
EMPOWERING TRAFFICKED WOMEN: ISSUES AND CHALLENGES.

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Abstract: Human trafficking has increased drastically with globalization, thus jeopardizing the lives of millions of women, across the globe. Most often women are pushed into the flesh trade, because of socio, economic and political factors that are beyond their control. Once into it, they get sucked into this vicious cycle and there is no mechanism by which they can emerge from this trap, even if they want to lead a normal life. This paper examines the factors that force women into the flesh trade and the physical and psychological impact that it has on them. The paper also highlights how these women can be empowered to lead a normal life, with appropriate interventions and help from NGO's and the State, at large.

Key Words: challenges, empowerment, issues, trafficking, women.

Introduction: Although Globalization has contributed to progress in all spheres of life, research suggests that women and children have been among the largest losers of globalization. This sorry state of affairs continues unabated in the context of trafficking too, as their low social status makes them extremely vulnerable. Humans are trafficked for labor exploitation, for marriage, for begging, for service as child soldiers and for their organs. Smuggling and trafficking of humans have been the fastest growing forms of transnational crime as current world conditions have created increased demand and supply. As migration flows are enormous, this illicit trade gets hidden within the massive movement of people. Human trafficking for the purpose of sexual exploitation is a complex phenomenon that spans across the globe. The consequences of trafficking are devastating for the victims and the larger community. More so for women, as it has severe impact on their rights and gender equality.

Factors that trigger trafficking: Numerous factors like poverty, unemployment, corruption, gender discrimination, political instability and internal conflicts, aspirations for a better life and better opportunities etc have been identified as some of the causes for the prevalence of human trafficking. Some societies hold the view that women can be used to enhance the economic position and thus are sold off to repay debts, or to meet an emergency medical requirement, or compensate for the financial setback resulting out of failed crops. Although, these conditions have been in existence for quite a long time, there has been a phenomenal growth in human trafficking, with the advent of globalization. Along with free markets, free trade, decline in state intervention, globalization also enhanced the mobility of goods and people and the communication process. It has facilitated the rise of human trafficking by marginalizing many rural

communities, pushing women and children into destitution and accelerating rural to urban migration. Increased speed and the ease with which money gets transferred, aids in laundering of traffickers' profits. The economic disparities between the developing and the developed world has increased and poverty has become more feminized. The rapid flourishing of tourism industry also has contributed to the demand for sex tourism. In this context, women and children run a greater risk of being trafficked as they are denied property rights, access to education, economic rights and participation in the political process.

Impact of trafficking on women: Statistics shows that lakhs of women and children are trafficked every year with an annual increase of 10%, out of which 20-30% are below 13 years of age. UNODC reports state that 79% of trafficking is related to exploitation of women. This also impacts them physically and psychologically. They are easily susceptible to sexually transmitted diseases, [specifically HIV/AIDS infection] drug addiction, high risk abortions and teenage pregnancies, to name a few. Post-traumatic stress disorder, depression, psychotic and eating disorders are some ways in which they are affected psychologically. They are stigmatized as outcastes and many a times are compelled to lead illegal lives. These factors deprive them from leading a normal family life, if at all they do manage to establish one. This in turn, affects their children too, as there is no looking back for those women who get entrapped into this vicious cycle.

Issues and challenges: At present, women who are trapped in the flesh trade face a lot of challenges. What are the factors preventing them from escaping from this trap? The answer is, even if they want to, it is not easy. When they are recruited they are not aware of the terms and conditions that they have entered in to. Once they

come to know they are trapped, they also realize that it is not easy for them to escape. There are many reasons for such helpless situation. The first and foremost reason is - it is not easy to come out of the chain or break the wall created by traffickers. If they attempt to do so, they have to face a lot of consequences including physical and mental torture, cut in salary, social stigma etc. Another reason is the pressure of pre-existing reasons which compelled them to indulge in it. The economic or social necessities to choose a money earning avenue, even though against their will, compels them to continue with the present situation. If they are affected by any disease like HIV, the situation is beyond imagination. The fear of social rejection from the society and one's own family also prevents them from escaping from their entrapped situation.

Viewed from a human rights perspective, once they are in the net, the human rights violation of the trafficked persons begin with denial of right to lead life with dignity. Their freedom of choice ends there itself. It spreads to violations of many rights, such as right to life, to liberty, to human dignity, to security of person, to freedom from torture and cruelty, to home and family, to education and employment, to health care and right against inhumane and degrading treatment. The trafficked persons have no way to come out of the situation and thus become victims of sexual exploitation, labor exploitation, drug peddling, organ trading, forced marriage or begging. The net outcome is indignity, social stigma, debt bondage and ailments like HIV/AIDS.

Is there a way out? Are the current systems supportive and reliable enough to protect, liberate and rehabilitate these women, if they desire to come out of this vicious cycle? The answer is no. The legal system in India identifies human trafficking as a crime and law focuses on punishing the traffickers. Many a times traffickers are part of the international chain and are capable enough to overcome the legal impediments to continue with trafficking. In most of the cases, the main culprits are not even arrested. The transnational nature of the crime demands cooperation from the part of other countries, is a real constraint while dealing with the issue of trafficking. This is not just the status of domestic law alone. The Convention Against Organized Crime, also deals with trafficking as a crime and demands state's cooperation in combating the same. What about the victims? Law does not address this issue too. The latest amendment to criminal law in India, by the Criminal Law Amendment Act 2013, Sec 370 of Indian Penal Code, is substituted and minimum

punishment prescribed by this section is 7 years and fine. Section 370A punishes a person who "knowingly engages a trafficked person for sexual exploitation." Here again human trafficking is viewed as a crime and tries to combat the same through punishing the traffickers but the fine imposed is given to the victim. But in the case of organized crimes, the remedy may not be a feasible one. There arises the importance of NGOs and civil society, in empowering trafficked women.

Role of civil society and NGOs: Their role can be analyzed in two phases. One, by preventing trafficking and the other, by empowering the victims of trafficking and helping them to lead a normal life. A vigilant society can prevent the crime of trafficking. They can bring awareness among people about the act of trafficking and warn them. The lower most links in the chain of traffickers, are generally relatives or acquaintances of the target. If the *modus operandi* of the traffickers are disclosed, that itself can help the target group not to be entrapped. If they want to seek a job, they need to be made aware that they can do so only through recognized agencies. They should have clarity about recruiters and the nature of the job that they are getting into. The civil society group can unveil the working of illegal agencies through media. They can inform the police authorities about the working of these agencies and for suspected malpractices. Those who are working in the field can bring case studies to the notice of the public and that will provide a warning to potential job seekers. Illiteracy and lack of awareness are to be addressed by working in the grass root level and educating them about trafficking and its consequences, including health hazards. The civil society and NGOs can also help the trafficked women to come out of the situation by assuring them of a safe and dignified living. This will also help them to avoid working for the traffickers as recruiters. The trafficked victims need help to overcome the psychological trauma they have undergone. The NGOs can run rehabilitation clinics for helping these women. They can also develop skill development programs for these women to find a living of their own. In order to facilitate the working of civil society and NGOs, government support is very much necessary.

The role of state: Role of state and governmental agencies starts with rethinking of the meaning and definition of human trafficking. If it is viewed as only a crime, that may not address the trafficking issue in its magnitude. Human trafficking is a crime and the traffickers should be punished, but at the same time, it is also an issue

of human rights issue violation. The victims get sucked into this trap because of the failure on the part of the government to address issues like poverty, unemployment and dignified life for the people. The government's liability is twofold. Apart from punishing the accused, it has to address the human rights violation and take care of the victims, who are part of the society. The government can either initiate rehabilitation programs for the victims or facilitate NGOs in coming forward to help the victims.

Conclusion: Women are becoming more and more vulnerable to trafficking, as they are unable to lead a dignified life, because of the lack of livelihood options. The problem is deeply rooted in the socio, economic, political and cultural

context of specific nations. We have also seen how law enforcement has not prioritized human trafficking, international cooperation to deal with this problem is insufficient, and there aren't adequate and efficient mechanisms for the rehabilitation and empowerment of these victims. The tough competitions in the global economy, increases the demand for cheap labor, which can be easily obtained through human exploitation. Globalization has contributed to an unprecedented increase in human trafficking, in the last two decades. If not treated with utmost urgency, this massive form of human rights violation and exploitation could turn out to be a nuclear bomb ticking at the under belly of nations.

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