



July 2007

Winds of Change



Introduction

Trafficking in persons is modern-day slavery. Annually, approximately 600,000 to 800,000 people are trafficked across international borders; millions more are enslaved in their own countries. The common denominator of trafficking scenarios is the use of force, fraud or coercion to exploit a person for commercial sex or for the purpose of subjecting a victim to involuntary servitude, debt bondage, or forced labor. The use of force or coercion can be direct and violent, or psychological.

Victims of trafficking for forced labor lose their freedom, becoming modern-day slaves. They experience permanent physical and psychological harm, isolation from families and communities, reduced opportunities for personal development, and restricted movement. Victims are often wary of law enforcement and psychologically dependent on their traffickers. Child victims are denied educational access, which reinforces the cycle of poverty and illiteracy.

ATSEC India is therefore armed with a mission to go all out in the efforts to educate and sensitise the people on prevention of trafficking in persons, especially of children. It also makes an effort to increase rescues of trafficking victims and prosecution of traffickers through their different programs. ATSEC believes that people freed from slavery must be treated as victims of crime, not criminals.

ATSEC's Initiative

ATSEC National chapter and State chapters has its own plan of action. Most of the states organize different programmes focusing on different aspects. Few of the important programmes from different states and ATSEC India Secretariat are mentioned below:

ATSEC India

Certificate program for evaluation had been organized for ATSEC members from Bangladesh, Nepal, Sri Lanka and India under Capable Partners Program (CAP/AED) in partnership with Management System International from May to July'06 in New Delhi. In this program, course curriculum was developed in such a way; there was an opportunity to visit few important programmes implemented by the state partners in India & Nepal as an assignment for the participants.

To sustain the existing programme and reach the mission, training was organised on Social marketing and Livelihood option from 29th to 31st



July 2006 with 29 representative from different state partners.

A National level 'Training of Trainers' on advocacy and communication skills was organised for the State coordinators to work with the government, policy makers, and law enforcing agencies. It will facilitate to make linkages for the process of lobbying, rescue, rehabilitation and repatriation.

State partners meet was held in Delhi and the Zonal meets were organised in Betla, Jharkhand; Mysore, Karnataka; Indore, Madhya Pradesh and Darjeeling, West Bengal.

Delhi

On the occasion of International Day against Drug Abuse & Illicit Trafficking on 26th June 2007, STOP Community Outreach Centre organised a street play performance at Bawana community, Delhi

A Note from the National Co-ordinator

Dear friends,

This 'Winds of change' is the second issue of ATSEC India newsletter, our e-newsletter version can be read on our website. It is my great pleasure that now our patrons, friends, volunteers, well wishers and member organization of ATSEC India and ATSEC country chapters in Bangladesh, Nepal, Pakistan and Sri Lanka can avail news and information on events easily and contribute their feedback. ATSEC India has 541 member organizations from 26 state chapters in India; therefore from next issue onwards we will cover news and forthcoming event information from ATSEC at various parts of the country. Kindly send us reports on events held and details of victims rescued, accused convicted, victims and survivors restored back to home and repatriated etc. We would like to have case studies and best practices from our State Chapters too.

You are welcome to suggest improvements in the newsletter.

Manabendra Mandal

National Coordinator and Secretary General,
ATSEC India

along with its Self Help Group of women and community people with great enthusiasm. Local politicians and members of the law enforcement agency were also invited. The relevance and success of the play can be gauged by the fact that a huge number of local people gathered to watch the performance and expressed their agreement on the message of the play through huge applause. It was also a performance to mark the end of a ten daylong street play training workshop. The training was provided to children for performance of street plays to be used as a tool of awareness generation and sensitization in the community.

Uttar Pradesh

On 19th July 2006, at Hastinapur, Meerut, a one day meeting for building positive partnerships among interfaith leaders against Gender Based Violence, Trafficking and HIV was organized. The aim of the meeting was to bring the inter-religious priests on a common forum to sensitize the people and lead the anti trafficking initiatives. The significant role the priests play in the lives of common man has always been recognized and keeping the same in perspective, the meeting of interfaith leaders was called upon in order to initiate effective and sustainable efforts in this direction. It was also a beginning of bringing religious leaders on a common platform and to start a process of meaningful dialogue for combatting trafficking the welfare of mankind. Finally the meeting was concluded on a positive note of forming an effective



interfaith priest forum on state level and starting a tradition of continuous exchange among the leaders from different religions. The vision was that the forum will gradually become an independent entity and will continue to co-operate with the ATSEC UP chapter in all its endeavors.

Jharkhand develops State Plan of Action to combat trafficking

ATSEC Jharkhand helped in the development of State Plan of Action on trafficking for the state of Jharkhand. The State Government is in the process of finalising the State Plan of Action.

In 23rd - 24th January 2007 ATSEC Jharkhand organized one Strategy Planning meet for Anti Trafficking and associated issues - Violence, HIV/AIDS with its Network NGOs and CARE India, UNICEF, CRS. The objective of the meeting was a) to develop strategy for safe migration, prevention of HIV/AIDS b) to share Community & CBOs innovativeness on Anti-trafficking measures and c) to relate trafficking with education and planning for migrating children. This Meeting has been great success and now these agencies are ready to help ATSEC Jharkhand in their respective area for providing sustainable livelihood and better life to survivors of trafficking & child labour and also doing advocacy on combatting trafficking.

Girl rescued & restored

A girl from Bhopal trafficked to Kolkata was intervened by police and sent to a Government safe shelter in Liluah. SLARTC Kolkata took up the case on the request of the Director of Social Welfare, Govt. of West Bengal. The girl was released by the Court for restoring back to her family. SLARTC requested ATSEC MP to contact her family and they went there, collected all the required documents for submitting before the Court. Now she is being restored back to her family.

Orissa

ATSEC Orissa emphasized on strengthening the relationship between GO and NGO by organising different workshops in Districts and State. There were active participation from Women and Child Department, Women Commission, Police, ICDS, PR Institute from Government side and NGO and INGO and Media persons. The Situation analysis of trafficking in Orissa and activities of different stakeholders was discussed to develop a common strategy with govt. to combat trafficking. A Draft action plan was developed to be shared with the various stakeholders for their inputs. As a result a district surveillance committee was formed with Collector as the Chairman and S.P. of the District as the Vice President. The DSWO will act as the Convener.

Chattisgarh

One of the focus areas of ATSEC Chattisgarh was to develop Dialogues with network partners and associate CSOs for monitoring and evaluation at network and organisational level to implement the program for better impact. In the month of June '06 and October'06 two programmes were held with the active participation of 16 CSOs.

Tamilnadu

ICWO, ATSEC state partner in Tamilnadu was able to motivate a group of women pimps and brokers to give away their profession as pimps and brokers. On 26th June '07, International Day against Drug abuse and Illegal Trafficking, they burned their personal diary consisting the list of clients, sex workers and pimps; a step towards combating trafficking and sexual exploitation of women and children with a vow to stop trafficking.



Migration, Trafficking and HIV / AIDS

Migration is defined as peoples' movement either within the country or abroad for employment, study, family reunification, or other personal factors, or people forced to leave countries of origin to escape persecution, conflict, repression, natural or human made disasters, ecological degradation, or other situations endangering lives, freedom or livelihood.

Trafficking is the recruitment, transfer, transportation, harbouring, receipt of persons, using blatant force and violence or subtle inducements that capitalize on vulnerability to achieve 'consent'.

And smuggling is defined as the procurement of illegal entry of a person into a State Party of which the person is not a national or permanent resident, against a financial or other material benefit.

Migration, human trafficking and smuggling are related in many ways. Both trafficking and smuggling occur within the migration process. The vulnerabilities of groups of people who migrate to meet survival needs and those who are trafficked or smuggled are largely similar. However there are important differences between them. While the definition of trafficking contains the element of coercion, that of smuggling does not. Further, smugglers have a vested interest in not harming the person they are helping to migrate; in a cash-on-delivery manner, often payment for smugglers comes only after the successful border breach. A smuggler's crime is against the State of destination, and any States in-between, not against the migrant herself. The crime of a trafficker, on the other hand, is against the migrant, putting him or her into coercive or exploitative situations. The main profit in trafficking does not come from a one-off payment, but from the ongoing proceeds of keeping a person in slave-like conditions, and appropriating the money that is thus earned. It is therefore important to distinguish between those who get trafficked (they are victims of a trafficker) and those who get smuggled (clients of a smuggler).

Causes of migration for survival largely overlap with vulnerabilities to trafficking. Important among these are economic marginalization, displacement due to natural disasters and conflicts, gendered cultural practices and violence, and job demand in specific economic sectors. In addition, a lucrative market for irregular migration and trafficking is facilitated by restrictive immigration policies that obstruct demand for and supply of unskilled labour. Other related causes of trafficking are poor governance manifested in bureaucratic procedures that deter regular migration; the lack of political

will to regulate recruitment agencies; economic and political tradeoffs between traffickers and implementing staff; Trafficking has thus become a high profit and low risk enterprise, reinforcing the violation of trafficked persons with impunity.

Trafficking is a serious human rights violation that also involves deprivation of liberty. This is partly related to the person's marginalized economic, nationality, ethnic and gender status. Continuing violence is a necessary part of the trafficking process to ensure continued compliance and control over the victim; The irregular immigration status of a trafficked person exacerbates discrimination, abuse and exploitation; These circumstances makes the trafficked victim more vulnerable towards HIV/AIDS.

Women and children who are trafficked for commercial sexual exploitation are usually forced to have frequent, unprotected sex with multiple partners. Even if they are aware of how to protect themselves, and have access to condoms, they have virtually no negotiating power to convince customers to use a condom. In some cases, it has been seen that customers seek out young children believing them less likely to have HIV. Children, because of their fragile tissue, are physiologically more vulnerable to contracting HIV. Children trafficked into other forms of exploitation (e.g. forced labour, domestic work) are also quite vulnerable to sexual abuse by employers and/or family members of employers, hence increasing their chances of contracting HIV.

To combat human trafficking the following steps can be taken:

Law and law enforcement

- Ratify relevant international conventions and protocols;
- Define national strategy, and develop a national plan, for opposing human trafficking,
- Draft and implement relevant laws against trafficking that criminalize human trafficking against women, men, and children for all end purposes;
- Enhance international law enforcement cooperation and mutual legal assistance mechanisms;
- Reduce official corruption;
- Ensure effective investigation and prosecution of traffickers;
- Recognise that all human beings have inherent basic rights, regardless of legal status;
- Increase effective channels through which victims and witnesses can report trafficking crimes, and ensure protection for such witnesses and victims;
- Increasing the traffickers' perception of risk by simultaneously implementing penalties that accurately reflect the severity of the crime, and increasing the capacity of law enforcement agencies to advance trafficking cases.

Promoting safe migration

- Promote safe migration, and provide awareness raising and education that



ensures intending migrants know the dangers of human trafficking;

- Create and support mechanisms for safe and efficient legal migration;
- Develop safeguards for the protection of migrants, particularly in destination countries
- Promote creation of empowered networks of migrants in destination countries to provide information about how trafficking occurs, and assist victims;
- Bring migration laws in line with current labour market realities in the region.

Trafficking prevention

- Recognition of education as a key preventive measure against child trafficking;
- Improved awareness among vulnerable children;
- Improved protection networks at community level.

Protection of trafficking victims

- Adoption of measures for the protection of and assistance to victims of trafficking;
- Improved mechanisms for return and reintegration;
- Reduction of the discrimination and social stigma for returned trafficked children;
- Protection of returnees from retribution by trafficking gangs, corrupt authorities, or employers;
- Creation of assistance programmes and employment opportunities for returnees
- Availability of avenues for recourse for victims of trafficking

MLAs & MLCs of Bihar made a history in combatting trafficking



On 2nd May 2007 a programme was organised by Bihar Legislative Assembly and the Bihar Legislative

Council with co-operation from ATSEC Bihar State Chapter. A workshop at Bihar Parishad Sabhagar was organised where the Hon'ble speaker Shri Udit Narain Chaudhuri and Hon'ble Chairman of the Bihar Legislative Council Prof. Arun Kumar chaired the sessions. Mr. Rameshwar Paswan, Minister of Welfare, Govt. of Bihar addressed the audience, where MLAs, MLCs and few selected NGOs were present. Representatives of different



political parties, Mr. P. M. Nair, Project Co-ordinator, Anti-human Trafficking, UNODC and Mr. YK Gautam, State Convenor - ATSEC Bihar spoke on different aspects of trafficking and how trafficking could be stopped in the state of Bihar. All of them promised to combat trafficking and stop trafficking in the state of Bihar.

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Police Training with support from UNODC



Evaluation and monitoring training for ATSEC members from South Asia by AED

For Private Circulation only

Published by Mr. M. Mandal on behalf of ATSEC India, P112 Lake Terrace, Kolkata - 700 029, Phone: 91-33- 2464 5430 / 6098, Fax: 91-33-2466 5659
Email: atsec@vsnl.net Website: www.atsec-india.org Edited by Manabendra Mandal. Printed by: A4 Creations Pvt. Ltd., Ph: 24646444

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