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Human Trafficking: Issue and challenges

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Abstract

Trafficking of people is the true disgrace of humanity, a violation of human dignity in its worst become and one of the most critical social issues in India. Trafficking of human beings is nothing but criminal trafficking for industrial, sexual exploitation, forced labour and female slavery. The criminals may be children, women or adults and they may form part of every country's ethnicity, caste or faith. The major determinant of trade in human beings is a shortage of resources and violence. Trafficking in human beings particularly women and children is a serious issue and there is a line between "Missing and trafficking children is very thin. Human trafficking is one of the fastest growing criminal enterprises because it holds reclaiming low risk with high profit potential. Efforts are also being made by a number of Ngos working in this area in various parts of the country. However still much task needs to be done in order to tackle this world wide problem in an effective manner.

Keywords

Human trafficking, child marriage, bonded labour, prostitution, inefficient laws

Introduction

Human trafficking is the real shame to the humanity, which is a human right abuse in its worst form and one of the most important serious social problem in India. Human trafficking is nothing but people getting illegal trafficked for the purpose of commercial sexual exploitation, forced/bonded labor and reproductive slavery. The victim can be male, female child or adult and may belong to any race, caste or religion of any part of the country. Lack of money and poverty are the main determinant of human trafficking. Trafficking of women and children is one of the most heinous crimes perpetuated against

humans. The concept of human trafficking refers to criminal practices of exploiting human beings for treating them like commodities for profit.

According to a report of National commission for women (NCW) at least half of the 612 districts are affected of the trafficking of women and children for commercial sexual exploitation. The new report says that in 378 districts, these are 1794 identified places of origin from where females are trafficked and 1016 areas where commercial sexual activities take place.

Objective of the study:

- To understand the reasons and purposes of human trafficking
- To analyze the magnitude of the problem
- To study the adequacy of law relating to child and women trafficking and human rights
- To suggest a strategy combating human trafficking in India

Main reason which contributes to the trafficking is both supply and demand factor which drive the growing trafficking industry. Economic imagination leading to breakdown of traditional livelihood option. Low status of women and girls in society and inadequate education and employment opportunities due to gender disparities. Internal and inter internal migration of women into labor market gives rise to channel of trafficking. Social customs such as child marriage, polygamy, dowry and social stigma against single. Lack of strong political will and inefficient Law enforcement agency and mechanism.

Magnitude of the problem:

The global magnitude of victimization of young women i.e. every minute of everyday three most vulnerable women and children in the world are raped for profit with impurities yet effort to combat sex trafficking remain woefully inadequate and misdirected.

Sex trafficking is one of the ugliest contemporary actualization of global capitalization occurs. It was directly produced by harmful inequalities spread by the process of economic globalization. In 2016 around 8132 alleged sex trafficking instances have been registered under the Indian Penal Code in, 1860, a rise of 15% from that recorded in the previous year according to National Crime Records Bureau. 23,117 perpetrators of prostitution were saved last year (2016). The highest number of trafficked persons (45.5%) followed by prostitution (21.5%) were trafficked for Forced Labor. In 2015, police investigated 4,203 trafficking cases including 3,363 cases of sex trafficking, 77 cases of bonded labor, and 763 trafficking cases under 370 where further case details were not published to early categorize the case between sex or labour trafficking. This was increase from of investigation of 3,056 trafficking case in 2014, including 2,604 cases of sex trafficking, 46 cases of bonded labour, including

2,180 alleged sex traffickers, 16 alleged labour traffickers, and 191 traffickers under article, compared with the completion of prosecution 2,596 alleged traffickers in 2014. In 2015, courts convicted 815 traffickers and acquitted 1,556 individuals with additional 16 persons discharged. The acquittal rate decreased from 77 percent in 2014 to 65 percent in 2015. In December 2015, The Supreme court directed the government to establish an organized crime investigative agency by December 2016 to investigate human trafficking cases and rescue and rehabilitate victim the establishment of such an agency was pending the passing of draft and trafficking bill. West Bengal is the hub of human trafficking in India It had maximum human trafficking cases 669 among all states in India 2103 followed by Tamilnadu, Andrapradesh, Karnataka and Maharashtra.

Approximately 75-80% of human trafficking is for sex.

There are estimated 27 million adults and 13 million children around the world who are victim of human trafficking.

Human trafficking not only involves sex and labor but people are also trafficked for organ harvesting.

Human trafficking is the only area of transactional crime in which women are significantly represented as victims

Human trafficking is one of the fastest growing criminal enterprises because it holds reclaiming low risk with high profit potential.

Factors Leading to Trafficking

Poverty, Lack of employment opportunities Religious/ Traditional Prostitution, Child Marriage False promises for job/marriage, Migration Sex tourism Internet Pornography

Story of Indian Law:

Some of the leading laws in India to curb trafficking include immoral trafficking (prevention) act, 1956. In addition to this Indian penal code 1860. Indian constitution mainly under article 23 and 23 (a), Art. 39(e) and 39(f) etc. Despite constitutional guarantee the child labor prohibition and prevention Act 1986 bans employment of children less than 18 years in certain fields such as transport railways crackers and firearms etc. besides this legislation like factories Act 1948 Mines Act 1983 etc. are also related to child trafficking in India. Similarly the child marriage Act 2006, the prohibition Act offenders Act 1958 was extended to the fallen women and girls and penalties for offences under SITA were enhanced and made stringent. The Bonded Labor system Abolition Act 1976 the recent legislation, the protection of children from sexual Harassment Act 2012.

However in practice these above laws have remained a dead letter often followed in their branch then in their observance. The trafficking mafia is an extreme powerful. Hence criminal broacher under the needs to be streamlined, speeds trial country is rescue rehabilitation centre essential before any large scale rescue attempt are made.

Present day laws are sufficient to deal with problems as it has been identified as an organized crime. Traditional has also made significant pronouncement in this regard like Vishal jeet vs Union at india , Gourv jain vs Union of India. Sannania subha rao vs State of Andra Pradesh Bandumukti morcha vs union of India and Majjappa vs State of Karnataka etc. All these cases have declared trafficking as worst type of offences affecting and violating human rights. Judicial view on child trafficking

India has signed the Optional Protocol on the Prevention, Suppression and Punishment of Trafficking in Persons, in particular Women and Children, the definition in the protocol will apply until a definition has been incorporated into local legislation. In two of its leading judgments, the Hon'ble Supreme Court ruled that the international treaties / conventions to which the State is a party extend throughout the country

Prevention of Trafficking

There are several types of intervention that can prevent human trafficking. This needs to focus on areas of public education and sensitization and with those vulnerable areas that are responsible for creating such a human trafficking environment.

Roles of State

There should be a mandatory high quality schooling, income generation and job opportunities. Promote high quality education training in government schools. A prevention mechanism should be implemented between various nations to help the two countries deter trafficking.

Responsibility's of NGOs

The community ought to track the movement of children victims in the trafficker region with vigilance. They should take active step in educating parents to ensure that they are aware about the safe migration practice.

Role of Media

Media has a very important role in transmitting the appropriate message to the victim to ensure that they have a backup and are not alone. Also they should release programmes to enable citizens to take help of places and institutions to seek help in case if they are victimised. Also they should take responsibility to spread education and awareness that human trafficking is unlfwl and inappropriate and that it has serious consequences..

CONCLUSION:

Trafficking in human beings particularly women and children is a serious issue and there is a line between “Missing and trafficking children is very thin. Traditionally has also been playing an important in this issue. Efforts are also being made by a number of Ngos working in this area in various parts of the country. However still much task needs to be done in order to tackle this world wide problem in an effective manner. Trafficking in Human beings, is a form of modern days slavery and requires a holistic, multi-sectoral approach to address the complex dimension of the problem. It is a problem that violates the rights and dignity of the victims and therefore requires a child right perspective while working on its eradication.

Reference

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