



# A Study on the Rehabilitation Mechanisms of the Victims of Trafficking With Special Focus on Commercial Sexual Exploitation of Women in West Bengal

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**Abstract:** Human trafficking is a heinous crime against humanity and it is a severe violation of human rights in India as well as across the globe. The issue of trafficking has enticed sufficient public and political concern over the recent years. There is a need to put the victims at the centre of the anti-trafficking policies and a strong emphasis to uphold the rights of the victims. The process of rehabilitation and reintegration of the victims of commercial sexual exploitation commands particular attention. West Bengal has been chosen for this study because the state accounts for around 78% of the trafficked victims nationally. Commercial sexual exploitation (CSE) is the dominant purpose of trafficking in the state. There is a need to focus on the post-rescue life of the victims because after the victims are rescued they are burdened with stigma, shame, fear and a host of other insecurities subjected by the society. They have a lot of difficulty in facing the family and the community and are also at the increased risk of being re-trafficked. What are the existing rehabilitation mechanisms for reintegrating the victims of CSE back into the society in West Bengal?

**Keywords:** *Human trafficking, Victims, Commercial sexual exploitation, West Bengal, National Crime Records Bureau, Rehabilitation, Reintegration*

## 1.0. INTRODUCTION

Human trafficking is the worst infringement of basic liberties and today it is the biggest crime network after drugs and weapon trafficking all over the world. It is a form of contemporary slavery that detaches the victims from their human rights regularly. Since India has ratified the Palermo Protocol, trafficking of persons for sexual exploitation is strictly forbidden but there are around 7 million people in India who are still the victims of modern slavery according to the Global Slavery Index 2018. Commercial Sexual Exploitation is one such form of trafficking where the victims are bought and sold for monetary profit and are forcefully made to offer sexual services. While India remains the escalating economic power in the 21st century, it needs to ensure protection to all its citizens. However, a major issue of concern in West Bengal is the lack of adequate attention to the rehabilitation process of the survivors. It has been noted that after the survivors return back to their families, they are often humiliated and are not accepted by their own families due to social stigma. The survivors are often at the risk of being re-trafficked at the shelter homes in which they are placed. A custodial model of rehabilitation is adopted by the shelter homes where the survivors do not have any say in their rehabilitation plans. This study would focus on the rehabilitation and reintegration programmes adopted by the governmental and the non-governmental actors in the state and would attempt to identify the gaps and propose recommendations for the same.

## 2.0. METHODOLOGY

A qualitative methodology has been adopted for this research. Secondary data sources are used for the purpose of the study with descriptive analysis. The data has been collected from several reports, journals, national crime records bureau survey, interviews of the survivors of trafficking and West Bengal government website.

## 3.0. COMMERCIAL SEXUAL EXPLOITATION AND MODERN SLAVERY IN WEST BENGAL

CSE falls under the broad ambit of human trafficking and it deals with the exploitation of an adult or a child where the trafficker lures them into sexually oppressive situations for their own profit. Mostly women are forced to engage in commercial sexual activities through coercion and threat. The victims are forced to service hundreds of men which violate their basic human rights to life and liberty. The people are trapped into commercial sexual exploitation due to factors like drug use, poverty, history of sexual abuse, marginalized communities, women immigrants, LGBTQ individuals, domestic violence and sexual assault victims. The supply of the trafficked victims is dependent on demand like any other economic model. The reason behind the persistence of commercial sexual exploitation today is immense profitability with minimal risk. Four factors fuel the demand for trade in this industry- (i) the pedophilic men who purchase sexual services across the country (ii) High influx of migrant labourers for seeking employment in metropolitan cities. Loneliness and anonymity have led to a high demand for accessing sexual services (iii) The agents involved in the trade like the people who run the brothels or the corrupt officials. They constantly work towards the advancement of the industry due to its profitable nature (iv) Patriarchal norms and gendered practices in the society that affect women. (Dasra, 2013)

West Bengal has become a hub of trafficking for both women and children. It is the source, transit and destination for both national and international trafficking. According to UNICEF, Murshidabad, South and North Dinajpur, Nadia, Howrah, North 24 Parganas and Midnapore have been identified as the hotspots of women and child trafficking. According to National Crime Records Bureau, the primary cause of human trafficking from has been for the purpose of CSE. (Bureau, 2016-19)

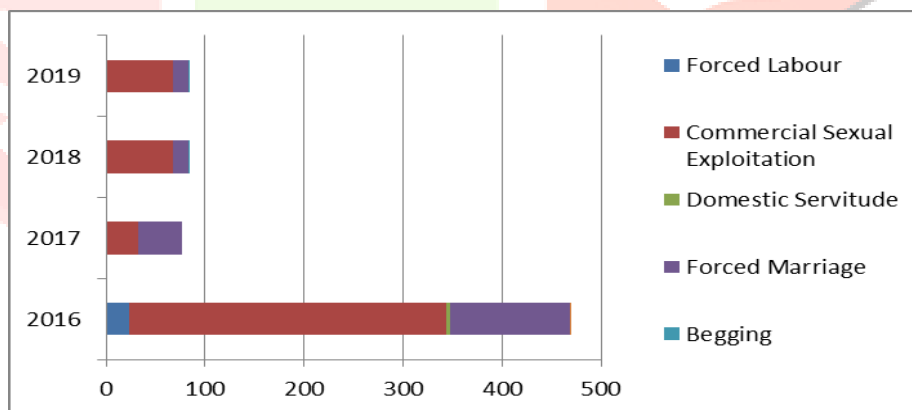


Fig 1: National Crime Records Bureau. Dominant purposes of human trafficking in West Bengal

#### 4.0. REHABILITATION AND REINTEGRATION MECHANISMS FOR THE VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION

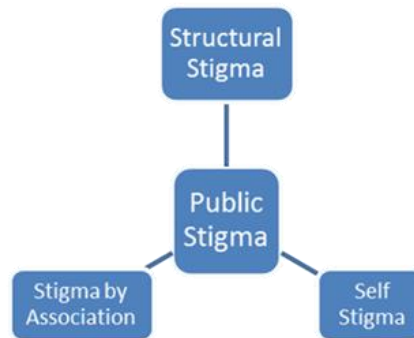


Fig 2: Pryor & Reeder conceptual model of stigma

The victims of Commercial sexual exploitation (CSE) undergo severe trauma at the site of exploitation. Stigma is something that is highly demeaning and accords an inferior status to a person. It is an amalgamation of various inter-related elements like labeling, stereotyping, separation, loss of status and discrimination. In case of a victim being suffered from commercial sexual exploitation, labels like ‘whore’, ‘fallen’ and ‘spoiled’ (*noshto*) get attached to the survivor. According to the Pryor and Reeder conceptual model, stigma can be categorized into 4 categories. Public stigma represents the psychological and social reactions to the person who has been stigmatized. The social and emotional effect on a person who possesses the stigma can be characterized as self-stigma. The kind of psychological and social reactions that the people receive who are related to that stigmatized person can be characterized as stigma by association. The legitimization and expansion of that stigmatized status by the community refer to structural stigma. Stigma highly affects the self-identity of a person through the labels directed at them and has a negative effect on the psychological well-being of a person. Stigma is just one aspect of the trauma that the victims undergo after they are rescued but other factors like poor health conditions, economic vulnerabilities also exist which need adequate attention. The victims of CSE suffer from severe emotional damage and are also infected by various sexually transmitted diseases. The process of rehabilitation is an amalgamation of psychological remedy, economic empowerment and restoration of the civic identity of the victim. This leads to the successful integration of the survivor in the society. The process of reintegration takes place when a survivor is sent back to his country of origin where the survivor rebuilds his life in the country, community and family. But the reintegration of the victims of trafficking is not a mere movement of a person back to his native place; it entails the process of inclusion and re-structuring relationships within a community in the native country at 4 levels:

- Physical- Resettlement of the victims in a territorial space within the country
- Socio-economic- Establishment of a decent standard of living similar to the existing population of the country
- Socio-political- Ensure maximum participation of the survivors in the democratic process at the local and national level
- Cultural- Adaptation of the survivor within the population to ensure inclusion in the society (Dr Chandrani Dasgupta, 2015)

There are certain institutions that can lead to the successful reintegration of the victims of trafficking:

- **State-** After the survivor is placed under the protection of the state, as a citizen she must be able to exercise her rights fully like the other citizens which include political, social, cultural and economic rights like the right to freedom of movement, freedom of expression, education, work, health etc.
- **Economic factors-** The socio-economic condition of the survivors before being trafficked is often characterized by a low level of education, employment, social background. Hence, adequate attention must be given to the eradication of poverty. There is a need to ensure that the survivors who are returning to their native places must have long-term economic security for their survival.
- **Family-** Victims can accomplish a positive reintegration in the society with the help of the family. In some cases where some of the family members were involved in the trafficking of the survivor, there is a risk of being re-trafficked upon the return of the survivor. Some families are also unwilling to accept the survivor due to her engagement in the sex trade. The victims of trafficking are detached from their families for a considerable amount of time as a result of which they do not have the same place within the family.
- **Society-** Reintegration within the community is much more difficult than reintegration within the family. Public opinion constantly condemns the victim of trafficking and stigmatization is one of the biggest challenges for the victims as they are considered as immoral and are often isolated and rejected by the community. They find it difficult to adapt with the society which hampers the reintegration process. (Dr Chandrani Dasgupta, 2015)

#### 4.1. ROLE OF THE NGOs IN THE REHABILITATION PROCESS OF VICTIMS

After the rescue, the victims undergo grave physical and psychological consequences but the impact of trafficking is mostly psychological including the development of PTSD, anxiety disorders, depression etc. The survivors are often put in the shelter homes which are mostly closed institutions resulting in forced institutionalisation of the survivors which makes it no different from the brothels where they were trapped. Therefore, the Community Based Rehabilitation (CBR) model adopted by some of the NGOs in the state is an attempt towards addressing the needs of the survivors safely and effectively. These five NGOs have been selected for the study on the basis of their measures to adopt community-based rehabilitation for the betterment of the survivors in the state.

##### 4.1.1 Community Based Rehabilitation Model

This term has been propounded by the World Health Organisation in 1978 to enhance the lives of the people with disabilities but today the scope of the term has expanded to cover the rehabilitation of several vulnerable groups in the society. The basic objective of community-based rehabilitation is to fulfill the basic needs of the survivors, increasing their socio-economic participation and equal access to public services. In community-based rehabilitation, joint efforts are put by the survivors, families, governmental and non-governmental organizations.

**4.1.2 Barasat Unnayan Prostuti-** The organization has been operational in the state since 1993. It has formed a network of five community-based organisations called the PAT (Partnership for Anti-Trafficking) Consortium which works for the welfare of victims of CSE in the North 24 Parganas district. The network aims to strengthen community participation in order to prevent trafficking. This organisation has implemented the Shakti model of community rehabilitation by Sanjog. It aims to ensure that the survivors can access their rights without stigma and shame. The Shakti programme is implemented through an individual case management approach where the needs of the survivors are taken care of personally. The survivors are allowed to participate in village-level committees, conduct awareness programmes and are economically empowered. The issue of stigma is addressed by the social workers through interacting and sensitising the stigma-giver. (Prostuti, 1993)

**4.1.3 Sanlaap-** This organization has been effectively working with the victims of commercial sexual exploitation in Kolkata since 1987. 'Sneha' is the shelter home run by sanlaap which was started to address the primary needs of the survivors after their rescue. It houses more than 150 women currently where the rescued victims are placed in sanlaap under the 'Swadhar' programme. The working womens' hostel is a transit home for the initiation of the rehabilitation and reintegration process into the society. In this hostel,

women are either placed in various jobs outside the organization or involved in the organization's in-house enterprises. The shelter home is a multi-disciplinary, psycho-social, and economic rehabilitation programme in itself. It is an inclusive community-based programme which deals with education, psychological wellbeing, professional training, financial development, dance therapy and legal assistance. The family counseling programme is also initiated where the family members would be educated regarding the care and support of the survivors. (Sanlaap, 1987)

**4.1.4. Durbar Mahila Samanwaya Committee-** This organization has been active in West Bengal since 1995 and focuses on eradicating the social, cultural, and structural barriers in the lives of the sex workers. In the domain of health, the organisation has established a community-led capacity-building unit that provides support and leadership on HIV/AIDS issues. In the domain of education, the organization provides formal and non-formal education to the survivors and the children of the survivors, runs a special study centre in partnership with IGNOU, runs a residential home called 'Rahul vidya nikan' for the survivors and their children. The main objective is to maintain constant rapport with mainstream society. It houses around 70 survivors and their children currently. Usha multipurpose cooperative society has been established by the organisation to provide economic security. It provides banking facilities and career opportunities to around 23,000 survivors in the state. (Committee, 1995)

**4.1.5. New Light-** It is an organisation operating from the red light area of Kalighat in Kolkata since 2000 which offers comprehensive community development services to the survivors and their children. It works for the rehabilitation of the survivors and their reintegration into the society through the provision of services in the domain of education, healthcare, economic opportunities and residential care. The 'Unmochon' program has been started to rehabilitate the survivors and works with the community-based organisations in the North 24 Parganas and Murshidabad. 'Sonar Tori' is a safe shelter for women who do not have their family support and at a great risk of being trafficked. The shelter home houses around 250 people from various age groups currently. Provision of high-quality medical care is available to those diagnosed with HIV/AIDS and the community outreach workers also undertake home visits to monitor the use of medicines and dietary habits. (Light, 2000)

**4.1.6. Jabala Action Research Organisation-** It has been working towards the eradication of trafficking since 1998 in north and south 24 parganas and the Murshidabad district. It has actively worked on the training and sensitization of panchayat members and block-level authorities in the district. Community groups have been formed for the assistance of the survivors. Case management services along with the rescue of the victim, prosecution and legal support have been provided to the survivors. Institutional care and support, economic rehabilitation and crisis intervention centres have been established to enable community-based rehabilitation. (Organisation, 1998)

Finally, it can be inferred that most of the interventions are planned on a community-based rehabilitation model. In almost all the cases, the target population has been rescued and placed in a safe shelter home and most of the CBR programmes are conducted using home investigation methods involving the family. Most of the survivors receive extensive emotional and medical support through the CBR model but the availability of civic rehabilitation is comparatively low. The state must ensure increased implementation of the CBR model and rehabilitate the survivors.

## 4.2. ROLE OF THE GOVERNMENT IN THE REHABILITATION PROCESS OF VICTIMS

Both the Central and State government have been formulating programmes/schemes in order to reintegrate the trafficked survivors safely. Therefore, the following initiatives have been chosen for the study to analyse the methods adopted by government for rehabilitation and to identify the critical gaps along the process.

**4.2.1. West Bengal State Plan of Action in Women and Children (SPAHT)-** It was adopted in 2016 which provides for a comprehensive victim protection and assistance system based on the principles of human rights to ensure adequate resources to the survivors. The strategy is an attempt to balance the

criminal justice concerns along with the need to safely rehabilitate the victims. (Department of child development, 2016)

**4.2.2. Muktir Alo-** This is an inclusive scheme for the restoration of the victims of CSE implemented by the state government in 2015. It aims to provide alternate employment opportunities for the survivors through job training and vocational training, involvement of the police, community leaders and NGOs to raise awareness about the rights of the survivors. The programme would include psycho-social counseling, awareness building, inter-personal communication, vocational training with raw materials, food and lodging, one-time grant for setting business. This scheme did not completely succeed as hundreds of women registered under the project but very few women got an opportunity to work in small projects. Since its inception, only 75 survivors of trafficking have benefitted from the scheme. (Development, 2014)

**4.2.3. Swalamban-** This plan provides support to the survivors of trafficking where the specific focus is on skill development and vocational training in collaboration with the NGOs. It stresses on economic empowerment of the survivors in rural and urban areas. It would provide entrepreneurship development training, small and cottage entrepreneurship and creating an alternative source of employment for women in the rural areas. This scheme will be implemented by the selected NGOs and indigenous and traditional trade will be adopted for the training programmes. (development W. a., 2007)

**4.2.4. Ujjwala-** This plan provides for the assistance, restoration and reintegration of the trafficked survivors for CSE which has been initiated in 2007 by the state government. The plan is devised to rescue the survivors and provide safe rehabilitation services to reintegrate them back to the society. The scheme provided for the formation of an effective police network, NGOs, women's networks, guesthouses and tour operators to collect data about doubtful people and susceptible families. It would provide immediate relief including food, shelter, and medical care to the survivors. Protective and Rehabilitative homes would be set up under this programme which would provide medical facilities, legal assistance, educational facilities and skill development training. The programme also provided for the setting up of a half-way home where the victims are enabled to live independently in the community. But as per the data accessed from the Ministry of Women and Child Development, there are only 2 ujjwala homes operational in the state. (development M. o., Ujjwala, 2007)

**4.2.5. Kanyashree Prakalpa-** The state government has devised this plan by analyzing that the low educational levels of children make them vulnerable to trafficking and due to grave economic conditions many families are unable to afford the education of their children. This conditional cash transfer scheme has been introduced to improve the condition of girls and women in the state. Under this scheme, an annual scholarship of 500/- for girls enrolled in class 8-12 and a one-time grant of 25,000/- for girls enrolled in government-recognized school/college. The programme is intended to discourage the early marriage of girls, incentivizing the continuation of education of girls through scholarships and reducing the drop-out rate in the state. However, a significant problem that remains about the scheme is that as cash is credited directly to the bank account of the girls, there is a probability of using the money for dowry or marriage purposes instead of education. (welfare D. o., 2013)

**4.2.6. Swadhar Greh Scheme-** The scheme has been devised by the Department of Women and Child Development in 2001. It provides for a comprehensive institutional framework for women victims who have been trafficked so they could lead a normal life. It would look after the primary needs of shelter, food, clothing and medical needs of the women. It would provide legal support to the women and attempt to rehabilitate them both economically and emotionally. The maximum period of stay could be upto 3 years and for those cities which have a population of over 40 lakhs, more than one swadhar greh could be established. A report by the 'National Commission for Women' in 2015 reiterated the poor conditions of the swadhar homes in West Bengal. It has been observed that the shelter homes are unhygienic and unclean with no beds for the inmates. Some of the shelter homes were also illegally charging money from the women for their stay. (development M. o., 2015)

## 5.0. RECOMMENDATIONS

1. Civic rehabilitation is extremely needed for the survivors as it would enable them to participate in the electoral process of the country and help them to live their lives with dignity. It has been observed that most of the trafficked survivors who have received some sort of economic or psychological rehabilitation do not

have any voting rights. Only durbar mahila samanwaya committee has been striving for the issuance of voter cards to the survivors through the creation of a cooperative society. This indicates that there is a serious lack of civic rehabilitation and the government must actively work towards ensuring that the survivors have their voting rights.

2. The ujjwala scheme does not focus on the need for rehabilitation and support after the survivors are united with their families. It did not specifically focus on the need for mental health rehabilitation. Counseling services should be provided by creating an inclusive network of specialized counselors who would provide weekly sessions for the survivors and their families. A grievance redressal cell must be established where the survivors can address their complaints regarding the counseling procedure if they have any.

3. Many shelter homes lack basic facilities to provide the survivors and unhygienic conditions prevail. The swadhar greh homes are providing very poor services to the survivors. A monthly inspection shall be carried out to examine the condition of the shelter homes and the survivors. The survivors should be able to address any grievances/problems they are facing in the shelter home during the inspection and if any discrepancies are found strict action shall be taken against the NGO. Proper knowledge about the CBR model shall be disseminated to all the governmental and non-governmental actors.

4. It has been often reported that once the survivors get back to their families they do not receive any further support neither from the state nor from any other organization. Their conditions are often worse than their pre-trafficked conditions. A robust surveillance and monitoring mechanism should be established to track the condition of the survivors at their homes and a core group must be formed at the organization where the survivors have been receiving rehabilitation services to visit their homes on a monthly basis.

5. The government is only acting as service providers but not as active participants in the rehabilitation process of the survivors. A multi-sectoral approach is highly recommended to ensure the welfare of the trafficked survivors.

To conclude, it can be said that the rehabilitation mechanisms for the survivors by both the governmental and the non-governmental actors have been analyzed in detail through the help of certain cases which has led to the conclusion that CBR model is being implemented but there is a need for a wider implementation of the model by the government. The state needs to actively engage with the stakeholders and ensure safe rehabilitation services to the survivors with the adoption of the CBR model. In addition to the current study, future research can be carried out on the impact of the rehabilitation programmes on the survivors and their condition after they have been rehabilitated by the state, the effect of CSE and the rehabilitation programmes adopted for the transgender and male survivors in the state.

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