

Women and Children Trafficking: An Immoral Act

Susmita Roy (Adak)

Assistant Professor in Philosophy & HOD

Sitananda College, Nandigram, Purba Medinipur, West Bengal, India

Email - adaksusmita2015@gmail.com

Abstract: *Women selling business is a great shame on human civilization. This evil practice is not acceptable to any modern cultured society. Trafficking protocol, trafficker is the recruitment, movement or transportation of a person through force, deception, fraud or violence in to a site or exploitative work. Trafficking is a global and organized crime. This paper tries to analyse the reasons of trafficking and to identify the steps to be taken for eradication of these activities. There are so many causes of trafficking in women and children: Poverty, Illiteracy, Lack of employment, Gender discrimination, Child marriage, Dowry system, Sex tourism, Lack of administrative role, Domestic violence and Social condition etc. Trafficking is an act of gender-based violence, which affects, physically, sexually and psychologically to women and children. It also includes threats of such acts, coercion or arbitrary deprivation of liberty. The acts which encourage violence, threat, deceit, coercion, exploitation and harm cannot be morally justified. Trafficking is one of the greatest violations of human rights. As the problem is multi-dimensional, its solution also lies in following a multi-dimensional approach for prevention. Prevention, protection, prosecution and partnership-the "4 Ps" save as the trafficking.*

Key word: *Global crime, illegal act, poverty, prevention, trafficking.*

1. INTRODUCTION:

What a cruel sort of human civilization it is! On one hand, women in society are successful in all professions. They are the makers of the society. Keeping harmony with men, they are advancing gradually. It may be mentioned that Kalpana Chaula, Sunita Williams, Mary Com and so on, are successful women. On the other hand, even now, if any one, whether illiterate, or literate, modern or old, a slum dweller or rich, gives birth to a female child there appears a sort of dark cloud in the sky of her mind and also appears a line of tension on her forehead. As a result, the female child and her mother become a victim to negligence and inhuman torture; even they are forced to face premature death.

On the contrary, this womankind is again an object of love and attraction. What a demand of them it is! Yes, in the female-selling business they are costly and precious commodity although the price is enjoyed not by themselves but by others. This female-selling business is a type of stain or stigma on modern human civilization, a shame on humanity. Women-selling business refers to a profession in which, regarding the women as commodity, a dishonest person or a broker sells them in red light zone in order to earn money.

2. OBJECTIVES OF THE STUDY:

The present study set the following objectives for itself :

- to analyse the reasons of trafficking of women and children,
- to identify the steps to be taken for eradication of trafficking.

3. DISCUSSION AND FINDINGS OF THE STUDY:

The global horror of present civilization is women and children trafficking for sexual gratification. Trafficking is a crucial and calamitous problem throughout the world. According to the definition of U.N. Trafficking protocol, trafficking is the recruitment, movement or transportation of a person through force, deception, fraud, or violence in to a site, or exploitative work. Enlisting a person by deception into domestic work or forcibly transporting somebody to bar where she is made to perform sexual service constitutes trafficking. (United Nation, 2000)

(a) "Trafficking in persons" shall mean 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 a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

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

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

(d) “Child” shall mean any person less than eighteen years of age.

Human trafficking has been referred to as “modern slavery.”

“Modern-day slavery and “contemporary slavery” by U.S government officials, including President Barak Obama (Sweet, 2012)

Example: Trafficking of a 15 years old girl in Dantan-2 Block in Paschim Medinipur district;

Economic condition of the victim’s family; The father of the victim died about five years ago from the incident of trafficking and the mother was facing tough task to meet the necessary needs the family of five(including three daughter).

Educational qualification of the victim; class-I; dropout could not continue her studies due to poverty.

Mode of trafficking: Offer of a job in Delhi by an old family friend.

Route of trafficking: Village > Kharagpur > Kolkata> Delhi.

Present Status: No communication for the last five years.

Adverse Socio-economic condition of people in many regions offer an ideal opportunity to the traffickers to lure poor women by promising better pays, jobs and much comfortable life in distant places. In several cases, women in rural areas have very little skills and education and very little income opportunities at home, find it hard to reject such offer. Sometimes the promise of immediate payments encourages the family’s living in financial difficulties to sell their daughter to the traffickers. Often marriage appears to be an easy instrument for trafficking women to for away places and exploit them sexually and economically.

It is found that a majority of the trafficked girls are between 14-16 years, whose parents could not afford to pay for their dowry. Almost in all the cases of trafficking in rural areas, the recruiters live in close proximity with the recruits and are known to the victim in the form of neighbors, relative or friends.

However, the world conference on Human Rights was held in Vienna, in June 1993. The conference accredited that violence done against women in all its multidisciplinary action constitute a serious violation of the human right of women. The W.N General Assembly also made an attempt to eliminate different kinds of violence against women, included in the declaration of the U.N. is ‘trafficking in women’ in fact, an individual may be trafficked for various purposes, who may have to lead life in captivity in coercive and exploitative situation like forced labour in domestic, industrial or commercial sector, marriage, etc. Trafficking includes ‘trafficked person’, Trafficker, ‘sending country’, ‘Receiving Country’ and ‘Transit Country’. A person who is trafficked is called a ‘Trafficked person’, and a person who traffics another is called a ‘Trafficker’. Now a day’s trafficking specially is women and children have been turned into a profitable business, which has become a global phenomenon. Young women and girls are mainly trafficked for prostitution and it involves a lot of cash flow.

Undoubtedly, it is now one of the most fruitful activities of the organized crime.

In this country West Bengal occupies the first position in this business in 2015.

It is known that 23% of the young girls are being supplied from West Bengal, 17% from Bihar, 13% from Assam, 11% from Andhra Pradesh, 8% from Orissa and 6% from Kerala. They are dispatched even outside the country like Thailand, Kenya, Dubai, Oman, South Korea and other countries.

West Bengal is located in the eastern part of India and serves as a link between the North-Eastern State and the rest of India. The state has 23 districts and Kolkata serves as the State capital. There are over 23 towns with a population of over 100,000. The largest cities are Kolkata, Howrah, Asansol, Durgapur and Siliguri. Other important towns include Darjeeling, Kharagpur and Haldia.

Kolkata is amongst the largest metropolitan regions in the world. The state has international boundaries with Bangladesh, Bhutan and Nepal. The India states sharing boundaries with west Bengal are Orissa, Bihar, Jharkhand, Sikkim and Assam. Due to its crucial location in India, the vulnerable locations and groups in West Bengal are not just prone to intra and Inter-state trafficking, but also to international trafficking. The state contains some notorious red light area such as Sonagachi (Kolkata) and women and children trafficked from other parts of the Country and from foreign Countries (Bangladesh and Nepal) are brought to this place. Infiltration also adds to this continually increasing problem of trafficking.

3.1 Reason of trafficking: (i) Poverty, (ii) Illiteracy, (iii) Lack of employment, (iv) Gender discrimination, (v) Domestic violence, (vi) Child marriage, (vii) Dowry system, (viii) Social condition, (ix) Lack of Administrative function, (x) Sex tourism etc.

Immoral Act: Trafficking is an act of gender based violence, which affects physically, sexually and psychologically to women and children. It also includes threats of such acts, coercion or arbitrary deprivation of

liberty. Each and every incident of trafficking in women and children leads to 'gender equality' and 'the right to life and liberty'. Trafficking implies 'exploitation' and exploitation in any form is immoral. Morality demands that each human being should be considered always as end, and never as a means. But trafficking considers women as a means to men's sexual gratification. The act which encourages violence, threats, deceit, coercion, exploitation and harm cannot be morally justified.

Illegal Act: Trafficking is one of the greatest violations of human rights and it prevents child victims from reaching their potential and denies them the opportunity to live in safety and dignity. The Indian constitution has therefore prohibited all sorts of trafficking under Article-23. The Suppression of Immoral traffic Act, 1956, later amended as the immoral traffic (prevention) Act (hereafter ITPA), was in response to the ratification of the International Convention on Suppression of Immoral Traffic and Exploitation of prostitution of others in 1950.

India also has pleaded in favour of the elimination of all forms of discrimination against women (CEDAW, 1979) during the UN decade for women. This sin core obligation inspires the government to suppress all forms of trafficking in women. In 1990, India signed the Geneva Human Rights treaty, which also prohibited trafficking in women and children as a human rights violation.

The Ministry of Home Affairs has directed State government to set up special Anti-Human trafficking Units (AHTUs) in every district. Each Unit is supposed to have a minimum of five persons equipped with camera, cell phone and a vehicle. The need for these cells was felt after a report by the National Human rights Commission.

A number of recommendations for combating trafficking and commercial sexual exploitation of women and children have been made in various reports, study national and international conferences and conventions. The report, submitted by Central Advisory committee on Child prostitution, the recommendation of the National Commission for Women, the verdict of the Supreme Court of India, and the experience of the various NGO's, working in this particular area are very relevant in order that these recommendations are properly disseminated and acted upon. But without necessary and comprehensive plan of action, it is not possible to complete with trafficking.

3.2 Problem:

(i) **Communication Address:** Trafficking is very hard to measure because in many cases (mainly when the women are not in sex trade), the family members, relatives, and friends have consent about young girls going to distant places for lucrative earning. Problems usually start when the flow of money sent by the girls' stops and the communication link is cut off.

(ii) **Language:** The 'poor families in India are the members' limited ability to communicate outside their place of residence. Many of them are illiterate-cannot read or write so they depend on others for sending letters or make a phone call to their relatives'. Often the guardians of law do not support the victims. It has often been alleged that police harass the victims more than those who have committed the crime.

(iii) **Rescue and rehabilitation:** There are also serious legal and administrative problems related to rescue and rehabilitation of trafficked girls with foreign origin.

3.3 Measures to be taken for eradication of Trafficking:

The difficulties in detecting and measuring trafficking cases make the task of preventing them much more challenging. None the less, several measures can be taken in this direction and successful implementation of the steps will surely bring some positive result. Following measures are:

(i) There is no doubt about the fact that poverty, unemployment and lack of income opportunities are among the main reasons behind trafficking. Hence we need to improve the economic condition of the families living in financial hardships. It is particularly necessary to focus attention on micro-finance and self-help groups, Hatchery industry, small industry, and Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) to strengthen the economic condition of women. This may prevent them from going to distant, unknown places to earn money for their family members.

(ii) Lack of literacy and awareness amongst the economically weaker section of the society is another cause of trafficking. There is therefore every need to strengthen basic capabilities of women through education (SSK) and awareness. And the Right to Education (RTE) as one of basic human rights merges from here. Education is in concurrent list and was under Directive Principles of State policy in the Constitution of India. The Right of children to Free and Compulsory Education Act or Right to Education Act (RTE), is an Act of the Parliament of India enacted on 4th August, 2009, which describes the modalities of the importance of Free and Compulsory education for children between 6 and 14 in India under Article 21 A of the Indian Constitution.

Simultaneously, regular and vigorous campaign is necessary to sensitize media and make people, particularly the poor, to remain alert about the traffickers.

(iii) The rescued victims should be protected and rehabilitated through certain proper mechanisms in order to prevent re-trafficking. The Human rights of the victims should be protected while conducting quick rescue operation

and taking stringent action against the real traffickers and the exploiters. A vulnerability mapping of the source, demand and transit areas of trafficking will be very useful in this direction.

(iv) The Child marriage, there are other modes of trafficking as well;

(a) Fake marriage or marriage of a women followed by sale to brothel keeper;

(b) Abduction or kidnapping of girl/women later sold or resold to the operators of sex trade;

(c) Recruitment of a girl for a job and then sold to brothel;

(d) Forcing and kidnapping of children of prostitutes;

(e) Luring poor Families with jobs and better living condition in cities Trafficking in women and children in recent times however takes place mainly for commercial sexual exploitation even though the marriage market still exists in North India and girls destined for one are often diverted to other.

So, the age-old practice of child marriage and dowry should be checked more vigorously. Marriage registration should be made compulsory and local bodies should be involved in the process.

(v) The Government should formulate schemes to help the trafficking victims to resume a normal and fruitful life by arranging for her education and professional training. It is essential to create alternative income opportunities for the prevention of re-trafficking. Strengthening network of NGOs and other bodies working against trafficking, establishment of counseling centers, legal centers and help line, establishment of adequate number of shelter and rehabilitation homes, etc., are positive step in this direction. The rural society needs to be convinced that a victim ought to be rehabilitated with due respect.

(vi) and lastly Prevention, Protection, Prosecution and Partnership-the “4 Ps”-serve as the” fundamental international frame work.”Prevention must be centerpiece of any effort to combat human trafficking. Prevention is preferable to providing remediation service for victims of the abuse, deprivation, and violence of this crime because it is more protective of health and is matter of justice and basic human rights.

Protection measures ensure that human trafficking victims are provided access to health care, counseling, legal and shelter services in ways that are not prejudicial against victims’ rights, dignity, or psychological well-being. Protection also means creating an environment (social, political and legal) that fosters the protection of victims of trafficking.

The complexity of human trafficking investigations, which may include a variety of criminal activities such as drug trafficking, organized crime, and sexual assault, makes collaboration and coordination among a variety of entities (state, local, and federal agencies) and jurisdictions necessary.

4. CONCLUSION:

Poverty, Lack of employment, Sex tourism, Dowry system, Domestic violence, Gender discrimination, Child marriage etc are the main reasons of trafficking in women and children. Trafficking is an act of gender-based violence, which affects, physically, sexually and psychologically to women and children. It also includes threats of such acts, coercion or arbitrary deprivation of liberty. Prevention, protection, prosecution and partnership-the “4 Ps” can save the women and children from their trafficking. So, the trafficking will be eradicated completely if the above mentioned necessary measures should implement in proper way.

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