaos and crowd of the home. Although, trust becomes an issue, the minors living in shelter home develop a bond with each other and share their lived experiences. These experiences most often resemble each other sufferings in many forms thereby making it easy for them to share their traumatic experiences of the past. The researcher, here argues from her own field experiences and that of the shared experience of a minor girl that- because these minor girls are too small in age, they fail to recognize the velocity/magnitude of the abused and violence they had faced at the hand of their exploiter. Because they are unaware of the velocity of the crime committed upon their

bodies in past, their innocent mind helps them to overcome the trauma in the company of their similar age girls in the shelter home. Postulating this idea of relating to one another's pain and finding solace in the company of each other, the minors of the shelter home overcome the trauma, pain and stress of life sooner than the adult victims. However, there are also cases of minor where the crime committed on her during childhood have a lasting negative impact on her mind and body. According to an official case history record of an NGO, Maya was 13 years of age when she was raped and impregnated with a 3 months old foetus. She was rescued from a home base brothel in Delhi. On her continuous complaint of stomach pain, she was found to be pregnant by the NGO on dialysis. The case study of the NGO further states that Maya was re-trafficked a few months after her being rehabilitated into her family. She thereafter remains untraceable. This case history highlighted that under certain conditions, violence and crime committed on a minor's mind and body have serious consequences, where they may again return to the conditions and become part of the exploiting body from where they have been rescued. However, in the case of Maya the reasons for her being re-trafficked was left undiscovered with her evading the place. The interview, undertaken in this study highlight that a young adult girl when sustained with abuse in their growing teenage age holds a deep psychological impact on their minds, body and heart for which coming to term with their traumatic past takes longer time.

Gender, Patriarchy, and Systematic Oppression: Family's Impact on a Trafficked Girl's Life

bell hooks (1984), in the essay *Feminist movement to end violence*, elaborates upon the kind of violence perpetrated by a man upon a woman. hooks in the essay

reiterates that- the violence that occurs upon women's body is an expression used to inflict male dominance that is manifested by and within the family structure, economic arrangements, and sexual division of labour within the capitalist society to establish sexism, supremacy and dominance. Gayle (1975), likewise had stated that "sexism is a by-product of capitalism's appetite for profit, innate male aggression and dominance, a root for female oppression." (157). Therefore, taking note of Gayle's and hooks' argument of gender-based violence instigated on a women's body at a family level, it can be inferred that discourse of trafficking primarily shapes itself through the understanding of violence committed over women's body. It has a deep connection with the binaries established by the family as a social unit. The existing binaries of male and female, man and woman categorically oppressed a woman because of the social hierarchy which creates a difference between the two genders i.e. male and female. With the creation of these binaries, a woman is taught to abide by the social norms, its structure and her gender roles without contesting it.

Karlekar (1998) situates the role of family and its operational unit i.e. household as a site of oppression and deprivation. She states that violence is used as a tool of socialization of the family members to act according to the prescribed norms and behaviours within the overall perspective of male domination and control. To obtain absolute conformity and submission to male domination, marriages are solemnized. Physical violence and aggression are thereafter used as a tool to conform obedience towards the family member, especially the husband. Taking the factor of socialization as an axial point of coding, it was noticed in the field that a minor girl from her very childhood is moulded in such fashion that she willingly starts to adhere by her gender-specific roles. Thus, when the gender performances of a woman and girl in the household are examined before she is trafficked than we find that she does similar nature of work

even after she is trafficked. There is no difference in the assignment of work per se. During the field study, it was observed that the girl child was trained to become caretaker, caregiver, child-bearer, and nurtures of the family from a very small age. Hence when they grew a little older and fell in the eyesight of the trafficker (a known person), they were offered jobs that were similar to the work done in their household. As the work given to them by the recruiting agencies resembled in nature as to one they have been performing free of cost at home, they found it benefitting to take such jobs offers through they could earn a living. Hence if gender, sexuality, and previous work done at home are taken as a category of analysis, then it can be inferred that trafficker taking advantage of their vulnerable economic conditions, troubled family relations, poor family background, illiteracy and unskilled labour trap a trafficked victim with a promise of good pay for same work outside home. therefore, under a socially constructed nature of gender, conditioning of society, divide between male and female, the practice of sexual division of labour, a woman/girl is domesticated to performs, act, and take jobs within a particular social setting.

Samarasinghe (2008) highlights that the patriarchal culture of gender subordination in society victimizes young females as sexual objects for sex trafficking. Coming from an economically poor, broken family system, and holding lower status in the family, a trafficking victim because of her gender is exposed to a different kind of gender-based violence in her pre-traffic life. She has to perform household chores which deprives her of her right to education, playtime, and leisure. Her rights are curtailed because of poverty, the distance of the school, household chores, responsibility of younger siblings, and earning for a living. Thereby depriving her of her basic human and child rights. An underage victim fails to recognize it as gendered base violence and oppression. She internalises the violence and silently suffers from mental trauma, domestic violence, and

gender-based discrimination from a very young age. The chapter, therefore, analyses these circumstances and vulnerabilities faced in her natal home as a pushes factors of trafficking.

To study the vulnerabilities, the chapter uses content analysis method and breaks the vulnerability into separate component to examine its effect on the life of the sex trafficking survivor. Drawing from the interviews of the respondents, examples, experiences and local realities are illustrated in the chapter.

Family History

A close observation of the traffic girls' life through their interviews and case history from the NGOs suggest that the young girls and women had faced a disturbing and struggling life in their growing years. Broken family structure, single parents, widow mother, ill- father, both parents' deaths, poor economic conditions of the family, separation from a partner, abandonment by husband, single earning member, migration etc., were some of the conditions which had exposed the girls as soft targets for the traffickers. For example- Rashmi a 15-year-old girl was forced into sex work because of her family's poor economic conditions. The poor economic condition, combined with other problematic factors of her life such as- having an abusive step-mother, a large number of girl children in the family and her father being ill most of the time created complexities for her. Her family sustained their life on the income earn by her step-mother by cooking meals in the nearby government school. This income was however not sufficient for the whole family to sustain their lives. Rashmi, being the eldest and a step-child had to bear the brunt of their economic crisis in the form of constant abuse and beating from her step-mother. The

domestic violence and abuse faced by Rashmi forced her to run away from home. Rashmi describing her early years of childhood states-

“One particular afternoon, after doing the chores of the house, I went to my neighbour house to watch T.V. On returning from work, when my step-mother found that the utensils were left unclean, she came after me. Without uttering a word, she pulled me by my hair and began to bash me with the broom. Cursing me she left the house, I got ashamed in front of everyone. That day I promised myself that on getting a chance, I would run away from home. One day my friend’s aunty came to our village and I ask her to take me with her and escaping from my step-mother’s hand.” (Personal interview, Rashmi, 20/12/16).

A family’s history of migration in search of livelihood under a transitioning economy has been cited as one of the prime reason for the trafficking of women and girls. even though Indu was not a direct migrant to the region, but her father's status as a migrant was somewhere responsible for Indu to migrant outside the region in search of work. Indu stated that her father first migrated to Assam from Bihar in the late 1980s as unskilled labour. He worked as a worker in the ply board factor in upper Assam for about ten years. Because the factory was shut down and her father lost his job, he had to shift to Guwahati in search of other work for livelihood. Her father was a Bihari migrant who settled in Kokrajhar Assam as a truck driver. It was after he married Indu’s mother, a Bodo woman that he decided to stay back in Assam. The couple took a two-room Kacha house on rent and finally settled in Kokrajhar. The family continued to stay in a rented home for a long time. According to Indu, their problem started when her father suffered from a stroke and became partially paralysed. Her mother has started to work as a domestic helper after her father's deteriorating health condition. As her mother now had to live away from family, Indu began taking care of her father and younger siblings. She mentions how working in

Kokrajhar town as a sales woman in a shop became difficult for her because of her father's migrant status. People would still consider her an outsider to the region even though she is a half Bodo woman from her mother's side. Indu stated that some of the customers that came to shop were outright rude and discriminatory. Indu mentions that it was during this time she met a Bihari boy, Arjun, who came to Kokrajhar on an official tour for some days. They exchanged numbers and began talking over the phone as he often visited her shop. Their friendly talks soon changed into a romantic relationship. He promised to help her and her family by finding her a better job so that she could take care of her family and they could marry quickly. According to Indu, the boy helped her make a curriculum vitae and started sending it to different places. One day he informed Indu about a vacancy in Siliguri town for a female sales representative, and he convinced her that it was a lucrative offer that should not be missed. Indu stated that she was not sure of taking the offer and going to another state for work because of her ailing father and younger siblings. However on her mother approval and her boyfriend's persistent she took the job, which later turns out to be a job in a "beya jagah" dirty place (brothel). (Personal interview, Indu, 2/12/16).

Sonia, a 12-year-old minor Adivasi girl, had fallen into the trafficking web because of the family's dispute over land ownership and her step-mother crooked plan of sending her into another city as a domestic helper. Sonia's biological mother died while giving her birth and soon after her father had re-married. Sonia was taken into care by her ailing grandmother. Both of them stayed in a small hut made on the small plot of land that originally belonged to Sonia's paternal grandfather. Her father was an agricultural labourer. He used to work on other people's land and earn a living. However, because of his alcoholic and quarrelsome nature, he was disliked by their relatives and neighbour. It was a routine affair for him to come home drunk and created ruckus in the family. He

fought with Sonia's grandmother and his younger brother over land ownership. Sonia's father demanded that the land be divided and his share be transferred into his name.

One ill-fated night, when the argument between her grandmother and father turned grievous, her father under the influence of alcohol hurled abuses and pushed his mother. According to Sonia on that deadly night, her grandmother became unconscious and later on died in the hospital. Her father out of fear of being arrested by police went absconding. After this incident, she was left homeless as her step-mother was not ready to take her responsibility. Therefore, thinking her to be an economic burden for the family, her step-mother took some money from a neighbour living in the city and sent her with him as a domestic helper. To quote Sonia-

"My step-mother sold me for some money and never looked after me from that day. After the death of my grandmother, I had no other place to go, so I went with the stranger crying and my stepmother was happy to shrug off my responsibility. I don't know what has happened to my family after that day. The house I was sent to, had bad owner, a bad man, who on various accounts touched me with wrong intentions. It took time for me to understand his bad touch, later when I understood, ran away from there." (Personal interview, Sonia, 2/8/17).

In another case, Rumi's life story highlights the predicament of a broken family structure where a girl is more prone to sexual harassment at the hands of her family member than an outsider. Rumi's was ten years old when her father died of overconsumption of alcohol. She was the eldest daughter and was responsible for her sibling's wellbeing. Her mother was a daily wage earner and worked in the construction site. She remarried one of her co-workers and her stepfather came to stay with them. By the time Rumi hit her puberty at twelve years, her stepfather had started molesting her. Her

mother was unaware of Rumi being physically harassed and molested by her stepfather. As her mother got engrossed in her new family, children from her earlier marriage started feeling neglected. With each passing day, Rumi was unable to bear the torture and sexual harassment at the hand of her stepfather. One day without thinking of any consequences, Rumi ran away from her house to protect herself. Rumi recalls the day when she took a bus randomly, travelled without a ticket and landed herself into a traffickers hand. The trafficker from Siliguri bus stop took her to Khalpara brothel and sold her into prostitution. (Personal interview, Rumi, 29/8/17).

Landlessness, Low Income, and Remoteness of the Region

The woman and girls who become the prime targets of the trafficking network come from an economically backward family and region. The large percentage of victims belong to families where either of the parents worked as a seasonal labourer, agricultural labourers, daily wage earners, tea garden labourers and domestic helpers. Some of the family members and relatives of the victim had worked as migrant workers and following them the victim too had taken up as migrant workers in construction sites, as security guards, in cement factories, soap factories, brick kiln etc., the before getting trafficked.

As the family did not have a consistent source of income for survival, the parents allowed the teenage sons and daughters to migrate to another city looking for work. It was during one such event of collective inter-state migration that Rajni fell into wrong hands of the trafficker. According to Rajni-

“I had no information of where we (the group of seven girls) were going, only things that we knew was that we were taken to work in a factory outside our village. The recruiter told us that we would earn Rs.5000 per month and would be given food and

shelter. Hearing about this offer I agreed to go with the recruiter.”(Personal interview, Rajni, 20/8/17).

Lack of property, both moveable and immovable was another factor which leads to the families affected with trafficking become easy targets of traffickers. The family of the victim in the first hand do not hold any major landholdings for sustainability. Whatever small plot of land they had was either not fit for cultivation or was mortgaged because of large debt taken during a family crisis natural calamities such as flood, earthquakes, drought adds to their problem. Adding to their problem of landlessness and low-income generation is the problem of the region's remoteness. According to Ela- *"My house was far away from the main Kokrajhar town, I had to travel 10 kilometres every day to reach my school. As I had no medium of transportation, I walked halfway and then take a public vehicle to the school.”* (Personal interview, Ela, 27/11/16)

In another interview, it was observed that the small plot of land is divided among the brother which brings the percentage of share to minuscule. The plot of land then becomes useful only for living purpose. As the brothers and their family live together, the conflict of interest is a daily occurrence. The nature of work which needs extreme physical labour in day time forces the parents to consume low quality alcohol (majorly rice beer) during night time, which again leads to quarrel in the family, and also health hazards. With lack of income and low wages, the children of the family have sleepless night out of hunger. Narrating one similar incidence of foodless night where Sukmini along with her siblings slept empty stomach states-

“My father used to spend all the money that he earns in the day time on his alcohol. My mother used to fight with him when he came with an empty pocket. Both used to hit each other and in between all these my siblings and I used to have leftover foods of

the day and sleep. There were times when we have slept empty stomach.” (Personal interview, Sukmini, 5/4/17).

Other than the problem of no land holdings, low income, the trafficked survivor also had a history of residing in village area which falls under forest land with no proper constructed road, transportation, electricity, communication and sanitation facilities. They address the call of nature, and bathing in open space which puts the women into further susceptible position in term of hygiene, gender-related violence, breaching of her privacy etc., but all this have become a normalized and naturalized activity in the village life of a woman, irrespective of any community. Their livelihood depends upon marginalized farming of ginger production, piggery, weaving clothes etc., done in the small landholdings acquired by the family from clearing the forest land. However, selling of the cultivated products in the market at a profitable price was not available for them because of the transportation problem. They have to sell their product at very low price which hardly reaps them any profit of their labour. Working as domestic helpers, which earn some money for living in bordering town of Bhutan was also risky because of the on-foot travel and crossing of forest passage. According to Anu though the village women take these risk for survival, the low income they earn at the end of the day by selling the products breaks their heart and demoralizes them, however they continue with the struggle. She states-

“Life in a border village is always difficult, we have no land of our own as we live in forest encroached villages. The fear of government forcing us to vacate these space is always there. There are other problems which double our fear- fear of being killed by jungle man (militants), wild animals, nature etc., but we take the risk of living here as a community after the conflict (Referring to Bodo-Adivasi conflict of 2014).(Personal interview, Anu, 18/11/16).

Reiterating Anu claims, Anjali also has stated about the hardship of life in a forest encroach village was difficult. Anjali states-

“There is no fixed income for us, as the village is under developed and is remotely located. Few of the women from the village collectively go to the bordering towns in Bhutan as a daily wage labourer, we work in the Bhutanese homes as maids doing all the cleaning work. Some of us also work as constructing site labour on different days. On doing all day work we get around Rupees 150 as wages. However, it is not possible for us as women to go to the border town every day and earn a living. Therefore, there is no constant flow of a fixed income for us.” (Personal interview, Anjali, 18/11/16)

Another woman, whose daughter had gone for work in West-Bengal States-,

“Our young children following our footsteps have started to work as a daily wage labourer. Some of the young boys and girls have started going out of the village in search of work. Some of them have returned after a few years, but not all who have left the village have come back. My daughter along with few of the girls from the village have gone to work in Delhi a few years back, maybe 2015(she does not remember the exact year as it has been quite some time). She has not returned. We do not have any information about her. Some of the girls have returned with the help of the NGO people, those girls say that our daughter was separated from their group on arrival in Delhi the next day itself. ” (Personal interview, Pushpa, 18/11/16).

On hearing the lived experiences of the women, it was found that the problem of unemployment in the region with underdevelopment, lack of infrastructure force the young population of the village to migrate to other cities in search of livelihood. The local middleman act as a trafficker in some of the cases by taking advantage of the situation. They would take away young boys and girls from the village in groups. Once they take a

group from the village, the local trafficker would go hiding from months from the village people.

According to Vishnu, a member of the village panchayat, the local traffickers have a track record of taking young girls and boys from the village. The villagers do have an idea of his shady business but until an incidence do not occur, and the villagers have proof against him, they hesitate to catch him. Most of the time, he immediately go absconding from the village. The village community till date has taken action by boycotting the trafficker's family. However, Vishnu also quickly mentions that the young generation falls into his trap seeing his lifestyle, money and damn care attitude towards society. It is the money that works in favour of the trafficker according to Vishnu.

Lack of Education

In a poor household, education was given less preference for many reasons such as- lack of daily earning, a distance of the school, a large number of children etc. When these factor gets intertwined, the female child and more specifically an eldest female child are sure to become a school dropout. Such was the case of Sumi. Sumi's father was a marginal agricultural labourer and her mother used to help her husband in the field for sustaining their livelihood. They had six children, 4 girls and two boys. Sumi being the eldest was burdened with all the household responsibilities and this led her to become a school dropout. Sumi describes how her parents understanding and conditioning of daily life had deprived her of her right to education, stating about her situation of becoming a school dropout, Sumi says-

"My parent's believed that being a girl, education is of no use to me. One day I have to get married, therefore I should know all household chores and try to be a good

woman and a good wife to my husband, his family. I should take care of my siblings in their absence and start moulding me into a homely structure." (Personal interview, Sumi, 19/11/16).

In another case, Neha, a 16 and half-year-old recalling her past, blames her step-father for all her misery of life. She pictures him as a monster who ruined her life. Neha was brought to the shelter home by a social worker who found her roaming alone in the streets of West-Bengal Assam border. Presently Neha is preparing to appear for her class ten finals and recalling her past she states- *"I was good at studies but had to run out my home because of my step-father (not speaking much about her step-father she continues), I had to leave my home, my school and run away from home, else now I would have been in class twelve."* (Personal interview, Neha, 18/12/16)

While Neha was a victim of domestic violence at home which forced her to drop out of school, Bini had to leave her education because of the household chores and her declining interest in studies. She stated that in a large family, the daughters have to do all household chores, initially, she began with missing the classes twice a week. After days of absence, when she went to school, the teachers would scold her for being absent. She too faced difficulty in catching up with the class because of her absence. The teacher used to punish her for not knowing the answers. This continued for a while, finally, she decided on her own to discontinue her education. Describing the decision of becoming a school dropout Bini states-

"My parents were teagarden labourers, so as a daughter of the house I had to look after the house when they went for work. Because I used to go to school after long breaks, the teacher used to scold me in front of everyone. Out of anger and shame, I would come and shout at my parents. They in return would reply- it's only your hands which would

feed you not your education. You will not become a memsahab by going to school. It is only your hands, the speed at which you can finish the work that will get you job and money, not your books. Listening to them, I too felt not going to school was a better option" (Personal interview, Bini, 17/8/17)

Domestic Violence, Child Abuse and Home

Domestic violence as a common form of unstructured violence and abused was reported from the field which forced the traffic victims to run away from their homes and in the process got them traffic. The perpetrator of domestic violence in the case of trafficked victims were their step-parents and alcoholic parents. A general understanding of domestic violence is thought to be violence between spouses, however, domestic violence also includes violence that is committed upon the children and old parents at home (Karlekar, 1998). Domestic violence faced by children and young adults not only involves physical atrocities and aggression at home but also involved discrimination, mental torture, estrangement, rape, molestation and refusal to give sufficient food for survival. Children under such conditions also suffer from an acute form of child abuse. The child abusers are also mostly within the family. Sexual aggression, beating, long hours of physical labour, forceful disenrollment from schools etc., lead to psychological, emotional and physical pain on the child mind having a long-lasting negative impact. Under such an environment, children start hating their parents, start becoming obstinate and some even run away from home (ibid, 1744). The case history of trafficked victims highlight in this section speaks in volume about the paramount of violence a trafficked victim had undergone at the hands of their family members and relatives before being traffic.

Seema, an 11 years old minor girl, was first molested and then raped by her step-father at the age of 9 years. Her step-father worked in a soap-making factory as a daily wage labourer. Her mother, a widow, too was working in the same factory, when she met her present husband. After 3 months of courtship, Seema's mother decided to marry Rashid, her present husband. After marrying Rashid, she shifted to his house with her four children. Rashid taking advantage of Seema's mother vulnerability and pretending to take the responsibilities of the family started to show love and care towards the children. They became close to all four children by bringing them food and sweets often at home. Rashid though already had a wife and children, started to live separately with Seema's family, thereby taking up all fatherly duties. It was after a few months that Rashid started to make wrong advances towards Seema. Seema recalling her lived experiences with a moist eye states-

"Gradually with days passing by my father became close to all four of us. Being the eldest daughter he would call me and give the eatable in my hand. As an evening ritual, he would come home and ask me to make tea for him. I would make him tea and he would pull me by his side and compliment me as his good daughter. Things started to change when he started to come home late night in a drunken state, pull me harshly and ask me food. I would comply with his orders as he used to get violent when I acted as falling asleep. It was during once such day when the mishap happened with me, and my mother though had an idea about it but could not take any action. This continued for a long time before I run away from home." (Personal interview, Seema, 10/12/16).

Rima was a victim of substantive abuse at the hand of her parents because of their family's economic crisis. As the family had a larger number of girl children, Rima being the second eldest among the girls became the co-bearer of economic responsibility of the house with her father. The eldest daughter being a physical challenge, the mother had to be

with her all day and night to take care of her needs. Other daughters of the house were too small to take any responsibility. Therefore, it came upon Rima to shoulder her father's responsibility and replace her mother as a workforce in the paddy field. Though the family had agricultural land because of loan taken from the local merchant, they had to sell that plot of land to repay the money. Now, both father and daughter had started working in the paddy field. While working in the paddy field, the father used to get furious over Rima on petty things. Even if was not her fault, she was subjected to beating, screaming and shouting. Describing the situation Rima states-

"My father used to curse all my sisters and me on every opportunity he got. He complained that had we been the sons of the house, we would have brought him good fortune. While working in the field, he used to get angry, through stuff and shout. It became a routine for us to bear his mood swings. It one because of his anger, our economic conditions and my mother constant tears and complain I decided to go out of home and work in a city." (Personal interview, Rima, 10/12/16).

Child Marriage

Axial coding of the field data reflected that a trafficked victim who got married at a minor age were most vulnerable to trafficking in persons via deception and force. Child marriage of the victims occurred both willingly and under parental pressure. Observation of the field data inferred that young minor girl when entered into a romantic relationship soon got themselves committed to the boy in the form of marriage. They eloped with the boy against their parents wish and get married to him. After marriage, they believe that their life would take a beautiful turn and thereby leave their homes with their new husbands. However, the harsh realities of life hit them when they find themselves sold into

prostitution. Interviews and case studies reflected that child marriage not only happened because of an elopement but also under social and family pressure. There were eight cases of child marriage, all the girls were in their early and middle teen years when they got married. The reasons behind child marriage were the family's pressure of getting their daughters married without giving any dowry or having to spend on their weddings. Society's unequal treatment towards daughter was highlighted with small girls getting married. Marriage in a small age results in several health complications, however, due to economic crisis, parents saw it as a viable option to lessen their children number, thereby lessening the mouth to be feed with a meagre source of living. It was used a weapon by the families which had great numbers of daughters. Also, fearing about family's honour, parents wanted to give away their daughters in marriage as soon as possible, so their daughters do not run away with a boy, bringing shame to the family and its honour.

Forced Marriage

Sumana was 14 years old when she got married to a person double her age by deception. Both of her parents died of tuberculosis when she was 13 years old and her elder sister and relatives had disowned her because of her love affair with a Muslim boy. Estrangement with her sister led her to a situation where she was deceived by a neighbourhood aunty into marriage with a man double her age, thereby pushing her towards misery and suffering. Sumana's heart-wrenchingly story narrates her ordeal of deception and vulnerability as a 'single girl/woman' living all by herself in a patriarchal society. She mentions how being a single woman with property in her name had exposed her as a soft target to a trafficking network. According to Sumana- A woman or a girl who

is not under the protection of a patriarch, a man, in a society is always vulnerable to unseen danger. In Sumana words-

“I was forced by the village elder to get married. They constantly nagged me. The village aunties’ would come and brainwash me for getting married. On continuous nagging of village elders, I gave up and without thinking much I agreed to get married to a Bihari migrant under societal and village people’s pressure.” (Personal interview, Sumana, 27/3/18).

In Sumana’s case, marriage as a social sanction tool is used to control a woman liberty, mobility, sexuality, freedom and owning private property. In Sumana’s words, because of her young age and separation from family, the man showed interest in marrying her. He eyed her property after marriage. Taking advantage of social norms and legal sanctions, her husband laid his claim over her property. He used his social status as 'husband' to physically and sexually abuse her. He used physical force, coercion, deception to sell her property by transferring it into his name. Later on, after selling the property, she was deceitfully taken to Bihar, where he made her do sexual labour against her will.

Sumana narrates her story of deception and cheating in a casual manner. The researcher could witness the dismal in her voice. The minor without showing any sign of emotiveness narrates her story with a long pause in between. Explaining the vulnerability, the social pressure of being a single woman, substantive abuse and violence she underwent had a deep psychological impact on her life. She seems lost in her world over thinking the whole day. It reflected an early loss of childhood in Sumana’s case, as a minor, she had to undergo from social pressure and vulnerabilities because of being an orphan.

Another case of forced marriage was of Renu. Renu was a young 17-year-old girl when she was abducted from her neighbour's house and forcefully married by her

trafficker, a known person from her village. She was sexually exploited by her so call husband along with his friends to earn money by forcing her into prostitution. According to Renu-

“In a semi-conscious and tipsy state, I woke up to find myself as a different person. I was wearing vermillion, saree and bangles and travelling in a train with this man. I was shocked to see my transformation, I failed to recall when and how I got married. It was a shocker to me. Later I came to know that they had mixed sleeping pills in my food.”
(Personal interview, Renu, 20/10/16).

Alcoholism

Alcoholic father and mother, husband in the family resulted in the trafficking of young women and children when they tried to escape the situation. The father/husband who is a marginal worker in a field spends his all-day earning on alcohol and come home in a drunken state. The children are left starving. Likewise, the mother/wife also in the anguish of the husband, fights and get drunk. Under such circumstances, the eldest son or the daughter has to bear the responsibility of the family and look after oneself and younger siblings. Such was the story of Sukmi, an Adivasi 14year old girl, who was trafficked by her distant cousin brother on the pretext of providing employment, showing her the dream of becoming financially independent and being able to look after her small brothers, sister and her old grandmother. Sukmi with teary eyes and shattered voice recalls her story and narrates it-

"Sister, it was a day when my distant brother came to my house and started showing sympathy towards us for the last night fight between our parents. I was cleaning our courtyard, he came and sat near my grandmother. My younger brother and sisters

were playing in the ground, half-naked and crying at times for food. I have two younger brother age 1 and half years and 3 years and sisters aged 4 years. My parents have gone to the field for work when he had come. He gave biscuit packet to my siblings and started to converse with my grandmother about my parents, my siblings and me. He then gave me an offer to work in Siliguri town as domestic helper stating that if I remain here, then I and my younger siblings would die of hunger, as our parents would not leave their drinking habit and we all will starve to death. His words made sense to my grandmother and me because my parents were not a concern at all about us, my grandmother was getting old. Therefore, thinking of taking care of my siblings and my grandmother, I accepted his offer." (Personal interview, Sukmi, 8/10/16).

Studying Sukmi circumstances which made her vulnerable to trafficking, it can be rightly said that the trafficker keeps a close eye on the potential target and present the scene of their vulnerability and poverty before them as they see and understand it. They target the weak point of the family and the girl, and appear as messiah before them, having a solution to their problem and poverty. Under extreme conditions of poverty, family disputes, and a large number of non-earning emotionally and physically dependent members of the family, the eldest daughter (in this case) shoulders the responsibility of the family by taking the risk of migrating to an unknown city among unknown people.

Conflict between Communities

In Kokrajhar and other nearby districts such as Chirang, Udalguri, Baksha, Dhubri etc., have to witness several ethnic conflicts between Bodo, Adivasi and Muslim community. These areas are inhabited by people of different tribes, economic status and ethnicity. The families have been internally displaced during conflict time and therefore

been exposed to the problem of human trafficking. Children, young girls and women from relief camps of Baksha, Kokrajhar, Dhubri have gone missing when hit with ethnic conflict and flood situations. The missing cases of young women and children turn out to be trafficking cases later on according to the definition of UN protocol. Areas hit with a flood, ethnic conflict and close down of tea gardens areas are mostly targeted by the traffickers. According to Banerjee and Basu Ray Chaudhury, often displaced women find themselves in ghettos or camps. These camps are epicentres of insecurity. The living conditions of the camp are deplorable with numerous health risking diseases. A fall out of this is an increase in the trafficking of women and children across the border (Banerjee & Basu Ray Chaudhury, 2011, pp 32). Latest ethnic conflict that broke out between the Bodo and Muslim communities of the region saw the huge internal displacement of families of both the communities. One such story is of Rubina, a 9-year-old Muslim girl, internal displaced and trafficked for child labour, sexually exploited during the process of trafficking and molested and raped by the owner during her stay as domestic help in Delhi.

Rubina stating in her broken Bengali- Assamese mix language states –

“I don’t know who killed my brother, why and what for, my mother just mentioned that they killed him. I don’t know who they were, our house was burnt, and we fled from there.”(Personal interview, Rubina, 8/4/16).

Analysing Rubina’s condition of vulnerability and conditions under which she was trafficked, it appeared that children who get separated from family and are internally displaced become the softest target of the traffickers. Under the condition of separation from family and parents, minor children become an easy target. No permission or extra effort is needed to convince the parents or relatives/acquaintances to lure the child. In most cases, the relatives who pursue the child as extra burden wishes to shrug off the

responsibility of a child in a time of distress. Rubina lost her mother in the conflict. The disappearance of a mother and father figure from her life put her into a vulnerable situation where she was left with an aunt. When a man offered her aunt some money in exchange for her, the aunt readily agreed without much of an enquiry or apprehension about Rubina's future.

As the population of the region mostly consists of Bodo and Adivasi communities and they fall under ST and OBC category. The interesting point which came to light while visiting the field, meeting with the survivors, and is accompanied by different members of the organization, the researcher has noticed a tussle of power and disapproval among the members of both the communities. The Bodos, fall under the Schedule tribe (ST) category and while the Adivasi and Santhals of Kokrajhar fall under other backward castes (OBC) category. However, the interesting point to note in case of Bodos and Adivasi community is that - though the Adivasi are placed in the upper social order in compare to Bodos because of their OBC status, yet the reality highlights a different scene. The Bodo community in BTC controls all the administrative activities and offices, Bodoland territorial assembly, an autonomous council is located in Kokrajhar, and Bodo irrespective of their schedule tribe status occupy major offices, they are educationally, economically and socially well-off than the Adivasi community of the regions. The Bodo have major landholdings and are educated lot who controls the social, political and economic affairs of the region because of their cultural and population domination. Another aspect of the Bodo community is their conversion to Christianity, a large section of the population have accepted conversion. The Adivasi and Muslim population are the most looked down upon people in the region by all other communities because of their race, colour of skin, occupation and living conditions. These neglect in social position also pushes the children

of marginalized communities to the periphery. Therefore when exposed to vulnerability, they become prey to traffickers because of their living conditions.

Conclusion

Each narrative in its individuality has highlighted the pain and trauma a trafficking survivor had faced before being trafficked. The amount of violence she faced at the hands of society and family members was very gross. The pain, stress and trauma experienced in the early life had exposed them towards the trafficking net. With no meaningful means of living, regular violence and atrocities, and societal pressure, many survivors take a route of escape by running away from homes and in the process fall prey to traffickers. These narratives have unfolded the real-life situation of a girl child, their struggles in obtaining an education, barriers access to public transportation, enjoy fundamental rights. The society and community's perception about a single girl force minor girl like Sumana to marry a man twice her age thus curbing her of childhood and its innocence.

Thus, these innate form of female violence is inextricably rooted in the hierarchical structure of a society. In the cases of a trafficking victim, their parents, relatives, husband act as these structures of hierarchy. In a pre-traffic life, the victim is forced to perform certain actions prescribed under gender and social norms. The patriarchal hierarchy, supremacy when merged with deplorable living conditions results in gender-based violence enforced through coercive and abusive means. Thereby pushing the girl/woman towards getting closer to a traffickers net.

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Personal Interview

Anjali, Kokrajhar district, Assam, 18/11/16.

Anu, Kokrajhar district, Assam, 18/11/16.

Bini, Darjeeling district, West-Bengal, 17/8/17.

Ela, Kokrajhar district, Assam, 27/11/16.

Indu, Kokrajhar district, Assam, 2/12/16.

Neha, Kokrajhar district, Assam, 18/12/16.

Pushpa, Kokrajhar district, Assam, 18/11/16.

Rashmi, Kokrajhar district, Assam, 10/12/16.

Rajni, Jalpaiguri district, West-Bengal, 20/8/17.

Renu, Kokrajhar district, Assam, 20/10/16).

Rima, Kokrajhar district, Assam, 10/12/16.

Rubina, Kokrajhar district, Assam, 8/4/16.

Rumi, Jalpaiguri district, West-Bengal, 29/8/17.

Seema, Kokrajhar district, Assam, 10/12/16.

Sonia, Jalpaiguri district, West-Bengal, 2/8/17.

Sukmini, Kokrajhar district, Assam, 5/4/17.

Sukmi, Kokrajhar district, Assam, 8/10/16

Sumi, Kokrajhar district, Assam, 19/11/16.

Sumana, Kokrajahr district, Assam, 27/3/18.

Chapter V

Sex Trafficking: Rescue, Rehabilitation, and After-Life of a Trafficked Survivor

This chapter looks into the after-life of the women and girls when being trafficked and put into prostitution, domestic labour, and spa parlours by means of deceit and coercion for commercial sexual exploitation. Focusing on the lived experiences of a trafficked person, the chapter underlines their experiences both as a victim and a survivor of trafficking. The first part of the chapter documents their experiences as traffic victims where they were kept in confinement by the traffickers. As mentioned by the respondents and drawing from their interviews, the chapter highlights the position of a victim as *koidi* (a prisoner of the brothel owner), who had experienced different forms of sexual and physical violence, exploitation, and human rights violation during their stay in the brothel.

The second part of the chapter elaborates upon the post-rescue experiences and living condition of a sex trafficking survivor after she is rehabilitated. As the chapter documents the two phases of life of a trafficking victim, it tries to show how a trafficking victim after rescue and rehabilitation becomes a "survivor", connoting towards a positive change. However, this positive connotation leaves her in a state of limbo where she still suffers from trauma and stress at multiple levels after the return. The chapter on these lines brings out her voices in the form of her concerns, fear, and anxiety as a woman and more importantly as a survivor of sex trafficking rehabilitated back into the community life.

Reflecting upon the existing predicaments faced by a trafficked woman both during the trafficking stage and post-rescue period, the researcher in this chapter argues that- because of the survivor's stigmatized past, her tabooed occupation, and the community people knowing her past life, she is doubly victimized within her own

community. The survivor is penalised, ostracized and outcast by her own community members, thereby, violating her community as well as her human rights.

Nair and Sen (2005) state that under a human rights paradigm, gender mainstreaming can be understood as an opportunity for equal enjoyment of human rights by both women and men as stated within the framework of international human right treaties. Hence, when this human right paradigm is used to study the life of a trafficked woman, it is found that- the existing social norms, social hierarchy, social and cultural differences etc., prohibit a marginalized person, especially, a woman and children from enjoying their rights. The chapter, therefore, building its argument on a human right paradigm, and using the term 'subaltern' in context of trafficked person from Spivak's (1988) essay "Can the subaltern speak?", attempts to analyse the social conditions under which a trafficking victim lives, both during trafficking and post-rescue trafficked period.

While documenting and examining the living conditions of a trafficked survivor, the researcher also attempts to record the 'inevitable silence' that surrounds a survivor's life. The silence maintained by a trafficked survivor though seems like a choice during the initial stage of a data collection but an in-depth and informal conversation during an interview with the respondents brings out a different picture. The silence maintained by a respondent at different moments of an interview can be analysed as a method of communication. Their silence signalled towards the socially and culturally constructed walls of subordination within which they have to confine themselves because of their gender, class, traumatic and tabooed past. They, on various accounts, use their silence as a tool to convey their discomfort, apprehension, fear, anxiety, rejection and pain. It was observed that through this method of maintaining complete silence over certain questions about society and their surroundings, they establish non-verbal communication. This non-verbal communication signalled towards the adjustment made by them to fit into the

community norms and establish a sense of belongingness. The chapter, therefore, tries to theorise this silence and non-verbal communication made during interviews through her body language to understand the ordeal faced by the trafficked survivor both as a victim and a survivor of sex trafficking.

While reading the silence of the survivors, the chapter does not aim to analyse their lives from a hierarchical position but to understand it from their standpoint by taking a bottom-up approach. Like the previous chapter, the present chapter adopts the theory of intersectionality. By intertwining the intersecting factors of class, gender, region, poverty, family history, past life history etc., the chapter critically analyses the situation that governs the present life of a trafficking survivor. This analysis is made on the basis of the field data. The field data suggest that after rescue and rehabilitation, very little focus was laid by the concerned agency (in this case the NGOs) to bridge the gap between the trafficked survivor and her community people. Fewer activities were carried out for her social acceptance and resettlement within of community. Though awareness and prevention programmes were organized by the local NGOs to inform the villagers about the existence of trafficking networks in their area, very little efforts were undertaken to sensitise the community people about the survivors homing post-rescue. Hence the effectiveness of such awareness programs was limited. It, on many occasions, failed to change the mind-set of community members towards the trafficked survivor when she got married, re-married or returned to her home post-rescue.

Also, it was noted during the field study that adoptions and implementation of means and measures for rehabilitation, social acceptance of survivors into her community and village was not a major agenda of the NGOs. They mainly focused on prevention of trafficking cases and rescue of victims. On most occasions, after the rescue, the NGOs preferred to keep the rescued survivors in the shelter homes run by them. It was only on

survivors continuous persistent, the NGOs approached the parents. But it was only on the parent's willingness and acceptance of the survivor, the girls and women were rehabilitated back into the village life.

Follow-up of the survivor's well-being at their family home was hardly done by the concerned NGOs. Once repatriated, she was left to communicate and survive of her own in the family and community. The pressure and task of building a space for oneself within the community were completely left onto her. It was on these pretexts, the interviewed survivors stated that-as a coping mechanism they began to abide by their community rules. They would restrict their own mobility within the public space of the community and preferred living a low profile life. Henceforth, the lived experiences of the survivor in forms of her statements, words, expressions, body languages etc., build strong propositions. These propositions are put forth in this chapter in forms of interview extracts.

While the propositions made by the respondent are based on their lived experiences, the researcher has used Spivak's (1988) argument of othering and epistemic violence to read the life stories of traffic survivors. In making this reading of a traffic survivor's life, a descriptive approach is taken to document her experiences. By travelling with the survivor in the journey of her past traumatic and abusive life, the researcher was careful in recording and not impersonating the survivor's life. As an individual and as a researcher, cautions were taken to give a patient hearing to the unsaid words of survivors. These strong expressions on many occasions stopped in-between, with each passing memory, tears rolled down her cheeks. However, she was quick to control her emotions and recollected her strength and moved on with the interview and with her life.

The traffic survivor as an individual has undergone different emotions at various phases of her life. She has seen hardships, failure, and witnessed success at different times of her life. Therefore, drawing from Bhutalia's book "The other side of Silence: Voices from the partition India" (1998), the interview extracts are based on the memory, trauma and different emotions of the trafficking survivor and her reluctance to share her story in a prescribed setting of society. While the narratives and their voices remain the same, the names have been changed to maintain the anonymity of their identity.

Drugged, Abused and Pain: Trafficker's First Step of Trafficking

The business of trafficking in persons runs with the trafficker setting his target on a particular potential victim. He/she tries to establish a relationship with the girl/ woman and her family members, with an objective of gaining their trust faster. The trafficker in most occasions turns into the girl's boyfriend, husband, caring neighbour, and a well-wisher. Once the girl starts believing him/her and bestows her trust in the relation, the trafficker begins to unfold his/her motives. During this in-between time of relationship building, blooming pictures of a bright future are painted before the victim. Plan and programmes of travel are made across the state borders for seeing new places, exploring new worlds and living a life of prosperity. Once the girl and her family members start believing the claims made by the trafficker, they fall into the trafficking net. Planning for trafficking of the target begins from therein. Lucrative and alluring plans for travel are made. The girl is psychologically influenced to willingly consent to travel with the trafficker outside her home state. As the journey begins and proceeds with the chosen route of travel, she begins to encounter abuse and violence in the hand of the trafficker. In the process of travel, she

lands in the hands of different middlemen, who later pushes her into exploitative labour conditions, most often than not into sexual slavery of the brothel owner.

The field data suggested that there are many cases of trafficking where even though the method of trust-building is used by the traffickers to initiate the process of trafficking, but they fail to consensually take the girl with them outside the state. Under such circumstances, the girl is then abducted, forced, and kidnapped by the trafficker. It has come to light from the field data that out of revenge, anger and animosity, young minor girls, below the age of 18 years were abducted from their homes by a known person, acting as a trafficker, thereby pushing them into prostitution to seek revenge. One such story of revenge was of Ela, a 15-year-old girl. She was studying in class IX when she was trafficked by her own classmate. She stated it to be an act of revenge when she refused a romantic proposal of a boy from her class. The boy out of animosity planned her kidnapping by drugging her. He was helped by some of the miscreant boys of the village whom she knew from before.

According to a respondent, an NGO staff, when a girl is trafficked, she starts to face a different kind of abuse from the day she is deceived, lured and abducted by the trafficker. During the first few meetings and interactions, the victims are trapped by making her believe that the trafficker is genuinely interested in her and is willing to marry her. Once the girl accepts the proposal, abuse, pain, violence and devious intention of the trafficker unfolds. The abuse starts in the form of emotional blackmail. He depicts himself as a true lover, who is madly in love with her. First, the trafficker makes the victim emotionally vulnerable by mistreating her. He makes demands for sexual proximity and on a refusal by the girl, he starts hauling abuses and mental torture. Second, when apprehension of the girl overshadows his plan of travel, he begins his mind game by emotionally blackmailing her. Such emotional blackmailing and controlling continues

throughout the travel. The travelling program is undertaken to take the girl out of the state by fooling her into a love affair, which continues even after she reaches the destination.

After the girl/woman is trapped into an illicit affair, she is then abducted and later forced into marriage. The girl gets emotionally attached to the trafficker and surrenders to his demand for physical intimacy. The intimate relationship paves the way to trafficking through blackmail and threat to 'honour' of self and family. According to a staff of Dooars Expressmail, an NGO working on the issue of sex trafficking, and Meenu, a survivor, conforms the nature of violence faced by trafficked girls are multifaceted.

According to Dooars Expressmail-

"A girl or a woman may not know that she is being trafficked or is being abused in any form until a form of structural violence having a deep impact on her life hits her. The blind trust, love and aspiration of having a good life with her lover, controls and regulates her mind. It's only after the process of blackmailing starts, she recognizes the trapped she has fallen into". (Personal interview, Dooars Expressmail, 10/9/17).

Meenu narrates her the initiation of mental violence which she failed to recognize before getting trafficked-

"At the beginning of our love affair, he used to hold my hand and kiss me. I used to like it but at the same time, I felt shy. I used to shrug away my hand from his. Later, as days passed in the relation, he demanded to be intimate with me. Whenever I refused, he got angry. Whenever he used to get angry, I surrender and we got intimate. I did not like it but to make him happy, I did it for him." (Personal interview, Meenu, 28/9/17).

The girls, without even realizing, expose themselves into dangerous situations where they were mentally harassed and blackmailed by the trafficker emotionally in a relationship. Thinking it to be a form of expressing his love, they succumb themselves

before the traffickers demand. Like any other heterosexual patriarchal relationship, the consent of the girl for building an intimate relationship was of least concern. The girl being emotionally attached towards her lover jeopardised her safety on the first hand and her right to establish a consensual sexual relation on the other hand. Dooars Expressmail explains the process of trafficking under such cases as-

"When a sexual relationship is established between a boy and a girl without marriage, the girl becomes emotionally dependent and starts worrying about her future. She is in constant fear that her partner might leave her. Taking advantage of her psychological fear, the trafficker asks the girl to elope with him. After elopement, he will take the girl to his friend's place stating that they have to hide from her parents and police. Trafficking and abuse start from there. She is exposed to discreet danger where she is made to sleep with another man by her husband by force and blackmail. The girl having nowhere to go ultimately surrenders." (Personal interview, Dooars Expressmail, 10/9/17).

On many instances, dominant trafficking narratives of a girl being sexually vulnerable, cheated and exploited by her partner have surfaced during the fieldwork. An anti-trafficking organization and a victim testifies such narrative as –

"Girl develops an intimate sexual relationship with the trafficker and functions according to his demands. She never doubts him and fails to understand his hidden motive. She gets trapped into a love affair which turns abusive. The trafficker smartly films the girl and records all their private moments. He starts to threaten and blackmails her. To save her honour, and prestige of the family, she starts complying with his demand. This compliance pushes her towards a more extreme form of atrocities resulting into a forceful commercial sexual transaction in most cases, where the boy makes money by

selling the girl's private video and her to the brothel owners."(Personal interview, GOLD, 15/3/16).

The girl during the process of trafficking is exposed to other forms of gender-based violence and atrocities. On refusing to comply or adhere to the demand of trafficker, she faces multiple serious injuries, rapes, and in most horrendous circumstances she is murdered. Sriniti testifies the paramount of violence she faced when being trafficked and put into prostitution-

"When I refused to take customers, I was beaten black and blue, I had bruises all over my body and when I tried to run away, they hit me with an iron rod which fractured my right leg. I was crying out of pain, and limping for months. My leg got infected because of the cut mark, they did not provide me with medical care. Nobody in the establishment helped me, I was molested, exploited and kept without a meal for many days."(Personal interview, Sriniti, 20/11/16).

Vulnerability and Violence: Life during Trafficked Stage

Incidences of trafficked victims calling from the foreign lands to inform their family members about their vulnerability, exploitation and helplessness had been reported by many anti-trafficking organizations in their case history data. The victims informed their family members over international calls about being sexually and mentally harassed, and routinely exploited by their employers. As found in the study, the living and working conditions of the trafficked victims recruited in the Saudi countries as domestic helpers were most pathetic and inhuman.

The NGOs have documented and maintained records of cases of cross-border trafficking where the victim had never returned from the country where they worked and

have died under suspicious conditions in a foreign land. The family members inform the NGOs about their daughter's, wives, sisters going to Middle East countries to work as a domestic helper and never returned. On receiving phone calls from their kin, the family members start pursuing the middle man/trafficker/recruiting agent to provide the details of their relative whereabouts in order to bring them back. In such cases, the trafficker mysteriously gets disappear without providing relevant information about the trafficked victim's current status. Under such circumstances, the family member under desperation and helplessness approach the NGOs and seek their help for finding their wards and bringing them back into the country.

One such case was of Anu Dorjee (name unchanged)ⁱ, a case of cross-border trafficking from Darjeeling district. She died under mysterious circumstances in Saudi Arabia. According to Anu's husband, he received a call from an unknown number about his wife's death. He stated in his statement as-

“All of sudden I received a call on 4th march 2011 informing me about Anu's death. He claimed originally to be from Gorubathan, and presently working in Saudi Arabia. He stated that there was a dead body of RatnaKumari Chand (Anu's alias name in her fake passport) and that she was dead for the last 5 days. He asked me to contact the agent immediately and make arrangement for the disposal of the dead body.”(As mention in the FIR, collected from KUK office on 29/08/17).

In the FIR, Bikram (Anu's husband) has further stated that a week ago, before her death, Anu made a call to him and she was weeping inconsolably. She hinted him about her miserable working condition where she was being molested and sexually harassed by the Sheikh. In the FIR, Bikram stated-

"I contacted my wife at the second number. She told me that she was not happy in her work as they made her do hard physical labour. She also hinted that the son and husband of the family were not of good character. She also told me that she wanted to run away. The last time I contacted my wife in the second number was in the month of February 2011". (As mention in the FIR, collected from KUK on 29/08/17).

Reiterating similar incidences of cross-border trafficking of young women from Darjeeling district, the study reflects that young women are recruited as a domestic helper in Saudi Arabia. On reaching their destinations, they get exploited in the hands of the employers from the initial stage. Therefore, girls whenever get small opportunities to call up their family members back home, ring and inform about their hard living conditions in their employers home. Goomti Lakra informs about her sister Leela Lakra's vulnerable condition as-

"I received a call from Leela during evening time. She was crying non-stop and telling me that with so much difficulty, she manages to call me that day. She was telling about the torture she faced at her employer's house. She told that she was not given proper food and was sexually and physically tortured by her employer and his guests. If she resisted she was beaten mercilessly. She pleaded me to get her out from there and in between the phone got disconnected."(Personal interview, Goomti Lakra, 29/08/17).

Goomti, during the interview, remembers her sister and feels disheartened and helpless. She recalls how her sister was crying and pleading for help. She was not able to trace her sister and was afraid that her sister was in grave danger (*Goomti breaks downs into tears*).

Lack of employment opportunities in the region forces the young women and girls to opt for risky migration pattern in search of employment. According to Vindya and Dev,

it is the growing casualization of female labour, erosion of traditional livelihood option and changes in socio-cultural relations in recent years which have increased the cases of trafficking in women (Vindhya & Dev, 2011, pp 131). Therefore, the feminization of poverty and labour, when combined with globalization and capitalism, leads to unsafe gender migration pattern resulting in gender-based violence and trafficking of woman/girls.

Breaking of the Self-Esteem: The Darker Days

When the girls are purchased by the brothel owner from traffickers, madam along with her team of hooligans/ muscle men, they make sure that the new girl at a relatively less period of time starts obliging to madam's order and starts providing services to the customers. However, compelling a new girl to provide service takes at least 15-20 days for breaking the courage, hope and morale of a new girl. Dooars Expressmail, an anti-trafficking organization working on the issue of human trafficking in West Bengal defines the character of the brothel owner as a crooked, money-minded lady who means only business. In order to keep her business running, she adopts different tactics to force the girls to provide service to the customers. She adopts different measures to break the morale of the girl. She would not prefer feeding the girls with her own money, free of charge for a longer time; therefore it becomes very necessary for her to break the girls. *"The Sooner it is, the better it becomes for the business of the madam, who is a neerdai aimeh (merciless women)"* as expressed by the Dooars Express mail. (Personal interview, Dooars Expressmail, 5/09/17).

Violence and repetitive forms of brutal rape are used by the pimps as an instrument to break the morale of the trafficked girls and women. They are kept captive for all day and

all night in a dark room alone, with restricted mobility for months to mentally harass and traumatise the victims. They are given very less amount of food which is of very poor quality, no water to drink and their toilet facilities are also stopped. These are done to completely devastate their mental strength. The breaking method is a weapon used on a victim to let them know that the possibility of their escape is equal to zero. Muscle man is very often given free hand to torture and mentally harass the girls to make them submissive towards madam's order and no attempt is made to flee from the brothel. Sakina narrates a story of how she for 3 days was tied with a rope and thrashed mercilessly when she tried to run away from the brothel. She was not given any meal during those days.

"I was new to such kind of environment, girls were forcefully made to sleep to unknown man when I resisted from doing so, I was beaten mercilessly, and my bones were broken. The man who beat me on madam's order was a dark, ugly, strong man. He was paid to beat girls there." (Personal interview, Sakina, 18/10/16).

The victims are forcefully made to consume alcohol, beaten till the time they become unconscious, infusion of hard objects into their private parts and burn of skin till they do not agree to provide services to a customer are some of the merciless means used upon the girl. Forceful consumption of alcohol and other toxic products is a tactic to break the girls, incite fear in their minds and an important instrument means of keeping the girls confined in the brothel for longer times. When a girl/ woman gets addictive, she would agree to work without creating a scene. Meera states that when she was brought into the brothel she was 15 years of age, and haven't tasted alcohol ever but after she got the taste of it, she needed it regularly if she does not get to drink alcohol she gets mad. Therefore to earn a bottle of alcohol daily, she took four to five customers daily on madam's order (Personal interview, Meera, 19/10/16).

To keep control over girls, alcohol and other addictive products such as cigarette, pan-masala and tobacco are introduced to the victims. Consumption of these products regularly and in higher quantity is sure to make the victim dependent on it for their survival and to buy these addicted products, they have to serve the customers. Many times a newcomer girl is forcefully pushed into entertaining a customer, and on receiving a complaint, she is tortured till she becomes unconscious, while her bones are broken. The madam even allows the customer to misbehave, force and thrash a new girl to make her comply with the customer's demand.

Forceful Commercial Sexual Transaction (FCST) and Working Conditions

The girls and young women, on reaching the brothel, are exposed to systematic violence in the hands of the muscle man kept by the madamⁱⁱ. The extreme form of violence is committed upon the victims. The girls/women are mercilessly beaten, forcefully penetrated and exposed to the unseen danger of life-threatening diseases such as HIV/AIDS to make them comply with the brothel structure.

The young women and girls sold into a forceful commercial sexual transaction (FCST) suffer from inhumane working conditions. They are illegally confined within the limited space of small box-like rooms with tiny windows for ventilation. Their mobility restricted barring them from going outside alone. Highlighting similar kind of experience witnessed in the brothel of Falkland Road in Mumbai, Kara, in his book "Sex trafficking: Inside the business of modern slavery", describes the room in the *Pinjara*ⁱⁱⁱ as make-shift small rooms with steel-grated windows and a tiny cot for solicitation (Kara, 2009, pp 48). He resonated that the women in the brothel are starved, beaten and treated like animals. The dominant trafficking narratives state that a victim is tortured, drugged and murdered

when failure to comply with the didi's^{iv} (madam of the brothel) order. They are accompanied by a muscle man whenever they go outside the brothel. As a norm of the brothel, the woman and girls were not allowed to venture out of the brothel or its immediate surrounding alone and therefore to keep check on their movement they were threatened with range of consequences (Human Rights Watch, 1995).

Sharmila, confides about a particular day during her starting days into FCST against her wish as-

“When I stepped outside of the gate for buying supari (bettle nut), I was thrashed badly by the muscle man for crossing the boundary of the establishment and stepping out the gate”. (Personal interview, Sharmila, 28/11/16).

The muscle man had beaten her with thick rod which broke her ribs and she laid injured. She farther mentions that the girls in the establishment were instructed to go in groups whenever they have to go shopping or buying other essential products. They were escorted by a guard everywhere. Beating, battering, and breaking of bones were common methods used by the muscle man as to control and restrict their mobility. If any of the girls tried to escape from the establishment then she would be mercilessly beaten, a collective narrative that resonated from the interview.

Anjali was sixteen years of age, when she was trafficked for commercial sexual exploitation. She states-

“When I was brought to the establishment I was confined in a small dark room for four days continuously. As I hurled abuses and slang on them for keeping me in the dark room, two man with a lady would enter the room, tie my hands and legs and thrashed me until I became unconscious. I was kept alone for fifteen days on low food quantity and quality. I tried escaping twice and was caught by the informer of didi. I was for a minute

strangled to death and warned against my behaviour and act.”(Personal interview, Anjali, 27/11/16)

When a girl is continuously hurled with severed form of punishment for days, their morale break, their bodies’ start giving up, become numb, and the girls start to oblige by the didi’s (elder sister’s) orders. The didi herself is a symbol of patriarchy functioning in misogyny. She is a face which patriarchal society puts forward to run an establishment based on capitalist economy of demand and supply, violence, and exploitation to control a woman’s sexuality, movement and desire. The girls who fall into the trap of a trafficker are most often influenced by one such kind of didi of their locality who is empowered in terms of her monetary affluence and purchasing power. This sense of economic empowerment of the didi appeals to the girls to take jobs in unknown lands following into didi’s footsteps. Once they land up into the establishment under didi’s supervision and control, they fall into a never ending slavery system from which coming out is difficult. With continuous abuse, violence, and torture, a new girl surrenders to the rules of the establishment and start taking up the customer for FCST against her wish.

Sheetal, described her condition and vulnerability in the establishment states--when she was brought in the establishment for FCST, she was just fifteen years of age. She belonged to a remote village in Assam, and talking about menstruation, sex, and to boys in public place was considered as sin and against the modesty of the girl. While narrating her story, Sheetal seems emotionless, cold. She begins her story of mental and physical violation and exploitation by looking into one direction without any eye contact. Her narrative highlights an interplay of different emotions, gender identity, sexuality etc. where a girl is forced and socialized to perform in particular order. This social setting whether it be at home or an establishment for FCST considers a woman’s body as a site for reinforcing patriarchy. Sheetal stated-

“When I first saw the environment over there I became numb and scared, I tried escaping from there but bad luck strike me. I was caught. They tortured me with different kind of punishment for many days. I surrendered to the torture; my body could not take it. Without having any option I started taking three to four customers a day.

They came from different age group with different kind of demands. I acted like machines. They came, perform different acts over my body and went. I stayed numb, I could do nothing about it.

If I did not take customers then didi’s man (goon) harassed me with different kinds of torture. Less money earned meant more punishment and hauling of abuses. So I took customers. My day and night started and ended in that dark room”. (Personal Interview, Sheetal, 27/11/17).

Seema narrated similar kind of story of FCST life, where the working conditions were inhuman and torturous for girls. She stated with breaking voice-

“My first customer was a forty five year old man, he was like a mad animal, and he jumped over me and squeezed my private parts. I was in pain, and weeping. He did not stop. He was drunk and demanded anal sex. It was painful. I could still remember the horrific experience. There was no option for woman like us to say no to customer’s demand. The didi was more interested in the money. She would force us to entertain customers who were like wild animals. We were made to work for ten hours in day. Taking ten to fifteen customers a day, and we had no choice.” (Personal interview, Seema, 20/10/17)

Thus, the life of a traffic victim engaged into FCST revolves around the power-relations and hegemonic oppression faced in hands of the establishment owners and customers. The customers and the didi carry out the series of oppression because of the

power they hold over the traffic victim through money, debt, loan and coercive measures of punishment. Thus, in the words of Dworkin's "it is the use of a woman's body for sex by a man, he pays money, he does what he wants." (As cited in Kotiswaran, 2012, pp 25-26). The customer and the didi, in exchange of money, consider women's body (in this case traffic victim's body for FCST) as goods that they had bought and can be used according to their will, thereby objectifying and commodifying it.

Commercializing the Body

Commercializing of human body, in case of human trafficking the girl/woman, takes place from the time she is lured by the trafficker. The trafficker keeps an eyes on the bodily feature and according her price is fixed through different channels. The girls generally would have no idea about these happening. They are never given any hint about their sell price. Only after reaching the brothel they are told of the price at which they have been sold. The buyer also mentions her the time till which they are debt bound to the owner of the brothels. The sale price of the girl is not fixed immediately after she is trafficked rather it takes around two days to a week, till the time she reaches her destination. According an anti-trafficking activist- *"the trafficker fixes the price of the girl while travelling, when they reach a mid-point, the trafficker starts bargaining the price of the girl. Till the time they reach destination, the price is fixed. There is no bank transactions between the trafficker and the so called placement agency. It fully cash dealing."* (Personal interview, Dooars Expressmail, 5/9/17).

However, the traffic victim remains clueless about the dealing that takes place on her name. One of the traffic victim states that --she had no idea about the transaction made between the trafficker and the brothel madam, however the madam told Ela that she owes

her rupees thirty five thousand and therefore she has to work for her till the time the debt is not paid. Ela says that whatever the madam told her about transaction she believes it even though she might not have seen the transaction happening (Personal interview, Ela, 26/11/16).

Depending upon the skin texture, skin colour, facial features, body weight, height and the customer's demand in market, the girls are priced at between rupees forty thousand to one lakh (personal interview, Tiny Hand India, 31/08/17).

The girls from north-east, Nepal and Darjeeling district are in high demand for commercial sexual purposes as reported by the NGOs working in these regions. The KUK, Tiny Hands India, Dooars Expressmail, articulated similar views about girls being trafficked from Siliguri, Darjeeling, Assam, and Nepal in between the teen age and early 20's. A virgin girl can be sold for one lakh to one lakh fifty thousand rupees to Middle East countries and to brothel owners in Bombay and Delhi. The need and demand for virgin girls are also more in south India because of the demand for fair skin, sexual preferences and acts. They are generally recruited in massage parlours (personal interview, Dooars Expressmail, 5/09/17).

Captivation and Confinement

There is no specific time period of keeping a traffic victim captive and in confinement by the brothel owner. Till the time they are productive and generating money for the owner, the girls and young woman are kept in brothel. Ranging from 6 months to life time a victim of sex trafficking can be in a brothel. The earlier victims of sex trafficking later turn into madams in many cases. During the course of interview conducted with the traffic survivors, a young sex trafficking survivor Rani, was forcefully kept in the brothel for one

year and four months before she was rescued by the NGO from Khalpara brothel. She tried escaping from the brothel with the help of an auto driver who came as a customer but was caught by the muscle man of the brothel while fleeing. Rani testifies-

“Sister, those were the horrible days of my life, when I recall those days I shiver (paused for some time). I stayed there for almost one and half years before I was rescued. Dark, black room, customer coming, exploiting our bodies, biting us badly on our parts, madam howling if low number of customer taken.” (Personal interview, Rani, Siliguri, 17/8/17).

According to an anti-trafficking activist –

“It depends upon the efforts put by the traffic victim and her luck which determines her captive period. A young girl who is sold into prostitution wants to escape from the clutches of the brothel owner and tries her luck numerous times, but due to high security and continuous surveillance, her efforts to escape may fail. Under such circumstances she need to procure help from outside”. (Personal interview, Dooars Expressmail, 5/9/17)

Sushma says, when she failed to flee, she tried committing suicide by consuming sleeping pills but failed. Escaping seems distance dream till the time she was not rescued by the NGO, she is 25 years now, and suffered multiple fracture when she planned her own rescue when she was 17 years and new to brothel. She lived in brothel for 5 years (Personal interview, Sushma, Siliguri, 18/8/17).

From the interviews with the NGO staff and girls rescued from brothel, it appeared that, if a victim grows old, have got infected with life threatening diseases, gets ill often, suffered multiple injuries and becomes disable, she becomes burden to the brothel owner, a pre-plan rescue and abandonment is programmed for her by the madam. The abandonment takes place because of her increasing expenditure for treatment and less

profit incurred from work. She is left to survive of her own. Some trafficked girls who have aged in the brothel prefer to stay back and work as second madam of the brothel.

Coping Strategy of the Victims in the Brothels

Alcohol and drugs are common coping mechanisms used by victims to deal with stressful and traumatic daily life events, use of such products numb their painful experiences (Sukach, Gonzalez and Pickens, 2018). The victims of trafficking highly depend on toxic products to cope with their daily life in the establishment. In order to make themselves forget about their pain, humiliation, traumatic experiences, and continue functioning and working in the FCST, they use high amount of drug, alcohol, *supari* and *gutka*, cigarette, and tobacco as a coping mechanism. All these toxic products are used as means to cope the daily torture of the *malkin*, customer's harsh and inhuman demands and to survive in the establishment and provide temporary mental strength and illusions of wellbeing.

Renu, a fourteen years old minor girl had developed a habit of chewing *gutka* and smoking cigarette after she attends each customer. When she was brought for the purpose of FCST, she had not ever tasted *pan*, but now she has become an addicted to *gutka*, cigarette, and alcohol. According to Renu, it helps her to subside her pain, she mentions-

“Both my physical, emotional and psychological pain is relived with alcohol and I can go off to sleep instantly”. (Personal interview, Renu, 18/08/17).

Reshma, twenty two years old girl, occasionally drank alcohol to get relief from body pain. She states that she did not prefer any kind of the toxic product but the nature of work forced her to occasionally consume it to get relief from psychological pain. Reshma, describes about the humiliation and force exerted by the customers to fulfil their demands.

The nature of the work and their position in society did not allow them to rebel or refuse customers. Under such circumstances these products provided temporary period of mental peace. Reshma states that she first learned to consume toxic products in the establishment-

“For the first time, I consumed alcohol was by force. I was refusing to take a customer, it was then, and I was forcefully fed alcohol. It later kind of became habit to occasionally drink before taking customers. It subsided morality within me even though I did not liked it.”(Personal Interview, Reshma, 28/08/17).

Hamida states that her religion does not allow consummation of toxic product but without getting high on toxic product her body was not able to function. She states-

“I chewed gutka and smoked biri every time I felt frustrated with my life. Escaping from the establishment was near to impossible because of continuous surveillance and taking 6-8 customers a day was physically breaking. Under such circumstances, getting high and not thinking much was the only option.”(Personal interview, Hamida, 10/09/17).

The girls, when land into tortures and inhuman conditions, undergo different kind psychological disturbance, imbalance and suffer from acute depression most of the time. In order to subside such feelings of low, anxiety, loneliness etc., they start consuming products which have major health risks. They use these products to side-line their emotional feelings, attachments and religious sentiments, destructive self-perceptions. In most cases it was observed that the victim blamed themselves for their present misery, and therefore use of such products relived them of such pain and self-humiliations.

Health Issues

The trafficked survivors when interviewed were reluctant to share about their health issues faced both during the pre-trafficked stage and post-trafficked stages. Gynaecological infections, body ache, elevated risk of HIV/AIDS, severe pain because of forcefully penetration and severe battering by the owner, fractured legs, broken arms, were different health issues faced by the victims. Due to over consumption of toxic products such as *pan*, *guttka*, cigarette, *biri*, etc., during working days gave them lifelong ailments such as tuberculosis.

Some of the victims after coming back were fully bed ridden because of lack of food and lack of strength in their body. Post-rescue the survivors on medical examination were found anaemic, had severe body and back pain. Sign of severe depression, anxiety, panic attacks, trauma, self-blaming, shaming and self-guilt were also reported among the survivors post rescue.

Rescue

A young girl, after being sold, is taken into establishments which function as brothels. The girls make numerous attempts to escape themselves from the clutches of the brothel owners. However, in the presence of high security and continuous surveillance, her efforts and plans to escape fail. She often gets caught by the muscle man appointed by the owner. When caught red handed, the surveillance of such girls gets doubled. And escape thereafter becomes near to impossible. Under such circumstances she needs to procure help from outside the establishment. Manjuma was a 22 years old young widow, lured into FCST by one of her co-worker while she was working in a soap making factory. She mentions about her rescue from Khalpara red light area as-

“When I saw police and some people coming inside the establishment, I ran towards them and pleaded for help. Only after rescue, I came to know that they came to raid the establishment with the NGO sir.”(Personal Interview, Manjuma, 17/8/17).

In another case, Purnima, points out that she was rescued by a Nepali man, who emotionally connected with her ordeal because of her Nepali identity, his sentiments towards his community girl and feeling of oneness attached to his identity. She testifies-

“Daju (brother), came to the brothel, on knowing that he was also Nepali man, I requested him to help me escape from the baishyalay (brothel). He was dazed for first few minutes on my making a request of such kind. Later after thinking for a while and I talked to him in Nepali, he agreed in trying to help. Later I was rescued from the baishyalay after 4 months.” (Personal interview, Purnima, 29/08/17).

According to organizations working on combating trafficking in persons, the rescue operations are generally programmed on receiving detailed information about the victim. Her age, place of origin, captivated place, and nature of work she is forced into. After full information is gathered about the girl in question, the process of rescue is initiated. For a full proof rescue operation to take place, at least a month time is needed. The rescue application is forwarded to the CID office with a complaint letter from the guardian of the missing girl. The rescue operation are generally time consuming as all formal permission for raid and rescue from concern department of police, district magistrate etc., needs to be seek on writing and through proper legal means.

According Dooars Expressmail, if a rescue operation needs urgent basis action, then with a mutual understanding between the officer-in-charge of raid and the NGO, rescue and raid is conducted. Further explaining the process of rescue, another NGO mentions about a practice or action of planting their own office bearers as decoy customer.

This action is most commonly used to raid a brothel, where the NGO staff receives an information about minor girls being forced into sex work. For example, during an interview with an anti-trafficking activist, he states that his organization once planted a decoy customer (NGO staff) to get hold of the trafficking network in the brothel of Khalpara, Siliguri. According to the activist, he stated that-

“The staff member was instructed to go inside the brothel as a customer and ask for a girl. On getting the girl alone, he was instructed to inform the operation team outside. The team on the other hand waiting outside on getting the signal entered inside the brothel and rescued 5 minor girls along with the one for whom the rescue was planned.”(Personal interview, GOLD, 15/3/16).

A similar kind of rescue operations was conducted by Dooars Expressmail with the help of police, on receiving information about a group of Nepali girls working in a massage parlour as sex workers. A local Nepali boy from Siliguri who was working as a waiter in a hotel in Bangalore informed the NGO about the synergy of crime and sex racket run in close by spa centre. Dooars Expressmail states about a rescue operation where the activist pretended to be a customer, contacted the concern girl whose information was provided to the NGO. The anti-trafficking activist testifies-

“On meeting the girl in the parlour I confided her about her present situation in the parlour. I asked her if she would like to return back to her home. I obtained her confidence and trust during the whole process of conversation. When the girl started trusting my intention and believed in genuineness of the operation, she showed willingness to be rescued. On the same evening she was freed from the parlour under Bangalore police supervision.” (Personal interview, Dooars Expressmail, 5/09/17).

Although the practice of implanting a decoy customer had worked in the NGOs favour many times to rescue minors from the sex work establishment, but there were also reported cases and incidences where the establishment owner smells the fishy situation. He on getting suspicious of situation commands to hide the girls.

However, the strategy of planting a decoy customer is not always successful. There have been incidences where the decoy customers have got carried away during the whole act of faking the situation and got involved in the act with the victims. Under such circumstances the NGO which had planned the operation had to intervene when they do not receive any information from inside.

Before any rescue operation is carried out, it has to be verified, cross-checked and secrecy had to be maintained. Limited numbers of people do have information about rescue operation on a said date. The authentication of the information received from third party source or a random informer are validated through different methods as mentioned by many anti-trafficking activists on the ground. The anti-trafficking activists in collective form stated that there are high chances of information being faked.

The raids are sometimes planned act of the establishment owners to shrug off/ abandoned the old, disease prone workers who have become less productive for the owner and the establishment. The interviews with the NGO staffs and girls rescued from FCST establishments, highlights that when a worker grows old, or gets infected with life threatening diseases, or often gets ill, or suffers from multiple injuries and becomes disable, than under such conditions, she becomes a burden to the establishment owner. As a result, a pre-planned rescue and abandonment programmed is planted by the owner of the establishment to get rid of this ill woman/girl. The reason often cited for such pre-planned abandonment action is because of increasing expenditure on her treatment and

less profit incurred from her work. Under such conditions of loss incurred by the owner because of the ill- girl, the owner attempts to out-throw the victim from the establishment. She is left to survive alone on the streets of her own. If she gets lucky and is found by an NGO or civil society organizations than she is taken to state-run shelter home or the NGO's shelter home.

Some of survivors stated that on many occasions girls are scared to talk to the rescuing teams because they suspect these rescue teams to be an agent of the didi, and is planted by her to test their loyalty towards her and towards the business. On another account, an anti-trafficking activist testified that in many cases, it is the parent's initiative of coming forward, and informing the NGO about their daughter's missing case, and thereafter officially filing a missing case/ trafficking case report with the police that initiates the process of search, raid, and rescue of the concern girls. (Personal interview, GOLD, 5/3/16). In such kind of raid operations other minor girls are also rescued.

However this reporting is only done when the parents of the missing girls had received information about their trafficked daughters through random phone calls, through informers or a concerned relative. According to a reported case study of a NGO, there was an incidence of ransom call made to the parent and striking a deal with parent in lieu of their daughter's information and her current location. The caller asked for hefty amount of money from the parent in order to provide information about the daughter. Under such circumstances, the family members out of fear and desperation approached the NGOs for help. An official complaint is filed about the girl going missing and the police started searching for the girl on the basis of information provided in the FIR. One such case was of Aruna, a 15 year old girl. Her father, a fisherman by profession, received a random call asking Rupees 70,000 in lieu of his daughter's information. In a FIR about his daughter missing case, he stated-

“I received a call from an unknown person who said that he knew where my daughter was. He called me to Islampur, Dinajpur district in West Bengal. I went there, from there he took me to the remote place inside Islampur bazar where two other boys were waiting. They asked for Rupees 70,000 in return to show the place where my daughter was sold.” (Extracted from the FIR record of KUK office data, 29/8/17.)

If the pattern of the ransom call is studied and examined, then it can be inferred that a new syndicate of traffickers or middle man are breeding up which makes money by exploiting the emotional connection between the families and the girl. In exchange of money they provide information about the girl’s abduction and her current location.

This action of providing information to the parents can be studied as a method of abandonment from the trafficker’s side in order to get rid of girls who create severe form of ruckus leading to safety issue of whole syndicate. Another possible reason of such action of the trafficking network can be studied as a medium of getting away with the girls who have major health issues. Providing information of such girls to their family members can mean as a step of abandonment by procuring money from their family in lieu of sending the girl back to her home. A process of economic transaction and benefits generated by the trafficking syndicate without incurring loss by obtaining money from the girl’s family. The family which is already suffering through hard economic times find it difficult to arrange the money and thereby loses all hope to bring their daughter back under such conditions. On the other side, there are girls such as Sushma, who after failing to escape, try to commit suicide. Sushma’s hands were full of cut marks and bruises. While showing the hand, Sushma passes a side glance, smiles with close lips and watery eyes. (Personal interview, Sushma, (17/11/16). Her body language signalled towards her pain faced during her stay in the establishment. Her silence, her bruises and her eyes

reflected and spoke in volume without uttering a word about the pain, sufferings and humiliation faced during her stay.

Rehabilitation

The process of rehabilitation begins once the woman/girl is brought back to the place of origin after rescue. She is kept in the custody of the NGO, in their shelter home or in state- run homes for a period of one month to three months. Depending upon the age, health status, her psychological conditions the survivors are kept in the shelter home run by the state or the NGO. After rescue, the psychological condition of a traffic survivor is in a vulnerable state. Taking it into consideration, the further plan of action for rehabilitation is thought of and planned. The survivors of sex trafficking after becoming stable in their post-rescued life are rehabilitated into different social structures such as schools, family system, and married life. They are provided with opportunities and support systems to become economically independent and self-reliant.

Two kind of rehabilitation process is undertaken by the NGO. If the victim of trafficking is a minor belonging to an economically backward class and socially vulnerable community than under the scheme of UJJALA, a central government initiative, the child is put under Child welfare committee (CWC) purview. She is kept into state funded shelter home of the NGO or state run shelter homes. Depending upon the CWC recommendation, the child is kept in any of the shelter home. In case, the victim is young adult and is re-integrated into family structure after rescue, a quarterly follow-up of her condition post-rehabilitation is undertaken by the NGO. According to an anti-trafficking activist when a girl is rescued and brought back, following steps are undertaken towards her wellbeing, she testifies-

“After the minor girls or an adult victim is brought back from brothels post rescue, we immediately send her to civil hospital for her full body check. Her mental and physical well-being is checked along with other kind of abuse she had faced. On next day itself, she is presented before Child Welfare Committee (CWC) in case of minor. The CWC decided about her rehabilitation process on hearing her case study. While during the whole process counselling is provided to the girl to bring her out of her traumatic past.” (Personal interview, Nedan Foundation, 22/11/16).

The process of rehabilitation of trafficked victims back into community life is a major hurdle faced by anti-trafficking organizations. The anti-trafficking organization collectively opined about the taboo and stigma associated with a girl who resides outside the home for unknown reason and for a significant number of years. She becomes a subject of polarization in her own community. The stigma deepens, her character is questioned and she is ostracized when news of her having multiple relationships against social conformity spreads.

Highlighting the patriarchal biases and misogyny a trafficked victim faces, the anti-trafficking activist points towards the difficulty faced during rehabilitation of a victim into her own community. Acceptance and willingness of the survivor’s family members to take her home after rescue is the biggest challenge faced by the anti-trafficking organizations. The rescued survivor’s family members cite various reasons for refusing her re-entry into family. There are instances when the family members had out-rightly refused to take the victim home. The girls who have eloped with multiple partners are hard to be re-integrated into family structure because of the social pressure and her character being questioned. Under such circumstances they stay in the shelter home for short duration. There are cases where these girls run-away from shelter home because of

dissatisfactory and discriminatory life in the home. Many girls run away to re-marry. According to anti-trafficking activist-

“Many a times it’s so happens that the parents fear to take their daughter’s back into the family because of social stigmatisation and various answers and explanation they have to give to the village people on seeing their daughter’s return after so many years.” (Personal interview, GOLD, 3/3/16).

The process of rehabilitation is taken to a next level when the girl/woman is accepted back into the family and she starts living a village/community life. Without discriminating the girl/woman for her past traffic life, she is taken back into the family and community. However the rehabilitation process can be quite challenging as opined by one of the anti-trafficking activist. He states-

“The parents might be willing to take their daughter back into the family but fear society’s reaction. They request us to keep her under our jurisdiction in shelter home. Under such conditions we counsel the parents. We make multiple visits to the parent’s home to check the possibility of rehabilitation of the girl into the village. We try to understand the sentiment of the villagers regarding the girls’ return. Sometime the situation is such where we have to seek help from police to visit the village for introspection”. (Personal interview, GOLD, 14/3/16).

The process of rehabilitation starts after the girl becomes acquainted with her new life and environment post-rescue. The process of intermingling with the other inmates of the shelter home is an important step towards her rehabilitation. She is provided with medical treatment, counselling and rigorous moral support. She is kept under daily observation of the caretaker till she gets normalized with the shelter home atmosphere. The inmates are instructed and advised to maintain a healthy and welcoming attitude and

behaviour towards the new inmates of the home. She is provided with daily essentials. The caretaker of a shelter home describe the process when a new survivor is brought into the shelter home as-

“When a new girl is brought we keep her in the transit room. Transit room are temporary shelter rooms. As they are new, we cannot keep the new girl with the old ones as acceptance among the girls is important. There is a legal procedure and guidelines which needs to be followed involving child welfare committee. However, the old girls in the shelter home are welcoming. They help the new girl adjust into the shelter home environment. They call her for food, show her rest room, and provide her with all kind of help and stuffs.” (Personal interview, Nedan Foundation, 8/11/16).

However, the caretaker also throws light upon the old inmate’s behaviour when they see a new girl into the shelter home, their opinions and observations about the new inmates-

“The old inmates observe the new girl activity very closely, whisper, decipher and gossip among themselves about the new girl’s functioning. Some of the new girls come from very vulnerable conditions and do not bath for days, they have bad body odour. Some are small girls who wet the bed daily in sleep. Under those circumstances, old girls prefer to maintain distance. They become hostile towards her and gossip. The girls in shelter home act in different manner (sarcastically smiles) but they also help the new girl to understand the functioning of the shelter home. Its code and conduct.” (Personal interview, Nedan foundation (08/11/16).

The rehabilitation in itself is a critical process for the survivors of trafficking. Already marginalized because of their traumatic past life and experiences, the trafficked survivors when faced with the process of rescued and re-integration into social structure,

have to undergo varied experiences of discrimination, seclusion, social exclusion and rejections. The child survivor when re-enrolled into school is cross-questioned about her past life, they find difficulty in making new friends for a long time and stick to a group of friend circle from the shelter home in the school. Young adult women and girls are look down for their past history as sex workers. The young girls become doubly victimized when they show desires to get married and settle down with a family to say her own. They face problems of social acceptance from their in-laws and the community members. Thus, their life stands in a jeopardizing phase where their past affects their present and their future under state-run machineries and social structure in many social conditions.

Life as a survivor of trafficking

The data collected from the field highlights that the children who are below the age of 18 years are directed by the Child Welfare Committee (CWC) to be kept in the shelter home with due consent of the parents. They are then re-enrolled into the classes they have earlier drop-out from. The children are kept as inmates of the shelter home till the time they do not complete their 18 years. During this period they are provided with food, clothes, shelter, books and all other daily essentials by the NGOs.

One girl child interviewed during the study stated about a benefit they received as school going children in the shelter home and what it meant to them. The girl shares-

“Earlier we used to get Rs.200 hundred as a pocket money from sir. This money was used for our daily travel fare to school and buying other necessary school requirements. Sometime we could buy chocolates and snacks packets for one rupee by saving this money. I and my friend occasionally brought small eatable packets and share with each other (smiles). However, after demonetization our pocket money was stopped

due to lack of new notes. Since, then it has never been re-started". (Personal interview, Meena, 2/12/16)

This statement of the girl reflected upon their vulnerability in terms of purchasing power which was curtailed from them. The small amount of money they received as pocket money brought them happiness and power in terms of being able to buy items that they wanted with limited savings they had. The children in the shelter home were assertive about their conditions; another child states with sarcasm and added humour, she stated-

"Sir may not have money for running the home. There are too many girls here, food is also same every day, chana, aloo and rice morning to night. His money have gotten over he says always. He too needs money for his personal use." (Personal interview, Sukhi, 2/12/16).

The living conditions and rehabilitation process for the young adult survivors are different from the children. The women and girls who are above the age group of eighteen years are helped by the NGO to re-integrate back into their village life. Every young adult survivor undergoes different kinds of struggle to get re-integrated into a family structure. After rescue many of them are not accepted back into the family; some have economic constraints and face social conflict at the home environment. Under such conditions they are kept in the shelter home for few days or months. On consulting with the district magistrate and the women welfare committee, the survivor is kept in the shelter home after facing rejection from the parents and society at large.

Under such cases, the girl is kept in the state-run shelter home till the time she recovers from trauma. Parents are counselled for accepting the girl back into the family. In some cases it was noticed that the girls after rescue have been taken back by the family members immediately into the household. Under such circumstances, the girl overcomes

her fear, trauma and anxiety in less time and gets rehabilitated into the society herself through marriages and companionship. To quote one of the respondent-

“I was able to cope up with my past-life trauma because of my family members support and work that I began doing. I started earning some money by sewing clothes for village women. In a month I could earn around rupee Four thousand five hundred on an average. It gives me confidence. Also surrounding aunties were welcoming.” (Personal interview, Samina, 12/11/17).

However there were also cases where the girls were hesitant to meet people after their return fearing social rejection, boycott and humiliation.

“I was apprehensive in meeting known and unknown people and restricted myself within the house. I came out only when I had to come to the organization. I felt that everyone in the street knew about my story and are judging me.” (Personal interview, Rohila, 22/10/17).

Village Life Post Rehabilitation: Hardship Faced and Success Witness

During the course of interviews, the data reflects that the girls below the age of 18 years have been re-enrolled into vernacular medium schools in the neighbouring/nearby villages. Re-enrolment into school provided the girls an opportunity to mix with other girls of the village who have a normal childhood unlike them. As the shelter home is located in a Bodo village, intermingling of the girls with the village people takes place on a daily basis which builds their confidence and allows them to have a normal life. The villagers know about the traffic survivors' stories through the cook and the caretaker, Bodo women. Because the survivors were living within the Bodo neighbourhood, and cook had friendly ties with the neighbours, she shared information about the survivors past life with the

village women. The village women know the survivor girls life story but the girls are not asked or commented about their background/ past history by the villagers. They are allowed to go to nearby shop to buy certain eatable items when in need, there is no restriction on their movement. They go fishing and cultivate vegetable in the plot of land owned by the organizations. The village women and men collectively participate in the events organized by the organizations on eve of World Women's Day, World Anti-Trafficking day, Human Rights day, Children's day so on and so forth boosting the morale of the children. These inter-mixing among the village community helps the minor survivors to enjoy their childhood in lively manner and feeling welcomed in the community.

In case of young girls and women, they have started living with their families thereby adjusting themselves back into village life. Some of them have got married by their own choice and have started their own family. They currently live a content life of home maker looking after the husband and children. Some young single woman survivors when interviewed responded in affirmation about becoming economically independent. They mentioned that they now take coaching classes for sewing in their own village and some of them have joined parlour and earn decent amount of money. They with joy and self-confidence stated that with stable income coming in now, they are able to support their family economically.

However, the anti-trafficking organization opined that acceptance and rejection by parents after the girl is brought back from brothel is a delicate matter which needs psychological counselling of parents along with the survivors of trafficking. With gradual passing of time, when a girl comes out of trauma and starts living a stable life, she is provided with life-development skills. During this time she is provided with other vocational trainings. The anti-trafficking activist states that it is never a smooth process to

re-integrate a girl into village life because of different kind of apprehension a parents and villages have in mind regarding the girls return after many years. In order to safely and smoothly re-integrate a girl into village life an anti-trafficking activist states that-

“When a girl is brought back from the brothel, her past history is not revealed to the parents initially. It takes a month or two to actually disclose the past history of the girl because of the stigma, morality and chastity attached around girl being away from home for 2-3years. If she was into sex work then it becomes more difficult, under such circumstances the behavioural observation of the parents towards the girl is made by the counsellor.” (Personal interview, GOLD, 15/3/16).

The survivors were vocal to point out the rejection they faced when re-integrated into village life. Family life being an important component of village life, Sonia, a young girl, 16 years of age, narrated about the discrimination and mental pressure she faces when being at home. She stated that her identity in the village have become of a girl who have returned from Bombay, she stated-

“Because of my stigmatized past I am not allowed to visit my relatives or go outside alone by my parents. They fear that my going out often will bring social repercussion to the family in the community”. (Personal interview, Sonu, 20/11/17).

Another respondent, Ela, recalls her brother imposing ban on her mobility outside home because of the village people cross-examining her presence and her past life (Personal interview, Ela, 2/3/18).

With social boycott and rejection for their turbulent past, the survivors have also witnessed love and prosperity in terms of being in love and re-marriage. The young girls and women interviewed stated that coming of their husbands into their life have helped them start their life in new manner. Though the point of contact with the husbands have

been similar to that of trafficker through Facebook and WhatsApp, and inter-religion and inter-community marriage have taken place. The survivors induced that with marriage, they were able to gain some respect in the society because of the presence of a man supporting her in her present life. The method of alliance for marriage and their reason for getting married seems problematic in academic terms and inter play of patriarchy can be witnessed, however the survivors showed a sign of contentment when replying about their marriage status. One of respondent replies-

“My husband is my greatest support, he knows about my trafficked status but after marriage we have not talk about it any day. Sometime he taunts me in anger but he does not keep it in mind. Also, the village people call me with his name, which gives me a respectable status in community.” (Personal Interview, Sonia, 22/11/16).

Thus, the village life of a trafficked survivor is full of hardship, exclusion and community violence on many occasion. However, marriage as a tool of social acceptability and recognition is gradually procured by the survivors to live a normal life partially free from past traumatic experiences.

Life in the Shelter Home

The children living in the shelter home where the study was conducted had collectively opined in a painful and hesitant manner that they would prefer to stay with their parents and family members in their own house than in the shelter home. The twelve children interviewed in the shelter home inferred that they felt more loved and wanted in their own home. The children were kept in the home because of different social problem witnessed in their village, community and personal life such as economic vulnerability, traumatic past of the child such as rape, molestation, sexual harassment, victims of ethnic

conflict, child marriage etc. Therefore under such conditions, the parents wanted their daughters to be in a safe environment of the shelter home. They wanted their children to continue with their studies. The parents were routinely counselled by the organizations for allowing the child to be kept in the shelter home. However, on agreeing to keep their children in the shelter home, the parents had to agree to the term that they have to seek prior permission from the organizations for meeting their children. It was under this condition that the children felt the urge to live with their family members without restraint. The children belonged to different communities and on the basis of their ethnicity, they felt left out and discriminated in the home.

Though a uniform rule was set up for every inmates of the shelter but the girls felt that few of the girls were given more preference than the others. The girls had different trafficking history. According to Sukhi, she felt discriminated because of her identity in the shelter home. She during a casual chatting, she stated that because she was an Adivasi girl she felt discriminated by the caretaker. When cross checking her statement with other Adivasi girls, a similar kind of hostility was sensed. Some respondent confirmed that on getting an opportunity they would run away from the home. In Sukhi's words-

“One day during night time, I shall run away from. No one can do anything then. No body to shout, nobody to scream.” (Personal interview, Sukhi, 2/12/16).

In terms of facilities provided in the shelter home, the girls did not out rightly complained about the infrastructure but their daily habits signalled towards the poor facilities provided to the girls. It was observed during the stay that the girls skipped their meals on routinely basis. They would come to the kitchen and check what was cooked and on being dissatisfactory and disappointed upon looking at the food they would return empty stomach. Observing this habit of the girls, the researcher asked certain questions

relating to this habit of the girls skipping food to the cook and also to the children of home. The cook responds-

“This is a daily occurrence, girls do not like to eat rice and same old aloo and chana sabji every day. What can I do, whatever is there in the kitchen I can cook that only.” (Personal interview, cook, 2/4/16).

The girl states while leaving for school-

“I am not feeling hungry sister. Shall come and eat after school. Afternoon also it would be same food. There won’t be non-veg food or other vegetables (grins and leaves the kitchen).” (Personal interview, Bina, 2/4/16).

The experience and perspective of each inmate differ from each other. Some children whether they like the food or not, regularly come to the kitchen during meal hour, helped the cook by cleaning the utensils, floors and chopped vegetables. All the inmates are given a schedule and duties shared on the basis of the schedule, and according to it they come and help the cook. There were children who have lived in shelter homes run by two different organization and sharing their lived experiences in both the homes, the girls stated that-

“Both the shelter home that we have lived in, are almost similar and nothing matches like living in one’s own home. When we will get an opportunity to leave, we shall go back to our own home”. (Personal interview, Sabita and Geeta, 4/4/17).

However, comparisons are bound to happen, the girls comparing two homes they have lived in, Geeta and Sabita stated that- the food, clothes and other essential things were good and sufficient in Chandigarh’s shelter home. However, they had to follow a very strict routine, woke up in the early morning around 4am when it was still dark, say prayers, study and play on during the playing time. There was no television for

entertainment. Everything was done in a strict and orderly manner. In comparison to that shelter home (Chandigarh), this shelter home (Kokrajhar) is not so strict and we can do things according to our wish. Geeta on a careful and cautious note stated-

“Each shelter home is good in its own way and has its own way of functioning.”

(Personal interview, Geeta, 4/4/17).

While stating about their stay in the shelter home the girls used very careful words to express their feelings. They neither complained about the shelter home life openly nor disapprove their misery. While narrating their shelter home experiences both the girls looked disheartened and lost. They hesitantly referred towards to the quality of food and warden's behaviour in the Kokrajhar shelter home in a subtle manner. The children in the shelter home feared that speaking against the caretaker out in open and with loud voice could further worsen their condition and seek them severe punishment. Therefore, they chose not to speak much about their previous shelter home stay. They were apprehensive in disclosing their true feelings regarding their stay in the shelter home as it was hardly a month had passed of their coming to stay in the home. While Sabita was one who like chatting and referring to incidences in the shelter home which affects them mentally, Geeta remained silent most of the time during conversation. Only when it was about playing or school incidences, Geeta spoke in enthusiasm.

The other inmates who belonged to Bengali Muslim community spoke and were actively engaged in the discussion on shelter home stay. Jupi, Rumina, and Begum were girls who were in the age group of between seven to thirteen years and had been staying the home for two years. Begum, being the youngest of three, followed Jupi and Rumina everywhere. They go to school together, play and sleep in the same bed. Begum has a habit of wetting the bed in sleep, Jupi and Rumina help her in drying the bed in the day

time. They fight over different issues, yet stay together as family. The girls in the shelter home have formed their own small fragmented groups and act as single unit. These groups are formed in terms of their age and ethnicity primarily. The Bodo girls had formed their own groups, while the Santhali girls had formed their own. In between these two groups were the third group who remained neutral and rotated in between both the groups. They were the Muslim Bengali girls. Though there were groups but on festive occasions all girls share their joys. On affairs relating to shelter home all girls stayed together and confides each other secrets.

Begum and Rumina, were displaced during the time of ethnic conflict and were separated from families. Jupi was taken as a domestic worker at the age of six years. She was sexually molested and was brought to the shelter home at the age of seven years. Since then it has been two years that Jupi had been staying in the shelter home. Jupi, with a smile and with some dance move replied to the researcher's question of where is her home-

"I do not know sister where is my home, where are my parents I don't know. My father died long time back and my mother, I don't know. This is only my home and I shall stay here only". (Personal interview, Jupi, 15/4/17).

On asking do you get beaten up, she further responds-

"When we commit mischief, sister (caretaker) beat us with cane stick, it hurts and I cry but I shall stay here only". (Personal interview, Jupi, 15/4/17).

Jupi, statement reflects her vulnerability of not having a home and parents to go to. Due to which she accepts the caretaker's punishment in order to live in the shelter home with her friends, and in process of living in the home she had internalized the violence meted by the caretaker.

However, there were cases of sexual exploitation of girls by their step-fathers who refused to go to their own home and rather preferred to stay in the shelter home. Neha was sexually exploited by her step-father and the mother had no idea for a long time. Neha, ran away from her home to escape the atrocities of her step-father but fell into trafficking net. Neha, haven't clearly opened up about her side of the story before the NGO staff, but on many accounts have told her friends in the shelter home about her step-father deeds and how in winter time during dark she ran away from her home in Siliguri town escaping her step father's evil intension. Neha stated that-

“While I was escaping from my step-father's clutch, I came across Loni aunty. She was kind to me when she saw me alone in a bus stop. She came to me and asked my name, offered me food and on finding me alone, took me to her home. She kept children like me with her and from her home many children were sent to different places to work as child helpers. I was sent to a Malik house in Kolkatta after a week and from there was taken to Delhi.” (As taken from the Nedan foundation records, 17/12/16).

Neha remaining silent about her perpetrator also highlight the conditioning of society where honour is place above the life of a girl. It could be understood that a 16 and half year old girls refusing to speak about her past also signals the strong conditioning of the society which makes it female gender believe that violence at home is natural and normal, i.e. it teaches her to internalized the violence but to speak about it before stranger or in public would humiliate a family and put the honour of family at stake. In Neha's case it can be argued that such strong internalization has come from the society's pressure upon the girl to prove herself as a good character women, there by not blaming or naming the perpetrator.

Dreams and Aspirations

“I want to complete my educations and become a school teacher” was the quick response Ela gave on asking about her dreams and ambition in life.” (Personal interview, Ela, 2/3/18). The eyes of the child survivor of sex trafficking lightened when the researcher asked her about her goals in life. The otherwise silent Ela became chirpily happy and started sharing her school stories, and shared how her father thought of her becoming a school teacher in future. The cousin sisters Geeta and Sabita, were full of energy, interested in painting and craft making. They drew sceneries, danced and sang songs. On asking them about their hobbies and what they thought to become after completing education, Sabita quickly and with full enthusiasm responded *“Sister I want to become an artist, I will sing song and dance on the stage.”* (Personal interview, Sabita, 4/4/17). While Geeta wanted to continue her passion of drawing and wanted to become an artist (Personal interview, Geeta, 4/4/17).

Each child had a thought of having a better future and mostly wanted to become teacher. On asking why they choose teacher as a profession, they replied *“it bring respect in society, people consider teaching to be a respectable profession”*. (Ela, 2/3/18, Maina, 10/4/16). Examining the choice of profession made by the minor girls and the use of word ‘respectable in society’ highlights their wanting of social acceptance, respect, and social positions in a society. These could be achieved by an individual by pursuing a particular profession in personal life was what could be inferred by their responses.

It was interesting to note during conversation that girls were quick to mention that teaching in school would bring them acceptance and respect and also they would be able to devote ample time looking after family and taking care of their homes. A socialization of a girl because of her gender, gender roles she is assigned from birth, the process

nurturing and caring taught to her since birth was apparent in voices of the girl who thought it to be their moral duties towards family and households.

The young women who were living with their families both married and unmarried did not spoke about any personal dreams and aspiration as such in terms of profession. However, all their concerns revolved around their family and economic sustainability. The young unmarried girls wanted to start a new family life, marriage and desired to have a home of own. Marriage and marital congeniality was one aspect which young girls gave importance upon along with economic sustainability.

Fear and Anxiety

The survivors of trafficking post-rehabilitation undergo variety of post-traumatic experience, anxiety and depression symptoms. The respondents during the interview stated that there were days when they would lock themselves up in a room and not talked to anybody. Some respondents even stated that they had suicidal tendency within them. When such tendency heightens, they have even tried to cut their own wrists a number of times.

The girls, when suddenly put into a structured setting after rescue, find it hard to cope with the environment. They go into severe depression and survive on medicine after rescue. In the process of re-integration the victims undergo a lot of hardship and re-victimization by the family and community people. The survivors when settled in their community life face challenges such as sense of terror, helplessness and lack of confidence to appear in public events thereby pushing them towards psychological trauma (Dahl, Joshi and Swahnberg, 2015). Their morale breaks when they have to live in an abusive environment and face multiple rejections. One such story of rejection was of

Sonia. Sonia's relationship with her in-laws was not cordial. Her in-laws lives in town and while she along with her husband and child lives in village. This was done in order to stop the daily quarrel between the in-laws and her as the in-laws did not consume food that Sonia cook. They considered her out of their cast because her being and because of her trafficked history they consider her to be inauspicious. She felt heartbroken about whole incidence. In Sonia's words-

"They did not visit me when I was pregnant, it is only after my son's birth, when they came to know it is a son, they have started visiting our house but do not stay or consume food".

During the interview it was observed that the life of a traffic survivor passes under great fear, anxiety, depression and perplexity. The young adults interviewed during the study stated that from the time they were trafficked, working and after re-integration they have been under fear and anxiety. While on being trafficked they were tortured and abused, during working days they were abused, the victim taken outside the country faced torture and abuse and their passport were confiscated by the owners. Confiscation of passport jeopardized their possibility of return, putting them into fear and depression state. The women who were trafficked by means of marriage and love elopement faced abuse in hands of their own lover and husbands creating an atmosphere of fear, darkness and perplexity. According a respondent narrating her ordeal states-

"He was very abusive, came home drunk almost every day, beat me, sexually molest and harass me. He used very bad languages and slangs whenever he got angry. I had no other way than to listen and do whatever he asked me to do. It was a new place for me, I did not have a single penny in my hand nor did I know the city or its language."(Personal interview, Rashmi, 12/12/16).

According to scholar such as Rayaprol subjugation of women is not only by legal institutions, but it starts with patriarchal family structure (Rayaprol, 2016, pp. 375). This statement is true for women who have been illegally trafficked within and outside the countries in pretexts of jobs and marriages. The trafficked victim when trafficked to international locations is doubly jeopardized. When they land in the foreign land, not only is their freedom to free movement is restricted but also all their legal document are confiscated, blurring their chances of escape when hit with severe misery. Most often than not these incidence take place with the close doors of the owner's home where they are working as house helpers and nannies. Domestic violence, abuses, torture, beating, battering, rape, sexual harassment becomes a daily affair in their place of work, which in this case is a domestic home.

According to field data collected, it was observed that the girls from Nepal are trafficked into India side of the border on the pretext of providing jobs in Indian metropolitan cities. However, when they enter into India they are transported outside the country through fake passports. As the Nepalese government has become stringent in their trafficking laws, they do not allow the female citizens to travel into the Arabian countries for work under age group of below thirty age. Indian routes are illegally used to transport them with fake or pseudo names and citizenships. After they land into Saudi and Middle East countries, they are put into prostitution. Sheiks of the Arab countries keep them as domestic help and sexually harassed, molest and rape them (KUK, Siliguri, 2/09/17).

The women on return still survive in the atmosphere of anxiety. The married women interviewed stated that they do not want the children to know about their trafficking status ever in future. The trafficked survivor fears that the child won't be able to understand her condition under which she was trafficked and secondly, it would lower her self-esteem if the child questions her about the past. She also hinted towards the rule of

patriarchy that exist within the martial relationship. Sonia states that though she entered into this relationship with her own will and her husband know about her past history but when he gets angry, he brings her past in between the quarrel and this makes her fear that in future he might leave him. In her words *“He, sometime in anger do abuse me and taunts me about my past and says that he should not have married me. His words hurt me at times but its ok he is my husband, I think and reconcile myself.”* (Personal interview, Sonia, 2/11/16).

Conclusion

The woman/girl and the minor who have been brought back and repatriated into different kind of social structures such as schools, family system, kinship, community etc. suffer from an unsaid agony and silent suffering. The interviews with the survivors of sex trafficking reflected upon their fear, their apprehension in mixing with community people, classmates because of their prejudice. The social rejection, victim-shaming in school and society break their morale. They start to withdraw themselves into a cocoon of silence. The procedure of rehabilitation and re-integration therefore need to be thoroughly examined by the anti-trafficking organizations before repatriating the survivors. In order to do so, it has become essential to highlight the fears of survivors in terms of policy interventions, filling the loopholes that exist in present rescue and rehabilitation policy.

Another important concern of combating trafficking ^vshould be the degree at which the viewpoints of a traffic survivor are taken into consideration by the policy makers, intelligentsia, and main stream society for formulation of a prevention strategy. During the field work, the responses of the traffic survivors hinted towards the lacunas that exist in policy intervention methods at the ground level and hence, are in need of serious redressal.

Also, it should be noted that after a victim is repatriated within her community, a follow up should be undertaken by the NGO to see if the girl is able to adjust into the social structure. If there is a sign of withdrawal, other possible options need to be explored to better the life of traffic survivor. The next chapter therefore focuses upon the ^{viii}combating measures undertaken by the organization involved in tackling the issue of human trafficking.

Endnotes

ⁱThe name remains unchanged because these women were never traced and FIR has been registered about them being trafficked as they have gone missing for three years, the case studies were collected from the NGO which was approached by the family members.

ⁱⁱmadam (owner) of the brothel.

ⁱⁱⁱ As mentioned in Siddharth Kara's book, 2009.

^{iv}Didi in the chapter refers to the madam of the establishment.

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- Personal interview, Dooars Expressmail, Jalpaiguri District, West Bengal, 5/9/17.
- Personal interview, Dooars Expressmail, Jalpaiguri District, West Bengal, 10/9/17.

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Personal interview, Sukhi, Kokrajhar District, Assam, 2/12/16.

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Personal interview, Meera, Kokrajhar District, Assam, 19/11/16.

Personal interview, Rani, Jalpaiguri District, West Bengal, 17/8/17.

Personal interview, Sushma, Jalpaiguri District, West Bengal, 18/8/17.

Chapter VI

Institutional Responses of NGOs and Police to Combat Trafficking in Persons:

Measures and Actions

This chapter discusses the combat actions undertaken by the different anti-trafficking organizations and law enforcement agencies to fight trafficking in persons. The objective of the chapter is to critically analyse the combatting measures undertaken by these organizations to safeguard the interest of a traffic victims. Critical emphasis is laid upon the examination of protective measures undertaken by these organizations to prevent the occurrence of trafficking cases from the region on one hand. While on the other hand, evaluation of anti- trafficking actions is done, in order to examine the beneficial impact of these measure, if any, in terms of preventing re-trafficking of victims and providing them sustainable livelihood. Ford, Lyons and Schendel, 2012, have point out that anti-trafficking initiatives and combatting actions “involves rescue and repatriation programs for the victims, education programs about the dangerous habits of smugglers and traffickers, development programs aimed at improving economic livelihoods in hotspots, and international and bilateral policing efforts aimed at securing borders and arresting smugglers and traffickers” (1-2), to prevent the occurrence of trafficking cases in vulnerable regions.

The chapter primarily focuses on different mechanisms adopted by the anti-trafficking organizations in identifying the trafficking prone areas, the potential victims, rescue and rehabilitations, and remedies undertaken to prevent origin of trafficking cases in the region. In the process of examining the practical workability of these measure in the field and procurement of benefits by the victims, the chapter argues that-- these anti-

trafficking measures undertaken by the organizations are not free from the larger politics of prevention, rescue, and rehabilitation. The organizations involved in the work of prevention and rescue primarily follow the abolitionist approach in which they prevent the girls from migrating outside the region in search of work. Ray (2018), on similar lines, has articulated her argument by stating that an anti-trafficking organization rather than providing a safe channel for female migration believes in preventing a woman from making an outward migration for various purposes. The anti-trafficking organizations believe that a person coming from a poor economic background irrespective of his/her caste or gender is vulnerable to physical and mental exploitation, when they migrate outside the region for work. For women and girls specifically, they believe that they would be placed in an exploitative labour condition where her modesty would be outraged, she would be sexually exploited and forced to perform illegitimate work such as sex work. Therefore, on the basis of these arguments, the anti-trafficking organizations lay special emphasis on preventing the woman and girls from migrating outside the state.

Organizations take measures to monitor the movement of the women and girls and regulate their actions. However, such precautionary measures when adopted in the field delivered little aid and benefits for the people at risk. It was noticed during field work that when they formulate their action plan in line to this approach, they tend to forget that the political economy of a region plays a major role in the trafficking of a person from that region. Providing the people at risk with a short-term monetary help without providing them the efficiency to sustain their livelihood pushes a family towards the well-knitted web of exploitation by the traffickers. Therefore, it has to be taken into account that survivors when brought back have various needs such as psychological, emotional, and economic for survival. These needs have to be taken care of in order to fight the illegal and inhuman business of human trafficking from the region.

The study undertaken in different district of Assam, West-Bengal and Nepal, reiterated the fact that—though poverty acts a universal factor which facilitates the booming of trafficking syndicate in a region, this factor cannot be studied as an only reason for the growth of a trafficking network in that region. The field report of Assam suggest that when a woman and girl is trafficked and brought back as a survivor of trafficking and later re-integrated within her community, she faces economic vulnerability and hardship due to lack of sustainable livelihood. She also suffers from isolation, ostracized at the hands of community members that force her to either run away from home and in the process get re-traffic, or impose upon herself restrictions thereby curtailing all her social relations. Under both the conditions, it is her social relationships and living conditions that determines her actions. Similarly, field data in West-Bengal and Nepal suggest that prevention, protection and intervention methods are gender bias and the preventive actions of the anti-trafficking organizations runs on thumb rule of preventing women from migrating across international border for work. Hence, under such conditions it becomes essential to study and examine the preventive measures undertaken by the anti-trafficking organizations to fight the evils of trafficking in persons.

The preventive measures adopted by these organizations to fight trafficking focus on organizing awareness programmes at local level for various village communities. Training of and awareness programme for the law enforcement agencies, school going children etc., in form of workshops and lectures are organized at region a land local level to sensitive them about human trafficking. The selection of the area, communities, school etc., is done on basis of the ground work carried out by the staffs of the anti-trafficking organizations. The survey of the region is done by the field staffs at regular intervals. Data is collected on new cases of elopement, missing, kidnapping, domestic violence and trafficking of young girls, boys, children, women etc., from the villages and surrounding

areas in order to identify the problem. Anti-trafficking organizations on a regular basis monitor's the border, and builds a strong Standard Operating Procedure (SOP) of actions with their partner organizations across border, and also collaborates with the law enforcement agencies such as Sashastra Seema Bal (SSB), Central Reserve Police Force (CRPF) and with railway police to combat trafficking across border areas, airport, and trains stations. The anti-trafficking organizations at local level build partnership with village heads, village panchayat members, women organizations, student unions, local taxi drivers, rickshaw pullers, shopkeepers, bus drivers, and, bring them into their ambit of close associate to fight the menace of trafficking in persons locally.

Through workshops, training programs and community meetings are held on a regular basis community for every staff members to keep them updated about trafficking scenario in the region; field workers are specially trained to remain vigilant about trafficking problem in the region. They are provided with skill training and knowhow about issues such as- what happens when a person is traffic, how a trafficking syndicates operates, and the probable and immediate actions that can be taken in emergency. All these measures help in raising consciousness among village people when a field worker, who is one among them talks and informs them about trafficking scenario in their own regional and vernacular language.

Simultaneously, the anti-trafficking organizations select few local youth from the village to work as community workers. A community worker is generally a high school pass educated youth who remains unemployed for a long time due to lack of employment opportunities and other difficult circumstances. They are appointed as field workers and informers by the organizations. The main purpose of appointing a field worker is to know the local problem of the community. Appointing someone from within the community help in extracting rudimentary information about the villagers' daily problems. The

community worker, being a member of the community, an insider, remains vigilant and updated about the village's condition. He/she keeps an eye on any new person's entry, his exist, and also reports to the NGO and the police when someone from the village goes missing. Workshops, training programs and community meetings are held on regular basis to train the community workers about trafficking problem in the reason, what happens when a person is traffic, how a trafficking syndicates operates, and probable and immediate actions that can be taken during the time of emergency. This meetings, workshops and training helps two way round in raising consciousness among village people, when a person from their own community informs them about evils of society in their own vernacular and local language and dialects.

Although these awareness programs are helpful in generating awareness and alertness, however the language and method used to sensitise people can be seen as problematic. The grievousness of problem is described before the general public as a heinous crime committed against a woman and children majorly. The identity of a women, a victim, is thereafter build within the socially constructed image of a mother, a sister, a daughter etc., kidnapped, abducted and trafficked by an unknown man for wrongful business. Violation on a woman body is hardly discussed or becomes an issue of concern. Rather, the problem of trafficking becomes an issue of disgrace, dishonour and shame for the community and the man, where the woman of their household are taken away by a stranger man. Here, a living woman is simply turn into an object of possession, and her identity gets limited within the patriarchal understanding of womanhood, honour of family and community, and not as an individual. Hence, trafficking becomes a collective agenda and not an individual concern for woman safety and security. Hereafter, a mainstream propaganda is built in which a traffic victim who later turns into a survivor post-rescue is believed to be under welfare agency in dire need of state welfare. Thus an initiation

towards creation of victim image is done through different levels of programmes and policies. If the trafficking victim was put into forceful sex work than this image of “victimhood” is further exploited and manufactured to suit the interest of funding and welfares agencies. It is in this lines Kempadoo (2001) argues that the woman involved in global sex trade is presumably portrayed with one dimension, an understanding developed by the NGOs and mainstream media as ‘victims’ of male sexual violence, she is one who would never enter sex work with consent. Hence, victim of sex trafficking are to be protected and perceived as mild being incapable of taking decisions for self-welfare. As a result of these understanding, the survivors of sex trafficking are always in need of protection and support only in books but not in practice. Hence, meaningful means of sustainable livelihood never becomes a concern for policy framing and implementing agencies.

Thus shifting the realm of sex trafficking as gendered problem to economic vulnerability of a family and region the anti-trafficking organization have started to employ unemployed youth of the region as crusader of human trafficking. The anti-trafficking organizations carry-out following preventive actions and they are discuss below-

Prevention and Intervention

Most of the anti-trafficking organization starts with one point agenda of stopping the business of buying and selling of girls for sexual purposes. On asking questions about – the objective/ purpose/ vision behind working in the area of trafficking in person, all the anti-trafficking activists pointed towards the sudden upsurge in unsafe migration pattern of poor people from the region towards metropolitan cities in search of jobs. There were rising cases of girls, women and children missing from the region which attracted their

attention towards human trafficking and its proliferation in the region. According to one of the respondent-

“The girl who agree to go with the trafficker for work do not know that she is being traffic. It was only after she lands into a distressful situation from where the return becomes impossible, she realises that it a trap into which she has been preyed. Under such condition, her rescue becomes important. Therefore, we always try to prevent the girl from migrating out of region at the initial stage. Intervening into the matter when the girl is within our reach spatially, is our foremost action. We try to stop her from getting transported into another state or country” (Personal interview, Dooars Expressmail, 27/8/17).

Another respondent states about how prevention started in the India and Nepal borders;

“Because India and Nepal share a porous boundary line, with similar language of communication, trafficker’s transport the girls across India-Nepal border. During early 2007, chairperson of Maiti Nepal, Anuradhaⁱ Diyu informed me about Nepalese girls going missing from Darjeeling and Jalpaiguri districts in India. Then, at that time I first came to know about the issue of sex trafficking that had started breeding in the region. It was at that moment, I thought of working in this area for our sisters who were put into forceful prostitution.” (Personal interview, KUK, 19/8/17)

The anti-trafficking organizations with an objective to stop the proliferation of human trafficking cases at its origin; lay emphasis on prevention, intervention, and post rescue support to traffic victims. The approach of the NGO however can be placed under scrutiny by analysing their methods of intervention and their understanding about the phenomenon of human trafficking. The NGOs while combatting the problem of trafficking most of the time take a moralistic stand by preventing the women from wilful entry into

the business of sex trade. They force the women to restrict her aspirations and physical movement.

The prevention and intervention against trafficking is carried out by the NGO in three levels-- one, preventing the origin of human trafficking cases at its root through awareness camps, consciousness raising, community sensitization, taking part in policy making and in recent times sending request to the political organization to include the burning issue of trafficking and their take on it in their election manifestos. They take corrective measures to support the victims of trafficking by providing employment generation opportunities. The standard prevention and intervention method adopted by the NGOs thereby involves prevention-rescue-restoration-rehabilitation- re-integration process. To carry out prevention programs in the regional level, NGOs follow the process of involving different stakeholders of the society and government officials into combatting human trafficking. The government level stake includes members of child club- vigilant committee members- Village level Child Protection Committee (VLCPC) –Gram Panchayat Level Child Protection Committee (GPCPC) - Block Level Child Protection Committee (BLCPC) -sub-division level child protection committee and District Child Protection Unit (DCPU), they are made active members of the group to initiate and actively carry out the process of combatting human trafficking.

Second, on receiving information from field workers about illegal transportation of girls outside the state, they carry out interception and raids at different transit points such as trains stations, airports and bus stands. The organization keeps itself well-informed and updated about the modus operandi of traffickers to prevent illegal-transportation of girls from their region. The NGOs also work on the area of providing adequate training in form of workshops to the defence personnel assigned with the job of monitoring the border and check-posts. A respondent explains about the newly brought change in modus operandi of

traffickers after an increase surveillance in airport and borders through intervention and interception method. He states--

“When we started intercepting girls/women in Bagdogra airport, we were able to intercept more than 300 hundred cases of illegal transportation of Nepalese girls from Bagdogra airport. The intercepting team stood at the entry point of the airport to observe the travellers. In second month, the number of interception cases came down, and in third month the number stood at 30. With coming down of number of interception cases, it was inferred that with increased surveillance in the airport area, traffickers have changed their modus operandi. Now, Nepalese girls entered into India through Kakarbitta-Panitanki route, came to Siliguri and from Siliguri they either took bus or train towards Sikkim or Assam. From Sikkim (Pakyong airport) and from Assam they (Guwahati airport), flew to different metropolitan cities.”(Telephonic interview, KUK, 2/2/19).

According to field data, continuous surveillance of the airports and interception of girls travelling from the Bagdogra airport had significantly broken the backbone of trafficking network in that area. The interception method had positive impact in curtailing/breaking the network of the traffickers from time to time. The Nepalese NGO have set-up a surveillance and intercepting team in its border to prevent Nepalese girls from being transported into India and put into exploitative labour conditions. According an anti-trafficking agents of Nepal;

“We sit in the transitⁱⁱ to observe the travellers and on suspicion we stop women and girls to cross question them. Most of the time it is found that the girls are going to Siliguri, India in search of work. When they cannot answer to our question satisfactorily, we stop them from crossing the border. This way we have stop many girls from going to India for work.” (Personal Interview, Intercepting Agent, Maity Nepal, 8/9/17).

Similar action of interception and surveillance is also used in Panitanki, Indian side of border. The Field worker of the NGO in Indian side reiterating similar views stated that they observe and monitor the crowd in the overpopulated space of India-Nepal border at Panitanki. They try to identify the potential/probable victims of trafficking. For doing so they rely upon their expertise of field observation, experience and intuitions. During observation and monitoring of the area, if they notice a Nepalese woman/girl, seeming afraid and timid in her actions and movement coming to Panitanki, than she is stop and questioned. On cross questioning, if found out that she lacks proper information of the place she is migrating to, she is being intercepted by the field workers. Sharing experiences from the field, field worker of the NGO states-

“We stand at different corner of the border and from distance observe the movement of people crossing border. On getting suspicious of a particular woman/girl among the crowd, we follow her. Observe her body language, her movement and if during close observation we feel something is wrong, we approach her and cross question her. The cross question generally starts with name and where she is heading to. If she provides a satisfactory answer, we let her go. If not, then she is withheld and taken to SSB office”. (Personal interview, Tiny Hands, India, 18/8/17).

Stating trafficking across India and Nepal Border as a problem of illegal migration and impact of globalization, the field activist further states-

“Trafficking in borders have become more of a migration problem. Nepalese girl migrate to Indian cities in search of jobs and get trafficked. It is wilful unsafe migration that they make in search of livelihood. They see India as a land of opportunities even though if it means getting into wrong hands.” (Personal interview, Tiny Hands, India, 18/8/17).

When an analysis of the process of interception in the border of India-Nepal is done on the basis of the above statements, a gender bias approach adopted by the NGOs is reflected in the name of protection and safety of women. The approach undertaken by the NGO restrict a women irrespective of her age to freely access a public space, in this case the border. Because of her gender and sexuality, she is consider to be vulnerable to unseen danger and threat. Therefore NGOs under the long establish patriarchal belief and norms restrict a women's mobility under the disguise of threat to women's chastity in absence of legit authority. Another point which needs to be enquire upon is the risk a woman/girl willing takes across unknown territory for search of livelihood. Migration earlier was understood as a phenomena which was undertaken by a man in search of job outside the country. However with the advent of globalization and neo-liberal economy system, a gender pattern of migration is taking shape. Traffickers taking advantage of the economic vulnerability of a woman/girl, offer jobs which are normalized as woman's work. Women agree to work as nannies, in parlour services, dance bars, sex work, and domestic helpers. They undertake this jobs for livelihood without thinking about the consequence of unsafe migration. They believe the words of trafficker and agree to migrate. They know the nature of work partially but do not know the actual working conditions under which they would be working. Thus, lack of sustainable employment for living in their own hometown forces them to take the risk of unsafe migration. The anti-trafficking organization knowing frequent occurrence of unsafe migration starts monitoring the border as prevention activity.

Other than monitoring the borders as a prevention and intervention strategy, the NGOs carry out the intervention method by providing training to the officials guarding the border at different travel points. The arguments put forth for such intervention programs-- is to seek help from the law enforcement agencies who hold authority to check, withheld

and arrest a person on suspicion unlike the NGO staffs. Collaborating with the law enforcement agencies gives them an official access to prevent the unsafe illegal migration/transportation of women with immediate effect. Highlighting the benefits with collaborating with the law enforcement agencies, an anti-trafficking activist states-

“As a civil society organization we can stop a person and cross-question him/her to a certain extent, we do not possess power to withheld a person or restrict him/her from moving. It is her/his fundamental and human right to free movement. However, with close association with law enforcement agencies, we can prevent dubious acts from taking place. Police has the right to arrest on sensing something wrong. Therefore building a strong collaborative network is essential to prevent trafficking.” (Telephonic interview, Dooars Experssmail, 24/3/19).

Resonating similar views, another NGO activist states-

“Providing a training workshops on definition, meaning and pattern of trafficking along with information on different laws for combatting trafficking essential. The BSF, CISF, SSB jawans who are appoint in the border, and airport do not know what is trafficking so to say. When a workshop is organized and information disseminated to them, they get enthusiastic and committed to the cause. They become alert and sensitive against trafficking of persons. However, their enthusiasm and commitment is short lived and they again become apathetic towards the cause. Therefore a time to time workshops has to organize with them.”(Telephonic interview, KUK, 24/4/19).

Therefore, to infer from the interviews, indifference and lack of commitment, knowledge of the problem for uprooting trafficking among the law enforcement agencies is another important factor which contributes in the growth of trafficking syndicate. Also with passing of time and increasing presence of trafficker without being caught around the

important transit point such as bus stops, railway stations, airport and international border hint towards practice of corruption among the officials on duty. The traffickers in order to have a smooth and trouble free passage through these transit point bribe the security officers. Although with increase of prevention programs across these transit point with rare arrest of traffickers by the security officers have been able to save life of many girls/women at risk. But the emphasis is always put upon the rescued and recovery of trafficked girl.

It is very important that the traffic victim post-rescue is provided with proper counselling, therapy, sustainable livelihood opportunities to live a dignified life without societal prejudice. Therefore, the third point highlights efforts of NGOs to provide post-rescue help to the traffic victim in order to empower them socially and economically, thereby preventing them from getting re-traffic. The rescued victims are kept in shelter homes if they do not have a home to go. Stay in shelter homes though provides a roof over head to the victims, but misogyny and discrimination are not exceptions. The inmates are name called, judged and disciplined to function according to societies norms. Their clothes, behaviours, dressing pattern, walk and talk all are monitored and governed.

To maintain the functionality of the NGO, they bring in different stakeholders of society to provide help to the traffic victims. District legal service authority (DLSA) is one such unit of stakeholder, who provides free legal aid services to the victim. The NGO with the help of DLSA, counsels the victim to filing for compensationⁱⁱⁱ for different crimes committed against children and women, securing approval for the compensation, opening bank accounts for procurement of compensation and filing of cases against the trafficker.

However, receiving compensation from the government has always been a difficult task. Not all DLSA members show interest in expediting the compensation procedure. It

has been problematic for the victims to claim compensations because of procedures and criteria set forth to receive compensation. Also, the action undertaken by DLSA varies from district to district. In case of traffic victim compensation, the field data suggested that percentage of victims who had received compensation from state or central government is equivalent to zero. As per the victim compensation act of 2012^{iv} in Assam a victim should receive rupees 15,000 as compensation. While in West Bengal Rupees 10,000 is given to the victims by fulfilling the criteria laid down under the act. Under special provision, a girl/woman can be considered as a victim of human trafficking and given compensation under DLSA's recommendation. However, on this account DLSA too have failed to provide any relief on economic terms to the victims of trafficking.

To quote a respondent-

“ DLSA has been of help in providing training in legal matters, filing of cases in police stations, pressuring the police to use stricter laws for sever punish to traffickers but in relation to victim compensation, DLSA's role has been insignificant. No DLSA authority have informed us about the provision under Victim Compensation Act for claiming the money for victims.” (Telephonic interview, KUK, 2/2/19).

According to another field worker in Assam, DLSA members have states that the process of compensation being lengthy, and difficult, compensation are usually difficult the victims to avail. The field report suggests that post-rescue the life of traffic victims become more difficult. They live without proper care, social protection and are hounded with social discrimination and stigmatization; as a result many women and girls have returned to sex work.

Awareness Programmes

Awareness programme is an important tool of preventing the villagers from falling into the traps of the traffickers in the local level. Awareness programmes generally are conducted in forms of public meetings, plays, songs and dance programs on issues specific to traffickers and trafficking networks. They are conducted in local language of the village people to have a mass outreach and effective communication and dissemination of information. Programmes and meetings generally highlight the plight and raise consciousness about the condition of a girl and woman in the family. Their economic vulnerability helps the trafficker to take advantage of the situation and build a short term relationships with the girl and her family. During one of the meeting, an anti-trafficking activist spoke to the people about their conditions that is most often exploited by the traffickers, she states-

“When an unknown person comes to your village, do not believe his/her words immediately. He/she might be a trafficker who has come to take your daughter away, they will show you lucrative dreams and offer money for solving your economic problems. In lieu of money, he/she would express desire to take your daughters with him/her for work. But in reality he/she would take your daughter and sell her to other person for money. They are human traffickers.” (Speech in a meeting, GOLD, Samguri, 19/3/16).^v

Therefore to combat trafficking in persons in the region, anti-trafficking organizations lay major emphasis on successfully conducting awareness programmes at village level. They target the villages that are hit with conflict, backwardness, chronic poverty and underdevelopment. The anti-trafficking organization in a collaborative efforts with students associations and local youth organizations call for meeting in school

playgrounds or police stations of the village to alert and inform the villagers about trafficking network functioning in the region.

Selection of government school playground, colleges or a police station premises can be understood and examined as a strategy adopted by the anti-trafficking organizations. In order to grab the attention of village people and generate seriousness towards trafficking issues such premises are chosen. Along with selection of the venue for meetings, inviting school teachers, headmaster and sub-inspectors of the village to participate in the awareness programs have great psychologically impacts on local villagers. In villages, a position of school teacher, headmaster and a police officer is regarded with high respect because of their education and position in society. When such dignitaries from within the village is invited to explain the negative impact of human trafficking in society, the villagers who lack education, stable livelihood means, working as daily wage earners, agricultural farmers, tea-garden labourer start perceiving the issue of human trafficking with concern.

Such meetings and camps are not limited to talks and lectures but also includes plays, songs and drama highlighting the reality surrounding trafficking in persons. The moral reflected through such plays and dramas for the villagers-- is to denounce any kind of offers and opportunities about which they do not have confirmed information. The awareness programmes are generally planned before a week to fifteen days in order to gather enough number of audience. Participation of villagers on such awareness programs are of prime importance and therefore these programmes are organized mostly on holidays and weekends. The villagers are mostly hesitant to participate on weekdays because of their engagement into different kind of labour and agricultural works for livelihood. As they are daily-wage earners, they are reluctant to lose a day's wage in order to attend such meetings. Thus, the major challenge faced by the anti-trafficking organizations in

organizing an awareness programme is the presence and attendance of the villagers, who such programmes target on.

In order to bring the maximum number of villagers to awareness programmes, the NGOs with the help with the local leaders build a strategy of providing monetary allowances to all the attendees. The local organizing committee member then informs the villagers about the monetary help they would receive for participation along with lunch and snacks. The amount for each participant is rupees 100-150. Such kind of incentives and money are used to bring more participants for the meeting and camps. The participants range from women, young girls, children and youth. According to one of the anti-trafficking activists, he states that:

“Villagers do not want to come for the meeting leaving their daily work, it is difficult to bring people for the meetings, especially women. Women are loaded with household works and well as agricultural work, therefore we decide to give money to everyone whoever comes for meeting and take their signature in the receipts. This serves the purpose of our programme and also theirs, as they do not have to lose out their income on the day of the meeting.” (Personal interview, GOLD, 26/2/16).

Another respondent states-

“When we plan to organize a program on generating awareness among the local people, we plan a whole day activity to keep the local people engage in the program. We organize plays, meetings, one to one dialogue with the local people about their issues and problems. We also give them snacks, lunch and develop a community feelings. This way we try to bring the local people together with the shelter home girls and helps in making the re-integrations process easier.” (Personal interview, Nedan Foundation, 17/11/16).^{vi}

Most of the anti-trafficking organizations work in close collaboration with the local communities in order to build a strong sense of belongingness and brotherhood. The community activities helps in making the process of rehabilitation and re-integration easy and smooth in case of child victim of sex trafficking. However, this practice of community bonding works only when the activists working in the ground share similar kind of social background and ethnicity. Working in the ground with the local activist and field workers highlighted an important fact that a local field worker coming from similar ethnicity was able to procure and build more stable and trustworthy relationship than one who knew their language but did not share same ethnic identity.

While there are different kind of awareness programs planned for different groups, school children are given primary importance for generating awareness and alertness in the community and society. According to one of the respondent-- the main reason for choosing children and young adults as campaigner against trafficking is because of their age and smartness. The respondent states -

“We choose to disseminate information about trafficking network among school going children studying in higher class of VII to XII, because of their large friend circle and outgoing nature. The collage going young adults group is also brought in as vigilant committee members because they are primarily targeted by traffickers. Educating and sensitising these groups on the issue of human trafficking means making an attempt to stop proliferation of trafficking network on the ground. Sensitizing one child would help in sensitizing their entire peer groups. They can act as an active vigilant committee member and on sensing something fishy they can contact us directly” (Personal interview, KUK, 10/9/17).

The field data reflects, that awareness programs are of great importance for combatting trafficking in persons, however, the effectiveness of the awareness programs in sensitizing the village community through plays and meeting, a difficult task. Also, the method of awareness generation differs from one NGO to another. Field experience and interview with anti-trafficking activist highlights a mechanism developed by the anti-trafficking organization to prevent trafficking of young adults from the region. As part of awareness program, the NGOs sensitizes a girl and her family in the region to raise voices, concerns in forms of opinion and questions towards the agent who promises to provide jobs in metro cities. On having doubt, uncertainty over the agents promises and proclaims, they are advised to question him/her. More importantly, as safety measure village people are advised to inform the local NGO about such offers and persons. Villagers and families are trained and advised to ask the agents about the nature of the work they would be providing, duration of work, place of work, amount to be paid etc. Along with questioning the agents relating to work, they are also advised to examine the genuineness of the proposal by insisting on organizing a meeting of the agent with local NGO people, village head/gram panchayat head or local police station providing complete information about the nature of the work the agent promises to give the girl/boy/woman. If the agent refuses to visit any of these people or is hesitant to provide complete details then, they are advised to not accompany such person outside the village. According to one of the respondent, it is difficult to comprehend the mind-set of the youth as they do not fear to take unseen risks in life-

“Young adults are an age group which is more into technology and social media sites. Therefore, making an impact on their mind is difficult through meetings, plays or pep talks at school and community level. Educating them about trafficking network’s functioning in the region and practically partnering with them to combat trafficking on

field can help in generating more seriousness towards the problem. This will also means attacking the trafficking networks at its core, however there are instances where after attending sensitization and awareness programs people young adults fall prey to trafficking network. In a desire to earn money and see new places, educated girls and boys fall into the trap of traffickers.” (Telephonic interview, Dooars Expressmail, 31/1/19).

In another interview, a respondent states the roles of recruiting agencies in the hills and plains of West Bengal districts. According to the respondents;

“The recruiting agencies or the placement agencies as it is called print advertisements on local dailies and pamphlets about female oriented job opportunities in foreign countries with lucrative salaries. Seeing such ads in newspapers, a hope is built in young minds who are in socio-economic distress and want to earn money. They believe in the ads and approach the concern agency for getting recruited. Once they fall into wrong hands, it becomes difficult to trace them. Therefore, to control such migration patterns, organizations have appeals to the recruiting agencies to maintain proper records of the persons they have sent abroad for jobs. Lack of jobs and sustainability have force people to migrate out of country.” (Personal Interview, KUK, 2/9/17).

Visits to the field for conducting awareness program at a village level provided the researcher with an input about the village life and how they strive to sustain their daily needs. These kind of awareness program is generally targeted at tea garden areas and remote border villages where the populations are daily wage labourers and small time cultivators. Their social reality being different and marginalized from the mainstream town lives, such an awareness program creates very little impact on them. On interactions with women folks who had come for the meeting, it was found out that they had no idea about the agenda/objective/purpose of the meeting/gathering. One of the women stated

that the village head and a *Mahila Samitee baido* had asked them to be present for that day's meeting. They were informed about a "*Baido*"^{vii}, coming from the town (Guwahati) to talk on a social issues. They were told that on attending the meeting an amount of Rs.150 would be given to each person. Therefore, to earn Rupees 150 in one hour by just sitting and listening to the lecture without any manual hardships interested these village woman, who otherwise had to perform hard manual work to earn a living for a day. Hence seriousness towards such awareness programme among the village people was hard to understand and measure even though large participants gather for the meeting.

The awareness programme brought in the influential people of the village and paying the attendee for their presence was a good move to make the programme a success, however, the ground reality about its effectiveness need to be cross checked. Monitoring of contemporary trafficking cases from a particular village where the awareness programme was conducted has become an immediate need. Another option explored was making participants from the village responsible by involving and engaging them as vigilant committee members in order to fight germination of trafficking networks. Support of the local organization and associations such as student union, youth associations, *Mahila Samittee* members, village head and panchayats members was seek and they were brought into the close association of the NGO network in order to keep a close eye on village. Any suspected movement or occurrence in the village was to be reported to the NGO which would then help to report first-hand information to the police about the incident.

Fake Passport

Cases of illegal migration of girls from Nepal to India and vice-versa and then from India to Middle East and Gulf countries, and in some cases from Nepal to middle-

east countries have become a common practice among the trafficking networks. The trafficker change the name and citizenships of Nepalese girls and women into Indian citizens and from India, they are taken to work in foreign countries as cheap labourer. They do so by forging the travel document, identity proof, birth certificate, and passport and visa details of the victims of trafficking. Though Nepal government have strict migration rules by not allowing Nepalese women to travel into Middle-east and Gulf countries for work, but under certain conditions and with the help of corrupt system, the traffickers are able to smuggle girls and women out of the country as worker. Even though girls are illegally smuggled through Nepal but the major illegal migration takes place from Nepal to India. The Nepalese girls and women are illegally brought to Indian metropolitan cities; kept in rented rooms of different placement agencies for a period of three to six months, before they are finally transported outside India. Before these women and girls are smuggled out of India to different foreign destinations as cheap labourers, they are put into exploitative labour conditions in Indian placement market of sex work and domestic labourer in different houses and home based brothel. Once the visa and passport of the girls and women gets ready in their pseudo name, they are sent to another country as labourers. The girl and women is kept under complete surveillance until she reaches her destination country. After reaching the destination country and put into work at homes where she has been recruited, violence and exploitation at all level starts. Her travel documents and identity proofs are confiscated in order to restrict her from fleeing. Describing the situation of the girls who go abroad for work, an anti-trafficking activist states;

“Immediately after she lands into the master’s home where she has been appointed as nanny or as house maid her passport is seized from her in order to prevent her from

escaping. The misery from the time she lands in foreign country, in a foreign home”
(Personal interview, Dooars Expressmail, 25/8/17).

The illegal migration through fake passport has in many occasion landed the trafficked girl/women into dangerous situation where her return to her native countries have become impossible. Many of them under such difficult life conditions had lost their lives due to severe illness, committed suicide and are murdered in the working country. Sharing one such case story of the a victim of cross-border trafficking through fake passport, an anti-trafficking activist states-

“Indian Nepali women had gone to Saudi Arabia on a fake Nepalese passport for work. Her name, identity and citizenship was changed as Nepalese. Unfortunately, under mysterious condition she died while working there. Her family members contacted us, because her identity was falsified it became difficult for us to file a case her and bring her body. Then we took help of Maiti Nepal, Kathmandu, to approach the Nepalese government and somehow brought her body.” (Personal interview, KUK, 12/8/17).

With an increasing cases of cross-border trafficking and unsafe illegal migration coming to light, the anti-trafficking organizations built strong networking system through awareness and sensitization programs targeting specially women and young girls. With changing modus operandi of traffickers, these anti-trafficking organizations too built in-house mechanism to prevent trafficking in persons. Holistic approach concerning the livelihood sustainability was developed by bringing women into community work and forming self-help groups at village level. Individual loans were also provided to establish small time business to make women economically empower and engage in decision making. Other than creating sustainable livelihood programmes, community were alerted

about the rising trafficking problem, with regional recruitment agencies advised to keep official records of all movement done through their agencies.

Identifying Victim's at High Risk of Being Trafficked

Correctly identifying a potential victim of trafficking is an important step in protecting the human rights of a traffic victim. According to *Gallagher and Skrivankova*, (2015) “failing to recognize a person as potential victim of trafficking may not only violate that person’s rights and cause harm but also hamper opportunities to deal with trafficking offenders through interdiction, investigation and prosecution” (29).

The field data suggests that each anti-trafficking organization at individual level develop different mechanism to identify families or individuals who are at high risks of getting trafficked. The anti-trafficking organizations develop their own terminology to categorically identifying individuals and their families who can be a possible target of traffickers, therefore efforts are taken to protect such families and individuals from becoming targets of trafficking network. Efforts of anti-trafficking organizations include awareness and intervention programs conducted at various trafficking prone areas for consciousness raising and sensitization of individuals and families at community level.

Interviews with different anti-trafficking organizations inferred that NGO ascribe to a term based on their own understanding of a field. NGO in Kokrajhar district referred to high risk group/individuals as potential victims of trafficking in person. The explanation provided for such identification was based on a person chances of getting traffic because of her socio-economic conditions. While another anti-trafficking organization interviewed in West-Bengal identified them as high risk groups/individuals with similar understanding based on economic, social and family conditions. Therefore, it

was observe that though the terms in used were different for such groups/ individual who were at risk of getting trafficked but the parameters used by the anti-trafficking organization for identification of such person/families were similar and founded on socio-economic backgrounds of the groups/individuals.

Region specific mechanism for combatting trafficking is adopted by the NGOs. In case of Kokrajhar district, with the help of community worker, the organization kept a track of vulnerable family that might become easy and soft targets for the trafficking networks. With the help of community workers, when a potential victim and her family is identified, efforts are undertaken to provide meaningful livelihood sustainability opportunities to them.

An anti-trafficking activist from field explains the process of identification as- a woman or girl who belongs to an economically poor, socially and culturally deprived community and region have high chance to be trapped into trafficking business. He explains hypothetically with various field experiences-

“A girl who is in her teenage, a school dropout, and an orphan. She comes from a socially and economically deprived community such as Adivasi, works as a construction labourer in a road, and lives with her relatives with whom she do not share a good relationship. In such conditions, her probability of getting traffic is high compared to other girls who have a normal family life and childhood. Sinu, is one such example. She used to work as a construction worker and now is part of our team as field staff.”(Personal interview, Nedan Foundation, 3/3/17).

Whereas, in case of Jalpaiguri district, the NGO working in the tea garden areas of Dooars region, does not identify with a category or concept of potential victims in its region. It categorises the families and girls according to understanding of their economical

vulnerability and underdevelopment of the region. Therefore, in words of the organizations, they explain that there are two categories of families and probable victims- one, which is totally backward and does not have any source of livelihood, they cannot earn enough for their survival. Most of them work as tea-garden labourer for very meagre amount of wage. They have large family members living on a small amount of income. While category two, are well to do girls from stable economic background. The anti-trafficking activist differentiating between the two cases from field cites different reasons for their being probable victims of trafficking. The respondent states - one, who is genuine in need of money for survival and a sustainable means of livelihood and in second case, the probable target is a girl belonging to a well to background, who fantasises a dream of having a good job in a big city. In both the cases, the girls are deceived by a trafficker, who promises to provide a job and money. Defining the term victim, the respondent further added that a girl can only be termed victim when she has been trafficked and put into a condition of slavery by forceful compliance, where no source for rescuing herself is available, until saved, rescued and recovered by the NGO or law enforcement agencies.

Specific categorizing of women as potential/at high risk victims of trafficking by the anti-trafficking network can be problematic and gender insensitive. Field report and data collection in India-Nepal border of Panitanki-Kakarbitta highlights gender insensitive actions undertaken in name of protection and prevention of at high risk/potential victims. Girls and women crossing the border are randomly intercepted and interrogated on suspicion of being a probable traffic victims. A respondent working on the area of inter-border trafficking and understood the problem of trafficking in persons as social issue where an alone girl/women^{viii} is exposed to discreet dangers when let into the streets and borders to meet unknown people. According to his argument women and girls should be controlled from accessing public spaces alone and especially at night to prevent mishaps.

They need to be protected from discreet danger (Personal interview, Maiti Nepal, Kakarbitta office, 1/9/17).

However literature suggests that such identification of a woman/girl as ‘potential victim’ on the basis of certain characteristics can be arbitrary. The arbitrary nature of identification process, in which decisions by the state and non-state actors regarding women’s status as potential victims did not often correlate with women’s experience (Segrave, Milivojevic, Pickering, 2009, 59). The danger of such arbitrary marking of women and female children as ‘potential victims’ can restrict them from accessing public spaces which otherwise is seen as discreet to dangers. Another problem witness on field was the homogenization of experiences of all communities, families and individuals thought to be more prone to trafficking. For example an anti-trafficking activist believed that people living in tea-garden areas, and working as tea-garden labourers are mostly targeted by the trafficking network because of their alcoholic nature, large number of family members and low wages. However, this statement of the anti-trafficking activist stands does not stand true because trafficking also takes places within other communities due to various related and associated factors.

Standard Operating Procedure (SOP)

Standard Operating Procedure (SOP) is a method adopted by the NGOs for safe restoration, rehabilitation and re-integration of cross-border traffic victim. The governments of each country enter into a model SOP with a partner country for safe restoration of girls and women victims of trafficking. In particular context to the field work conducted in areas of Kokrajhar district (Assam), Darjeeling and Jalpaiguri districts (West Bengal), it was noted that the NGOs have enter into SOP with their partner

organizations in Bhutan and Nepal. According to the field data, the official government model SOP of restoration is a lengthy process and the girls/women/children face various problems during the process when being transported across the border to their home country. They face problems such as long hours of travels without rest, sleep deprived, children and women victim being kept in police stations for days, food deprivations, toilet problems, all the victims are taken in one vehicle loaded like animals, thereby violating their human rights. An anti-trafficking respondent speaking about the Model SOP program stated-

“For a state controlled model SOP to begin, permission from different layers and positions of officials is needed. It takes months and months for a file to be approved by higher officials. If at all the file is passed, the victims are loaded in a truck like animals and together brought to the border areas. In the border area, the other side office of NGO and police is contacted and the victims are handed over. There is no proper information about what happens to these victims after that.” (Telephonic Interview, Dooars Expressmail, 19/3/19).

Therefore, in order to prevent misfortune and double victimization of the traffic victims during official restoration following governmental procedure was followed. The NGO have entered into their own informal model of SOP with their partner organization across border. In cases of Darjeeling and Jalpaguri district, with the permission taken from child commission and Children Welfare Committee (CWC) offices, the NGO contacted their counterpart in the other side of the border. The Indian side of the NGO sends the details of the child/victim to the Nepalese NGO, who thereafter try to trace the details of the victim on ground of proof and information provided by the Indian NGO. They carry out a social investigation of the victim details as provided by Indian side. On being able to trace details, the Indian NGO is contacted again and then on mutual understanding and

communication the victim is handed over to the Nepalese NGO. The actions undertaken in such cases as describe by a respondent states that in cases of minor the cross-border restoration through SOP is-

“Under normal procedure when a victim is minor, below the age of 18 years, he/she is produced before the CWC. On CWC’s order the victim is kept in the shelter home for few days. Counselling is provided to the child. During counselling sessions the address of the child in Nepal is tried to obtain from them. Once the address is retrieved, the Nepal counterpart is contacted and details shared. They then carry out a social investigation of the family, houses, background of the child. On being sure of the address and the parents’ willingness to receive the child, Indian side NGO is contacted. In the presence of Nepalese NGO and Police, the child is handed over to their parents by the Indian NGO at the border.” (Telephonic interview, KUK, 30/3/19).

In case of adult, similar initiatives is undertaken to restore the victim. However, if the victim’s home is not trace, she is handed over to the partner organizations where she is kept in their shelter home. Due to Nepalese government initiatives and foreign funding, each NGO of Nepal have a shelter home, however same is not true for Indian NGOs working on issue of Human trafficking. In India not all NGOs have a shelter home for the victims of human trafficking or otherwise because of lack of financial support. Nevertheless, the NGO have built strong informal SOP network for repatriation of victims to their home state. The informal SOP repatriation route followed by the Dooars Expressmail as stated by the respondent is;

“When we receive a letter from the CWC of Mumbai or from any other place for tracing the address of a girl in Nepal, we contact our partner organization in Nepal. They do the home investigation of the girl/women. Than a report is sent to us, which we provide

to CWC. Than later depending upon the place of residence of the victim, we decide the route of travel for repatriation. The shortest route of travel is chosen keeping in mind victim safety. The NGO takes measures to not victimize the victim further because of her travel. The route of repatriation generally depends upon her address in Nepal. If the girl is from eastern Nepal then we take her from Siliguri (West-Bengal) to Nepal, if she is from Central Nepal then from Raxual (Bihar), if she is from Western Nepal then she is taken into Nepal Border from Gorakhpur to Nepalganj.” (Telephonic interview, Dooars Expressmail, 23/3/19)

In case of Kokrajhar district, the NGO has drafted a SOP with law enforcement agencies of Bhutan along with building network with Bhutan’s National Commission for Women and Children (NCWC), Royal Bhutan Police-Crime Branch, Immigration department of Bhutan, Labour department, Bhutan Overseas Employment Department. Through the close collaboration, they intervene into the cross border trafficking cases and repatriated the victims to respective state, districts and villages of Bhutan and Assam. Other than working in close collaboration with the Bhutan counterparts, NEDAN Foundation, Kokrajhar, works as advocacy partner to SSB unit of Assam. Under the direction of the Ministry of home affairs, Shastra Seema Bal (SSB) have established an Anti-Human Trafficking Unit (AHTU) to guard the 700 km porous border Assam-Bhutan to prevent cross-border trafficking as part of informal SOP model.

Although informal SOP model is used to make the process of repatriation easy and smooth for the victim with less difficulties faced while travelling but the informal SOP model have certain lacunas which have not been looked at for a long period of time. According to respondent, in case of cross-border trafficking when a victim under informal SOP is sent to her native country, the receiver country does not completely bears the responsibility of her rehabilitation and re-integration. For instance, when a woman/girl is

retrieved and sent to Nepal, the Nepalese NGO on finding her address speaks to her parents and asks them to come and receive their daughter. On failing of parents to come, the NGO, because of the underdeveloped conditions of the victim, buys a ticket and send her alone in the bus. Because of region's underdevelopment condition, lack of communication and transportation facilities and hilly terrains where no transportation reaches, they avoid going to such underdeveloped regions. This kind of casual and irresponsible behaviour on part of the NGO could expose the victim to re-trafficking situation. On the other hand, when the victim is an Indian national rescued and recovered in a different state, the laws does not provide her police protect during travel. The NGO respondent stated that there is no memorandum under which a police protection is provided by the state government for safe travel of victims.

Lack of Understanding about Human Trafficking Among Police

Interviews with the law enforcement agencies in the field highlighted that the officer at the rank such as constables, in-charge officer or sub-inspectors were not provided with appropriate training about human trafficking, its related measures and laws associated with it. There was no separate labour force in the police station to handle the cases of trafficking in persons. The law enforcement officers did not have any knowledge about Immoral Trafficking Prevention Act and its guidelines or punishment under it. They failed to differentiate between kidnapping, elopement and human trafficking. For instance, when asked about what sections are applied when filing a trafficking case, a Sub-Inspector rank police officer stated that trafficking cases are merged with elopement and kidnapping. With the understanding of the case history different section are applied. Questions pertaining to anti-trafficking training, a constable rank police officer replies-

“In 30 years of service period he has never attended any training on human trafficking.”

(Questionnaire survey, Constable, Kamrup district, Assam, 24/3/16).

Lack of training for police officials were brought to light when a questionnaire survey was conducted in different police station of the Assam. Similar kind of paucity in training was highlighted in the responses in the state of West-Bengal. Many of the police officers lack a basic idea about human trafficking and its definition according to international conventions and protocols. Another respondent, anti-trafficking organization activist stated that police officer most often do not know what section to apply in a trafficking case that can make it a non-bailable offence. Due to lack of understanding of laws, corruption in legal system and political pressure involve traffickers are charge within bailable sections, making it easy for traffickers to free themselves from getting stringent punishment.

Anti-Human Trafficking Units (AHTU)

According to Ministry of home affairs directive, every state should have an anti-human trafficking cell with a nodal officer to look into the cases of human trafficking. Though anti-human trafficking cells has been established in every state under the Criminal Investigation Department, cell 6, but the number of manpower appoint to look into the cases of human trafficking is very low. There are three-four officials appointed to look into trafficking cases for the whole state with other additional charges which lessen the effectivity of the AHTU. For every rescue and raid operation, CID, AHTU has to grant permission and human resources. However, due to lack of officers, the rescue operations gets delayed many times. According to the Inspector General of Police (IGP), Assam, the severity of the problem of human trafficking cannot be known because there is no reliable

data on human trafficking. The cases reported under AHTU is now broken into different sections and the crime is not comprehensively reported under the umbrella act of Immoral traffic prevent Act 1986 for which data shows that the cases of human trafficking has come down. Due to lack of fund rescue operations under AHTU has also come down.

According to official data of CID, Assam, as on 17-1-12, 14 AHTU units are operationalised in Assam. The number of trafficking cases documented in CID's anti-human trafficking unit, of Assam, it has reported that the trafficking cases from 2011 to 2015 stands at figure- registered cases- 513, traffickers arrested- 489, number of victims trafficked- 746 and number of victim recovered- 534. This numbers signifies the severity of the problem of trafficking in Assam (data received from Anti-human trafficking Unit office, CID, Assam on March 2016).

Conclusion

Different efforts are undertaken by the anti-trafficking organization for prevention and protection of victims and prosecution of trafficker. But such initiatives are not free from the politics of prevent, interventions and rescue. Understanding from the field data suggested that under different circumstances the authorities such as child welfare committees, district legal service aid, state women commission, regional political parties, civil societies and NGOs, responsible for welfare of victims have not taken adequate measures for their meaningful re-settlement, and income generations. The right to get compensation as victims of various grave crimes is curtailed from them even though on papers such rights are guaranteed to them.

In term of anti-trafficking organizations, the politics of numbers of victim rescued plays a significant role in obtaining funding. The process of interception wholly depends

on the number of interception conducted by an organization. However, the official records only shows the numbers of rescued victims but in reality the process of actual meaningful restoration and rehabilitation is hardly documented with accuracy. The data on post-rescue life, follow-up of traffic survivors after rehabilitation is missing and therefore needs serious examination. The politics of abolitionist approach followed by the NGOs in terms of rescue was witness after the girls are brought back. They are directed to oblige by the order and protocols of the NGOs who have rescued them. They are ordered and monitored to follow a particular manner pattern when a donor agency visits the NGO for inspection of their programs and performances.

During the whole process human rights of the survivors concern is violated on numerous occasion such as-- when they are not allowed to cross the border, when no compensation is paid to the victims which is their right, shelter homes environment many times are not conducive for the child or an adult. Incompetency of law agencies is highlighted when they fail to convict the trafficker with serve punishment by applying stringent sections. With huge monitoring and surveillance, the trafficker are still able to illegally transport woman and girls, indicating towards a foul play and corruption in whole monitoring system. Thus, to conclude the institutional measures needs serious re-examination of the practices followed by the governmental and non-governmental agencies in order to provide a gender-equal and respectable environment to women and girl victim of trafficking.

Notes

ⁱAnuradha Koirala is the founder of an Organization called Maity Nepal in Nepal that works in the area of trafficking for sexual exploitation of women, girls and children. It was founded in 1993. The term Maity means Maternal home of married women in Nepali.

ⁱⁱIn Kakarbitta, which is border town in Nepal, different organizations such as Maity Nepal, World Vision, Tiny Hands, Nepal, have set-up their transit camps. They have appointed staffs to guard the border and prevent Nepalese girls and women from crossing the border and entering into India. These intercepting agents are in uniforms which have been given to them by the NGOs.

ⁱⁱⁱAccording to Victim Compensation act 1973. The victim of human trafficking receives rupees 1 lakh for rehabilitation.

^{iv}According to victim compensation act, 2012, different states have fixed different amount as compensation for the victims of human trafficking. According to the magnitude and severity of the crime, the amount of compensation is fixed. The Assam government states that loss of injury causing severe mental agony to women and child victims in case of human trafficking, kidnapping, cruelty U/S 498 (A) IPC etc. is rupees 15,000. <https://homeandpolitical.assam.gov.in/sites/default/files/Assam%20Victim%20Compensation%20Scheme%2C%202012.pdf> while the West-Bengal government states- loss of injury causing severe mental agony to women and child victims in case of Human Trafficking is rupees 10,000 http://www.wbja.nic.in/wbja_adm/files/imp%20information.pdf

Notes

^v The awareness program was carried out in a tea-garden area of lower Assam and the local Assamese word used for human trafficking was manob xoroborah and the term used for selling of girls was suwalik bikri koribo.

^{vi} This field work was carried out in different villages of Kokrajhar districts. People of different ethnic identity such as Adivasi, Nepali, Bengali Muslims and Bodo people were the inhabitants of the region. Field workers who were Bodo by ethnic identity were more close to the survivors of Bodo community than other field workers of different ethnic identity. Same was true for other field workers and communities. Whenever, it was planned to visit a field which had a majority inhabitant of either community of Bodo or

Adivasi, field worker of that particular community was asked to accompany the researcher by the organization head. The areas were divided between the field workers depending upon the majority ethnic composition of that region.

^{vii} Local Assamese term for elder sister. In Assamese culture, it is also used to formally denote a woman who holds power position in comparison to the caller who refers the other woman as Baido.

^{viii} The NGO person used the term *Cheli-beti* meaning daughter in Nepali to reflect his patriarchal and moralistic concern of daughter turning vice and opting for wrong choices in life by deciding to illegally migrate outside a country.

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Personal Interview, GOLD, Guwahati, 26/2/16.

Personal Interview, KUK, Darjeeling District, 12/8/17.

Personal Interview, KUK, Darjeeling District, 19/8/17.

Personal Interview, KUK, Darjeeling District, 2/9/17.

Personal Interview, KUK, Darjeeling district, 10/9/17.

Personal Interview, Maity Nepal, Kakarbitta Office, 1/9/17

Personal Interview, Maity Nepal, Intercepting agent, Kakarbitta, 8/9/17.

Personal Interview, Nedan Foundation, Kokrajhar, 17/4/16.

Personal Interview, Tiny Hands, Panitanki, India, 18/8/17.

Speech in awareness Meeting, GOLD, Samguri, Noagoan, Assam, 19/3/16.

Telephonic Interview, Dooars Expressmail, Jalpaiguri District, 31/1/19.

Telephonic Interview, Dooars Expressmail, Jalpaiguri District, 19/3/19.

Telephonic Interview, Dooars Expressmail, Jalpaiguri District, 23/3/19.

Telephonic Interview, Dooars Expressmail, Jalpaiguri District, 24/3/19.

Telephonic Interview, KUK, Darjeeling District, 2/2/19.

Telephonic Interview, KUK, Darjeeling District, 30/3/19.

Telephonic Interview, KUK, Darjeeling District, 24/4/19.

Questionnaire Survey, Constable, Kamrup District, 24/3/16.

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 marginalizes 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.

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GLOSSARY

Aloo- Potato

Akha- Eyes

Baishyalay- Brothel/establishment for sex work

Baido- Elder sister in Assamese

Beya kopal/futeko bhagya/ naramro karma/ paap- Cursed/ill fate

Chana- Pulse

Chori- Daughter

Didi- Elder Sister in Nepali

Daju- Elder brother in Nepali

Dokhona- Traditional attire of a Bodo woman

Gutka- Mouth freshener with presence of elements of toxic.

Koidi- Prisoner

Malkin- Owner

Pan- Mouth freshener consume as habit.

Roga/lal cha- Black Tea

Supari- Dry Beetle Nut

Tamul pan- beetle Nut generally offer on visit of a guest in an Assamese household and often consume after meals.

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