



Human Trafficking in India: *Dynamics, Current Efforts, and Intervention Opportunities for The Asia Foundation*

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PREFACE

This report has been prepared by a graduate student team at Stanford University at the request of The Asia Foundation. It outlines the landscape of human trafficking in India, evaluates the current NGO, donor, & government efforts to fight trafficking, and recommends promising interventions based on current gaps and ‘best practice’ approaches. The authors can be contacted through the Ford Dorsey Program in International Policy Studies at Stanford University, Stanford, CA, USA (<http://ips.stanford.edu/>).

A separate background document entitled *Background Information on Human Trafficking in India* provides supplementary information to this report.

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ACRONYMS

3 Ps	Prevention, Protection, and Prosecution
3 Ps + C	Prevention, Protection, Prosecution, and Capacity-building
3 Rs	Rescue, Rehabilitation, and Reintegration
ABLE	Action for Better Living and Environment
ADB	Asian Development Bank
APWN	Andhra Pradesh Women's Network
ARCWS	Anveshi Research Center for Women's Studies
ARM	Alternative for Rural Movement
ARZ	Anyay Rahit Zindagi
ASHA	Association for Social and Health Advancement
ATSEC	Action Against Trafficking and Sexual Exploitation of Children and Women
BAAHKP	Banki Anchalika Adibasi Harijana Kalyan Parishada
BKS	Bharatiya Kisan Sangh
CACT	Campaign Against Child Trafficking
CAP	College of American Pathologists
CEDAW	Convention on Elimination of All Forms of Discrimination Against Women
CJWS	Chaitanya Jyothi Welfare Society
CrPC	Code of Criminal Procedure
CSE	Commercial Sexual Exploitation
CSE&T	Commercial Sexual Exploitation & Trafficking
CSR	Corporate Social Responsibility
CSW	Commercial Sex Workers
CWC	Child Welfare Committee
DM or SDM	Executive Magistrates
FIR	First Information Report
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
IAHTUs	Integrated Anti-Human Trafficking Units
ICCPR	International Covenant for Civil and Political Rights
ICCW	Indian Council of Child Welfare
ICESCR	International Covenant for Economic, Social, and Cultural Rights,
ICWO	Indian Community Welfare Organization
IDPs	Internally Displaced Persons
ILO	International Labor Organization
IOM	International Organization for Migration
IPC	Indian Penal Code
IPEC	International Program on the Elimination of Child Labor
IT	Informational Technology

ITPA	Immoral Trafficking Prevention Act
JATN	Jharkhand Anti-Trafficking Network
JJ	Juvenile Justice
JM or MM	Judicial Magistrates
MCCSS	Madras Christian Council of Social Service
MCOCA	Maharashtra Control of Organized Crime Act
MHA	Ministry of Home Affairs
NATSAP	Network against Trafficking and Sexual Exploitation in Andhra Pradesh
NGO	Non-Governmental Organizations
NREGS	National Rural Employment Guarantee
PLD	Partners for Law in Development
REDS	Rural Education and Development Society
REEDS	Rural Economic and Educational Development Society
SAARC	South Asian Association for Regional Cooperation
SARDS	Society for All Round Development
SC	Scheduled Castes
SCC	Sea Cadet Corps
SLARTC	Socio Legal Aid Research and Training Center
SNATCH	Social Network Against Child Sexual Exploitation & Trafficking
SPO	Special Police Officer
ST	Scheduled Tribes
STDs	Sexually Transmitted Diseases
TAF	Asia Foundation
TBD	To Be Determined
TIP	Trafficking In Persons
UN	United Nations
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
UOI	Union of India
US	United States
USAID	United States Agency for International Development
WIF	World Innovation Foundation

EXECUTIVE SUMMARY

Trafficking in persons (TIP) for labor and/or sexual exploitation is a widespread and serious problem in India. The Asia Foundation (TAF) has a number of anti-TIP programs in other Asian countries and recently expanded their operations to India. They wish to explore the potential for developing such a program for their new office in India. To this end, TAF tasked a research team at Stanford with undertaking a qualitative study on the dynamics of human trafficking in India, evaluating the current efforts of non-governmental organizations (NGOs), donors, & government in fighting trafficking, and recommending interventions for TAF to implement in the Indian anti-TIP effort.

The research was conducted through a two-stage process. The first stage involved reviewing available secondary information and data describing the dynamics of human trafficking in representative states. In addition, the team identified recent interventions of NGOs, state governments, local bodies, and major multilateral organizations, and conducted a preliminary review of the legal framework. The second stage involved interviewing NGO and donor organizations in India to understand their implementation hurdles and identify best practices. The team also undertook a detailed analysis of the legal framework and further developed the literature review. At the conclusion of the process, based on the information from both stages, the team developed a range of policy alternatives, ranked them against 14 selected criteria, and suggested recommendations for TAF. Coupled with the recommendations are implementation analyses and suggested organizations with which TAF should partner.

DYNAMICS OF TRAFFICKING

India's trafficking patterns indicate that 90% of TIP is domestic (i.e. intrastate and interstate trafficking), with only 10% taking place across international borders. In addition to being a source for trafficking, India is also a destination and transit country.

Based on case studies and NGO interviews, the diversity of India's states and territories leads TIP to differ greatly based on the characteristics of a given region. NGOs indicated that trafficking was prevalent in destination states because of high inflows of migrants, high demand for sex workers, generic gender/caste issues, a lack of community responsibility for social security and welfare, and the absence of a strong legal framework. For transit areas, the main reasons cited were infrastructure and, naturally, location between source and destination states. Notably, poverty was not mentioned as a primary trafficking influence in destination or transit regions.

The most prevalent sectors employing trafficked people in India are the following: commercial sex work; bonded labor in different industrial and agricultural sectors; domestic work; entertainment sector (circuses, camel jockeying); and begging & other cartel-like exploitative activities.

Although it receives insufficient attention in the literature, labor trafficking was identified by NGOs as just as much of a problem as sex trafficking.

There are both supply-side and demand-side factors that are root causes of TIP. Supply-side factors leading to trafficking include: poverty; social and cultural practices such as gender discrimination; impacts of globalization on livelihoods through the removal of traditional agricultural jobs; caste/tribe marginalization; the availability of vulnerable street children; vulnerability of women and children to trafficking due to conflicts/disasters; and governance issues that make it easy for traffickers to get away with the crime. Demand-side factors include increased sex tourism in India's major tourist destinations and economic booms that have led to increased demand for cheap labor (e.g. child labor and bonded labor) and, subsequently, increased levels of migrant workers who, far from home and mostly male, have a demand for sex workers.

Trafficking has substantial social, economic, and health impacts. From the social prism, rampant trafficking that goes unhindered leads to a re-enforcing cycle of patriarchal values that impinge on the basic rights of women. From an economic perspective, it leads to loss of livelihoods as the labor remains outside the formal economy of India. From a health perspective, trafficking compounds the existing and massive HIV/AIDS problem that India already faces.

LEGAL FRAMEWORK

The Indian legal framework with respect to trafficking is severely flawed. While there are a large collection of statutes, existing international & regional conventions, active institutions, and a defined legal process that is designed to ensure that TIP offenders be prosecuted and TIP victims be protected/compensated, the legal framework is plagued by several weaknesses. These include mammoth levels of corruption, an overburdened judiciary/law enforcement sector, and poorly resourced protection services.

While there exist many national Indian laws criminalizing the buyers, traffickers and profiteers of the trade, there fails to be a cohesive definition and understanding of 'trafficking' in human beings per se. However, the biggest problem remains in the implementation of the laws. Where laws are implemented, the penalties are not enough to deter trafficking or give adequate punishment. This is compounded by the existence of a plethora of national laws and acts, which lead to confusion among law enforcement and judicial officials. At the level of central government, there is a fragmentation of efforts because of a diversity of vested interests in TIP across several departments & ministries.

State governments have not utilized the provisions within the Immoral Trafficking Prevention Act (ITPA) to develop special courts for trafficking. Furthermore, the major thrust of their efforts (limited in most cases) is towards prevention and protection, with only minimal support for prosecution. The absence of compensation schemes is another hindrance. Courts face two issues: first, they are generally overloaded with cases, and thus trafficking cases often remain on the docket for years; secondly, they lack careful assessment towards trafficking cases and often prosecute and punish the victims, not the traffickers. Similarly, the police lack sensitivity and often do not prioritize trafficking as an offence, leading to a low rate of registration of such crimes. They often register the crime against the victim instead of the trafficker. Figures show that in the process of prosecution, one of the weakest links is the failure to get cases past the second level of scrutiny.

This is where the magistrates determine whether or not the case is viable based on the evidence and arguments presented by the investigating police officer. This combines with limited police efforts to register cases appropriately, if at all, to make for a very disturbing legal backdrop to trafficking.

GOVERNMENT ANTI-TRAFFICKING INTERVENTIONS

Anti-trafficking interventions can be classified under prevention, protection (including rehabilitation), prosecution, and capacity building. The main thrust of government programs is towards prevention, with some attention to protection, and little attention to prosecution.

NGOs have mixed views on the government initiatives. From our survey results, half feel that the government is making at least a moderate effort to improve the anti-trafficking landscape, while a little under half were aware of substantial state interventions. However, we should treat these results with caution as the interviews were only conducted with organizations from nine states. The NGOs identified the following gaps in implementation of state initiatives: jurisdiction, lack of political will and commitment, funding, coordination failures, low standards of shelter homes, poor legal framework, poor TIP data collection and availability, poor understanding of the legal framework, and poor infrastructure.

However, there is hope. India's central government has launched new programs such as the Integrated Anti-Human Trafficking Units (IAHTUs), Anti-Trafficking Nodal Cell State Program, and Integrated National Plan of Action. These represent a multi-disciplinary approach and inter-agency collaboration – aspects that were absent in previous government initiatives.

NON-GOVERNMENTAL ORGANIZATIONS/DONOR ANTI-TRAFFICKING EFFORTS

In light of the fact that the sample of states analyzed included predominantly source areas for trafficking, the NGOs profiled and interviewed in these states tend to pursue interventions in the categories of prevention and protection. Prosecution tends to be the least-attempted intervention, not just by NGOs and governments, but also by donors, who mostly concentrate on capacity building.

Many NGOs collaborate through networks, and an overwhelming majority cited that they partnered with government in some manner. When interventions fail, it tends to be because of poor coordination, low awareness, lack of an integrated plan that involves all the key stakeholders, and high levels of corruption/organized crime. Funding was identified as a major challenge for the NGOs, followed by implementation of the law, lack of cooperation/coordination between NGOs and with government, and lack of human resources.

RECOMMENDATIONS

Taking into account all the results, the researchers recommend the following interventions for The Asia Foundation, in order of priority:

- 1. Coordinate new economic cooperatives or link existing cooperatives with the private sector**
- 2. Hold anti-trafficking festivals in rural areas**
- 3. Scale up NGO-led transit point interventions**
- 4. Create a registry of anti-trafficking individuals/organizations**
- 5. Support the government Anti-Trafficking Nodal Office**
- 6. Increase communicative capacity of the (ATSEC India) National Anti-Trafficking Network.**
- 7. Conduct monitoring and evaluation of the new 297 Integrated Anti-Human Trafficking Units**
- 8. Train prosecutors on post-conviction activities (e.g. compensation law, rehabilitation law)**
- 9. Conduct in-field research on labor trafficking**
- 10. Create training/sensitization programs for police & other prosecution stakeholders.**

ACKNOWLEDGEMENTS

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Finally, the team would like to thank the many NGOs and donor organizations who generously devoted their time to help provide critical insights into the nature of the trafficking problem and its potential solutions.

1 INTRODUCTION TO THE STUDY

1.1 INTRODUCTION

The United Nations' Palermo Protocol defines trafficking in persons as "the recruitment, transportation, transfer, harboring or receipt of persons, by means of the 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."¹

Each year, millions of persons are trafficked both domestically and internationally in India.² Trafficking in persons (TIP), a 9 billion USD industry, is estimated to be the fastest growing enterprise of the 21st century. This crime comes at an incalculable human cost and represents one of the most shameful facets of the modern world. Unsurprisingly, the majority of victims of human trafficking are women and children, the most marginalized segments of society in developing countries. The weak legal landscapes of developing countries, compounded by factors such as gender discrimination, family violence, and a lack of access to education and economic opportunity, provide existing and potential traffickers with ample available victims. Globalization and technology advancements have also resulted in an increasing number of men being trafficked, such as South Asians wishing to explore service opportunities in the Middle East who end up as sweatshop workers.

The Asia Foundation (TAF), which has a presence in at least 21 countries in the region, implements a diverse collection of women's empowerment programs designed to combat TIP in Asia. TAF recently expanded its operations to India and wishes to cement its presence by spearheading initiatives in the area of human trafficking. TAF recognizes that a one-size-fits-all approach is not appropriate and wishes to address India's human trafficking problem by employing innovative practices to tackle the root causes.³ In the long term, TAF will contribute via policy work and on-the-ground programs to help eradicate human trafficking in India. This research involves the dynamics of TIP, an analysis of the current anti-TIP efforts by non-governmental organizations (NGOs) and the government, and suggests initiatives for TAF to employ in its anti-TIP programming in the coming years.

According to the U.S. State Department, India is both a source and transit country for trafficking, as well as one of the most popular trafficking destinations in South Asia.⁴ It is estimated that 10 percent of India's trafficking in persons is international while 90 percent is domestic, a pattern that

¹ United Nations (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime.

² Aronowitz, A. (2009). Human Trafficking, Human Misery: The Global Trade Human Beings. London: Library of Congress.

³ Bales, K. (2007). Ending Slavery. Los Angeles: University of California Press.

⁴ U.S. Dept. of State (2009). Trafficking in Persons Report (U.S. Department of State Publication 11407). Washington, DC.

differs from the more common paradigm of trafficking across international borders.⁵ Given India's size, trafficking tends to occur across *state* borders instead. Of the women and girls that are trafficked into India, most come from Nepal, Bangladesh, Pakistan, Cambodia, and Myanmar. Many of the Indian women trafficked out of the country end up either in the Middle East for sexual exploitation or in Europe, the United States, or the Middle East as domestic and low-skilled labor.⁶ India's sex industry includes some 2 million sex workers, 20 percent of which are under age 16 and considered children, though different laws use different age limits.⁷ By international norms, children cannot consent to prostitution, so this large population of children must be considered within the purview of this research.

The nature of trafficking differs across the 28 states within India.⁸ Trafficked persons are exploited in a wide variety of ways. These include use of victims for bonded labor, domestic work, agricultural labor, begging, organ trade, adoption, forced prostitution, entertainment, forced marriages, and child soldiers.⁹ While trafficking for any of these purposes can be found in many countries, bonded labor and forced marriages are more prevalent in India than most other countries.

The remainder of this report is organized as follows. This section, Part 1, introduces the study and describes its objectives and scope. Part 2 indicates the methodology used. Part 3 analyzes the dynamics of trafficking gleaned from the literature, interviews, and case studies of NGOs and nine states/territories. Part 4 analyzes the efforts of the Indian government, NGOs, and the donor community to combat trafficking in India. Part 5 summarizes the key findings of the research. Part 6 shares the policy recommendations springing from the research, along with corresponding implementation analyses.

1.2 OBJECTIVES AND SCOPE

There are three primary objectives of this research:

- 1. To evaluate the political, social, economic, legal, and intervention landscape of the anti-trafficking movement in India;**
- 2. To research current NGO and government efforts to combat trafficking in India; and**
- 3. To provide TAF with actionable recommendations regarding an anti-human trafficking program in India.**

The recommendations from the research primarily fall under the category of suggested non-governmental organization partnerships for TAF, but may involve government partnerships as well.

⁵ Sen, S. (2004). *A Report on Trafficking in Women and Children in India 2002-2003*. New Delhi: National Human Rights Commission, UNIFEM, Institute of Social Sciences.

⁶ Aronowitz, A. (2009). U.S. Dept. of State.

⁷ Sen (2004).

⁸ UNODC. (2009). *Global Report on Human Trafficking in Persons*. Retrieved September 25, 2009, from http://www.unodc.org/documents/human-trafficking/country_profiles/south_south_west_asia.pdf.

⁹ Khan, I. (undated, est. 2004). *Child Trafficking in India: A Concern*. Indian Ministry of Social Development White Paper.

Keeping in line with TAF's approach toward trafficking, the policy recommendations from this research will fall within four areas typically referred to as the "3 Ps + C":

1. **P**revention of trafficking;
2. **P**rotection of victims;
3. **P**rosecution of traffickers; and
4. **C**apacity-building initiatives.¹⁰

Feedback from TAF has assisted in narrowing the scope of the project as it progressed. For instance, given that TAF prefers to work with local partners by providing technical assistance and serving in a capacity-building role, the research team has evaluated those dynamics of TIP in India that are expected to be germane to TAF's future role in the anti-TIP movement in the country.

¹⁰ The Asia Foundation (Jan 2009). Overview of FY08 TAF TIP Initiatives. San Francisco: The Asia Foundation.

2 METHODOLOGY & RESEARCH DESIGN

Based on the scope and objectives of the research, the team adopted a predominantly qualitative methodological approach. This section provides an overview of the team's methodology, offering insight into the numerous methods employed to meet TAF's objectives and the data limitations faced by the research team.

TAF requested a qualitative study for later use as a concept paper to inform future programs that it will launch on human trafficking in India. Hence, a qualitative assessment of the TIP landscape in India is valuable. As it pertains to the feasibility of this approach, the International Organization of Migration's review of human trafficking research indicated that integrated studies similar to this research had been proven to produce viable recommendations and change on the ground.

Four qualitative research methods were employed: a literature review, case studies, interviews, and a legal framework analysis. Findings from the literature review can be found throughout the report, particularly in Part 3: Dynamics of Trafficking. Case studies examining particular NGOs and their programs help to provide an overview of the anti-trafficking NGO landscape in India and served to identify innovative and effective groups deserving deeper research and interviews. These interviews with leaders from NGOs and the donor community provided up-to-date information about anti-TIP initiatives and challenges. The legal framework analysis helped to inform recommendations, and was requested by TAF as part of the research.

After completing the research phase, we evaluated intervention alternatives against a ranking system. The original plan was to evaluate the NGOs that might serve as models or partners for TAF based on a ranking system. However, the researchers concluded that TAF's work in India should be informed by project recommendations, rather than NGO rankings. Hence we ranked NGO activities using a holistic system based on the following criteria: ability to meet goals; publication of results/annual reports; level of capacity; affiliation with networks, international organizations, and government; districts covered; visibility (e.g. website in English, mentions in newspaper reports and academic research, etc.); types of trafficking covered (women vs. children, labor vs. sexual exploitation); and expected eagerness to cooperate with TAF. The criteria and ranking system are addressed in Part 6: Policy Recommendations.

Quantitative Limitations

The group at Stanford faced constraints and limitations on their ability to use quantitative data that can be classified into three groups: limitations resulting from the nature of human trafficking, limitations that stem from the nature of this project, and limitations that result from the TAF mandate.

The nature of human trafficking is such that reliable data are scarce for several reasons. First it is difficult to determine the extent of trafficking because it transcends borders and relates to migration figures. Second, the most reliable data pertain to those people who actually report the crime to the police or other authorities. This extremely small subset is not representative of the

larger population of trafficked persons. The issues stemming from the underreporting of crimes are amplified in the face of corrupt and poorly trained police and judicial officials. The capacity of the stakeholders, such as police and judicial officials, differs from one state to another and even between districts within the same state. More inclusive data sets that contain information about trafficked victims known to NGOs and other organizations is unrepresentative. These data are influenced by the presence of NGOs in certain areas, the number of NGOs, where they have outreach, their target groups, and the size of their staff. Third, many related human rights abuses and issues lie very close to human trafficking. For example, in India, bonded labor remains a major issue, and the line between those that have been trafficked and those who migrated by choice and ended up in bonded labor is very hard to ascertain through observation. It is also difficult to classify individuals by their stage in the trafficking process, be it as persons at risk of being trafficked, current victims of trafficking, or former victims of trafficking.¹¹ Before any dataset can be assembled to address the issues affecting TIP, a conceptual temporal framework needs to be designed. The differing nature of TIP within states of India makes such a framework nearly impossible to develop, and to date has not been undertaken.

The team faced additional constraints because it conducted research on India from Stanford University in California. The team, therefore, had to rely on data available from other sources. Unfortunately, extensive searches and data requests revealed that the likelihood of finding or accessing a credible dataset upon which to conduct quantitative analysis was low to nonexistent. Given that the team conducted the research from Stanford University in the United States, the research relied on secondary resources and NGO interviews for data collection.

While the researchers lacked a credible database, there were large amounts of secondary data from NGOs, state departments, and law enforcement agencies available. This secondary data was used as corroborative evidence throughout the report for the qualitative findings during the research process. Recommendations were derived from the literature review, interviews, case studies of NGO practices, and legal analysis that were completed.

The study began with a reduction in geographic focus so as to allow for sufficient depth of research into the selected states and target those states with greater or more representative problems. The scope narrowing was done by state because existing data and government policies are naturally ordered by state. After an initial survey of India's states & territories, nine were selected for study: Andhra Pradesh, Bihar, Chhattisgarh, Goa, Delhi, Orissa, Tamil Nadu, Jharkhand, and West Bengal. Selection was based on the following criteria:

1. **A pervasive and increasing trend toward TIP:** TAF can potentially have the most impact in regions where the problems are greatest and increasing.
2. **State and local governments that are receptive to TIP intervention:** This criterion was suggested by TAF because of the difficulties associated with establishing inroads in locations where there is little government support for anti-TIP efforts.

¹¹ Tyldum, G. and Brunovskis, A. (2005). *Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking*. Retrieved November 19, 2009, from http://www.no-trafficking.org/content/web/05reading_rooms/data_and_research_on_human_trafficking_a_global_survey_iom.pdf#page=19

3. **Representation within the group of source, transit, and destination points for trafficking:** To determine where TAF can be most effective, it was important to analyze opportunities for intervention at all stages of the trafficking process, from source to destination.
4. **Sufficient secondary data available for each state:** In the absence of field research, it was crucial that sufficient information in English be available about each state's trafficking problem, the NGOs working there, and government anti-TIP efforts.
5. **Representation within the group of a variety of dynamics that could potentially be influencing the rate of TIP:** For instance, some states experience increased levels of TIP because of natural disasters, while others experience TIP due to extreme poverty. These varying dynamics will be discussed in Part 3.

By analyzing several states with substantially different characteristics that could impact trafficking, the study has a higher potential to be applicable to yet further states in the future by more comprehensively representing India's diversity. TAF may be able to extend the geographic focus by applying the conclusions reached for the chosen states/territories onto similar ones. For example, a common perception is that poverty mainly drives TIP. This may be true when looking at certain provinces like Bihar. However, even in some states with improving socio-economic indicators, such as Tamil Nadu, TIP appears to be on the rise. Thus, the states selected vary in terms of dynamics.

3 DYNAMICS OF TRAFFICKING

This section presents findings on the dynamics of trafficking in India gleaned from the literature review, state profiles, NGO interviews, and the legal framework analysis. In addition to identifying the root causes of TIP in India, Part 3 identifies the impacts of trafficking, the barriers to protecting victims and prosecuting offenders within the legal framework, and discusses local dynamics at a state level that influence a region's susceptibility to certain forms of TIP.

Factors such as economic development and vulnerability to natural disasters highly impact TIP patterns from region to region. Issues like poverty increase individuals' vulnerabilities to the manipulations of traffickers and social norms (e.g. sexism towards women and girls) allow communities and families to subject their loved ones to the scourge of trafficking, sometimes voluntarily. Trafficking creates long-lasting social, economic, and health impacts. India's legal framework is severely flawed. Instead of protecting victims and prosecuting offenders, more often than not, victims are prosecuted and offenders, protected.

While this section draws on several analyses, a special note about the literature is warranted. Given that the characteristics of human trafficking are impacted by local economic, social and regulatory environments, studies often have small sample sizes or lack evidence-based assumptions and results.¹² Moreover, the literature was disproportionately focused on Indian women being trafficked for the purposes of sexual exploitation, which does not accurately reflect the diversity of the trafficking experience in India.¹³ The Trafficking Thematic Group (2003) identified two reasons for this:

1. It is easier for organizations addressing the TIP issue to raise funding for 'moral outrage' reasons, especially if underage girls are involved;
2. The sex trade is more visible and easier to examine for signs of trafficking than other forms of TIP. This is especially true for forms of labor that may draw a very fine line between trafficking and voluntary migration.¹⁴

While the literature lacks empirical robustness, it nonetheless provided valuable perspective on the state of TIP in India. Finally, this research, while having ambitious goals, is not an evaluation of the problem of TIP worldwide; it is an evaluation of TIP in India. The findings of this section reflect this focus.

As an introduction to the dynamics of trafficking in India, it is essential to grasp the overwhelming diversity of Indian states and territories.

¹² Ibid.

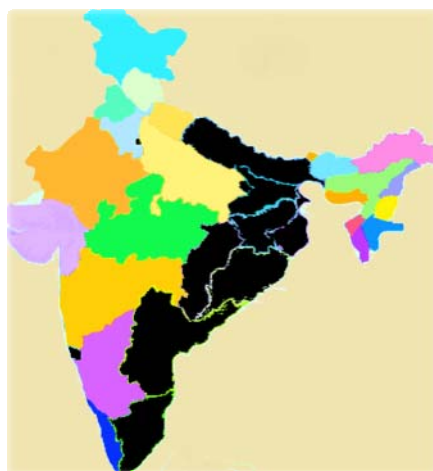
¹³ Trafficking Thematic Group. (2003). *Revisiting the Human Trafficking Paradigm: The Bangladesh Experience*.

¹⁴ Ibid.

3.1 SOCIOECONOMIC CHARACTERISTICS OF SELECTED STATES/TERRITORIES

As described in Part 2, Methodology & Research Design, the researchers selected nine states/territories in India as a sample population for case studies based on criteria described in Section 2.2, Objectives and Scope. These states/territories were: Andhra Pradesh, Bihar, Chhattisgarh, Delhi, Goa, Jharkhand, Orissa (Odisha), Tamil Nadu, and West Bengal (see states/territories highlighted in black in Figure 1). This section briefly integrates the information from each of those nine profiles, giving a brief overview of some distinguishing characteristics of the states/territories as well as a comparison of relevant variables for trafficking, found in Table 1.

Figure 1: Map of the Selected States/Territories of India



The nine selected states/territories have one major commonality—TIP is large in magnitude and is on the rise. With the exception of Delhi and Goa, all of the regions have high poverty levels. Of these impoverished states, many have high levels of scheduled castes and tribes (i.e. groups that are vulnerable to trafficking due to their poor social status). Across the board, there are significant disparities in the literacy rates of men and women and eight of nine regions are either disaster or conflict prone. Finally, many of the states are source states of trafficked victims—largely due to their poor economic development. Still, despite these broad comparisons of the selected states/territories, each differs greatly from one another. Below are a few of the exceptional characteristics about each state that cannot be gleaned from Table 1.

Key distinguishing state/territory characteristics:

1. *Andhra Pradesh*
 - High levels of child labor in Andhra Pradesh is a significant human rights concern and a contributing factor to TIP.
2. *Bihar*

- A majority of cases reported of importation of girls to other states came from this state.¹⁵
 - Agriculture is the primary industry.
3. *Chhattisgarh*
- This state was newly created in 2001, and was originally part of Madhya Pradesh.
 - State government is amenable to working with civil society organizations and donors to overcome the problem.
 - Agriculture remains the mainstay of the economy.
4. *Goa*
- Even though the incidence of crime against women has decreased, TIP is on the rise.
 - Goa represents an interesting case study of new types of trafficking entering India via developing industries such as tourism.
5. *Delhi*
- It is a primary economic hub of India.
 - This is a prime destination for trafficked persons both from within India and from across international borders, particularly Nepal.
6. *Orissa*
- Prone to natural disasters, Orissa saw an increase in trafficking after the super cyclone of 1999.¹⁶
7. *Tamil Nadu*
- The rural areas provide substantial employment to women.
 - Crimes against women and children, generally, are on the rise.
8. *Jharkhand*
- Some of the most highly industrialized cities of India are in Jharkhand, which until 2000 was part of Bihar.
 - A large number of its districts outperform the national average on socio-economic indicators.
 - TIP is on the increase mainly because of the rural-urban divide, with labor being trafficked from the rural areas into the urban areas.
9. *West Bengal*
- With contiguous borders to Nepal, Bangladesh and Bhutan, West Bengal serves as a hub for international trafficking in persons, inter and intra-state TIP.
 - NGOs report that the large figures associated with TIP in this state are a gross understatement, as West Bengal remains a state where the reporting of crime is far lower than in other states.

¹⁵ Sen, S. (2004). *A Report on Trafficking in Women and Children in India 2002-2003*. New Delhi: National Human Rights Commission, UNIFEM, Institute of Social Sciences.

¹⁶ UNIFEM (2009). *Anti-Trafficking*. Retrieved on October 10, 2009 from <http://www.unifem.org.in/antitafficking.html>.

Table 1: Comparison of Selected States/Territories¹⁷

State	National and International Borders	No. of rescues (2002)	Sex Ratio (2001)	% under poverty line	Percentage SC to state Population (2001)	Disaster / Conflict Prone?	Literacy Rates (2001)	GDP Growth (2006)	HIV Prevalence among Female Sex Workers (2006)	Source / Destination / Transit Area (2002)
Orissa	Andhra Pradesh, Chhattisgarh, West Bengal and Jharkhand	Unknown	972	39.9	16.5	Y	Total: 63.6 Male: 76.0 Female: 50.9	10.5	0.8	Source
Bihar	West Bengal, Jharkhand, Uttar Pradesh, Nepal	10	921	42.6	15.7	Y	Total: 47.5 Male: 60.3 Female: 32.6	4.2	3.4	Source, transit, and destination
Delhi	Haryana and Uttar Pradesh	81	821	8.3	16.9	N	Total: 81.8 Male: 87.4 Female: 75.0	6.7	3.2	Destination and transit
West Bengal	Bangladesh, Assam, Sikkim, Bhutan, Nepal, Bihar, Jharkhand and Orissa	54	934	27.0	23.0	Y	Total: 69.2 Male: 77.6 Female: 60.2	6.8	5.9	Source and transit
Goa	Karnataka and Maharashtra	30	960	4.4	1.8	Y	Total: 82.3 Male: 88.9 Female: 75.5	8.3	Unknown	Destination
Andhra Pradesh	Tamil Nadu, Karnataka, Maharashtra, Chhattisgarh and Orissa	104	978	15.8	16.2	Y	Total: 61.1 Male: 70.9 Female: 51.2	4.9	9.7	Source and transit
Tamil Nadu	Andhra Pradesh, Kerala	80	986	21.1	19.0	Y	Total: 73.5 Male: 82.3 Female: 64.6	6.8	4.7	Source, transit, and destination
Jharkhand	West Bengal, Orissa, Chhattisgarh, Uttar Pradesh, Bihar	Unknown	941	44	11.8	Y	Total: 54.1 Male: 67.9 Female: 39.4	10.81	1.1	Source
Chhattisgarh	Jharkhand, Orissa, Andhra Pradesh, Maharashtra, Madhya Pradesh and Uttar Pradesh	Unknown	990	38.9	11.6	Y	Total: 65.2 Male: 77.9 Female: 52.4	13.16	1.4	Source

¹⁷ UNIFEM. (2004). A Report on Trafficking in Women and Children in India 2002-2003, NHRC-UNIFEM-ISS Project (n.d.). Retrieved November 2, 2009; Dubey, R., Surendra, N. (2001). Population of India. Authors press, First Edition; and Khan, A., Vivek, H. (2007). State of the Indian Economy - Towards a larger constituency for second generation economic reforms. Sage Publications; First Edition.

3.2 MIGRATION PATTERNS & SECTORS OF TIP

India has historically experienced significant levels of migration and movement across both domestic and international borders. However, trafficking patterns indicate that 90% of TIP in India is domestic, with only 10% taking place across international borders.¹⁸ India is a destination for trafficking victims from Bangladesh and Nepal. There is also some degree of transit of non-citizens occurring, largely consisting of men being trafficked from South Asia to the Middle East. Finally, India is also a source of TIP victims for Europe, the Middle East, and North America.¹⁹

Within India, regions vary in their TIP migratory patterns, with some states/territories being solely source areas, others being solely destination areas, and the full gambit of possibilities in between (e.g. states being transit, source, and destination areas). The NGO interviews pointed to what factors distinguished one area from another. Below are the findings.

- *Source:* Poverty was without question the single largest perceived reason for an area being a “source” of TIP. Still, cultural issues (e.g. caste system), religious issues, natural disasters/conflicts, and the lack of an effective legal framework were also cited as reasons for areas being source locations.
- *Destination:* Of those NGOs in TIP destination areas, it was felt that trafficking came as a derivative of high flows of inflows of migrants from the rest of the country because of an area’s economic success, a high demand for sex workers as a result of being a major tourist destination, generic gender/caste issues, and a lack of community responsibility for social security and welfare. The absence of a strong legal framework in the region was similarly cited as a factor contributing to increased destination trafficking.
- *Transit:* As expected, NGOs from transit areas attributed much of the area’s TIP plight to geography (i.e. transport hub in route to other states) and infrastructure (i.e. extensive and unmonitored train networks).

Notably, poverty was not mentioned as a primary factor for destination or transit regions.

The most prevalent sectors employing trafficked people in India are the following:²⁰

- Commercial sex work;
- Bonded labor in different industrial and agricultural sectors;
- Domestic work;
- Entertainment sector (circuses, camel jockeying); and
- Begging and other cartel-like exploitative activities.

¹⁸ Ali. (2005).

¹⁹ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved 4 February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

²⁰ Asia Development Bank. (2003). *Dynamics of Trafficking of Women & Children in South Asia*. Retrieved January 24, 2010, from http://www.adb.org/Documents/Books/Combating_Trafficking/.

As mentioned above, the literature places disproportionate emphasis on commercial sexual exploitation. However, according to the state profile analysis and NGO interviews, both labor trafficking and commercial sex trafficking are prevalent types of TIP in India, with equal number of mentionings for each respectively.

3.3 ROOT CAUSES OF TRAFFICKING: SUPPLY & DEMAND SIDE

Most of the literature points to poverty as the primary cause of trafficking. Beyond poverty, other secondary causes of trafficking include low employment prospects, a patriarchal culture, low regard for women's rights, low levels of education, discrimination and marginalization of women, and cultural factors such as dowry issues.²¹ These assertions are supported by the analysis of the NGO interviews. However, NGO representatives added that awareness outages, natural disasters & conflict, and illiteracy complicate the situation further. Many of the secondary causes are demonstrably linked to the central issue of poverty. Based on the state profiles, additional factors for India's TIP predicament include:

- The adverse impacts of globalization have led to a loss of traditional sources of income and rural employment; and
- Migration policies are especially harsh for unskilled workers, forcing them to resort to alternative livelihoods options through illegal means.²²

The root causes abovementioned can be categorized as supply or demand side factors. Below, each category is discussed in more depth.

3.3.1 ROOT CAUSES OF TRAFFICKING: SUPPLY SIDE

Key factors influencing the supply side of human trafficking are poverty, globalization, social practices, conflicts, natural disasters, and governance.

3.3.1.1 POVERTY AND GLOBALIZATION

States with the highest levels of poverty are where the largest numbers of victims of trafficking originate (i.e. Orissa, Bihar, Jharkhand, Chhattisgarh, and West Bengal). Delhi and Goa, on the other hand, have both a low percentage of people below the poverty line in addition to relatively high literacy rates among both men and women due to positive economic development resulting from globalization (see Table 1). Consequently, these two states are primarily reported as destination and not source locations. For the small number of victims that originate in these areas, traffickers must use very different strategies compared to those employed in source and transit states. Reports from Delhi indicate that kidnapping and abduction are the major methods for recruiting victims in this region. These kidnappings are often associated with organized crime groups.

²¹ IOM. (2002).

²² Ali. (2005).

It is often argued that the ‘feminization of poverty’ is driving the increasing trend of trafficking in women. Investment in female workers is lower compared to their male counterparts and women receive less of what society produces. This extends to education, health care, and productive assets that could improve their well being. Similarly, macroeconomic reforms and globalization have led to increasing commercialization of agriculture throughout India, a switch from labor-intensive to capital-intensive systems, a shift from paddy to cash crop cultivation where the wage differential is especially high, and demand for higher-skilled employees (i.e. there are fewer opportunities for unskilled labor, disproportionately impacting women due to their lower skill levels) have tended to increase the prevalence of trafficking. Amplifying the problem, often, female-headed households are forced to put their children to work for economic survival, which then places their children at risk of being trafficked.²³

On the other end of the continuum, there has also been an increase in the demand for casual labor, which requires both flexibility and mobility. Poor individuals that engage in migrant labor are particularly susceptible to the manipulations of traffickers.²⁴ Livelihood loss is positively correlated with increased trafficking. India has experienced this particularly in the fishing, weaving, tobacco, and cotton sectors.²⁵ Evidence from South India shows that where these factors are present and there are high probabilities of natural disasters, trafficking tends to be more common.²⁶ This is further compounded by low-cost competition in South Asia, increasing the demand for cheap labor and encouraging employers to exploit unskilled labor via trafficking.²⁷

While poverty is primary in its impact on trafficking trends, social attitudes play a secondary, but very large role as well.

3.3.1.2 SOCIAL ATTITUDES, CULTURE AND PRACTICES

3.3.1.2.1 GENDER

Marginalization of women is a major contributing factor to trafficking. The fact that many families and communities perpetuate and institutionalize (often through traditional practices) the act of trafficking has hindered anti-TIP efforts. Gender-biased social practices have led parents to be persuaded by traffickers under false pretexts of marriage without a dowry.²⁸ These marriages, amounting to trafficking when forced, under contract, or involving a girl child, arise partly because of skewed sex ratios. India is known for its high levels of female feticide; according to one estimate, one in twenty-five female fetuses is aborted.²⁹ This stems from “the long-held tradition of dowry

²³ ADB. (2005).

²⁴ Ibid.

²⁵ (2001). *Network Against Trafficking and Sexual Exploitation*.

²⁶ Ibid.

²⁷ ADB. (2005).; Ali. (2005).

²⁸ UNIFEM/UNIAP. (2002).

²⁹ Frontline World. (2009). *Female Feticide*. Retrieved December 10, 2009, from http://www.pbs.org/frontlineworld/rough/2007/04/the_missing_girls.html.

that makes women an economic burden for families in India.”³⁰ Because men nonetheless want wives, women from states where the gender balance is more equal (in particular, states where many families are too poor to afford abortion) provide a supply of “wives” to states where the gender balance is biased towards men. For example, Chhattisgarh has a gender ratio of 990 (990 females for every 1000 males) whereas Delhi has a ratio of 821 (see Table 1). It is no surprise that many of the girls trafficked from Chhattisgarh end up in Delhi. Finally, because education is believed to reduce marriage prospects, more often than not girls are either not sent to school or are pulled out of school prematurely, decreasing their opportunities for independent economic livelihoods.

3.3.1.2.2 CASTES/TRIBES

A study by the National Commission for Women found that 62% of women in commercial sex work were from scheduled castes and 30%. These numbers demonstrate that trafficking is negatively skewed towards historically disadvantaged groups. This is made worse by age-old customs and traditions that reinforce gender discrimination based on caste and ethnicity. The most visible and common example is the *Devadasi* tradition in Karnataka, Andhra Pradesh, and Maharashtra, in which parents from the scheduled tribes marry their daughters before puberty to a deity or temple where they are then forced to provide sexual services to upper caste community members.³¹ Given the girls’ status as minors, this is a form of trafficking. The levels of these kinds of cultural practices are associated with the levels of scheduled castes (SC) and scheduled tribes (ST) in any given state (see Table 1).

3.3.1.2.3 CHILDREN

Like women, children who are not in school, come from poor families, and are employed in low-skilled occupations are highly vulnerable to trafficking. These factors are compounded exponentially if the children belong to more marginalized groups of society. In some cases, children may not be moving around alone but with their families which makes them vulnerable in certain instances (e.g. a family moves to urban areas where the pressure of survival threatens all family ties and the children end up on the street or in highly exploitative situations). Approximately 70% of urban commercial sex workers migrated from rural areas and almost 57% of them arrived with their parents.³²

Child labor is increasing to meet the growing demands of globalization and low cost labor. More importantly, employers opt for children “because they are naïve, uncomplaining, easily controlled, vulnerable, desperate, and dispensable.”³³ The gambit of occupations and jobs as well as trafficking incentives is large in India: children end up as porters, in domestic servitude, carpet weaving, shoe

³⁰ Ibid.

³¹ Mukherjee. (1997).

³² Incidin. (1997).

³³ *Child workers in Nepal*. Retrieved February 14, 2010, from <http://www.cwin.org.np>.

shiners, and in other cases in CSW or trafficked for organ transplant reasons. Sometimes, they are recruited in circuses and travelling shows.³⁴

Sadly, the very fact that children are trafficked makes for a self-enforcing mechanism where they will continue to be trafficked because their increasing vulnerability intensifies other power relationships as they mature. Unfortunately, children themselves do not have the wisdom to see their situation as it is and often opt to remain in the exploitative trafficked situation or abusive relationships because they perceive the status quo as having some semblance of stability. It is this feature that traffickers rely on to recruit and then maintain control over children.

3.3.1.3 CONFLICTS / NATURAL DISASTERS

In the post-conflict/disaster period, marginalized communities with low savings, few skills, and limited mobility become easy prey for traffickers. In such times of infrastructure devastation, crumbling law and order, and increasing numbers of vulnerable and destitute populations, these areas become source and transit points for trafficking. For example, in 1999, after a severe cyclone in Orissa (Odisha), there was a marked increase in trafficking, especially of children, since basic needs like shelter and food were non-existent in the affected areas.³⁵ Orissa's cyclones, floods in Bihar and West Bengal, and the Naxalite movements in Jharkhand and Chhattisgarh have all contributed to increase trafficking. In such settings, women and girls suffer disproportionately.³⁶ This is compounded by lack of access to comprehensive information or legitimate and affordable migration programs. A third of victims in commercial sex work were found to be from drought-prone areas.³⁷

3.3.1.4 GOVERNANCE

With a backdrop of poor governance and scarce government services, the absence of an effective legal framework interacts with the exclusion of vulnerable groups from basic social and economic services to enable an environment conducive for trafficking.³⁸ Extensive efforts are underway through decentralization of planning and delivery of services to empower women and communities that are socially and economically vulnerable. However, women and children vulnerable to trafficking are least likely to benefit from this because they are less likely to participate due to their inability to access social services and programs. And India's legal framework is unequipped to support vulnerable groups at this time. The gaps and challenges facing India's legal framework are discussed below in more depth.

³⁴ ADB. (2005).

³⁵ Duggal-Chadha, A. (2006). Children and Disasters. In *Refugee Survey Quarterly*: 25, 4. Retrieved 29 November 2009 from <http://rsq.oxfordjournals.org/cgi/reprint/25/4/85.pdf>.

³⁶ USAID. (2006).

³⁷ Ibid.

³⁸ ADB. (2005).

Interdependently linked with the supply side factors that negatively influence TIP are demand side factors.

3.3.2 ROOT CAUSES OF TRAFFICKING: DEMAND SIDE

Trafficked labor is demanded in a number of sectors, the most common of which is commercial sex work (CSW). Brothels, temporary construction/worker camps, highways, urban residential areas, and small closed communities all serve as homes to trafficking.³⁹ Labor trafficking for reasons other than CSW is also very common, but much less documented. Trafficked victims work in factories often becoming indentured or debt-bonded to the owners.

Similar to globalization's impact on rural, poor states, Delhi and Goa, both of which are wealthy, destination locations, have shown that globalization and urbanization have had negative impacts on the prevalence of TIP. From interviews with NGOs, high crime rates and the economic boom are cited as the primary causes of TIP in wealthy areas.⁴⁰ It is argued by P.M. Nair, one of the most highly respected trafficking experts in India, that the economic boom has increased the demand for sexual services and increased the level of migrant workers, leading to a resultant increase in the supply of trafficked victims.⁴¹

Given demand and supply's interdependence, addressing both types of facts is central to curbing TIP in India. Based on the literature review and NGO interviews, little is done on the demand side. This can partially be due to the disproportionate difficulty of addressing demand side problems. For instance, what would a policy recommendation look like to reduce the level of tourism or the pace of economic development?

Given TAF's forthcoming role in addressing the issue of TIP, it is necessary to consider not only the causes of trafficking, but also the impact of trafficking on individuals, families, communities, and society in order for TAF's recommendations to be holistic in nature.

3.4 IMPACTS OF TRAFFICKING

3.4.1 SOCIAL IMPACTS

It is clear that trafficking enforces and re-enforces patriarchal attitudes and discriminatory behavior, which has a negative impact on those trafficked and women's overall position in society. However, it should also be considered that, for many women, trafficking, while inflicting harm, also provides them with livelihood opportunities, which may result in some women gaining freedom

³⁹ ADB. (2005).

⁴⁰ Retrieved February 8, 2010, from <http://www.zeenews.com/news303996.html>.

⁴¹ Sen, S. (2004). *A Report on Trafficking in Women and Children in India 2002-2003*. New Delhi: National Human Rights Commission, UNIFEM, Institute of Social Sciences.

from a more oppressive situation.⁴² Many women return home with funds to invest in themselves and the community, choosing to remain silent about their experiences. In other cases, where they are unable to integrate back into their communities, often they return to a migrant lifestyle. Thus, safe migration is central for helping women empower themselves.⁴³

3.4.2 ECONOMIC IMPACTS

In terms of lost potential returns to human or social capital, economic losses from human trafficking are enormous.⁴⁴ The necessary cost of anti-trafficking initiatives puts added strain on limited government resources. Huge amounts of income remain lost in hidden sectors such as commercial sex work and escape the formal economy for income re-generation and productive uses (i.e., the benefits that could be gained from safe migration for employment).

3.4.3 HEALTH IMPACTS

There are the obvious psychological effects of trauma and depression.⁴⁵ But there are also direct consequences: trafficked people in low living standards, particularly those in commercial sex work, are more prone to get STDs, HIV/AIDS, malaria, tuberculosis, and other diseases. Population segments that are highly mobile tend generally to be at greater risk of contracting STDs following the disruption of their family and community lives.

Increasing HIV prevalence in India has led to great demand for younger girls who are less likely to be diseased. In India men tend not to recognize that they are carriers. Furthermore, myths persist such as the idea that having sex with a virgin will cure STDs, further fuelling the demand for young girls.

A word of caution is necessary when exploring the link between trafficking and HIV/AIDS. In many cases, awareness programs have given the impression that all trafficked people are infected, making it difficult to rehabilitate victims. There are also tensions between those combating trafficking and those combating HIV/AIDS, as the latter often use pimps and other agents to convey messages – the very people who engage in trafficking.

As is the case with most social ills, activists often turn to the legal sector to assist in addressing the vulnerabilities that victims face (e.g. providing compensation, punishing offenders, providing protective services for victims). However, in the case of trafficking in India, NGOs and government alike admit that India's legal framework on paper appears as if it can effectively curb trafficking through expedited and harsh prosecution of offenders; however in reality, the legal system only serves to further victimize the victims of TIP.

⁴² Blanchet. (1996).

⁴³ ADB. (2005).

⁴⁴ Ibid.

⁴⁵ Ibid.

3.5 THE ANTI-TIP LEGAL FRAMEWORK

While there are a large collection of statutes, existing international & regional conventions, active institutions, and a defined legal process that is designed to ensure that TIP offenders be prosecuted and TIP victims be protected/compensated, the legal framework is plagued by several weaknesses. These include mammoth levels of corruption, an overburdened judiciary/law enforcement sector, and poorly resourced protection services. Still, there have been several recent actions on the part of government and the NGO community to rectify these outages. In Section III, these efforts are identified.

This section provides a broad overview of the statutes, institutions, and process that embody India's legal framework. For a more detailed analysis of the legal framework, see the Legal Framework Analysis in the background document.

3.5.1 LEGAL STANDARDS

A number of international instruments have a bearing on human trafficking under categories of UN conventions in general and International Labor Organization conventions in particular. In India, the Constitution states that the State shall endeavor to foster respect for international law and treaty obligations.⁴⁶ However, because of India's special 'dualist' regime, any provisions or international laws ratified by the central government are not directly binding unless there is an explicit measure, through enactment of a statute, to internalize these obligations.⁴⁷ Therefore, in India, international conventions and laws are not very effective unless they have been translated into domestic laws.

On the regional level, India ratified SAARC (South Asian Association for Regional Cooperation) Conventions in 2002, which aim to instigate regional cooperation on the protection of the rights of women and children in South Asia. They also facilitate the safe development of children. However, these conventions do not cover all the various forms of trafficking, and for the most part, ignore trafficking of men.

At a national level, the Immoral Trafficking Prevention Act, 1956 (ITPA) has severe penalties for those engaged in TIP and is India's most comprehensive anti-trafficking statute. However, in addition to calling for the prosecution of traffickers, it also allows for the arrest of the victims themselves. Buttressing the ITPA are the Indian Constitution and the Indian Penal Code, which coupled together, have more than 20 provisions that make trafficking illegal. Finally, there are several other laws that deal with particular types of trafficking (e.g. bonded labor, trafficking in organs) or particularly vulnerable groups (e.g. children, scheduled castes & tribes). In spite of the robust legal basis for the prosecution of trafficking crimes, many of the Indian government's acts do not effectively criminalize the clients and profiteers of the trade, and several do not define 'trafficking' per se in human beings.⁴⁸ This is because there is no established national guideline or

⁴⁶ Article 51(c)

⁴⁷ National Law School of India University. (2000). *Handbook on Human Rights for Judicial Officers, NIHR (p.4)*. National Law School of India University, Bangalore, p. 4.

⁴⁸ Ibid.

standard for intervention or law enforcement in preventing human trafficking. Moreover, many of the laws relating to trafficking are inconsistently enforced, and some of their prescribed penalties are not sufficiently stringent.⁴⁹ Finally, there has been “little progress in addressing bonded labor” through existing statutes.⁵⁰

Legal statutes and provisions also call for the state to provide protective services for victim, including compensation and shelter. With respect to compensation law, in a Supreme Court case, *Bodhi Sattwa Gautam vs Subra Chakrobty* (1996), judges ruled that compensation can be awarded regardless of whether a fine formed part of the sentence or not.⁵¹ Moreover, in Supreme Court case, *Delhi Domestic Working Women’s Forum vs UOI* (1995), it was determined that “compensation can be awarded to the victim even without conviction and even during pendency of trial.”⁵² Moreover, in 2008, the Sec. 357 of the Code of Criminal Procedure (CrPC) was amended to include the following provision, calling for states to set up compensation schemes. “Every State Government in coordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and require rehabilitation.”⁵³

This amendment was inspired largely by the efforts of Andhra Pradesh who, in 2006, set up the “Relief and Rehabilitation Fund” for victims of rape, trafficking, abduction, dowry deaths, and other related crimes. Grants are awarded to victims in amounts ranging from Rs. 5,000 to Rs 10,000.”⁵⁴

3.5.2 INSTITUTIONS

3.5.2.1 CENTRAL GOVERNMENT

The central government in India is in charge of ratifying the international, regional, and national laws relating to human trafficking issues. In addition to funding over 200 shelters, it also conducts awareness campaigns against human trafficking, allocates funding to state programs, and monitors trafficking trends. However, it is not directly responsible for law enforcement, so it has relatively limited influence on anti-TIP arrests and prosecution at state level. Moreover, there is a certain level of fragmentation of efforts at the central government level because of the many ministries that have a vested interest in trafficking.

⁴⁹ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

⁵⁰ *Ibid*.

⁵¹ Nair, P.M. (2007). *Handbook for Law Enforcement Agencies in India*. Retrieved February 3, 2010, from <http://www.apneaap.org/policy-work/our-resources/best-practices/handbook-law-enforcement-agencies-india-drpm-m-nair>, p.44.

⁵² *Ibid*, p.45.

⁵³ Kant, R. “Victim Compensation in India”. Retrieved February 13, 2010 from <http://lawreports.wordpress.com/2009/06/23/victim-compensation-in-india/>.

⁵⁴ Government of Andhra Pradesh Abstract: Relief and Rehabilitation Fund. (2006).

3.5.2.2 STATE GOVERNMENT

The state governments are responsible for ratifying national laws relating to the human trafficking issues at the state level; moreover, they can make their own state laws to prevent human trafficking in their states. There are two state laws that deal with human trafficking, but they cover limited areas in human trafficking. As with national laws, law enforcement is not sufficiently stringent.

Generally, state governments were engaged much more in prevention and protection work than in improving the rates of prosecution. The state governments have also failed to effectively utilize provisions under the ITPA that allow them to establish special courts for the sole purpose of hearing trafficking cases. State governments, with the exception of Andhra Pradesh and Tamil Nadu, have also failed to establish compensation schemes for victims of trafficking.

3.5.2.3 COURTS

Courts play a central role in the prosecution process and are obliged to protect victims in collaboration with police during the trials. In reality, however, courts are overwhelmed with cases, allowing some trafficking cases to linger on for years, even decades.⁵⁵ According to a 2005 study Indian judiciary, a Supreme Court judge felt that "six times more judges are needed for expediting the pending cases and supporting the present system."⁵⁶ The same study found an overwhelming presence of corrupt practices in the courts, which included the delaying of hearings, the assignment of cases to corrupt judges, and the "misplacement" of court documents.

3.5.2.4 POLICE

The police are the central point of accountability when it comes to prosecution of trafficking and are often the first individuals that rescued victims come into contact with. They are obliged to protect victims until the victims are sent to their family or shelters. However, police do not prioritize trafficking as an offence and, typically, police officers do not utilize the many violations/statutes that traffickers can be charged under. According to UNODC, in 2005, "an NHRC study on trafficking interviewed 852 police officers (117 senior and 735 investigating officers) and found that over 80 per cent attach either 'nil' or 'low' priority to the issue of trafficking. Forty per cent of officers surveyed had not even heard of the concept of trafficking while only 7 per cent had received any kind of training on the subject."⁵⁷

⁵⁵ "As per the information available [in December 2009], 31,139,022 cases were pending in the courts in the country."

ThaIndian.com. (2009). *31,139,022 cases pending in Indian courts*. Retrieved January 28, 2010, from http://www.thaindian.com/newsportal/uncategorized/31139022-cases-pending-in-indian-courts_100290788.html.

⁵⁶ Center for Media Studies. (2005). *India Corruption Study 200 to Improve Governance*. Transparency International India. Retrieved February 10, 2010 from www.cmsindia.org/cms/events/judiciary.pdf.

⁵⁷ UNODC. (2005). "Project Summary: Strengthening the law enforcement response in India against trafficking in persons and sex tourism in key states and cities through training and capacity building." Retrieved on 6 February 2010 from http://www.unodc.org/india/ind_s16.html.

Even more egregiously, they lack sensitivity to the plight of trafficking and use the ITPA against the victims, not the traffickers. Furthermore, while making some gains in protection and capacity building, police are not doing an adequate job of registering cases and conducting thorough investigations, making the judicial process very easy for traffickers to evade or manipulate with the purpose of gaining an acquittal.

Finally, the fact that the issue of trafficking is captured by over 15 various statutes increases confusion within an already overwhelmed law enforcement sector, leading to spotty and varied implementation of laws. As identified by the 2009 Trafficking in Persons Report, “most of the provisions of the law remain unenforced and unimplemented.”⁵⁸

3.5.3 THE LEGAL PROCESS

While, on paper, the legal process appears rather straightforward, well designed, and victim-friendly, a cursory look at the data indicates that something is awry. According to data from the National Crime Records Bureau, arrests under the Immoral Trafficking Prevention Act (ITPA) of 1956 averaged fewer than 12,000 per year from 2003 to 2006, with a 7 percent drop from 2005 to 2006.⁵⁹ While prosecutions have been increasing in absolute terms, they have been growing at a diminishing rate of 1 percent less each year from 2003 to 2006. Additionally, trafficking is estimated to be increasing not decreasing, so the number of prosecutions may be dropping as a percentage of the total population of those trafficked. Finally convictions, already considerably less than the number of prosecutions, fell a dramatic 31 percent from 2005 to 2006. This took the amount of convictions as a percentage of prosecutions from 31 percent to 20 percent. While not much can be gleaned from one data point, it is clear that there are several gaps and challenges in the legal process that point towards why there are such low levels of arrests, prosecutions, and convictions.

There are several concerns that these numbers raise. Based on 2007 estimates from the Department of Women and Child Development, the number of individuals trafficked specifically for commercial sexual exploitation in India is roughly 2.8 million, so the level of arrests and prosecutions is very low compared to the number of individuals violating the law.⁶⁰ The almost stagnant level of arrests coupled with the increase in prosecution in absolute terms may point to an improvement in the filing of FIRs and charge-sheets at the investigation stage (potentially because of successful police training programs). However, the disappointing drop in convictions may, in turn, point to the failure to get cases past the second level of scrutiny in front of the magistrates.

The fact that arrest levels are plateauing may be indicative of a few possible narratives. It could be that traffickers, in the face of increasing government and NGO attention to the issue have begun to go underground, making it harder to find and arrest them. Alternatively, it may be that police are

⁵⁸ Ibid.

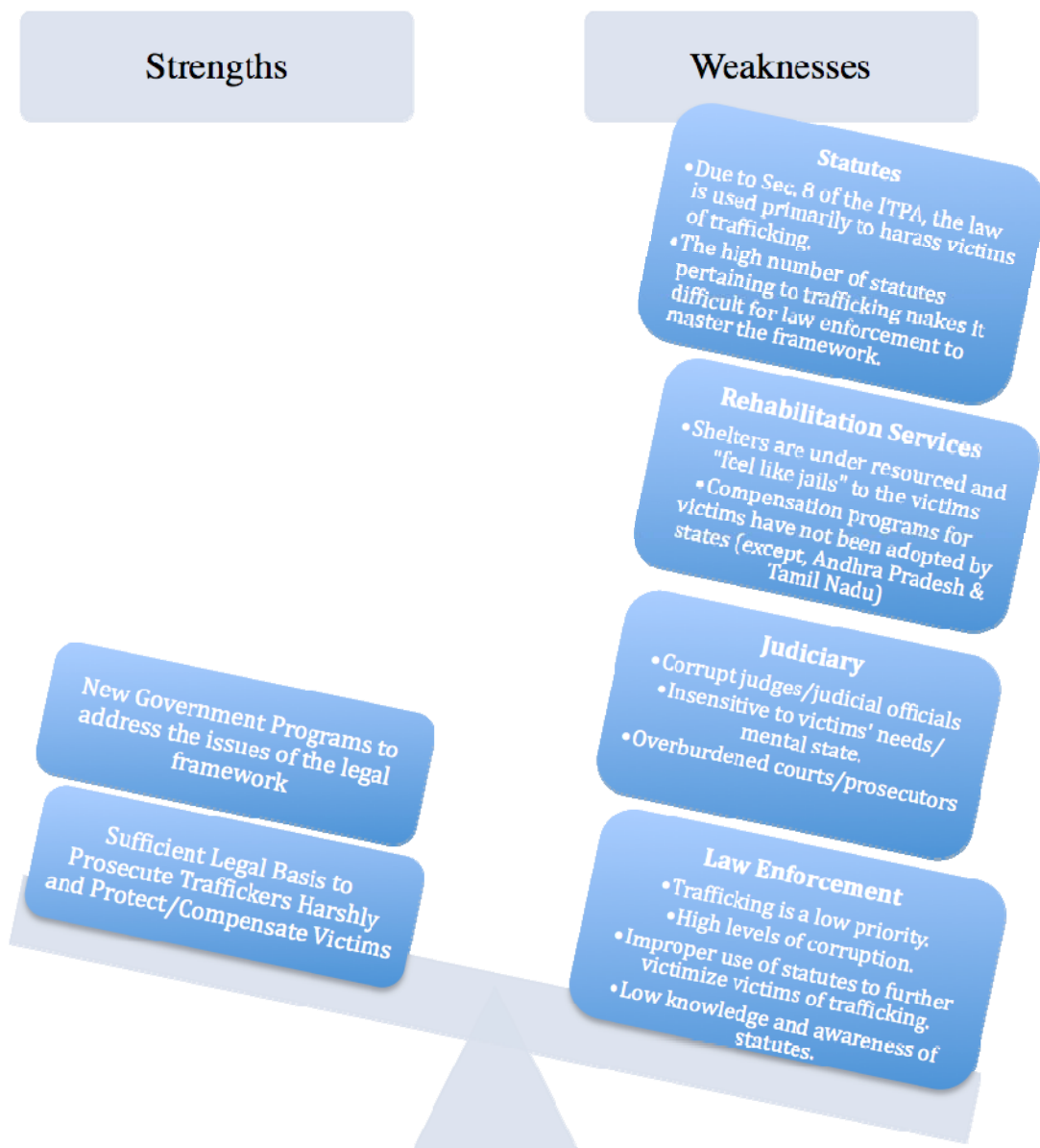
⁵⁹ UNODC. (2009). *Global Report on Trafficking in Persons 2009*. Retrieved February 3, 2010, from http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf.

⁶⁰ Mukherji KK, Muherjee S. (2007). *Girls and women in prostitution in India*. Department of Women and Child Development, New Delhi, India.

making arrests based on a given quota, be it internal or not. It is also important to note that most arrests under the ITPA in the early 2000s were of victims themselves and not offenders. Therefore, in the event that this trend has persisted, the drop in arrests and convictions may be a positive signal that police are becoming more sensitized to the victims' needs. Finally, this could be representative of certain "outlier" districts that focus on trafficking and are arresting at high levels while others have little to no focus meaning that the numbers would stay rather constant over time if those that are engaged are already engaged fully in the anti-TIP struggle.

In conclusion, Figure 2 summarizes the legal framework's key strengths and challenges. Based on the current state of the legal framework, the scales of justice are tipped against the victims.

Figure 2: Key Strengths and Weaknesses of India's Legal Framework



4 CURRENT NGO, DONOR, AND GOVERNMENT EFFORTS

Given India's federal system, particular focus has been given to its state government initiatives since the state governments have the ultimate responsibility for implementing and launching anti-TIP initiatives. However, there have been a select group of recent interventions at the central government level that have the ability to bolster the fight against TIP. These are reviewed below.

With respect to NGO and donor community interventions, this section synthesizes the efforts of a landscape profiling of roughly 50 anti-trafficking NGOs across the selected states/territories and the findings from the NGO survey interview process. The findings from the interviews are based on 19 phone/email interviews conducted between 15 December 2009 and 10 February 2010. A summary table of the statistics from the NGO interviews can be found in Appendix I: Interviews.

4.1 TRAFFICKING INTERVENTIONS: OVERVIEW OF THE "3 PS + C"

The types of intervention (both for government and for NGOs/donors) are classified based on the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (2003). The Protocol identifies three types of interventions: prevention, prosecution, and protection. In addition to the "3 Ps," many groups include a fourth classification, capacity building.

- **Prevention** relates to activities geared towards economic empowerment and education and awareness building, with the goal that would-be victims will not be as vulnerable to traffickers.
- **Prosecution** regards activities focused on the criminalization of trafficking, implementation of anti-trafficking legislation, and the prosecution of offenders.
- **Protection** is victim-focused and concerned with providing a viable post-trafficking transition back to some sense of normalcy. NGOs that run shelters or provide post-trauma counseling all fall into the classification of protective activities.
- **Capacity building** refers to those activities that improve the functionality and absorptive capacity of organization, institutions, and/or groups. For instance, a sensitization-training program for police would be considered capacity building. Similarly, research is also considered capacity building.

4.2 GOVERNMENT ANTI-TIP EFFORTS

4.2.1 CENTRAL GOVERNMENT INITIATIVES TO COMBAT TIP

In recent years, the central government has taken significant steps to address the issue of trafficking in India. Table 2 lists new programs and initiatives that appear to address some of the existing outages identified throughout this research.

Table 2: Recent Central Government Initiatives to Combat TIP

Recent Central Government Initiatives to Combat TIP	
Integrated Anti-Human Trafficking Units (IAHTUs)	<ul style="list-style-type: none"> ▪ In 2008/2009, the government "allocated \$18 million to the Ministry of Home Affairs to create 297 anti-human trafficking units across the nation to train and sensitize law enforcement officials."⁶¹ ▪ Originally a UNODC pilot program launched in 2007, IAHTUs are tasked with (not exhaustive): <ul style="list-style-type: none"> ○ "Providing a multi- disciplinary approach and a joint response by all stake holders, such as police, prosecutors, NGOs, civil society and media; ○ Bringing about inter-departmental collaboration among the police and all other government agencies and departments, such as women and child, labor, health, etc.; ○ Ensuring a victim-centric approach which ensures the 'best interest of the victim/ survivor' and prevents 'secondary victimization/ re-victimization' of the victim; ○ Ensuring an 'organized crime' perspective in dealing with trafficking crimes."⁶² ▪ More than 10,500 individuals/police officers have been trained thus far.⁶³
Anti-Trafficking Nodal Cell State Program	<ul style="list-style-type: none"> ▪ While its Central government operation remains under resourced (two-person department), the Ministry of Home Affairs (MHA) has gained national support for the initiative-- all states have appointed Anti-trafficking nodal officers. ▪ These officers will collaborate with Central government, share best practices, discuss issues, and share data.
Integrated National Plan of Action	<ul style="list-style-type: none"> ▪ Several ministries are currently working on a joint revision to the 1998 Plan of Action for Combating Trafficking. It includes IAHTUs as part of its framework. ▪ The Ministry of Home Affairs, National Human Rights Commission, National Commission for Women and the Ministry of Women and Child Development are involved in this project.
Swadhar Program	<ul style="list-style-type: none"> ▪ "Under its Swadhar program...the government supports over 200 shelters with an annual budget of more than \$1 million to provide care for more than 13,000 women and girls rescued from a range of difficult circumstances, including sex trafficking."⁶⁴ ▪ According to the Minister of Women and Child Development, "there will be national protocols, guidelines and handbook of shelter services soon. Non-conforming centers will be penalized and de-barred to act as rehabilitation centers."⁶⁵
Ujjawala Program	<ul style="list-style-type: none"> ▪ Led by the Ministry of Women and Child Development. ▪ Offers grants to state government projects in anti-trafficking. ▪ "The ministry approved funding for at least 53 state projects under this program, benefiting more than 1,700 victims. Since August 2008, the ministry provided the states of Karnataka, Maharashtra, Manipur, and Nagaland almost \$243,000 for 18 projects at 12 rehabilitation centers."⁶⁶

⁶¹ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

⁶² UNODC. (2007). *Synergy in Action: IAHTUs Report*. Retrieved January 28, 2010 from http://www.unodc.org/pdf/india/iahtu_241207.pdf.

⁶³ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

⁶⁴ Ibid.

⁶⁵ The Times of India. (2010). *Dignified living for every girl*. Retrieved January 29, 2010, from <http://timesofindia.indiatimes.com/india/Dignified-living-for-every-girl/articleshow/5493692.cms>.

⁶⁶ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

4.2.2 STATE GOVERNMENT INITIATIVES TO COMBAT TIP

4.2.2.1 PREVENTION

Most state governments have focused on the prevention of TIP as opposed to protection, prosecution, and capacity-building efforts (see Table 3). For example, Chhattisgarh organized Committees for Prevention of Atrocities against Women and Trafficking in 16 districts as well as enacted a “State Policy for Women.” In a mark of innovation, the state also has aggressively implemented the central government’s National Rural Employment Guarantee (NREGS), which guarantees 100 days of employment for its rural citizens each year. It is reported that this has helped decrease the level of vulnerability to traffickers faced by its citizens.

Table 3: State Government Prevention Initiatives

State	State Government Prevention Initiatives
Andhra Pradesh	<ul style="list-style-type: none">Passed legislation for prevention of “traditional” forms of sexual exploitation (Devadasis) and the Prohibition of Dedication Act (1988)
Bihar	<ul style="list-style-type: none">Human Trafficking Prevention Program (2007)
Chhattisgarh	<ul style="list-style-type: none">Committees for Prevention of Atrocities against Women and Trafficking in 16 districts (2008)Enacted the “State Policy for Women” (2001)National Rural Employment Guarantee (NREGS)
Goa	<ul style="list-style-type: none">Goa’s Child Act (2003)
Jharkhand	<ul style="list-style-type: none">Received grant funds from the Ministry of Women&Child Development’s Ujjawala Program (2009)
Orissa (Odisha)	<ul style="list-style-type: none">Received grant funds from the Ministry of Women&Child Development’s Ujjawala Program (2009)
Tamil Nadu	<ul style="list-style-type: none">Provided a state-level action plan, which formed an Advisory Committee for each district(2009)Created village-level watchdog committees in nearly allvillages (2009)
West Bengal	<ul style="list-style-type: none">State government formed a network of NGOs and stakeholders to curb TIPHas local elected leaders champion the anti-TIP movement from a state-level

4.2.2.2 PROTECTION

One reason only a few state governments get involved in protection is because the NGO community often fills this role. For example, the state government of Andhra Pradesh has supported shelters for vulnerable individuals and co-managed the Juvenile & Observation Home as well. Andhra Pradesh also “established a fund specifically for victim rehabilitation, giving victims rescued from sexual exploitation \$200 in temporary relief.”⁶⁷ Chhattisgarh has a rehabilitation support program run by the state, and Goa’s state officials received extensive training from the UNODC on rescue operation and rehabilitation activities. The state government of Tamil Nadu provides free legal aid, counseling services, and 20,000 rupees for freed “slaves” (i.e. bonded laborers).⁶⁸ Of the nine

⁶⁷ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

⁶⁸ Ibid.

states/territories we examined, we did not find other state governments that directly provide protective services; however, as mentioned, NGOs often fill this role.

4.2.2.3 PROSECUTION

With regards to prosecution initiatives, four states/territories have reported state-specific programs. Bihar recently held a conference to formulate laws to curb TIP through both supply and demand-side channels. It is likely that penalties will be increased in the coming year for crimes associated with trafficking. Delhi has enacted several anti-TIP laws with harsh penalties; however, these have been reportedly ineffective in the face of a passive, and sometimes corrupt, police force. Goa created an Anti-Human Trafficking Unit in 2007; however, poor cooperation and low levels of awareness among law enforcement officials have hindered implementation. Finally, Tamil Nadu has shown active collaboration through the criminal investigation department and is pursuing research into how the state's prosecution framework can be improved.

4.2.2.4 CAPACITY BUILDING

As with protection, very few states take on a capacity-building role. Many states themselves require external partners to build the government's capacity. Andhra Pradesh provides TIP training to NGOs that work on HIV/AIDS. Delhi police have had an initiative, Parivartan, which seeks to increase gender equality and improve police treatment of women's issues. Finally, Tamil Nadu has created the AIDS Control Society, which provides technical and financial support to NGOs dealing with HIV/AIDS. The fact that both Andhra Pradesh and Tamil Nadu recognize the link between HIV/AIDS and trafficking victims is promising since victims that are sexually exploited are at a much greater risk of contracting the disease.

4.2.3 NGO PERCEPTION OF GOVERNMENT EFFORTS

According to responses from the NGO interviews, perceptions of the government's efforts to combat trafficking were mixed, but generally positive. Almost half of the respondents felt that government had made moderate or significant efforts (with slight bias in the responses towards moderate). However, it is unclear whether their responses to this question reflect reality or an attempt to protect their relationships with the governments. Indications from the legal framework analysis and literature review indicate that government could be doing much more at all levels.

Over half of the NGOs interviewed indicated that state government anti-trafficking programs do exist, but this may simply reflect that interviews were conducted with groups in only nine states, creating overlap. The existing gaps in implementation of state initiatives primarily stem from jurisdiction, lack of political will and commitment, and funding. Coordination failures, low standards in shelter homes, poor legal framework, and poor data collection/availability of TIP were also raised.

4.3 NON-GOVERNMENTAL ORGANIZATIONS/DONOR ANTI-TIP EFFORTS

TAF expects to work very closely with local non-governmental organizations (NGOs) in supporting their ongoing programs and building capacity, as is the model in other countries where TAF operates. Based upon our own research, recommendations from key donors, stakeholders, and expert opinion, almost 50 NGOs have been profiled (see Background Document) and 19 in-depth interviews have taken place by phone or email across all nine of the selected states. Of the NGOs interviewed, most had organizations over 10 people, and four had 50 or more individuals. Most had budgets over USD\$100,000 per annum. Statistical results from the interviews can be found in Appendix I: Interviews. Efforts were made to identify different types of NGO in each of the nine states/territories for the profiling and interview process. The summary below synthesizes the findings from this dual-process.

4.3.1 TYPES OF NGO

Many of the organizations that work on TIP issues are not specifically anti-TIP organizations. Many focus more generally on women’s rights, economic empowerment, rural development, and/or human rights, with specific programs that relate directly or indirectly to TIP. Additionally, the number of anti-TIP NGOs that are “visible” (i.e. have English websites) varies greatly from place to place. A territory like Delhi has dozens of NGOs that are visible online, whereas Chhattisgarh has only a few. This can be attributed to the concentration of international NGOs in certain parts of the country, the level of modernization/ urbanization that has taken place in a given region, the visibility of the trafficking problem, and the amount of funding available to support NGOs in a given region.

NGOs were classified based on the prominence (primary, secondary, tertiary) of the four types of intervention on their websites and in reports, as indicated in Table 4.

Table 4: Priority for Different Types of Anti-TIP Intervention

	<i>Primary</i>	<i>Secondary</i>	<i>Tertiary</i>	<i>Total</i>
<i>Prevention</i>	22	16	10	48
<i>Protection</i>	18	11	4	33
<i>Prosecution</i>	0	8	3	11
<i>Capacity Building</i>	9	9	14	32
<i>Total</i>	49	44	31	124

The interviews, the legal framework analysis, and Table 4 suggest that:

- There is a clear bias toward prevention activities among the NGOs. This bias may be largely due to the selection of the states. Out of the nine, seven are known source locations where NGOs often only have access to victims before they have been trafficked.

- Based on findings from the legal framework analysis, the high number of protection programs is consistent with the fact that NGOs play a unique and central role in rehabilitation of victims.
- Prosecution is not a primary focus among all the NGOs profiled. The lack of prosecution interventions could also indicate that prosecution is seen as such a non-priority for the authorities that any work done on the part of the NGOs to push prosecution is futile in the face of dismissive law enforcement. Based on current understanding of the failing police force, it appears this is the case.
- Despite the number of capacity-building initiatives identified, they were rarely mentioned in the interviews. It is possible that the greater difficulty in quantifying results from these programs, and perhaps their weaker emotional pull since they do not directly assist victims, make them less exciting for NGOs to discuss.

The focus of NGOs on prevention and protection also reflect the respondents' feelings that these approaches are the most impactful in fighting TIP in India. The two equally most cited types of programs that are most effective in combating trafficking were prevention and protection programs. Only one respondent mentioned prosecution.

At the state level, the contention that source states are focusing on prevention is corroborated (see Table 5). Orissa, Bihar, West Bengal, and Chhattisgarh all have disproportionate focus on prevention interventions—with Chhattisgarh's prevention activities accounting for 75 percent of its programming. The exceptions to this focus by source states are Andhra Pradesh, Jharkhand, and Tamil Nadu, which happen to be transit states in addition to being source states. In these states, there is also a focus on protective interventions, which is fair given the need to rescue and shelter victims being trafficked through the state. West Bengal also has unique needs given its border with Bangladesh. ATSEC (West Bengal Chapter) is the only NGO identified to be dealing directly with problems of trafficking across the Indo-Bangladeshi borders.

Table 5: Different Types of Anti-TIP Intervention by State

	<i>Andhra Pradesh</i>	<i>Bihar</i>	<i>Chhattisgarh</i>	<i>Delhi</i>	<i>Goa</i>	<i>Jharkhand</i>	<i>Orissa (Odisha)</i>	<i>Tamil Nadu</i>	<i>West Bengal</i>	Total
<i>Prevention</i>	3	10	3	7	6	4	11	3	3	50
<i>Protection</i>	4	4	0	10	5	4	1	5	1	34
<i>Prosecution</i>	1	0	0	3	4	0	0	2	0	10
<i>Capacity Building</i>	2	4	1	9	4	4	3	1	2	30
Total	10	18	4	29	19	12	15	11	6	124

In contrast, destination states/territories like Delhi and Goa focus much more on capacity building, prosecution, and protection. Again, this is logical since an attempt for NGOs in destination regions to try to prevent victims from being trafficked from other states would prove very difficult. Organizations like UNODC instead work on building the capacity of organizations all over the

country by providing training on the Indian anti-TIP legal framework and human-rights/feminist-based approaches to trafficking issues.

4.3.2 TYPES OF INTERVENTION

Awareness programs make up the majority of interventions (see Table 6). These programs often focus on organizing rallies in local communities or more creative attempts to reach people. One organization, the Indian Community Welfare Organization (ICWO) in Tamil Nadu, engages with street children and creates elaborate street theatre productions to raise awareness about the manipulative nature of traffickers, warning community members to stay vigilant and not fall victim to promises of jobs in the cities or wealthy husbands for their daughters (see Best Practices for more details). Of course, one must consider whether the bias towards awareness programs is due to their efficacy or due to their ease of implementation.

Table 6: Types of Intervention (Across All Sample States/Territories)

<i>Type of Intervention</i>	<i># of Interventions Identified to Date</i>
Awareness Programs (Prevention)	21
Training Programs (Capacity-Building)	14
Education (Prevention)	13
Economic Empowerment (Prevention)	12
Shelter (Protection)	10
Legal Advocacy/Aid (Prosecution)	9
Rehabilitation (Protection)	7
Rescue Operations (Protection)	7
Research (Capacity-Building)	5
Counseling (Protection)	2
Disaster Response Programs (Prevention)	1
Border “Rights Awareness” Operations	1

Training programs also feature predominantly. The recent drive by the central and state governments to train police officers has likely encouraged NGOs nationally to take part in these efforts.

Another prominent intervention is economic empowerment initiatives. These range from entrepreneurship workshops, such as those provided for by the Chhattisgarh Centre for Economic Development, to full-scale businesses, such as the West Bengal Milk Federation Cooperative Society. Economic empowerment is an attractive preventative measure because it deals with many other social ills beyond just TIP. From initial discussions with Indrani Sinha, director of Sanlaap and winner of several awards in the area of anti-TIP work, the impacts of globalization have been devastating for village communities. Through the continued commercialization of agriculture and increased migration to urban areas, villages have been left with few economic opportunities. One outcome of this phenomenon is increased levels of malnutrition in rural areas; another is heightened vulnerability to traffickers.

Legal advocacy and legal-based interventions also received high rankings. While not a primary focus of NGOs, they are still within the top three types of intervention programs. Many of these programs are geared towards helping victims and social activists understand and use the legal system in their favor. Again, the efficacy of these measures is still up for debate.

A final interesting finding is the contextualization of certain NGOs to their locations. There are NGOs, like ATSEC in West Bengal dealing with border issues and Alternative for Rural Movement (ARM) from Orissa which focuses on village self-sustainability, that take on specific issues due to their geographic location, and others that attend to issues related to problems like natural disasters and their impact on TIP. One such example of the latter is the Orissa Anti-Trafficking Network

(Jajnaseni) that has a specific distress migration program to counter the amplified vulnerability present after major flooding or monsoons.

4.3.3 CHALLENGES NGOS FACE

Most organizations mentioned funding as the major challenge they face in implementing programs. While not out of the question, this outcome may have also resulted from an assumption that the interview could result in additional funding opportunities. Following funding, major challenges were issues with implementation of the law, lack of cooperation/coordination between NGOs & with government, and lack of human resources.

4.3.4 NGO COLLABORATIONS OTHER NGOS, INTERNATIONAL NGOS, AND WITH NETWORKS

There were four distinct ways in which the NGOs collaborated with one another.

- One organization worked as a nodal agency for a major network which has an official coordination committee with its own by-laws and clear roles and responsibilities.
- Several indicated that they work with other NGOs on a need/case-based system.
- One NGO indicated that it employed an extensive “pre-collaboration” process to ensure that partner organizations fit with its own organization goals, objectives, and responsibility.
- Finally, an NGO indicated that it collaborates by simply referring cases on to other NGOs when a victim’s needs are beyond the purview of its work.

Based on the interview process, most organizations (9/18 respondents) interviewed collaborated with each other in informal small groups (0-5 NGOs). This supports the contention from several NGOs that collaboration is not strong enough among the NGOs. However, NGOs in formal networks were able to collaborate with 10 or more NGOs (6/18 respondents). Entry into an NGO network may make it easier for organizations to collaborate.

Five state networks were identified during the profiling process: JATN (Jharkhand), Andhra Pradesh Women’s Network (Andhra Pradesh), Action Against Trafficking and Sexual Exploitation of Children and Women (Bihar, West Bengal, Tamil Nadu, Orissa, Andhra Pradesh), Social Network Against Child Sexual Exploitation and Trafficking (Chhattisgarh), and the Orissa Anti-Trafficking Network (Orissa). Collectively, these networks comprise at least 150 organizations throughout the selected states. The networks serve as platforms for information and best-practice sharing. In addition, the networks often promote coordinated advocacy and mobilization campaigns with government on the issue of trafficking.

4.3.5 NGO COLLABORATIONS WITH GOVERNMENT & THE AUTHORITIES

An overwhelming majority of organizations interviewed (15/19) mentioned collaboration with government. This indicates that collaboration with government in the anti-trafficking struggle is seen as central to having meaningful impact. Bharatiya Kisan Sangh (BKS) has such a robust

relationship with the state that it is assisting the Jharkhand's Department of Social Welfare in writing a plan of action to combat trafficking.

Most organizations said they were working with just one or a few key trafficking-related departments/agencies (e.g. the Ministry of Woman and Child Development or the Dept. of Education or Health). There was a wide range of government agencies that NGOs worked with, indicating a degree of fragmentation in the work of, not only NGOs, but also government agencies.

There is a high level of collaboration with law enforcement (15 of 35 had collaborations with the police), at least among those NGOs that publish information about their partnerships. Many of these NGOs engage in police training or in rescue operations. For instance, the Jharkhand Anti-Trafficking Network (JATN) builds capacity of the police through sensitization workshops and the sharing of trafficking data with authorities. 21 NGOs reported partnerships with state officials, ministries, and/or departments.

4.3.6 LIMITED REPORTING OF NGO/DONOR RESULTS

Few organizations have published reports detailing intervention results. Of the 49 profiled NGOs, only nine have results posted on their websites and only a few posted results from the past two years. Based on the surveys and other components of this research, lack of reporting might be attributed to the following barriers: lack of administrative capacity to upkeep a website; lack of capacity to conduct impact evaluations on all programs; the prioritization of other activities beyond monitoring and evaluation within NGOs; and lack of obvious positive results from the programs that are implemented.

4.3.7 NGO/DONOR BEST PRACTICES IN ANTI-TIP

To the researchers' knowledge, no comprehensive evaluations of programs in India have ever been completed, perhaps because no standard metric exists with which to compare impacts across programs. The closest attempt toward determining the best anti-TIP practices has been the UNODC's *Compendium of Best Practices on Anti Human Trafficking by Non Governmental Organizations*,⁶⁹ although it cannot be considered objective since its conclusions about each initiative have been provided by the responsible organization. This section provides an overview of some notable initiatives described within that report, and how they fit into a general anti-trafficking picture. In no way should the following be interpreted as a comprehensive view of innovation in the field, and it leaves out a great number of valuable NGO and governmental programs.

4.3.7.1 PREVENTION

As indicated by the NGO profiling exercise, the bulk of India's programs in the prevention category deal with building awareness about the trafficking phenomenon. Many different inventive

⁶⁹ UNODC. (2008). *Compendium of Best Practices on Anti Human Trafficking by Non Governmental Organizations*. UNODC: New Delhi.

approaches have been taken. To engage the community on the issue with a captivating medium, live theater performances are conducted by a variety of NGOs including Fellowship in Orissa, the Campaign Against Child Trafficking (CACT) network, and Contact Base in Goa. These have ranged from street theater to incorporation of anti-trafficking messages into religious festivals to a four-day theater event including panel discussions after every play. The latter, like many initiatives, benefited from corporate sector funding.

The media are an obvious pathway for advertising the evils of trafficking. ATSEC India has a dedicated media forum designed to build linkages between the media and the ATSEC network. UNODC, in collaboration with the West Bengal State Council, Kolkata Police, and the private sector, among others, released a short film entitled “One Life, No Price” that incorporated legendary Bollywood stars in order to draw attention to the issue. Apne Aap and the Bengal National Chamber of Commerce utilize the media by sponsoring campaigns including a child labor movie screening and billboards. They have released “Red Light Despatch,” a magazine written by trafficking survivors to help tell their stories. NGOs have learned that it is important to enlist the media not simply as a conduit, but as a partner, since the media will be much more engaged if they become invested in solving the problem.

Some NGOs use a religious or tribal prism from which to view or attack trafficking. ATSEC Bihar joins together leaders from various religions in an Inter-Religious Priests Forum so that they can unite to denounce trafficking through the large religious networks that they have access to. This program is expanding nationally. Contact Base in Goa likewise utilizes faith-based organizations as a social safety net. Vimochana addresses the particularities of Indian religious practice, specifically the *Devadasi* tradition, pressing religious leaders to abandon the practice, creating vigilance committees, and encouraging former *Devadasis* to help educate the community about the problem. Apne Aap has a similar emphasis, but for specific marginalized tribal groups who are prone to trafficking. One of their findings, which can likely be broadly extended, is that it is very important to engage the men in the community, both because they are typically the ones selling the girls and because they can serve as witnesses against traffickers.

Various innovative approaches have been used to help monitor the problem in order to prevent it. Community Safety Nets (CSNs) are a common approach in one form or another, and are used extensively by Bhoomika Vihar. In their model, each CSN is made up of 15-25 members, five of which are officeholders in the group. One-third of the group must be women. Bhoomika Vihar also forms groups of adolescents to help alert girls to trafficking. An approach by the MV Foundation is to utilize existing public institutions such as the village-level government (gram panchayat), schools, and government-run hostels to create awareness. One of the measures encouraged by the foundation is for gram panchayat offices to require anyone seeking employment outside the village to register with the place, duration, and reason for employment, thus creating helpful migration statistics and providing a step at which trafficking may be identified. Jabala similarly emphasizes record-keeping for migrations. General tracking of children entering and leaving villages has shown some success in transit areas. Bhoruka Public Welfare Trust pursues the problem by surveying

individuals door-to-door to identify those in danger of being trafficked, and with the help of the state government and police, guides interventions to empower and protect these groups.⁷⁰

Livelihood promotion is one of the main goals of countless NGOs in India, but several gear their programs specifically to trafficking. These tend to be targeted toward specific trafficking-prone regions such as the flood-prone areas of Bihar. While Prayas Bharti Trust teamed with the Bihar Chamber of Commerce to support artisans there, Sakhi worked diligently to establish cooperatives of fisherwomen and see that they gained access to ponds with which to fish. The Nedan Foundation has worked to enable innately-skilled women weavers to live off this profession. The West Bengal Cooperative Milk Producers Federation has a large operation geared toward employing at-risk persons to prevent them from being forced to migrate for work.

Vocational training is often a component of livelihood generation. Microsoft, the CAP Foundation, and Prayas joined to establish community centers in which villagers can receive computer training. Sthree has leveraged various corporate partnerships in order to help women learn to design, and eventually sell, various designer crafts. Jabala trains in herbal medicine gardening, and emphasizes that public-private partnerships and panchayat involvement are required for success in getting at-risk villagers successfully trained and employed. For at-risk individuals too young for vocational training – that is, children – education is provided by many NGOs. This is frequently focused on the children of sex workers in order to prevent them from adopting such a life.

4.3.7.2 PROTECTION

The first place that a trafficked victim or Good Samaritan can turn to for help is one of the toll-free help numbers established by groups including CHILDLINE India, ATSEC Jharkhand, and Prayas. Once a victim has been freed, the most widely accepted approach toward recovery today is to send him or her to one of the many shelter homes run by NGOs and the government of India. Many groups refer victims to these homes: Prayas gets referrals from not only CHILDLINE, but also the Crisis Intervention Center, the Crime Against Women Cells (police), local police, courts, child welfare committees, juvenile justice boards, NGOs, anti-trafficking networks, and others. There are often different homes and different approaches for women and girls, as well as separate homes for boys. All but one of Prayas' homes are for children; Prerana has night care and day care centers. Bharatiya Kisan Sangh and ATSEC Jharkhand run Kishori Niketan, which rehabilitates hundreds of young girls and gives them the opportunity to join schools and jobs with the goal of becoming self-reliant. Bharatiya Kisan Sangh has found that singing and dancing programs lift the spirits of the survivors, who usually recover completely.

For victims that are no longer children, vocational training is a critical element of the recovery path. A certificate from a training institute is often the necessary component to get a survivor a job. Many NGOs have had success with programs that combine vocational training with an employment path. These programs usually enlist corporate partnerships to leverage their experience in business, funds, and job availability. NGOs have had great success winning the support of businesses as part

⁷⁰ Nair, P.M. (2007). *Handbook for Law Enforcement Agencies in India*. Retrieved February 3, 2010, from <http://www.apneaap.org/policy-work/our-resources/best-practices/handbook-law-enforcement-agencies-india-drpm-m-nair>.

of the latter's Corporate Social Responsibility (CSR) programs. Groups such as state chambers of commerce and the Confederation of Indian Industries have been useful in magnifying the power of an appeal. Business can not only be useful as collaborators, but also as clients of the businesses that the survivors work in; for example, CSR can be leveraged to encourage other businesses to utilize the survivors' business as a supplier. Sanlaap stresses the importance of a multi-stakeholder approach to take advantage of the core competencies of different groups.

There are many jobs that NGOs have found to be viable career paths for trafficking survivors. These are generally focused on former female sex workers. NGOs such as Apne Aap, Arz, Bharatiya Kisan Sangh, Jabala, Prajwala, Prerana, Rescue Foundation, Sanchay Prayas, Sanlaap, Sthree, and STOP Delhi, along with many collaborators, have transitioned survivors into careers as beauticians, embroiderers, restaurant and cafeteria workers, soup kitchen staff, hospital nursing staff, hotel caterers, housekeepers, security guards, gas station attendants, fashion designers, candle-makers, ATM technicians, and mobile phone repairers. Prajwala interestingly finds a niche for these workers in conventionally male professions, such as masonry, in which women are usually too intimidated by men to join.

Apne Aap has a program geared toward at-risk women and active, older prostitutes. It establishes a community center in a red-light district. Women assemble there in groups, holding different offices, receiving training, child care, and shelter if needed, and work together at a vocation. After two years under Apne Aap supervision, the group graduates to a "self-help group" and their money becomes available to the women in a bank account. The women then conduct a mostly independent income generation program, typically craft making.

NGOs have found that it is important to hold motivational sessions with trafficking survivors to ensure they complete their training and seek out employment. It also appears that a regular stipend for the survivors can be important to a successful transition. The process may fail if their identity as former sex workers is not kept confidential in the workplace, which requires that the business or ministry not mention or capitalize on its generosity in hiring such individuals. However, a retail store that simply sells products advertised as "made by survivors" can work; Jabala has demonstrated this.

During the rehabilitation process, reintegration to the survivors' home villages must be an option available to them if they want it. Various NGOs facilitate this process. For example, Just Trust establishes links with the relatives of rescued victims, and verifies the identity and relationship of anyone who comes to retrieve the survivors. Sanlaap, Sthree, and STOP Delhi work in various capacities to transfer the girls back to their home villages, which may sometimes involve battles with governments in cases of cross-border repatriation. Bhoomika Vihar believes in making the community more receptive and helpful in rehabilitation for victims, rather than scornful. It does not run homes, but instead wants to fix the community itself so that the village allows reintegration with dignity and supports the survivor.

4.3.7.3 PROSECUTION

Prosecution is primarily the responsibility of law enforcement and the judiciary, but it can be supplemented by NGOs and international organizations.

Several NGOs have worked with police to intervene in transit areas to halt trafficking. Manav Seva Sansthan runs “Life Guard Centers” at cross-border transit points along the Nepal border. Volunteers help to identify traffickers and collaborate with police to apprehend them. Migrants who fit the profile of victims are interviewed in the Center to determine whether they’re being trafficked, and are informed of their rights. This approach is being replicated at inter-state and inter-district borders, as well as railway stations and bus hubs. Since it relies on volunteers and interactions with local police, it is sustainable after the NGO leaves. Bhoomika Vihar has likewise monitored and provided counseling at transit points near border crossings. They indicate that the trafficked girls are nervous and easy to spot, while the traffickers themselves can be identified mainly by watching the girls. Local informers such as vendors and rickshaw pullers can be very helpful. Prayas runs a similar program at railway stations, and rescues more boys than girls, primarily for labor trafficking. Bal Sakha utilizes a partnership with the police to help them find missing children. They encourage police to treat children better and work together with NGOs, which in turn improves the public perception of police and reduces children’s fear of them.⁷¹

Raids on brothels are a greater challenge for NGOs because of the danger; however, the Immoral Trafficking Prevention Act requires them to be present during these police rescue operations.⁷² Rescue Foundation and STOP have assisted police in raids, and discovered ways to maximize the success of these raids. It is important to: work with local police that have been sensitized to trafficking in order to avoid leaks; ensure that evidence is gathered during the raid; make sure that victims have a chance to get their belongings from the brothel; ensure that victims and traffickers are kept apart immediately upon capture; have an NGO member present at the police station to make the initial contact with the victims; involve women police officers in the raid; ensure that the victim is interviewed by a female police officer; and provide emergency kits to the victims shortly after the rescue. Raids also occur on slave labor establishments and homes suspected of domestic labor trafficking; some of these are conducted by International Justice Mission and ATSEC Jharkhand, respectively.⁷³

Legal aid in trafficking cases is provided by many NGOs, including Apne Aap, HAQ Centre for Child Rights, Just Trust, Rescue Foundation, Save the Children India, SLARTC, and STOP. These groups generally inform victims of their rights and prepare them for testimony. They can also enlist media

⁷¹ Sen, S. (2004). *A Report on Trafficking in Women and Children in India 2002-2003*. New Delhi: National Human Rights Commission, UNIFEM, Institute of Social Sciences.

⁷² ECPAT International. (2006). *Global Monitoring Report on the status of action against commercial sexual exploitation of children: India*. ECPAT International: Bangkok.

⁷³ Retrieved February 3, 2010, from <http://www.ijm.org/>.

attention to press for justice. Rescue Foundation provides a comprehensive strategy, conducting its own investigation in parallel with the police, holding mock trials to help victims prepare and gain confidence, and assisting the public prosecutor. Remarkably, SLARTC has had actual prosecution work transferred to it by the government prosecutor, showing the extent to which NGOs can become involved in the judicial process.

4.3.7.4 CAPACITY BUILDING

A variety of activities fall under capacity building. Because of the importance of bringing many stakeholders and groups with different skills to the table in tackling a problem as complex as trafficking, anti-trafficking networks are critical to improve the effectiveness of all anti-trafficking groups. The largest network is ATSEC India, which has more than 500 NGOs as members and functions in 26 states. Campaign Against Child Trafficking (CACT) is another major group. UNODC has developed Anti-Human Trafficking Units (AHTUs) that bring together many actors to comprehensively attack the problem.

Research into trafficking helps to shed light on the otherwise hidden trafficking world, and is conducted by groups including the Joint Women's Programme,⁷⁴ Shakti Vahini,⁷⁵ and the Institute of Social Sciences, New Delhi.⁷⁶ Prerana conducts research, produces documentation, and disseminates the information through training sessions at its center in Mumbai. Conferences are one approach via which researchers can disseminate information to the trafficking networks.

Strengthening law enforcement is another key push of NGOs. UNODC has provided the most support for this purpose. As part of one of their programs, with the help of the Government of India, i-land Informatics Limited has trained police on trafficking and found that theater-based programs and interactive activities were most effective, creating a relaxed environment, candor, and interest of the police. Contact Base has focused on sensitizing police to the circumstances of trafficking and the needs of the victims, helping the police to communicate effectively with survivors, and pressing the police to increase vigilance against trafficking through workshops and the Women and Child Protection Cell of the Goa Police.

Law enforcement can also be aided by software programs that provide intelligence on traffickers. The Ministry of Women and Child Development has worked with UNICEF to create a child protection data management system to keep track of trafficked children and traffickers in a central databank in the National Institute of Public Cooperation and Child Development. Microsoft has similarly helped to expand its Child Exploitation Tracking System to India.

⁷⁴ Nair, P.M. (2007). *Handbook for Law Enforcement Agencies in India*. Retrieved February 3, 2010, from <http://www.apneaap.org/policy-work/our-resources/best-practices/handbook-law-enforcement-agencies-india-drpm-m-nair>.

⁷⁵ Retrieved February 3, 2010, from <http://www.shaktivahini.org>.

⁷⁶ Sen, S. (2004). *A Report on Trafficking in Women and Children in India 2002-2003*. New Delhi: National Human Rights Commission, UNIFEM, Institute of Social Sciences.

NGOs are generally involved in strengthening the judiciary as well.⁷⁷ For example, the National University of Juridical Sciences and Sanlaap work together to train prosecutors.⁷⁸

⁷⁷ ECPAT International. (2006). *Global Monitoring Report on the status of action against commercial sexual exploitation of children: India*. ECPAT International: Bangkok.

⁷⁸ Ibid.

5 REVIEW OF KEY FINDINGS

This section reviews the key findings compiled from the literature review, legal framework analysis, state profiles, NGO profiles, and NGO interviews.

5.1 DYNAMICS OF TRAFFICKING IN INDIA

- The most prevalent sectors employing victims of TIP in India are commercial sex work, bonded labor (i.e. in both the industrial and agricultural sectors), domestic work, entertainment (circuses, camel jockeying), and begging.⁷⁹ Commercial sex work and labor accounts for a large share of trafficking.
- The main cause of trafficking in India is poverty. Poor individuals that engage in migrant labor are particularly susceptible to the manipulation of traffickers when false jobs are promised, and women are easily allured by the attraction of fake marriage as a way of escaping poverty. Those states with the highest levels of poverty are where the largest numbers of victims of trafficking originate (e.g. Orissa, Bihar, Jharkhand, Chhattisgarh, and West Bengal). Poverty's impact on trafficking is amplified by the impact of globalization on both poor and wealthy areas of the country.
- Social practices and cultural factors, such as patriarchal bias, low regard for women's rights, low levels of girls education, marginalization of women, and the dowry practice negatively influence trafficking almost as much as poverty.⁸⁰ Many families and communities perpetuate and institutionalize (e.g. through traditional practices) the act of trafficking. One study indicated that 62% of women in commercial sex work were from scheduled castes and 30% were from scheduled tribes. In addition to being historically disenfranchised, these groups are known for several cultural practices that are adverse to women.
- Lesser, but still important, root causes for trafficking in India are conflicts /natural disasters and governance. Orissa's cyclones and rebel groups in Jharkhand and Chhattisgarh have all contributed to an increase trafficking. Despite the existence of legislation, poor implementation and information asymmetries ensure that marginalized segments vulnerable to trafficking are not aware of, or able to access, protection through the law. Migration policies that are especially harsh on unskilled workers, forcing them to resort to alternative livelihood options through illegal means.
- On the demand side, globalization and economic booms have increased the demand for sex workers and cheap labor, leading to a resultant increase in the supply of trafficked victims, especially in Delhi and Goa. Both low levels and high levels of economic development can encourage trafficking, implying that states can transition from being sources to destinations as they develop economically. There are very few efforts to address the demand side of trafficking.

⁷⁹ Asian Development Bank (ADB). (2003). *Trafficking of Women and Children in South Asia: A regional synthesis paper for Bangladesh, India and Nepal*.

⁸⁰ IOM. (2002). *In search of dreams: study on the situation of the trafficked women and children from Bangladesh and Nepal to India*. Dhaka.

- Trafficking has social, economic and health impacts. Trafficking re-enforces discriminatory behavior and, in terms of the lost potential returns to human capital, economic losses from human trafficking to communities are enormous. Finally, victims, especially those engaged in sex work, are highly vulnerable to HIV/AIDS, malaria, tuberculosis, and other diseases.

5.2 INDIA'S ANTI-TIP LEGAL FRAMEWORK

- Although sufficient legal basis exists to prosecute traffickers, protect and compensate victims, India's legal framework related to trafficking of persons is severely flawed. The Immoral Trafficking Prevention Act (ITPA) is considered the most effective TIP law in India; its Section 8 is used primarily to harass victims of trafficking. Trafficking is a low priority in law enforcement and improper use of statutes leads to the further victimization of trafficking survivors. Moreover, there is low knowledge and awareness of statutes. Rehabilitation services run by the government are under-resourced and shelters are sometimes mistaken for jails by the victims. In the judiciary, overburdened judges and prosecutors are insensitive to victims' needs and sometimes engage in corrupt behavior. Finally, most states have not adopted robust compensation programs for victims.

5.3 GOVERNMENT ANTI-TIP EFFORTS

- The central government has recently launched several programs that, on paper, have impressive prospects. These have the potential to effectively coordinate efforts of law enforcement, the NGO community, and the judiciary in protecting victims and punishing traffickers. Many of the central government's programs are still in the design phase or have only recently been launched; thus, there are not yet results illustrating their successes or failings.
- State government interventions, which focus largely on prevention, are hindered by poor coordination, low awareness, lack of an integrated plan that involves all key stakeholders, and high levels of corruption/organized crime.

5.4 NGO/DONOR ANTI-TIP EFFORTS

- There is a bias among NGOs in our sample population toward interventions in prevention, particularly awareness-building and education activities. Causal links can likely be made to our selection of predominantly source states versus destination regions. Prevention programs are easier and less costly to implement than programs in prosecution and protection.
- NGOs typically do not focus primarily on prosecution; however, there are a number of legal advocacy, legal aid, and legal training programs falling under secondary and tertiary interventions. This observation is influenced by law enforcement's poor record of pursuing trafficking-related crimes, as well as a bias inherent in our sample population of states/territories.
- There is some degree of contextualization that takes place in TIP NGO activity with respect to local conditions. Based on geography or susceptibility to natural disasters, NGOs tend to cater to their target populations beyond just copying and pasting trafficking initiatives from global best practices.

- Many of the NGOs interviewed worked with small groups, but associated their efficacy with high levels of collaboration with a number of partners.
- Most NGOs have close links with government and law enforcement. For those NGOs engaged in rescue operations, all work closely with police.
- NGOs cited funding as the largest hurdle to their ability to effectively implement programs. Also mentioned were issues with implementation of the law, lack of cooperation and coordination among NGOs and with government, and lack of human resources.
- Very little information on intervention results/efficacy is published, largely due to a lack of capacity and lack of prioritization in organizations.

6 POLICY RECOMMENDATIONS AND ANALYSIS

This section lists policy intervention alternatives based on the NGO interviews & profiles, the state profiles, the literature review, and the legal framework analysis. These suggested interventions are ranked against 14 criteria, and from this exercise come recommendations, implementation analyses, and suggested partners.

6.1 EVALUATION OF INTERVENTION OPTIONS

The research team identified a total of 16 policy interventions alternatives where TAF could impact the anti-TIP movement in India. These suggestions are based on best practices and current gaps in interventions. Table 7 lists the distribution of these interventions.

Table 7: Distribution of Policy Intervention Alternatives

Program Type	Number of Alternatives
Prevention	1
Protection	4
Prosecution	6
Capacity-Building	5

Acknowledging that TAF's resources would be best utilized if focused on the most effective options, 14 criteria were selected with which to rank the alternatives (see Table 8). The criteria and the accompanying rankings originated from discussions with our advisor, TAF, donor organizations in India (e.g. UNIFEM, UNODC, and USAID), and research findings. TAF highly values innovation and collaboration with local partners; therefore, innovation and the ability to collaborate were included and given weightings of 10 percent each. Similarly, TAF, while placing some importance on budget, did not feel that this was a primary criterion; therefore, a policy's ability to be implemented within a \$100,000 budget was given a lower weighting of 5 percent. Given TAF's initial limited resources, programs with robust value multiplier effects should be highly favored, a criterion for a value multiplier effect was included and given a weight of 10 percent.⁸¹ The remainder of the criteria was gleaned from discussions with other NGOs and from identifying what made other initiatives fail. As a final example, NGOs often complained about lack of funding for initiatives; this finding led to the inclusion of the ability to leverage the private sector as a way to address budget constraints.

⁸¹ Based on feedback from the team's advisor, Professor Erik Jensen.

Table 8: Policy Alternatives Ranking Criteria and Weightings

#	Criterion	6.1.1.1.1.1 Weighting (%)
1	Is the idea innovative ?	10
2	Are there existing NGO or donor programs that can be leveraged for this initiative?	10
3	Will the results be quantifiable ?	10
4	Are the relevant stakeholders receptive ?	10
5	Does this initiative have a substantive value multiplier effect ?	10
6	Is there existing proof of this concept (i.e. are there corroborating past results)?	10
7	Does the initiative leverage any of TAF's core competencies ?	5
8	Can the initiative be implemented within a US\$100,000 budget ?	5
9	Are minimal adverse side effects to be expected from the project?	5
10	Is the initiative expected to be sustainable beyond TAF's involvement?	5
11	Is the project robust against shifts in government policy ?	5
12	Can the project be easily rolled out/ extended nationally ?	5
13	Does the project require few trafficking experts or other human capital?	5
14	Does the initiative leverage the private sector in its design/implementation?	5

In ranking the alternatives, suggested initiatives were given a rating of 0 to 2 based on adherence to the identified criterion. The weighted scores were then multiplied by a factor of 50 to provide a ranking score of 0 to 100, which is more intuitive in interpretation than a ranking score of 0 to 2. Below is the outcome of the ranking exercise (see Table 9). The full results of the policy alternatives ranking exercise can be found in Appendix II: Recommendation Evaluation Criteria. Three of the recommendations tied for second place and there was no recommendation that scored above an 85, pointing to the difficulty of meeting all of the selected criteria through one program.

Table 9: Ranking of Alternatives

Ranking	Type	Alternatives	Score
1	Protection	Create economic cooperatives	85
2a	Prevention	Hold anti-trafficking festivals in rural areas	83
2b	Prosecution	Scale up NGO-led transit point interventions	83
2c	Protection	Create a registry of anti-trafficking individuals/organizations	83
5	Capacity-Building	Support the government Anti-Trafficking Nodal Office	80
6	Capacity-Building	Increase communicative capacity of the (ATSEC India) National Anti-Trafficking Network.	78
7	Capacity-Building	Conduct monitoring and evaluation of the new 297 Integrated Anti-Human Trafficking Units	78
8	Prosecution	Train prosecutors on post-conviction activities (e.g. compensation law, rehabilitation law)	75
9	Capacity-Building	Conduct in-field research on labor trafficking	70
10	Prosecution	Training/sensitization programs for police & other prosecution stakeholders	68
11	Protection	Improve access to micro-credit for victims of TIP	63
12	Prosecution	Increase usage of compensation laws & schemes in trafficking states/territories through awareness campaign.	60
13	Prosecution	Lobby the government to increase the number of female police officers	55
14	Protection	Train former victims to become “rescue and rehabilitation experts”	53
15	Prosecution	Support the government in the introduction of a “police incentive program”	50
16	Capacity-Building	Consult with local NGOs on how to reallocate their resources in a more effective, collaborative manner	48

6.2 RECOMMENDATIONS

The following descriptions of the top ten recommendations are each accompanied by a rationale, implementation analysis, and suggested partners for TAF to collaborate with. For the sake of brevity, recommendations below the top ten are not examined in depth, with the exception of the two innovations outlined in Section 6.3. Although several of the interventions ranked relatively

poorly, they help to illustrate that even interventions presently under implementation are not optimal.

The implementation analyses considered how TAF could carry out each program in light of its resource and budget constraints; willingness of key partners; capacity and ability of different organizations; and TAF’s own objectives, capacities, mandate, and goals. The analyses are broken up into short term (0-12 months), medium term (1-5 years), and long term (over 5 years).

The suggested partners were selected based on the NGO survey interviews, NGO profiles, and the best practice analysis. For more details on the suggested partners listed, please see the Background Document. Recommendations are organized by the type of intervention.

Coordinate new economic cooperatives or link existing cooperatives with the private sector	
Ranking	1/16
Description	According to the International Cooperative Alliance, cooperatives are “autonomous associations of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise.” ⁸² Cooperative activities include everything from the making of crafts for sale in markets, transport (e.g. taxis), the provision of childcare, to the provision of services (e.g. water for villages).
Rationale	India’s rehabilitation framework is lacking, particularly in the area of providing alternative livelihood opportunities. According to HELP, an NGO based in Andhra Pradesh, “current vocational training often is not based on a needs analysis and fails to link with current employment opportunities.” According to some accounts, at least 40 percent of victims are re-trafficked due largely to failed/lacking rehabilitation efforts. ⁸³
Implementation Analysis	<p><i>Short term:</i> Funding should focus on either independent or collaborative research to identify the needs, the geographic areas, possible shelters for launching a pilot project, the stakeholders involved, the potential actors to partner with, monitoring and evaluation frameworks, and existing programs to avoid duplication of unnecessary services and to identify best practice programs. The relevant laws, procedures, government involvement will also need to be identified and examined.</p> <p><i>Medium term:</i> If the short term planning shows that such a program is feasible for TAF, a pilot project can be started. A review of the project’s performance and its ability to meet TAF’s mandate, objectives and goals should be done after 1-2 years of its initiation. The gaps in implementation should be identified for correction as well as the best practices that can be replicated elsewhere. If the pilot is found to be successful, TAF can scale up its program.</p> <p><i>Long term:</i> After 5 years of implementation TAF should evaluate whether this is a program that they wish to continue with based on results, need, funding and ability to continue with this program. In the instance that TAF does not wish to continue with this plan, they should develop an exit strategy where other actors can take over the programs.</p>

⁸² International Cooperative Alliance. (2010). *What is a Co-operative?* .Retrieved March 10, 2010, from <http://www.ica.coop/coop/index.html>.

⁸³ UNIFEM. (2004). *A Report on Trafficking in Women and Children in India 2002-2003*, NHRC-UNIFEM-ISS Project.

Suggested Partners	West Bengal Milk Federation Cooperative Society, Sthree, Prajwala, STOP Delhi, Arz
Hold anti-trafficking festivals in rural areas	
Ranking	2a/16
Description	<p>These festivals will function as an “all-in-one” anti-TIP event, including not only “edutainment” on the manipulations of traffickers, but also the opportunity for communities and families to connect with key stakeholders. Below is an outline of the various components:</p> <ul style="list-style-type: none"> • Theatre productions • Law enforcement (i.e. there to talk to parents who are missing family members and register cases) • Social workers (i.e. there to talk to families about the manipulations of traffickers) • Officials from the social departments • Livelihood opportunity training (i.e. workshops on how to start cooperatives) • Community organizing workshops (i.e. how to build a vigilance committee) and • Local radio stations (i.e. to broadcast the festivities and raise awareness on the issue of TIP).
Rationale	<p>Of the plethora of prevention activities, none were said to be quite as differentiated or impactful as those employing the use of theatre as a way to raise awareness about trafficking in an accessible way for rural communities.</p> <p>Many of the best practices under prevention interventions involved theatrical productions.</p> <p>By including law enforcement, social workers, and representatives from the departments, families and community members have a unique opportunity to interact with trafficking experts and get help, advice, and/or training on how to combat TIP in their families and communities.</p> <p>Finally, these festivals could benefit from private sector partnerships.</p>
Implementation Analysis	<p><i>Short term:</i> In the short run while TAF reestablishes its presence in India, TAF should partner with high profile NGOs that already engage with communities for awareness-raising through mobile theatres and festivals. In this way, they can build a reputation on the ground and gain expertise and exposure.</p> <p><i>Medium to long term:</i> If TAF feels that the returns from such an intervention are high, they have the option of either continuing to work with these NGOs and expanding the outreach to other states or developing this on their own.</p>
Suggested Partners	Fellowship (Orissa), Campaign Against Child Trafficking, Contact Base
Assist transit point interventions by scaling up existing NGO programs	
Ranking	2b/16
Description	Scale up existing best practice NGO-led programs in the area of transit point interventions.
Rationale	An estimated 90% of trafficking in India is inter-state and the interruption of TIP at transit points has been identified as a best practice because of its proven success. This approach increases the costs to traffickers, increases the arrests of traffickers (because

	the offense is often cognizable), and it is relatively easy to detect popular trafficking routes (i.e. central train sections).
Implementation Analysis	<p><i>Short term:</i> TAF should focus on identifying not only which transit points are most potent, but also the ways and means to address the issue in those transit points, as well as the gaps and potential issues that may come up. This will require a multi-stakeholder consultation process, which spans the police, NGOs, communities, government officials, and other legal institutions. Simultaneously, existing NGO and donor initiatives addressing transit points should be considered for partnership. Those that meet TAF’s objectives, goals and mandates can be scaled up through the assistance of TAF.</p> <p><i>Medium/long term:</i> An evaluation should be conducted to see whether such an initiative as it stands is successful and efficient. If TAF feels that this intervention has strong results and a healthy return on the social investment then it has two options. First, it could continue to implement this program as is with the selected partners. Alternatively, if they are not satisfied with the way the program is being implemented they could revert to the second option - re-evaluating the program and finding new partners, going it alone or engaging with new partners/new approach to transit point interventions.</p>
Suggested Partners	Manav Seva Sansthan, Bhoomika Vihar, Prayas
Build a database of individuals/organizations that are relevant to trafficking	
Ranking	2c/16
Description	The individuals and organizations in the database will be connected with shelters and NGOs that are in need of human resources and/or capacity. Currently, Contact Base employs a database of university students in relevant fields (e.g. health, psychology, social work, etc) to find volunteers and NGO staff.
Rationale	Both state-run and NGO-run shelter homes have indicated that their lack of provision of holistic rehabilitation services is due to lack of the human resources available to provide such services. HELP indicated that there is a “shortage of staff trained and experienced in trauma care and counseling both in government and privately run homes.” The Legal Framework Analysis also highlighted the poor resources available to homes (see Background Document). Based on Contact Base’s program, however, it appears the gap in resource provision can be creatively closed partly through the use of university students and post-graduates. If TAF can efficiently scale up Contact Base’s program to national level and increase the number of individuals/organizations in the database that can help shelters, the rehabilitation process for victims would be greatly improved.
Implementation Analysis	<p><i>Short term:</i> TAF should first undertake an analysis of the existing databases and their shortcomings. A multi-stakeholder consultative approach should then be undertaken because the continued participation of these stakeholders will be vital to the ongoing success of the project. In the consultative procedures, the stakeholders should be included in developing an action plan.</p> <p><i>Medium to long term:</i> Continuous evaluation of efficiency and quality of the procedures to update and disseminate the database will be essential. Evaluation of partner roles and responsibilities and how they have undertaken them will also be needed on a consistent basis to find weak links that can be rectified.</p>
Suggested Partners	Contact Base, ATSEC, UNIFEM, Ministry of Women and Child Development
Partner with the Anti-Trafficking Nodal Office under the Ministry of Home Affairs in order to improve	

monitoring and evaluation of TIP	
Ranking	5/16
Description	This is to be accomplished by leveraging existing databases, improving the capacity of state nodal officers, and making the information available publicly.
Rationale	The central government's "nodal cell is a federal <i>two-person department</i> responsible for collecting and performing analysis of data related to trafficking, identifying the causes of the problem, monitoring action taken by state governments, and holding meetings with state-level law enforcement." ⁸⁴ It is severely under resourced and in need of additional capacity. Given its important mandate, a partnership with the government to help get this new department to full functionality has the potential to be very helpful to the anti-TIP movement.
Implementation Analysis	<i>Short/medium/long term:</i> This would be an on-going program. TAF would need to decide what type of assistance it would be willing to provide: funding for greater staff, capacity building, assisting in developing greater linkages for information flows with other organizations and stakeholders, placing TAF employees in nodal offices, etc. Continuous evaluation of the results and efficacy from the interventions will help identify what is working, what has been achieved, and what still needs to be done.
Suggested Partners	Ministry of Home Affairs, State-level ministries, State-level police departments
Improve the communicative capacity of the (ATSEC India) national anti-trafficking network	
Ranking	6/16
Description	This would be geared towards better coordination of regional and state-level trafficking networks and between the networks and government.
Rationale	According to several accounts, including that of Madras Christian Council of Social Service (MCCSS) in Tamil Nadu and HELP in Andhra Pradesh, poor communication between civil society between each other and with government has been a leading hurdle in facing trafficking. Moreover, Stanford professor Erik Jensen felt that coordination was potentially the intervention with the most promising value multiplier given the dynamics of trafficking in India.
Implementation Analysis	<i>Short term:</i> Before engaging in such an intervention, a vulnerability and sensitivity analysis should be undertaken to identify not only what gaps exist but also to examine which gaps in the system TAF has the greatest competencies to efficiently achieve. However, these needs may change over time as well. Such an intervention cannot be a success unless the networks themselves are not aligned with the objectives. A consultative stakeholder process in which the state and national networks themselves identify the issues and objectives they would like to achieve is mandatory. Following this, a joint action plan can be developed with short, medium and long term goals. <i>Medium term:</i> Evaluating the program's success will help prioritize for TAF whether they wish to continue with this program. TAF may not be able to fix all the problems that the networks face with each other. Therefore, if TAF satisfies the objectives identified in the first step and feels that the needs have changed and its competencies do not match the new needs then perhaps it should exit from this program eventually.

⁸⁴ US Department of State. (2007). *Trafficking in Persons Report 2007*. Retrieved March 3, 2010, from <http://www.state.gov/documents/organization/82902.pdf>.

	<i>Long term:</i> However, if TAF feels that they still have valuable contributions to make a new needs analysis should be conducted and the process restarted to address the evolved inter-network structures and the new problems they may face.
Suggested Partners	ATSEC, Campaign Against Child Trafficking, Jharkhand Anti-Trafficking Network, SNATCH
Conduct monitoring and evaluation of the new 297 Integrated Anti-Human Trafficking Units (IAHTUs)	
Ranking	7/16
Description	The Integrated Anti-Human Trafficking Units (IAHTUs) are a new Ministry of Home Affairs program (originally piloted by UNODC). In 2008/2009, the government "allocated \$18 million to the Ministry of Home Affairs to create 297 anti-human trafficking units across the nation to train and sensitize law enforcement officials." ⁸⁵
Rationale	Many of the key outages in the legal framework and rehabilitation process have the potential to be addressed through the IAHTUs. While monitoring and evaluation form a part of these units, an independent auditor of the initiative's impact over the near to medium term would be useful to provide government with additional perspective on the success of these IAHTUs as they scale up. The early years of institutions like IAHTUs are the most critical – if emphasis is not placed on results, efficiency and quality these IAHTUs could start on a path dependent process of failure. Over the next 3-5 years, involvement in M&E of these units will help TAF build its expertise and experience in the trafficking arena – M&E of these units will increase knowledge of the actual on the ground dynamics of trafficking in India and the issues faced. Finally, a partnership like this would help build TAF's relationship with the government of India.
Implementation Analysis	<i>Short to medium term:</i> A benchmark study should be conducted to establish where the current monitoring and evaluation frameworks are. From there, TAF should share the results of the study with the Ministry of Home Affairs and indicate where TAF can help close identified gaps. It should be made clear to the MoHA by TAF that its intervention in the IAHTUs will not extend beyond 5 years, since these units, at full functionality, should be self-sufficient.
Suggested Partners	UNODC, Ministry of Home Affairs
Implement prosecutor training on post-conviction activities, especially on compensation law and procedures	
Ranking	8/16
Description	Prosecutors lead the post-conviction process on behalf of victims in regards to seeking compensation, closing brothels, getting harsher punishments for repeat offenders, and placing victims in rehabilitation facilities. TAF should provide training so that these prosecutors are made more aware of their obligations.
Rationale	Given the heavy workload of public prosecutors, these crucial steps often do not get the attention they need. Moreover, some prosecutors are not fully versed on the rights of victims to compensation (which is an entitlement of the victim whether or not the

⁸⁵ US Department of State. (2009). *Trafficking in Persons Report: India*. Retrieved February 4, 2010, from <http://www.unhcr.org/refworld/publisher,USDOS,,IND,4a4214b4c,0.html>.

	offender is convicted).
Implementation Analysis	<p><i>Short term:</i> Partner with donors and NGOs that are already involved in training prosecutors (Sanlaap, UNODC). In parallel, identify prosecutors that have been successful in attaining compensation for victims of trafficking and other post-conviction activities. These prosecutors can be used to train other prosecutors or improve the training provided by TAF and its selected partners.</p> <p><i>Medium to long term:</i> Organize annual or bi-annual training programs for effective continuous results. Additionally, the creation of a public message board for prosecutors to share questions about compensation law and, more generally, law pertaining to victims of TIP could be established.</p>
Suggested Partners	Sanlaap, UNODC
Conduct field research on labor trafficking	
Ranking	9/16
Rationale	Despite the prevailing view that trafficking for the purposes of commercial sexual exploitation (CSE), over half of the NGOs interviewed indicated that labor trafficking was a major area of trafficking in India. The Trafficking Thematic Group 2003 of South Asia found that (1) there is too much focus on CSE and (2) that there is too much focus on women. By some accounts, labor trafficking appears to be increasing as a result of modernization/ globalization, which has led to increased “voluntary” migration in an effort to fill low-cost, low-skill jobs. Of course, a side effect of “voluntary” migration has been a rising amount of trafficking for the purpose of labor exploitation (this includes both men and children).
Implementation Analysis	<p><i>Short to medium term:</i> As pointed out in the literature review, labor trafficking is suspected to far outweigh trafficking for CSW. Furthermore, very little is done to address the issue and almost no information is available about it. In light of this, of course no coherent program can be developed. But what can be done and be extremely valuable is to conduct a comprehensive study of labor trafficking in India, similar to the UNIFEM (2005) report on trafficking of women and children in India. This will help understand the dynamics of labor trafficking, the needs, vulnerabilities, etc.</p> <p><i>Long term:</i> Having conducted this research and armed with greater knowledge about the issue, TAF could lead a multi-stakeholder conference on starting work on labor trafficking in India.</p>
Suggested Partners	International Justice Mission, Institute of Social Sciences (Delhi)
Training and sensitization programs for police and other prosecution stakeholders (e.g. prosecutors, judges, etc.)	
Ranking	10/16
Description	Training to help prosecution stakeholders adopt a more victim-centric approach to TIP.
Rationale	As identified in the Legal Framework Analysis (see Background Document), victimization of TIP victims is prevalent in the use of laws and the lack of sensitivity to victims’ needs during rescue and prosecution. Moreover, based on a 2005 NHRC study, the majority of police place “low” or zero priority to the issue of trafficking and 40 percent of respondents did not know trafficking was a crime. Both of these statistics speak to the

	need of more training and better sensitization for those associated with the law.
Implementation Analysis	<p><i>Short term:</i> There are several organizations currently working with government to train the nation’s police officers. Based on UNODC’s strong desire to partner with TAF, there should be no hurdles to TAF plugging in to an existing program.</p> <p><i>Medium/long term:</i> Beyond training of police, training for judges, judicial officials, and prosecutors is needed. Once police are trained, a natural next step is to train prosecutors and judges nationally.</p>
Suggested Partners	UNODC, Sanlaap, IAHTUs

6.3 REVIEW OF INNOVATIVE ALTERNATIVES

As mentioned, TAF indicated that it values innovation, in addition to “tried and tested” programs. However, based on the ranking exercise, the most innovative concepts were ranked toward the lower end of the spectrum since they do not meet several of the other primary criteria. For instance, there are no results to support these ideas, there are no established programs that offer the opportunity to collaborate, and stakeholders may not be overly supportive of the programs. However, below are overviews of two of the most innovative of our recommendations.

Train rescue and rehabilitation experts (RREs)	
Ranking	14/16
Description	TAF should train former victims to become “rescue & rehabilitation experts” (RREs). These RREs should not be confused with police officers or social workers. The RREs would be mandated with supporting victims by offering an empathetic support structure as the victim progresses from rescue to full rehabilitation. It is important that these former victims be dedicated solely to IAHTUs and not alternative NGO activities so that they can focus explicitly on the progress of the victims.
Rationale	Often, victim reintegration back into their home environments is impossible if the community is aware of the victim’s exploitation. Moreover, poor empowerment during the rehabilitation process leads to many victims choosing to go back to their exploitative situations. Finally, using former victims to help other victims throughout the rescue and rehabilitation process is central for empowering both the former and new victims.
Implementation Analysis	<p><i>Short term:</i> Work with key stakeholders (psychologists, police, NGOs, trafficked victims) to develop a training program for RREs.</p> <p><i>Medium term:</i> Launch a pilot program within a few selected IAHTU units, preferably within a close proximity to TAF offices so that monitoring and evaluation can be constantly conducted.</p> <p><i>Long term:</i> Roll out a national program, transitioning it fully to the Ministry of Child and Women Development to ensure its sustainability in the long term.</p>
Suggested Partners	Ministry of Child & Women Development, IAHTUs
Support a government-led police incentive program	

Ranking	15/16
Description	TAF could fill a number of supportive roles for a state-led cash bonus program for police. This program is intended not to supplement the salaries of police, but to reward those officers that go above and beyond the call of duty in fighting TIP. It is likely that TAF's would be able to provide the most value add by performing the monitoring and evaluation for such a program.
Rationale	The Legal Framework Analysis (see Background Document) indicated that the police are not only corrupt, but that they do not prioritize trafficking as a crime. The corruption of police often involves direct cash bribes at various points—rescue, investigation, trial, and post-conviction. This intervention also impacts the demand side of the trafficking issue by raising the costs for traffickers (i.e. an incentive program would force traffickers to increase their bribes to a value above what the program offers).
Implementation Analysis	<p><i>Short term:</i> TAF should begin with a background report outlining the extent of corruption and the average level of bribes. The organization should then work with a particular Department of Police (e.g. Delhi's Department of Police) to develop a program and secure funding from the national government. The program itself should be entirely government-run. TAF can fill a supportive role in providing independent monitoring and evaluation.</p> <p><i>Medium term:</i> Launch a pilot program under the context of the IAHTU in the selected region and evaluate its outcomes and perverse consequences.</p> <p><i>Long term:</i> Extend the program beyond the selected region to the entire country, transitioning the responsibility for monitoring and evaluation to the IAHTUs over time.</p>
Suggested Partners	Department of Police, Ministry of Home Affairs, IAHTUs, UNODC

Finally, as a general principle, TAF should ensure that any project or program it starts for TIP will be able to leverage resources so as to create synergies between its programs. All anti-trafficking programs should take a cross-thematic approach building on existing or forthcoming TAF programs in governance, law, gender, economic law & development, conflict and fragile conditions, and international relations to fight TIP. Many NGOs lack integrated programming, including organization/donor agencies such as UNODC and UNAID. TAF has the ability to innovate within this space by providing a “best in class” example of integrated programming. Additionally, from a budget/human resource perspective, integrating programs allows for more work to be completed with fewer resources.

6.4 CONCLUSION

In conclusion, while TIP in India is certainly a formidable problem, it is not insurmountable. The commitment of India's government appears to be improving each year and the commitment of the NGO and donor community has not wavered despite facing several hurdles in fighting TIP. Without doubt, the research team feels that The Asia Foundation can have meaningful, sustainable impact in combating TIP in India in the near and long-term.

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8 APPENDIX I: INTERVIEWS

To gain perspective on trafficking and interventions, team members conducted interviews with directors and program managers of 19 NGOs/international organizations throughout the nine states/territories that have been included in the scope. NGO leaders are knowledgeable about both the realities of problems on the ground and the more sophisticated legal hurdles and issues in implementation. Moreover, these organizations are prospective partners for TAF, so it was valuable to get a sense for their organizational capacity and program efficacy. Approximately 55 key groups were selected for contact based on an initial evaluation of the key anti-trafficking organizations and helpful feedback from TAF on the specific NGOs to contact. Many of these failed to respond to a request for interview. Where possible, phone interviews were conducted, but e-mail was often preferred by the respondents. The questions asked and their responses, when provided, are detailed below.

8.1 NGO INTERVIEW SCRIPT

The below script was employed during the 19 NGO/donor interviews conducted from December 15, 2009 to February 5, 2010.

Hello, my name is _____. I represent a group at Stanford University conducting a major study on human trafficking in India.

Could you please connect me with a project leader, supervisor, or a public relations manager? (*If you have received confirmation for a teleconference with a director, ask directly for the name of your contact*).

1. Once connected:
 - Introduce yourself.
 - Introduce the study –The Asia Foundation is interested in learning more about counter-trafficking efforts and dynamics in India, and has thus teamed up with researchers at Stanford University to conduct a mapping study of leading organizations and initiatives addressing the issue.
 - State what you know about the NGO you are contacting (*for example, we are very impressed with your work in rural areas with regards to creating sustainable livelihoods for victims of trafficking....*).

8.1.1 BACKGROUND

2. What is your name? (Do not ask this if you already know)
3. What is your job title or relationship with _____? What are your responsibilities?
4. When was the organization established? How many people are with your NGO? What is your yearly budget? Who are your key external funders? (Only ask these questions if the information cannot be found on the website)

8.1.2 NGO-FOCUSED

5. What aspect(s) of anti-trafficking does your organization address (prosecution, prevention, protection, capacity-building)?
 - a. Follow-up Questions
 - i. What activities do you implement under each "P?" (*Particularly interested in prosecution and investigation*)
 - ii. Have you worked on or heard of programs to reduce the profitability of trafficking?
6. What are major challenges that your organization faces in implementing your programs?
7. How does your organization collaborate with other NGOs to reach a goal?
 - a. Follow-up Questions
 - i. Which organizations do you work with?
 - ii. Is there a system in place that guides collaboration?
8. How does your organization collaborate with government agencies to achieve your goals?
 - a. Follow-up Questions
 - i. Which agencies?
 - ii. If no government collaboration, why? (i.e. no political will; not a government priority, etc.)
9. What factors make the area where your program takes place a "destination" or a "source" of TIP?
10. Are there other notable NGOs in the area that combat TIP? What are the names of these organizations?
11. What is one program that you feel was most effective in combating trafficking?

8.1.3 STATE-FOCUSED

12. What type of human trafficking is most prevalent in your state?
13. What would you say are the underlying causes of human trafficking in your state? (territory, in the case of Delhi)
14. Which districts (in your state) represent the biggest sources or destinations for human trafficking?
15. To what extent and how does the government support counter-trafficking efforts in this state? (*can they cite specific examples --- i.e. government gives \$X annually for X programs?*)
16. What state programs or initiatives currently combat trafficking?
 - a. Follow-up Questions
 - i. Have these programs been successful? In what ways?
17. What are the gaps in implementation of state initiatives?
18. What hurdles do authorities face in combating trafficking?
19. What trafficking laws have had the greatest impact?
20. What flaws do you see in the existing laws?

8.1.4 CONCLUSION

21. Are there any particular trafficking experts that you suggest we contact?
22. Are there any particular NGOs that you suggest we contact?
23. Do you have any data or published materials that might be of use to us?
24. Is there anything else you would like to share with me today?
25. We intend to publish the findings from this mapping study, is it okay if we list you as a contributor and include your responses? (*Be Sure to Ask This Question!*)

Thank you, that was extremely helpful. I really appreciate your taking the time to help us get a better understanding of these issues.

We might like to contact you again with a few follow-up questions, is that okay?

8.2 NGO INTERVIEW RESULTS

The following are the summary statistics from the NGO interview process and a representative sampling of the answers from the 19 interviews with NGOs representatives. As mentioned in Section III, of the 55 NGOs contacted for interviews, 19 responded positively. Analysis of the information shared below located in Parts 3 and 4 of the report.

8.2.1 ORGANIZATIONS INTERVIEWED

Table 10: Organizations Interviewed

<i>Organization</i>	<i>Location</i>
1. HELP/RISE/STREE	Andhra Pradesh
2. Prajwala	Andhra Pradesh
3. Bal Sakha	Bihar
4. Bhoomika Vihar	Bihar
5. Jan Jagran Sansthan	Bihar
6. Partners for Law in Development	Delhi
7. Prayas	Delhi
8. UNIFEM	Delhi
9. UNODC	Delhi
10. USAID	Delhi
11. Anyay Rahit Zindagi (Arz)	Goa
12. Jan Ugahi	Goa
13. Bharatiya Kisan Sangh	Jharkhand
14. Jharkand Anti-Trafficking Network (JATN)	Jharkhand
15. Center for World Solidarity / Orissa Anti-Trafficking Network (Jagnyaseni)	Orissa
16. Action Aid	Several States
17. Indian Community Welfare Organisation	Tamil Nadu
18. Madras Christian Council of Social Services (MCCSS)	Tamil Nadu
19. Jabala	West Bengal

Of the NGOs interviewed, most had organizations over 10 people, and 4 employed 50 or more individuals. Most had budgets over USD\$100,000 per annum. With respect to interventions, there was an almost even split between prevention and protection activities among the sample population (see Table 11).

Table 11: NGO Descriptive Results

NGO Descriptive Results <i>Based on 19 interviews</i>		
Question	Quantitative Results	Representative Qualitative Answers
How many people in your organization? 0-10 10-50 50+	2 4 5	N/A
What is your yearly budget? US\$0-10,000 US\$10,000-50,000 > US\$100,000	0 3 6	N/A
What aspects of anti-trafficking does your organisation address? <i>(organizations may work in more than one)</i> Prevention Prosecution Protection Capacity Building	17 7 20 13	<p>Prevention</p> <ul style="list-style-type: none"> ▪ Formation of Anti-Trafficking Watch Groups/community vigilance groups ▪ Assist in building linkages between NGOs, government agencies and media ▪ Livelihood generation ▪ Advocacy for policy reform at state, national and international levels ▪ Collect data and information on latest developments on TIP ▪ Telephone help lines for children <p>Protection</p> <ul style="list-style-type: none"> ▪ Care homes ▪ Counseling ▪ Vocational training ▪ Rescue ▪ Safe return ▪ HIV/AIDS treatment <p>Prosecution</p> <ul style="list-style-type: none"> ▪ Legal aid ▪ Assisting police in registering cases against the perpetrators ▪ Preparing and assisting victims and witnesses in depositions ▪ Trainings to the police personnel on Juvenile Justice Act <p>Capacity-building</p> <ul style="list-style-type: none"> ▪ Training programs for police, magistrates, prosecutors, officials of the Child Development Services ▪ Training of NGOs ▪ Training of police on legal laws

8.2.2 INTERVIEW FINDINGS

Findings from the below tables have been integrated into Part 3 and 4 of the report.

8.2.2.1 NGO PERSPECTIVE ON NGO & GOVERNMENT INTERVENTION EFFORTS

Table 12: NGO Perspective on Intervention Efforts

<i>Question</i>	<i>Quantitative Results</i>	<i>Representative Qualitative Answers</i>
Are there other notable NGOs in the area that combat TIP?		
Yes	12	<ul style="list-style-type: none"> ▪ MCSS ▪ Childline India ▪ ICCW ▪ Just Trust ▪ ICWO ▪ ATSEC – Bihar and Jharkand chapters ▪ UNICEF ▪ Save the Children ▪ Apne Aap ▪ Sanlaap ▪ Jan Jagran Sansthan ▪ Sakhi ▪ SLARTC
No	3	
If yes, how many mentioned?		
0-5	15	
5-10	1	
10+	0	

<p>What is one programme that you feel was most effective in combating trafficking?</p> <p>Which category did the program fall under?</p> <p>Awareness 4</p> <p>Prevention 5</p> <p>Prosecution 1</p> <p>Protection 3</p> <p>Empowerment 2</p> <p>Rehabilitation 4</p> <p>Other 2</p>		<ul style="list-style-type: none"> ▪ NGO network awareness campaigns with a wide outreach net in Chennai, followed by the formation of community vigilance groups ▪ Fostering judicial sensitivity to trafficking in supreme court and high court judges through a colloquium ▪ Media sensitization that led to greater focus on the issue ▪ Child line program ▪ Panchayat program in Bihar working with police for sensitization
<p>To what extent and how does the government support counter trafficking efforts in your state?</p> <p>Government has made a significant effort 4</p> <p>Government has made moderate effort 5</p> <p>Government has made no effort 2</p>		<ul style="list-style-type: none"> ▪ Five respondents stated that the government does not have a substantial effort in their state/territory, while four said that it did, with the following initiatives: <ul style="list-style-type: none"> ○ Rescue and raids, but there is much place for improvement such as greater coordination within the legal institutions and between these and NGOs ○ In Goa, the government has had reasonable success with rescue and recovery of CSWs ○ Doing much more now than before and tackling the issue from the crime perspective ○ Putting anti-trafficking nodes in place

<p>What state programs/ initiatives currently combat trafficking? State programs exist? Yes No</p>	<p>12 5</p>	<ul style="list-style-type: none"> ▪ 5 respondents stated there were no such initiatives, while 12 respondents responded that state programs exist, and cited the following: <ul style="list-style-type: none"> ○ Sensitization of police personnel has led to more adequate registering of cases ○ Ministry of Women and Child Development (national) has shelter homes in six states plus Delhi ○ Ujjawala program ○ Action Plan 2007 established Anti Human Trafficking Units in districts and states but is not functioning well ○ Bihar Human Trafficking Prevention Program (2007) ○ Goa's Child Law
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What are the gaps in state implementation of state initiatives?		
Funding Awareness Capacity Will and commitment Jurisdiction Data Coordination Other	5 1 4 5 6 1 2 4	<ul style="list-style-type: none"> ▪ Lack of detailed and comprehensive data allowing adequate targeting of anti-trafficking measures to specific locations ▪ The government does not clearly spell out roles and responsibilities of each department and appropriate guidelines ▪ Lack of capacity building for care-givers, especially for women and children’s needs ▪ Shelter homes don’t have high standards ▪ Unsustainable post-trafficking livelihood training ▪ Inadequate counseling services ▪ No coordination between ministries ▪ Legal acts are not well understood ▪ Not enough police officers ▪ Religious issues

What hurdles do authorities face in combating trafficking?		
Bribery and corruption	2	<ul style="list-style-type: none"> ▪ Improper coordination
Awareness	4	<ul style="list-style-type: none"> ▪ Human trafficking is not a priority with the politicians
Capacity	1	<ul style="list-style-type: none"> ▪ Lack of human resources, funds and motivated staff
Lack of infrastructure to support counter-trafficking efforts (e.g. inadequate number of rehabilitation homes)	2	<ul style="list-style-type: none"> ▪ Political interference
Funding	7	<ul style="list-style-type: none"> ▪ Lack of political will
Lack of will	3	<ul style="list-style-type: none"> ▪ Lack of clarity over the policies and complexities related to the issue
Lack of human resource	2	<ul style="list-style-type: none"> ▪ Victims are afraid to provide evidence in court against traffickers because of insufficient protection mechanisms
Lack of Coordination	7	<ul style="list-style-type: none"> ▪ Insufficient funding
Other		<ul style="list-style-type: none"> ▪ Insufficient welfare schemes for the victims ▪ Lack of identification card system for migrants ▪ Lack of identification of fake placement agencies ▪ Lack of functioning of Child Right Protection Commission/ Child Labor Commission ▪ Absorption capacity

8.2.2.2 NGO PERSPECTIVE ON THE LEGAL FRAMEWORK

Table 13: NGO Perspective on the Legal Framework

<i>Question</i>	<i>Quantitative Results</i>	<i>Representative Qualitative Answers</i>
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What trafficking laws have had the greatest impact? Immoral Trafficking Prevention Act (ITPA) Action against the person buying sex Sealing of the place used for commercial exploitation Other None	8 0 0 3 3	<ul style="list-style-type: none"> Of the respondents that answered, three said that the laws have had no effect, while others cited the Immoral Trafficking Prevention Act (ITPA), but argued that it has issues.

<p>What flaws do you see in the existing laws?</p> <p>Victim punishment Perpetrators not charged appropriately The implementation of law Other</p>	<p>2 2 13 2</p>	<ul style="list-style-type: none"> ▪ Punishes the victims instead of the perpetrators ▪ The ITPA must be strengthened and then enforced ▪ Insufficient penalty and punishment ▪ Problems with the existing ITPA: <ul style="list-style-type: none"> ○ Departs from the accepted definition of child ○ Criminalizes victims ○ Does not make mandatory provisions for setting up of special institutions (special courts, special police, special homes etc) ○ The definition of corrective homes needs to be changed. If section 2(b) is read with 2(g), this home may be construed to include prisons ○ Contrary to what has been suggested, that section 8 should be removed – this should not be done. This section is charged with allowing magistrates to punish women, but in fact is one of the only sections that provides an opportunity for “reformation” by sending them to rehabilitation centers. ○ Section 15 gives large powers to the police. Keeping in mind the manner in which the Act has been used so far, there is a need to review police’s powers: ○ Section 17 in the present format must go as it authorizes police to keep in custody for 10 days persons rescued which can be dangerous and is against the standard practices of the criminal justice system; it also seeks to place a victim in the hands of strangers who may not be suitable to take care of the victim and may in all probability be responsible for the victim’s current status. ○ The ITPA does not cover victim compensation ▪ No problem with the laws but major problems with implementation
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8.2.2.3 NGO CHALLENGES & COLLABORATION

Table 14: NGO Challenges & Collaboration

<i>Question</i>	<i>Quantitative Results</i>	<i>Representative Qualitative Answers</i>
What are major challenges that your organisation faces in implementing your programmes? Legal issues to do with laws Issues to do with implementation of laws Informational/Cultural issues Funding Lack of cooperation/coordination Data Reliability Lack of human resources Other	3 5 3 9 5 2 5 5	<ul style="list-style-type: none"> ▪ Lack of funds ▪ Ignorance on the part of government ▪ Insufficient law enforcement ▪ Slow judicial system ▪ Lack of proper data ▪ Lack of cooperation of civil society and state ▪ Lack of professionals especially from the field of law, social work and mental health ▪ Lack of community support for rescued victims and women ▪ Religious hurdles ▪ Projects of donors and government only last 1-2 years; need longer integrated approach ▪ Donors only focus on big networks ▪ Decision making in networks of NGOs is weak or too centralized

<p>How does your organization collaborate with other NGOs to reach a goal?</p> <p>Number of NGOs collaborating with?</p> <p>0-5 5-10 10+ Range of</p>	<p>9 1 6 2</p>	<p>Two respondents stated there was no system for collaboration, while four stated that there were, and that these systems had the following characteristics:</p> <ul style="list-style-type: none"> ▪ When referring a case, an official referral letter from the organization is provided and follow up ▪ Extensive pre-collaboration communications to ensure that partner organizations fit with own organization goals and objectives and responsibility ▪ Case-based collaboration ▪ One organization worked as a nodal agency of NATSAP which has a coordination committee that has its own bye-laws with roles and responsibilities ▪ Needs-based system
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<p>How does your organisation collaborate with the government to reach a goal?</p> <p>Do you collaborate with government agencies?</p> <p>Yes No</p> <p>How many?</p> <p>0-5 5-10</p>	<p>15 2</p> <p>14 2</p>	<p>15 respondents stated they did collaborate with the government, while two stated they did not. The reasons for not collaborating were:</p> <ul style="list-style-type: none"> ▪ No political will ▪ Not a government priority <p>The agencies that respondents collaborated with were:</p> <ul style="list-style-type: none"> ▪ Tamil Nadu Free Legal Aid Services Authority ▪ Ministry of Women and Child Affairs ▪ Social Defense ▪ Child Welfare Committee ▪ Police Advisory Committee ▪ Juvenile Justice Board ▪ Chennai Corporation ▪ Central and State Social Welfare Board ▪ Various courts ▪ Department of Education ▪ Department of Health ▪ Labor department ▪ Ministry of Home Affairs
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8.2.2.4 NGO PERSPECTIVES ON THE DYNAMICS OF TRAFFICKING

Table 15: NGO Perspectives on the Dynamics of Trafficking

<i>Question</i>	<i>Quantitative Results</i>	<i>Representative Qualitative Answers</i>
<p>What factors make the area where your program takes place a “destination,” “transit,” or a “source” of TIP?</p> <p>Poverty reasons Awareness and education Cultural reasons Borders Economic Improvement/Tourism Center Development of IT Sector Easiness in Travelling Other</p>	<p>10 2 2 5 3 2 1 4</p>	<p>Source</p> <ul style="list-style-type: none"> ▪ Tribal dominated state ▪ Few livelihood options ▪ Low literacy rates ▪ Entertainment industry ▪ Gender and caste issues ▪ Conflicts/Disasters ▪ Not enough work by donors in the source areas; furthermore, most government infrastructure is set up in destination/transit areas, but the trafficking originates in source areas ▪ Religious issues ▪ Legal loopholes <p>Destination</p> <ul style="list-style-type: none"> ▪ Migrants from other cities and countries ▪ Major tourist destination with high demand for trafficked labor to serve the sex-tourist industry ▪ High state GDP attracts immigrant workers who are easily conned into being trafficked ▪ Gender and caste issues ▪ The anti-trafficking work in these areas is mostly done by HIV/AIDS NGOs which do not have a holistic approach ▪ Lack of community responsibility for social security <p>Transit</p> <ul style="list-style-type: none"> ▪ Major transportation hub to other areas for the state ▪ Extensive and unmonitored train networks ▪ Geography ▪ Conflicts ▪ Disasters

<p>What type of human trafficking is most prevalent in your state?</p> <p>Trafficking for labour exploitation/ domestic servitude 15</p> <p>Trafficking for sex 15</p> <p>Trafficking for cultural reasons 0</p> <p>Other 0</p>		<ul style="list-style-type: none"> ▪ Trafficking of tribal women and children because the state failed to provide livelihoods ▪ Fake marriages ▪ Trafficking for sexual exploitation ▪ Sex tourism and photography (pornography) ▪ Domestic labor ▪ Child labor ▪ Trafficking for the purposes of forced begging by children
<p>What would you say are the underlying causes of human trafficking in your state?</p> <p>Poverty/lack of livelihoods 11</p> <p>Awareness and educational issues 4</p> <p>Natural disasters/conflict 4</p> <p>Ease of access because of geographical reasons such as international borders 2</p> <p>Being tourism center 1</p> <p>Non acceptance of the problem 1</p> <p>Illiteracy 4</p> <p>Cultural Issues 1</p> <p>Other 4</p>		<ul style="list-style-type: none"> ▪ Poverty ▪ Illiteracy ▪ Lack of Livelihoods options/ unemployment ▪ Broken homes ▪ Demand for young girls in the sex trade ▪ Non-acceptance of trafficking as a problem by the state and the local population ▪ Tourist destination fuelling demand for exploitable labor ▪ Families practicing prostitution ▪ Lack of life skills ▪ Traffickers manipulate victims by offering better employment ▪ Gender and caste issues

9 APPENDIX II: RECOMMENDATION EVALUATION CRITERIA

Below are the full results of the policy alternatives ranking exercise. Three of the recommendations tied for second place and there was no recommendation that scored above an 85, pointing to the difficulty of meeting all of the selected criteria through one program.

In ranking the alternatives, suggested initiatives were given a rating of 0 to 2 based on adherence to the identified criterion. The weighted scores were then multiplied by a factor of 50 to provide a ranking score of 0 to 100, which is more intuitive in interpretation than a ranking score of 0 to 2.

Table 16: Alternatives Ranking

Criteria			Innovative	Leverages Existing NGO/Donor Programs	Quantifiable Results	Stakeholder Receptivity	Value Multiplier Effect	Proven Concept	Within \$100k Budget	Matches TAF's Skill Set	Minimal Adverse Side Effects	Sustainable	Robust to Shifting Gov't Policies	Extendable Nationally	Requires Few Trafficking Experts	Leverages Private Sector	Total Weighted Score (out of 100)
Weighting			10	10	10	10	10	5	5	5	5	5	5	5	5		
Coding			0- Not innovative 1- To some degree 2- Very innovative	0- No, no existing programs 1- One or a few programs 2- Many programs or a few strong ones	0- No 1- Maybe, but somewhat difficult 2- Yes	0- Not receptive 1- Some receptive/some combative 2- Very receptive	0- No multiplier effect 1- Some 2- High	0- No Proof of Results 1- Some Results 2- Many results	0- No 1- Maybe 2- Yes	0- No previous evidence of similar programs 1- One existing program at least 2- Several past programs	0- Many 1- Some 2- None	0- Unsustainable without TAF 1- Minor eventual involvement of TAF 2- Self-sustainable	0- Very vulnerable 1- moderately vulnerable 2- Not dependent on government	0- Geographically limited 1- Regional/Multi-state Applicability 2- National Applicability	0- Many experts needed 1- Few 2- None	0- No private sector involvement 1- Potential for some 2- Yes	
1	Protection	Coordinating cooperative creation (i.e. Milk Cooperative) or linking existing cooperatives with the private sector in shelters/care homes	1	2	2	2	2	2	2	1	2	1	1	2	1	2	85
2a	Protection	Hold anti-trafficking festivals in rural areas	2	2	2	2	2	2	2	0	2	1	1	1	0	2	83
2b	Capacity-Building	Assist transit point interventions by scaling up existing programs	1	2	2	2	2	2	1	2	2	2	2	1	1	0	83
2c	Prosecution	Build a database of individuals/organizations that are relevant to trafficking	1	2	1	2	2	2	2	2	2	1	2	2	1	1	83
5	Capacity-Building	Partner with the Anti-Trafficking Nodal Office under the Ministry of Home Affairs in order to improve monitoring and evaluation of trafficking in India	0	2	2	2	2	2	2	2	2	2	1	2	0	1	80
6	Prevention	Improve the communicative capacity of the (ATSEC India) National Anti-Trafficking Network to better coordinate the efforts of regional and state-level trafficking networks	0	2	1	2	2	2	2	2	2	1	2	2	1	1	78
7	Capacity-Building	Conduct monitoring and evaluation for the new 297 Integrated Anti-Human Trafficking Units (IAHTUs)	1	2	2	2	2	2	1	2	2	1	1	2	0	0	78
8	Prosecution	Implement prosecutor training on post-conviction activities, especially for compensation law & procedure.	1	2	2	2	2	1	1	2	2	1	2	2	0	0	75
9	Capacity-Building	Conduct in-field research on labor trafficking.	1	1	1	2	2	1	2	2	2	0	2	1	1	2	70

Table 17: Alternatives Ranking, 2 of 2

Criteria			Innovative	Leverages Existing NGO/Donor Programs	Quantifiable Results	Stakeholder Receptivity	Value Multiplier Effect	Proven Concept	Within \$100k Budget	Matches TAF's Skill Set	Minimal Adverse Side Effects	Sustainable	Robust to Shifting Gov't Policies	Extendable Nationally	Requires Few Trafficking Experts	Leverages Private Sector	Total Weighted Score (out of 100)
Weighting			10	10	10	10	10	5	5	5	5	5	5	5	5		
Coding			0- Not Innovative 1- To some degree 2- Very Innovative	0- No, no existing programs 1- One or a few programs 2- Many programs or a few strong ones	0- No 1- Maybe, but somewhat difficult 2- Yes	0- Not receptive 1- Some receptive/some combative 2- Very receptive	0- No multiplier effect 1- Some 2- High	0- No Proof of Results 1- Some Results 2- Many results	0- No 1- Maybe 2- Yes	0- No previous evidence of similar programs 1- One existing program at least 2- Several past programs	0- Many 1- Some 2- None	0- Unsustainable without TAF 1- Minor eventual involvement of TAF 2- Self-sustainable	0- Very vulnerable 1- moderately vulnerable 2- Not dependent on government	0- Geographically limited 1- Regional/Multi-state Applicability 2- National Applicability	0- Many experts needed 1- Few 2- None	0- No private sector involvement 1- Potential for some 2- Yes	
10	Prosecution	Plug in to existing training/sensitization programs for police and other stakeholders.	0	2	1	2	2	2	1	2	2	1	1	2	0	0	68
11	Protection	Work with micro-credit loan providers to provide opportunities for trafficking victims to gain access to credit.	1	2	2	1	2	1	2	0	0	0	1	2	0	2	63
12	Prosecution	Awareness campaign to increase the use of compensation laws and schemes in high trafficking states.	0	1	1	2	2	1	2	2	1	1	0	2	1	1	60
13	Prosecution	Lobby with the state and central government to reduce police indifference to trafficking issues by increasing the proportion of women in the police force	1	1	1	1	2	1	2	2	1	1	1	1	0	0	55
14	Protection	Train former victims to become "rescue & rehabilitation experts" (RREs).	2	0	2	1	2	1	1	0	1	0	0	2	0	1	53
15	Prosecution	Support a government-run "Police Incentive Program"	2	0	2	1	2	1	0	0	1	0	0	1	1	1	50
16	Capacity-Building	Consult for local NGOs on how to specialize and focus/re-allocate their resources more effectively based on local conditions.	1	0	1	1	2	0	1	1	1	0	2	2	0	2	48

