

International Conference on Women Trafficking 2017

Conference Summary Report

Organized by

Maharashtra State Commission for Women

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Maharashtra State Commission for Women
Gruhnirman Bhavan, Mezzanine Floor, Gandhinagar, (Bandra East)
Mumbai 400051, Maharashtra.
Phone: (022) 2659 0878
Email: contact@mscw.org.in
mscw.org.in

International Justice Mission
INTERNATIONAL JUSTICE MISSION
Mumbai: (022) 6771 2900 | mumbai@ijm.org
PO BOX
Delhi: (011) | delhi@ijm.org
Kolkata: (033) | kolkata@ijm.org
Chennai: | chennai@ijm.org
Bangalore: | bangalore@ijm.org
www.ijmindia.org

MAHARASHTRA STATE COMMISSION FOR WOMEN

The Maharashtra State Commission for Women was established on January 25, 1993 under the Maharashtra Act, No. XV of 1993. The Commission is headed by its chairperson, Mrs. Vijaya Rahatkar, and Member Secretary, Dr. Manjusha Molwane, who provides leadership and guidance. Additionally, the Commission consists of six non-official members and Director General of police as ex-officio member. The Government has sanctioned staff strength of thirty nine for the commission.

Some of the key objectives of the Commission are:

- To improve the status and dignity of women in society;
- To investigate practices unfavourable to women and suggest suitable remedies;
- To review the existing provisions of the Constitution and other laws affecting women and recommend amendments, thereto;
- To advise the Government on all matters related to the improvement and upliftment of the status and dignity of women in society.

INTERNATIONAL JUSTICE MISSION

IJM is the world's largest anti-trafficking organization that helps protect the most vulnerable from violence and oppression irrespective of gender, community, caste, race and ethnicity. IJM India, a section 8 company whose operational aims include women empowerment and working with the government and judiciary to address sex trafficking and bonded labour by prosecuting offenders and rehabilitating victims.

In India, IJM has its presence in 17 states, operating directly as IJM offices or indirectly through partner organizations. Since 2000, IJM India has been assisting the Public Justice System (PJS) to combat human trafficking by assisting law enforcement agencies to implement the Indian Penal Code, 1860 (IPC), Juvenile Justice (Care and Protection of Children) Act, 2000, Immoral

Trafficking (Prevention) Act, 1956 (ITPA), Protection of Children Against Sexual Offences Act, 2012, and Bonded Labour System (Abolition) Act, 1976.

PHOTOS

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I. Executive Summary

The first International Conference on Women Trafficking (Conference) by the Maharashtra State Commission for Women (MSCW) spanned over two days from 27-28 July, 2017. Organized by the MSCW in association with International Justice Mission (IJM), at the JW Marriott, Juhu, the Conference hosted over 400 participants comprising speakers and delegates from 15 countries, including 21 Indian states.

The Conference witnessed contributions from 38 speakers, from Government departments, heads of anti-trafficking and law enforcement agencies, international and national law enforcement agencies (from India as well as from Bolivia, Kenya, Philippines and Thailand), development organizations as well as two survivors of trafficking were part of the panel discussion. The 250 delegates at the conference included Officials from state government bodies, representatives of development agencies, media personnel, members of the judiciary, thought leaders and three survivors of trafficking.

Bringing together leading experts and practitioners from across the world, the Conference proved to be an excellent opportunity to share experiences in the best practices involved in the fight against women trafficking employed worldwide. Each of the 38 speakers shared insights from the actions taken by government and civil society bodies to combat trafficking in their respective districts, states and countries. The agenda focused on specific aspects of trafficking in women, right from the cause and impact to the need for efforts in holistic restoration as well as means to end impunity in the trafficking regime.

At the venue an installation series titled, '*The Justice Journey*', was open to public viewing. Through the exhibits various forms of human trafficking- trafficking for sex, labour, as well as the emerging online exploitation of children, was depicted. This was followed by exhibit on how justice is served through government agencies, judicial process and rehabilitative support. A '*Pledge Wall*' for messages of hope and commitment to end trafficking marked the end of the series.

The Conference enjoyed the support of luminaries in the field of anti-trafficking. A major highlight of the Conference was the testimonies shared by two survivors of sex trafficking and bonded labour. The discussions were spread across three plenary sessions and five panel discussions.

MSCW's initiative and involvement in the Conference, highlighted the efforts taken by government bodies to not only acknowledge the crime of human trafficking, but also demonstrated how collaborative efforts are critical in ending this bane of modern society. The active participation of 20 government and police officials was a significant success of the Conference. The ministers of the Government of Maharashtra, present at the inaugural ceremony, emphatically vocalized their support and the commitment to bring an end to human trafficking across the state.

MSCW Chairperson, Mrs. Vijaya Rahatkar explained, "*The desire to bring people from various nations to this Conference is to not only see the root of the issue, but to seek a solution—to set the scene for collaboration on anti-trafficking. This Conference can be a new beginning for the cause.*"

II. **Background**

IJM has been working in India for 17 years, and has identified the need for collaboration between government agencies and independent organisations. With that need in mind IJM approached the MSCW to develop a forum for discussion and convergence. The Conference emerged as a suitable opportunity to let the conversation gain momentum. The rationale and objectives listed below provide insights on the intent of the conference.

RATIONALE

- To facilitate convergence by bringing the international anti-trafficking community together in an elevated forum. It is a platform that will set the scene for collaboration and coordination among stakeholders in the anti-trafficking community.
- To mobilise stakeholders to address the problem of human trafficking on an international level through the sharing of best practices undertaken by government agencies, policymakers, NGOs and members of civil society.
- To bring attention to the current trends of oppression and violence against women and to discuss the changing nature of trafficking.
- To highlight international protocols and procedures of investigation, prosecution of traffickers and successful victim rehabilitation.

OBJECTIVES

- To underscore the areas of gross violation of human rights committed against women through the act of trafficking.
- To disseminate information concerning the evolution of women trafficking as a result of modernization, migration, war, and economic growth.
- To bring together international experts in various fields, including members of civil society, law enforcement, and government agencies, to share current policies and best practices being used to combat and eliminate women trafficking.

III. Opening Programme

WELCOME ADDRESSES

Mrs. Vijaya Rahatkar, Chairperson, MSCW, welcomed the speakers, panelists, dignitaries and participants to the two day Conference which was designed as a platform for knowledge sharing towards implementation of policies and programs which are responsive to the issues, as well as towards the challenges posed by the threat of trafficking in women. She acknowledged key persons and IJM who provided support towards the endeavour.

Mrs. Rahatkar highlighted the role of the MSCW by explaining that it existed to effectively address concerns relating to women, especially the most vulnerable women in the nooks and crannies of the state, which impede their ability to live a life of dignity.

She explained that the MSCW had been implementing various programs and activities with cooperation from the Minister to further their endeavours. The MSCW works to bring women together and address the horrendous issue of human trafficking. 8 March, is the day the MSCW celebrates women and announces projects.

She was clear in the objective of the Conference that, "Over the course of 2 days, we will have plenary speakers share their knowledge on various issues regarding women's rights and trafficking of women. We will also have discussions about how to put an end to human trafficking." Extending an invitation to build thought leadership, Mrs. Rahatkar requested, "Guests to be interactive throughout the Conference—your interactions in these sessions is important to make the Conference a success."

According to the Chairperson, the human rights of women, have been largely ignored. Saving the lives of women and practically helping victims to be rescued and rehabilitated is crucial. She urged all present to "*save our sisters and daughters from this trap.*" The Conference was aimed to impact a decrease in this crime and increase the participation of people in working towards the cause. Highlighting the reason for the international event, Mrs. Rahatkar ended her speech saying, "The desire to bring people from various nations to this Conference is to not only see the roots of the issue, but to seek a solution. To set the scene for collaboration for anti-trafficking. This Conference can be a new beginning for the cause."

Mrs. Pankaja Munde, Minister of Women and Child Development, Government of Maharashtra, expressed the serious nature of the crime and the importance of meeting on such a platform as the Conference to combat women trafficking by joining forces. She revealed that her Ministry was working to combat women trafficking and the outcome of the Conference would lead to better solutions on this pressing issue.

The Minister of Women and Child Development said, "Issues are global. We should be intolerant about this crime. We should bring in more ideas. This Conference will lead to some solutions which will be taken to the Central Government by the Chief Minister." She concluded by committing, "We and the Chief Minister will intervene and make some changes. Whatever ideas are discussed will help us deal with women trafficking."

Mr. Akshay Kumar, Actor/Producer, highlighted the need to not only empower women and children but also develop a safe environment to speak about the issue. Mr. Kumar stressed on the

need to keep open communication with children in order to protect them from sexual abuse, by relating an incident from his own life. He brought attention to the fact that statistics are only those which have been recorded by the police, and asked, “What about those that have not been counted or recorded? What happens to the unknown numbers?”

Mr. Kumar ended his address by committing his support and requesting the Chief Minister of Maharashtra, to continue to work in the state to ensure society works together to end trafficking. He encouraged the gathering to continue their efforts in combatting trafficking by reaffirming that “This is a fight we have to win.”

Mr. Devendra Fadnavis, Chief Minister, Government of Maharashtra, lauded the Conference saying, “I think this is the right time to act and act together. I think this Conference is a forum not only to discuss and debate but formulate [an] action plan to work with each other to combat this menace of women trafficking. This is an ever increasing menace and for this we need to forge partnerships.”

The Chief Minister was aware of the heinousness of the crime and as well as it’s changing nature. He was well informed about the challenges in combatting women trafficking but stressed upon the fact that everyone working in this sector needs to work together and act fast. He expressed a desire to closely pay attention to the suggestions resulting from the Conference and ensure that steps would be taken to reduce women trafficking.

Mr. Fadnavis said, “After the penetration of the internet, IT, communication systems it’s at the doorstep of every single family. The world is changing, the technology is changing and so is the crime. Crime assumes the shape of the changing world. We need to have a dialogue, share our strategies and ideas so that we can combat this menace.”

Committing to the cause, the Chief Minister concluded, “Whatever is the outcome of this Conference, whatever strategy is devised we will be a part of it, implement it and take it forward.”

Initiatives from the Opening Ceremony

The Conference commenced on a promising note with a Memorandum Of Understanding (MOU) that was signed between MSCW and Mr. Saneer Awsarmmel, Chairman of the Alumni group of Maharashtra State Institute of Hotel Management and Catering Technology, on the support of the hotel and hospitality industry in ending human trafficking.

The Maharashtra State Institute of Hotel Management and Catering Technology is further developing a portal for reporting of human trafficking crimes through www.rescueme.co.in which will be launched soon.

The guests on the dais also launched three publications - Annual Report of the MSCW, a compilation of articles from participating organizations, titled, ‘*Securing Justice*’ and stories and case studies of survivors titled, ‘*Restoring Freedom*’.

Day 1

Plenary and Panel Highlights

The inauguration was followed by the first plenary session on, “Trafficking: the Reality and Impact of Violence Against Women.” The speakers at the session were Mrs. Hajia Samira Bawumia, Second Lady of Ghana; Mr. Sumit Mullick, Chief Secretary, Government of Maharashtra; Mr. Dnyaneshwar Mulay, Secretary, Consular, Passport, Visa and Overseas Indian Affairs, Ministry of External Affairs; Mr. Praveen Dixit, Retd. Director General of Police, Maharashtra, and Mr. Gary Haugen, CEO, IJM.

This was followed by a panel discussion on, “Preventing and Combatting Human Trafficking Crimes.” The discussion was moderated by Ms. Esther Daniel, Director of Structural Transformation, IJM, Bangalore and the panelists were, Mr. Satish Mathur, Director General of Police Maharashtra; Mr. Mahesh Bhagwat, Commissioner of Police, Rachakonda, Telangana; Ms. Roshni Sen, Principal Secretary, Women and Child Development, West Bengal; Ms. Archana Kotecha, Head of Legal, Liberty Asia; Ms. Grace Kjoki Ndirango, Sr. Superintendent of Police Child Protection Unit at Department of Criminal Investigation (Kenya); Dr. Girish Kulkarni, Founder Snehalaya and Mr. Jhonny Aguilera, FELCC of La Paz, Anti-Crime Police Force.

The sessions resumed after lunch with a panel discussion on, “Sustainable Development and Human Trafficking.” The moderator for the discussion was Mr. Ajoy Varghese, Regional Director – South, India, IJM and the panelists were, Mr. Sanjay Saxena, Joint Commissioner of Police, Crime, Mumbai; Mr. Sunil Jacob, Responsible Sourcing Operation, Walmart; Mrs. Grace Pinto, Managing Director, Ryan International Group of Institutions; Ms. Aafreen Siddiqui, State Focal Point, Maharashtra, United Nations Development Project; Mr. Dietmar Roller, Development Expert and CEO, IJM Germany; Mr. Menglang Keng, National Programme Officer, International Organization for Migration.

The day concluded with a celebratory award function which recognized the restoration of survivors of trafficking and celebrated the efforts of government representatives and NGOs who had made an impactful contribution to the cause. The Hon’ble Governor of Goa, Mrs. Mridula Sinha graced the occasion as the Chief Guest. The Governor expressed her joy to be part of the event, and was especially keen to be part of the award ceremony, to personally felicitate champions against trafficking and survivors of human trafficking. Mrs. Sinha brought attention to the struggles of victims of human trafficking, and the need to recognize the trials faced by them. She shared a special message for the parents and guardians of young girls, to invoke a solution from within families to support women and combat the complex crime of trafficking.

The Governor further elicited the need to make daughters of India shine. In her speech she addressed how the term NGO, for Non-Government Organisations need to be replaced with the term, Voluntary Organisations, as they work with the Government to provide justice and security.

The awardees felicitated by the Hon’ble Governor of Goa are named below:

Survivors

1. Kolkata – Ms. Sadhana* (Sex Trafficking)
2. Mumbai – Ms. Tavi* (Sex Trafficking)
3. Delhi – Mrs. Bhinder Kaur (Bonded Labour)
4. Chennai – Mrs. Pachayamma (Bonded Labour)
5. Bangalore – Mrs. Shivamma (Bonded Labour)

Public Justice System

1. Mumbai Police and Social Service Branch
2. Mr. Mahesh Bhagwat – IPS – Commissioner of Police, Rachakonda, Telangana
3. Ms. Roshni Sen – Principal Secretary - WCD
4. Mr. Prabhu Shankar, IAS Sub-Collector, Tindivadam
5. Mr. Rajeev Sharma, IPS, Rajasthan ADGP

Voluntary Organisations

1. Dr. Sunitha Krishnan, Founder Prajwala
2. Dr. Girish Kulkarni, Founder Snehalaya

They were felicitated by the Chief Guest for the evening, Mrs. Mridula Sinha, Hon. Governor of Goa in the presence of representatives from the Government and delegates at the Conference.

IV (A). Plenary Session 1: Trafficking: the Reality and Impact of Violence Against Women

Speakers:

Mrs. Hajia Samira Bawumia, Second Lady of Ghana;

Mr. Sumit Mullick, Chief Secretary, Government of Maharashtra;

Mr. Dnyaneshwar Mulay, Secretary, Consular, Passport, Visa and Overseas Indian Affairs, Ministry of External Affairs;

Mr. Praveen Dixit, Retd. Director General of Police, Maharashtra, and

Mr. Gary Haugen, CEO, IJM.

Mrs. Hajia Samira Bawumia, Second Lady of Ghana

The Second Lady of Ghana said, “The best way to starve a river is to cripple its source. The best way to deal with this deadly river of human trafficking is to starve its source.” Mrs. Bawumia further highlighted the need for collaborative processes saying, “Should we give up because of these difficulties? I believe the answer is no. We can only succeed if we work together. No government under the sun can succeed if they work alone. We need to work together. We need to see each other as partners in the fight.”

Human trafficking is one of the worst forms of violence against women and girls. Two thirds of the victims are women. Traffickers mostly use violence to intimidate. Trafficked women find themselves in situation with extremely curtailed freedoms—abuse, rape, abortions. They lose ties with former life and families.

Mrs. Bawumia said, “It is difficult to explain hunger to someone who’s never been hungry- but we don’t need to have experienced trafficking to feel for the victims. We hear their stories in the media—narrated by survivors. And we have the heart wrenching reports of those who didn’t live to tell their tale.”

She reiterated the experience of Ghana by saying it is a source, transit and destination country for trafficking. Sometimes victims are looking for higher paying jobs with a destination country in mind, but instead they end up other places [due to trafficking]. The situation in Ghana is not significantly different then what’s happening in other countries—human trafficking is the second largest growing crime in America.

She acknowledged how no country is blameless in the crime of human trafficking. Women and children are more vulnerable than adult men. They are not only trafficked, but also exploited sexually. Apart from the difficulty of care, and stigma, many experience trauma for the rest of their lives.

Mrs. Bawumia highlighted the legislative efforts of Ghana in combatting trafficking. These include:

- The Constitution of Ghana which guarantees the dignity and human rights of all persons, and prohibits slavery;

- The Human Trafficking Act, 2005;
- The Children's Act, 1998;
- Labour Act, 2003, and
- Domestic Violence Act, 2007.

The Second Lady of Ghana additionally highlighted that despite it being more than a decade after the passing of the human trafficking act, trafficking is prevalent. Even with a framework to combat it, it still exists. Quoting a study by IJM, she said, "more than half, 57.6 %, of children working on Lake Volta were deceived and trafficked into labour. Traffickers exploited vulnerable children of others, this allowed them to send their own children to school, protecting the rights of their own and destroying others. 25% of children used for fishing were nine years or younger."

She explained how trafficking is a very serious issue for the Ghanaian Government as Ghana was on the Tier 2 Watch List in 2016. Ghana's government has been complimented for making significant efforts to address trafficking. Many education campaigns and efforts for survivors to tell their stories exist in Ghana. There is an enormous media campaign to educate citizens – deterring people from going to the Gulf Region.

Mrs. Bawumia acknowledged the difficulty in rescuing women being trafficked as they do not realize they are being trafficked until arrival at the destination. In the course of her presentation she brought the attention of the audience to the fact that human trafficking is the fastest growing crime globally, is the second largest black trade in the world and that 124 countries have criminalized it. She remarked that once there is a market for trafficked persons, traffickers are in steady business and the laws of most countries are insufficient to combat trafficking.

Her recommendations for a strategic plan to combat trafficking are as follows:

- Socialization: Deemphasize cultural practices that support trafficking;
- Sensitization and awareness creation: focus on knowledge transfer
- Support: Strengthen agencies responsible for social protection, so they can support victims re-entering society;
- Supervision: Monitor offending countries, and
- Security: build a safe society that protects its members

The Second Lady of Ghana ended on a positive note pledging her commitment to end trafficking and saying, "Let us remember that every victory is preceded by hard work. It's never been easy for anyone who's stood up to fight on behalf of human dignity. Let's live to see the day when the backbone of human trafficking is broken."

Mr. Gary Haugen, CEO, IJM

The CEO of IJM believes, "This is a historic Conference. It marks India as a world leader in anti-human trafficking." The global data on the fight against poverty is making it clear: The end of poverty requires the end of violence.

Highlighting the role of poverty in influencing the crime, Mr. Haugen said, “When we think about poverty we think about the things we can see. Rarely do we think about what holds them in the prison of poverty—very often it is violence. Everyday violence ‘not wars, and headline news’. Usually it’s crime that happens on an on-going basis. Especially sex trafficking of girls and women—often gender violence and police abuse of power. Everyday violence takes place around the world in poor communities.”

Mr. Haugen illustrated that, girls frequently do not attend school. Sometimes violence even occurs at the school, or on the way. The school for impoverished girls doesn’t matter if the girl is locked away in a brothel.

Mr. Haugen declared that efforts to help the poor get out of extreme poverty will not work if violence constantly undermines these efforts. Violence begins with the corrupt criminal justice system pipeline (Police, Persecutors, Judges, Social Workers). If any part of this pipeline is broken—instead of producing justice, it will produce injustice.

He analyzed how the common person does not run to the police for protection. Instead, the corrupt and ineffective police and criminal justice systems make people poorer and less safe. He attributed the reasons for this to the following:

1. Most criminal justice systems were not set up in their origin to protect the common citizen from crime. The original police systems were set up to protect the regime against the common person, not to protect the common man. Presently the laws have been updated. However, the poor are no longer unprotected because they don’t have laws, but because laws are not enforced.
2. The world has spent trillions of dollars on aid. However, not even 1% of those funds support criminal justice systems, i.e., to protect the poor from violence. According to the United Nations, “Most poor people live outside the protection of law”.

In the face of these conundrums, Mr. Haugen highlighted two sources of hope:

1. *History*: Every country in the world has had criminal justice system corruption. It wasn’t long ago that people living in New York City, London, etc., were living in a state of practical lawlessness. However, the situation is much better today. Hence, it is undeniable that justice systems can be fixed, laws can be enforced and the poor can be protected. The fight is needed if we have any hope for advancement.
2. *Deterrence*: People across the world are working with the police to conduct rescues and are trying cases for convictions with the support of organizations like IJM. The red light area in Mumbai is disappearing. It sends a message that they [perpetrators] cannot get away with violence against the poor. When laws are enforced, and the chance of going to jail increases, there is deterrence.

He concluded by saying, “If you’re not safe, nothing else matters.” And then emphasized that conferences like the ICWT contribute to changing the trajectory of the nation—“so that your children inherit a nation where there is freedom for all.”

Mr. Sumit Mullick- Chief Secretary, Government of Maharashtra

The Chief Secretary chose to share the state government's perspective on combatting trafficking. He said, "This Conference is important because it is a major state problem, women trafficking. It is an inter-state problem, national and international problem. The root cause of the problem is economics, poverty and violence. Implementation of the legislation is a problem." He stated that rehabilitation is an aspect that requires focus coupled with the need to devise alternate methods of employment.

He recognized Mumbai not only as an economic and cultural hub but also as a local and international hub for human trafficking. He stated that the economics behind human trafficking is substantial. It is the third largest black trade behind arms and drug trade/trafficking, generating almost USD \$150 billion every year. Mr. Mullick said that since Mumbai is becoming a major hub, the hope was to "control it and one day eliminate it."

He commented on the system to combat human trafficking saying that the laws to deal with trafficking and special courts for speedy trials of trafficking cases were in place. There are special branches of the police to deal with trafficking and special homes to rehabilitate women. He identified the lack of implementation of the laws as the main issue which would require prime focus.

Additionally, he highlighted unreported cases of trafficking and stressed the need to strengthen and ensure the witness protection program was made to make it more robust. With regard to victims of trafficking, the Chief Secretary said there was a "need to find alternative livelihood for them. The task ahead of us is huge."

Mr. Mullick understood the complicated nature of the crime and acknowledged the fact that it is a wide spread problem with its tentacles spread far and deep. He shared how different aspects of the society play a role in intensifying trafficking. He admitted that although we have a sound legislation, the very implementation of it is a major challenge.

Mr. Dnyaneshwar Mulay, Secretary, Consular, Passport, Visa and Overseas Indian Affairs, Ministry of External Affairs

Mr. Mulay has served India as a diplomat abroad and currently oversees matters related to the Ministry of External Affairs and Overseas Indian Affairs. As trafficking is linked to migration his role and expertise in combatting trafficking by strengthening immigration laws is vital. The Secretary to the Ministry of External Affairs, opened his plenary speech saying, "[You] don't need to be an expert to understand trafficking. A world that is manned by men has failed. We need more women [in leadership]. The man-led world is the real problem. It's the basis for all the problem's we are facing."

Mr. Mulay said, "We are working with the State Governments to implement the Immigration Act, 1983 (Immigration Act). That's where I come close to the issue of trafficking. The first encounter of trafficking for most women is with someone close to them. We have the PDOT- Pre Departure Orientation Training which is going to be made mandatory for all leaving the country on labour visa. This will help bring awareness."

The PDOT is a great initiative by the government however, it needs to be comprehensive and include a section on human trafficking as part of the curriculum.

Mr. Mulay emphasized, that despite the actions to rescue and restore, it was essential to prevent the crime of trafficking. Propounding the idea of prevention, he shared aspects the Ministry was working on:

1. Ensuring that no person would have to travel outside a 50km radius to obtain a passport;
2. Working towards the implementation of the Immigration Act.
3. Engaging states more proactively and striving to make the process of people going abroad easier.
4. Providing a 24 hour helpline.
5. Using E-Migrate: “Aweb portal that brings various actors in the data that we capture.” E.g. ‘x’ recruiter/recruiting agency recruits a woman from Hyderabad to send to another city.
6. Collating documentation on every recruitment agency.
7. Implementing a free “Pre-departure Organization Program”mandated for everyone going abroad.

Mr. Mulay encouraged, “Civil society, media, education, and social institutions need to play a role. Only then will we be able to say we look after our own people. We need to give dignity to our citizens.”

IV (B). Panel Session 1: Preventing and Combatting Human Trafficking Crimes

Moderator: Ms. Esther Daniel, Director of Structural Transformation, IJM, Bangalore

Panelists:

1. Mr. Satish Mathur, Director General of Police Maharashtra,
2. Mr. Mahesh Bhagwat, Commissioner of Police Rachakonda, Telangana,
3. Ms. Roshni Sen Principal Secretary, Women and Child Development, West Bengal
4. Mr. Jhonny Aguilera, FELCC of La Paz, Anti-Crime Police Force
5. Ms. Grace Kjoki Ndirango, Sr. Superintendent of Police Child Protection Unit at Department of Criminal Investigation, (Kenya)
6. Ms. Archana Kotecha, Head of Legal, Liberty Asia
7. Dr. Girish Kulkarni, Founder Snehalaya

Moderator: Esther Daniel, Director of Structural Transformation, IJM, Bangalore

Ms. Daniel opened the discussion by sharing her favourite quotes of the day from Mrs. Samira Bawumia, Second Lady of Ghana; Mr. Gary Haugen, IJM CEO and Mr. Akshay Kumar, Actor/Producer, respectively. They were:

"Violence against women affects not just women, but everyone. So we must collaborate."

"The end of poverty requires the end of violence."

"This is a fight we must win."

Roshni Sen, Principal Secretary, Department of Women and Child Development, West Bengal

As the Principal Secretary of DWCD, Ms. Sen was aware of women trafficking-what causes it, what allows it to multiply and the challenges involved in creating deterrents. Her opinions on the cooperation between different agencies and stakeholders involved were positive and encouraging.

Ms. Sen said, "The focus has to be on Prevention, Protection and Prosecution and this can't be done in isolation. We have to work with the government, NGOs and organizations. To address the inter-state or cross country trafficking we need to build structures and systems. We need tools to address such a difficult issue. In West Bengal there is a technological tool called 'TrackChild 2.0'¹ to track missing children."

The Principal Secretary of the DWCD expressed her interest to pioneer an initiative between Maharashtra and West Bengal by signing an MOU between the two states for restoration of trafficking victims. She also hoped to reinstate the State (West Bengal) Task Force for Rescue, Rehabilitation, Repatriation and Reintegration.

¹<http://trackthemissingchild.gov.in/trackchild/wb>

Her primary goal was to ensure that the West Bengal State Task Force would prevent trafficking, protect women and children and prosecute offenders.

Mr. Mahesh Bhagwat, Rachakonda Commissioner of Police, Telangana

Mr. Bhagwat has been working against human trafficking since 2014. According to him, trafficking depends on supply and demand—where there is demand there is supply. Cities like Mumbai and of late other metropolitans too, are becoming, source, transit and destination points. The Rachakonda Commissioner of Police, who was recently awarded the title of Hero against trafficking by the US State Department, has closed down 40 brothels in his tenure. He urged all present to take action against the crime, saying, “The hands who help people are holier than the lips that pray.”

According to him, PJS professionals are not always educated on the law. There have been instances when Judges have asked, “*Do we have the power to arrest customers?*”.

Mr. Bhagwat stated that the reason for high occurrence of trafficking in Telangana was that it is a source and supply of trafficking victims with other south Indian states due to customary and traditional practices, unemployment, migration, literacy, and the practice of contract marriages. He concluded saying, “there is a need for interstate operations—training and capacity building of police, prosecutors, sensitization of judges. No law in India permits a red light area.” and thus this crime can be brought to an end.

Ms. Archana Kotecha, Head of Legal, Liberty Asia

Ms. Kotecha piqued the interest of the audience, by drawing attention to the USD \$150 Billion generated by modern day slavery in a year. According to her, while trafficking can be curbed by arresting, prosecuting and holding offenders accountable—another way is to take the money away. She suggested, “Disrupt trafficking by stopping the money”.

The Head of Legal at Liberty Asia, Ms. Kotecha shared how her organization works with banks and financial institutions. The question they ask is, “Why is it acceptable for banks to bank money that has been given by backing slavery and trafficking? Why isn’t more being done to identify crime, to stop the crime and seize funds?”

Victims’ rehabilitation funds are usually tied up by governments. Having the traffickers to pay for victim compensation- would be an appropriate alternative. Furthering that idea, her suggestion was to:

1. Educate banks and institutions to what slavery looks like on the ground: E.g. USA is creating laws for this.
2. Increase accountability for corporate houses: E.g. in the UK companies are required to disclose their efforts to dismantle slavery in their supply chain.
3. Follow the money: Tighten the life-blood of money that makes traffickers rich.

Stressing on the need to attack the cause of trafficking, Ms. Kotecha said, “Justice doesn’t just require that people pay for their crime, it’s also about giving victims opportunities to rise above the original context that drove them to sexual exploitation in the first place.” Ms. Kotecha specified that it is important for corporations to be held accountable—for instance in the

production of palm oil, it is necessary that manufacturing units practice fair trade. A more aware society that is aware of the products it consumes, would go a long way in affecting this change in corporations.

Not only do governments have responsibility—so do consumers, as well as the private sector. “We cannot win this battle without the private sector—it’s important that they work alongside us on this.”

Dr. Girish Kulkarni, Founder Snehalaya

Dr. Kulkarni’s Snehalaya works in red light areas with children of prostitutes. The organization has rehabilitated more than 3000 children. The children are considered to be five times more at risk to end up in the sex trade as compared to other children.

According to Dr. Kulkarni, “the role of civil society is important.” It is thus integral to create strong political will. While creating this will is a challenge, it is not impossible. That is where Dr. Kulkarni sees civil society, media and non-profit’s role.

He says that rescue is done and help is given to the victims—but after 18 months no one remembers what happens to the victim—they are often found back in prostitution after 3-4 years. Agencies must be trained.

He brought attention to the existence of dual policies and contradictions in government ministries. They all play different roles, and not working in coordination—causes a problem. He thus emphasized that it is necessary for policy makers and government officials to assess these policies and find practical solutions.

Ms. Grace Kjoki Ndirango, Sr. Superintendent of Police Child Protection Unit at Department of Criminal Investigation (Kenya)

According to Ms. Ndirango, “Most of our girls are trafficked to the Middle East for labour. Even though they are being educated about trafficking, they are so desperate for higher wages/employment they still go.” In Kenya women and children are mostly trafficked for labour purposes and sexual exploitation. She said that at times they have been able to rescue the victims and arrest the perpetrators. Ms. Ndirango shared that they have been able to rescue children for the past year and that their cases were before court.

She hopes that anti-trafficking organizations like IJM will grow to cover more jurisdictions than just the capital city—as crimes are different outside the city. “We require training for our policemen—as they are not aware of the anti-trafficking laws.” she said. However, Kenya too struggles fighting corruption within the system apart from the evils of crime in society.

Ms. Ndirango shared the preventive measures taken by Kenya to prevent and control human trafficking.

Measures to mitigate include:

- Counter-Trafficking in Persons Act of 2010;
- Constitution (2010) which upholds human rights, and

- A new initiative where people go door to door and learn about issues going on in people's lives. This way people are encouraged to tell police when they suspect an issue.

IV (C). Panel Session 2: Sustainable Development and Human Trafficking

Moderator: Mr. Ajoy Varghese, Regional Director IJM India

Panelists:

1. Mr. Sanjay Saxena, Joint Commissioner of Police Crime Branch, Mumbai
2. Mr. Sunil Jacob, Responsible Sourcing Operation, Walmart
3. Mrs. Grace Pinto, Managing Director, Ryan International Group Institutions
4. Ms. Aafreen Siddiqui, State Focal Point, Maharashtra, United Nations Development Project
5. Mr. Dietmar Roller, Development Expert
6. Mr. Menglang Keng, National Programme Officer, International Organization for Migration, Cambodia

Mr. Sanjay Saxena, Joint Commissioner of Police Crime Branch, Mumbai

According to Mr. Saxena, human trafficking stems from poor economics while being a contributing factor to a larger economic problem. He identified a clear link between human trafficking and economic demand. He said economic disparity leads to trafficking as sometimes the family themselves sell their child. With regard to child labour—sometimes the child’s work is the only source of income for the family. Commercial sexual exploitation of women occurs in commercial enterprises such as massage parlours, hotels etc.; this shows that the issue can be dealt with at the economic front as well as with the applicability of labour laws. He said, “This is where we can work to include certain labour laws in the fight against trafficking.”

According to the Joint Commissioner of Police, “Generally we see there is always an economic angle in trafficking. Unless there is socio-economic development we can’t do anything.” The police focus more on the side of causing deterrence through convictions. He said, “We have convictions of 30%. I’m not saying it’s good, but it’s getting better.. Awareness is also there, we’re taking the help of NGOs.”

Further Mr. Saxena, clarified that, “We’re not saying we should shrink our responsibilities as far as enforcement is concerned. As a visible functioning arm of the government, the police have a role. Community policing is a separate thing all over the world. You cannot force someone (well, legally you can), I’m not saying we’re doing it alone, we take help from NGO’s. We work closely with them. This is one way that we do that. We are taking efforts to increase convictions. Over the years we have shown increasing support.”

Mr. Sunil Jacob, Responsible Sourcing Operation, Walmart

Mr. Jacob spoke about what the private sector can do to create sustainable response to trafficking. “We don’t want our supply chains undermined by trafficking.” he said. On behalf of Walmart he affirmed, “We believe every worker should have freedom of movement and that we will not withhold items of values (passports, etc.)”

Walmart has started a working group on “Responsible Recruitment” – to ensure responsible recruitment becomes a norm. If a worker has to pay to get employment—then they will be

indebted. Mr. Jacob said, “We want to implement an “employer pays principle” and said that this cannot be achieved without fellow partners. E.g., unregulated shrimping in Thailand has not been identified as part of Tier 1². Walmart has actively been investing in technology and other partnerships to address these issues. Walmart has partnered to work with Polaris in Mexico to create a hotline for immediate assistance. Additionally Walmart is working with IJM in Thailand to find human trafficking hot spots in Thailand.

According to Mr. Jacob no worker should be forced to work. With the resources at hand it is possible to garner more support. He said, “That will help us bring down the supply chain. Combatting trafficking by trying to create ethical supply chains is one way we’re helping to support UN development goals.”

Mr. Menglang Keng, National Programme Officer, International Organization for Migration, Cambodia

Mr. Keng established that in Cambodia, for sustainable development, the view that migration is an act that benefits all—as long as it is orderly and humane, is accepted. Recognising it is a double edged sword, he said, “I acknowledge that migration has some linkage with the trafficking issue if migration is not properly managed by the source and destination country. We have an issue of men who work in trafficking rings, due to poor migration management.”

The method of work in Cambodia has been to adopt the three Ps: Prevention, Protection and Prosecution. The law enforcement and government agencies directly work towards preventive and protective action, and partner with other organizations for prosecution.

For ‘Prevention’, in Cambodia, Mr. Keng said, “We are working with garment factories in ethical zones—to improve ethical practices. We work with the managers of the factories on the issue of trafficking to see how they can continue to combat trafficking in their industry.” This work is primarily being done in eastern Cambodia, though other parts of Cambodia have displayed interest in training the trade unions on the issue of trafficking.

Another preventive activity, which has been initiated at a global level is the “International Recruitment Integrity System”— particularly ethical recruitment. This is to ensure the ‘employerpaysprinciple, as the worker should not pay to work.

On migration, Mr. Keng explained that the poor in Cambodia usually do not plan for it. When they are hungry they decide to go to another country looking for sustenance and work. In Cambodia there is a lot of illegal crossing. They go without thinking about safety and risk their life for survival.

The government in Cambodia monitors cross border migration. “We work with them to identify Cambodians who are victims of trafficking and who need to return to Cambodia. We provide access to services—so they can get back home to get integrated and become fully productive members of our society.”

There is a need for safe migration, “We try to raise awareness on how to migrate safely, that’s best for their family. We help with documentation: passports, travel documents, and visas.” said

² The Department of Justice of the United States of America publishes the Trafficking In Person's (TIP) Report which ranks countries in Tiers the highest being Tier 1. Tier 1 ranking indicates that a government has acknowledged the existence of human trafficking, made efforts to address the problem.

Mr. Keng. This too has its limitations as the only passport authority—which issues passports—is located in the capital city, Phnom Penh. People in rural areas 200-300 kms away, do not know they need a passport.

Mrs. Grace Pinto, Managing Director, Ryan International Group Institutions

Mrs. Pinto appealed to the audience using the humanitarian approach against human trafficking, she said, “We all are human beings. But what’s happening all over the world? Women and children are being targeted for trafficking?”

The solution for sustainable development is to provide quality and accessible education. Mrs. Pinto said, “[Through Ryan International Group Institutions] 200,000 children are being educated in 15 states with 2000 teachers/faculty. We are educating less privileged children. The children who are affected in the red light area, we have centers in those areas [in Maharashtra] where the children don’t know who their parents are.” The Institutions are providing free education to all these children, along with skills to ensure they are empowered to earn their livelihood.

Mrs. Pinto identified poverty as “the real evil of this society.” Poverty is the primary cause and not migration. She explained how in Mumbai everyone is a migrant and that is not the problem. Mrs. Pinto stressed on the need to eradicate poverty.

Ms. Aafreen Siddiqui, State Focal Point, Maharashtra, United Nations Development Project

Ms. Siddiqui addressed the need to bridge the gap between the government and corporates. “There is one language that the government is speaking and another language that the corporates are speaking. So we have stepped in, with a strong human resource support for the chief ministry to support 4.5 crore youth in the state.”

According to Ms. Siddiqui, last year 16 Lakh students answered aptitude tests facilitated by a foundation and the Government of Maharashtra, to focus on the drop-out ratio, especially after class nine. The UNDP has trained 400 teachers from Mumbai this year. After the success of the pilot, the plan is to scale up next year.

The UNDP works as a platform to the government and industry leaders, when they sign MoUs and implement them. The UNDP helps implement the MoUs, by converting them into action plans and ensure deliverables. Every three months meetings are conducted to ensure the entire gambit of CSR funds are effectively utilised.

Ms. Siddiqui was optimistic in saying, “Our dynamic leader has promoted all the UN industries in the state to interact very well. It’s a very good thing that the corporates are willing to work with the government. We’re speaking a dynamic language.”

Additionally she suggested the eradication of poverty must be included in the goals along with ending trafficking. Ms. Siddiqui concluded by saying, “We have bridged the information gap not just for corporates but also women and children (in the form of counseling). I offer my support

to MSCW, dedicating one full time consultant to make sure that we make what we discuss here today into a working group on gender equality.”

Mr. Dietmar Roller, Development Expert, Germany

According to Mr. Roller, when we look into the issue of sustainable development poverty is the root cause, but the flowering of the tree is human trafficking. Human development work calls for the fighting and abolishing of human trafficking. He said, “It’s in opposition of human dignity. It commodifies people, abuses them, brings them down, and in the end we throw them away. What a cruel way to treat human beings. This is a global issue and each country is involved.” Mr. Roller explained how Europe, especially Western Europe, appears to be a trafficking destination. She noted that there is an unfortunate connection between Nigeria and Europe and how people are trafficked. €40,000 was earned in three months through illicit trafficking in Germany by selling Nigerian women.

One of the formulas for uniting the forces of police in Europe to combat human trafficking are not only the 3Ps, but a fourth P-Participation. Mr. Roller, said, “We need to bring this in on all levels. They are humans. They have a say in what’s going on, what happens to them.”

Mr. Roller shared that he, “Met a 14 or 15 year old girl, her sister was about six, they were both trafficked for mining—specifically sexual exploitation.” Mining is as relevant today as it was 20 years ago, the minerals used in our mobile phones are mined. He explained how a professor from Munich, who researches supply chains, found that every German citizen employs about 60 slaves by what we wear and use and how we live our lifestyles. This created a lot of discussion, as it turns out slavery is closer to us than expected.

IV (D). Award Function and Felicitations: Celebrating Freedom and Justice for Women

Images to be added

IV. Day 2

Plenary and Panel Highlights

The second day of the conference consisted of two plenary sessions and three panel discussions. The day began with the plenary session on, “The Rule of Law and Criminal Justice in Ending Human Trafficking”. The speakers at the session were, Mr. Praveen Dixit, Retd. Director General of Police, Maharashtra; Dr. P.M Nair, (Retd. IPS) Chair Professor at Tata Institute of Social Sciences; Mrs. Sharon Cohn Wu, Senior Vice President, IJM and Lt. Col. Aroon Promphan, Anti-Trafficking in Persons, Division, Thailand.

This was followed by the panel discussion on, “Ending Impunity for Trafficking Crimes”. The moderator for the discussion was Judge Swati Chauhan, Family Court Pune, and the panelists were, Addl. Director General of Police, Planning and Coordination, Maharashtra, Mr. V.V. Laxminarayan; Prof. Irudaya Rajan, Centre for Development Studies India; Ms. Janet Francisco, Chief of National Bureau of Investigation and Anti-Human Trafficking Division, Manila, Philippines.

“Restoring Freedom and Empowering Victims of Human Trafficking” was the theme of the second plenary session of the day. The speakers at the session included two survivors of human trafficking. The discussion was initiated by Dr. Sunitha Krishnan, Chief Functionary, Prajwala, who was appreciative in saying, “This is the most historic conference I’ve been to in two decades. For the first time, the judiciary, the police and civil society organizations from all over the world have come together. Not only to acknowledge the problem [of human trafficking], but also to talk about solutions. I truly believe that this is the kind of convergence that will break the organized crime of human trafficking, because today we are organized to fight it.” Two survivors of trafficking, Sadhana* and Shivamma, shared their experience of abuse and oppression after Dr. Krishnan. Dr. Prabhu Shankar, IAS, Sub-Collector, Tindivadam, shared his experience on working against labour trafficking. He concluded the session with an invitation to “torch ignorance and create a society where both genders live with equality”.

This was followed by the panel discussion on, “Evolution of Human Trafficking”, which was moderated by Mr. Brijesh Singh, Director General Information and Publicity, Maharashtra. The panelists were, Officer Liborio Carabbacan, Chief of the Women and Children Protection Centre, Philippines National Police; Mr. Sam Inocencio, National Director, IJM Philippines and Director General of Police, Goa, Mr. Muktesh Chander, IPS. At the outset Mr. Carabbacan brought attention to the issue of cybersex trafficking by sharing information on the efforts taken in the Philippines where online sexual exploitation is gaining a lot of momentum and causes challenges to the government. According to Mr. Carabbacan a primary problem is the, “great access to the internet, family members are facilitators, children are made to believe that online exploitation is harmless due to no physical contact, fluency in English”.

The Conference concluded with the panel discussion on, “The Role of Media in the Fight Against Trafficking”. This session was moderated by Ms. Ambika Pandit, Senior Correspondent, Times of India; Mr. R.K Radhakrishnan, Associate Editor, Frontline; Ms. Nita Bhalla, Senior

Correspondent, South Asia, Reuters; Mr. Nitesh Tiwari, Film Director and Ms. Nidhi Kamdar, Officer on Special Duty to Office of Chief Minister, Maharashtra.

V (A). Plenary Session 2: Government Perspective on the Rule of Law and Criminal Justice in Ending Human Trafficking

Speakers:

1. Mr. Praveen Dixit Retd. Director General of Police, Maharashtra
2. Dr. P.M Nair, (Retd. IPS) Chair Professor at Tata Institute of Social Sciences
3. Mrs. Sharon Cohn Wu, Senior Vice President, IJM
4. Lt. Col. Aroon Promphan, Anti-Trafficking in Persons, Division, Thailand

Mr. Praveen Dixit Retd. Director General of Police, Maharashtra

Mr. Dixit encouraged everyone present to remain united in the fight. He briefed the audience on the measures/recommendations that resulted from the discussions on the previous day. They were as follows:

- a) The Women's Commission should formulate an exploratory team to review the suggestions made (Quarterly Review) to know where we are leading and what further measures need to be taken.
- b) The government agencies should be regulated. A study needs to be undertaken to review the regulatory stations.
- c) Efforts ought to be made to prosecute parents who force children to beg. This is to enhance parents' responsibility until the child is 12.
- d) Sign a MoU between the women's commission and various chambers of commerce to create a self-regulating mechanism, instead of waiting on the government.
- e) As far as rescues are concerned, [victims are sent back to the family] various states are fighting to take immediate action. There are MoUs with NGOs who identify victims and restore them to their parents as soon as possible. Similarly there is a serious gap—because this isn't the only way repatriation of victims is taking place. Steps should be taken to address this.
- f) Make similar MoUs [ensuring victims are identified and reconnected with their families] with neighboring countries (e.g. Nepal, Sri Lanka, Maldives, etc.) to ensure Indians are protected.
- g) There should be ID verification at airport international departure and arrival desks. There is an increasing need for airlines to provide active cooperation in identifying false documents. Men traffic women out of the country by making them pose as their wives and by making children pose as their own children. There is a need for documents to be properly scrutinized by immigration and airlines order to prevent trafficking. In Bangalore there is an agency that's already doing this through a MoU. It was urged that women's commissions have similar MoUs to enable profiling with the least inconvenience.
- h) Anti Human Trafficking Units (AHTUs) are urged to function in all the districts, as currently they are functioning only in 12 districts in Maharashtra. It is recommended that the functioning of these AHTUs be improved significantly with an increased participation of women and improved coordination at the senior levels to stop atrocities against women.
- i) Have MOUs signed between agencies, so that proper trainings happen at the Police Academy and the Center of Police Research. It was suggested that there be training programs for police, prosecutors and judiciary officers, both classroom and online training programs.

- j) Ensure that prospective police take on the issue of missing children every month. At the gathering that this initiative was announced, Police were able to address 12,000 children who were reported missing.
- k) Shelter Home functioning should be monitored by volunteer agencies and the women's commission from time to time.
- l) MSCW ought to conduct a study of the Swedish Law which provides that onus of the crime is on the customer and not the woman. Additionally victims need to be counselled and briefed in order to ensure they do not feel like they have committed the offense and the criminal feels no restriction to put the onus on her.
- m) With regard to rehabilitation measures, the Department of Women and Child Development (DWCD) should map existing resources, and rehabilitation mechanisms in various districts (for example, Maharashtra State Rural Livelihood Mission) in order for these resources to be mobilized efficiently.
- n) Sign a MoU between DWCD and various stakeholders for victim support and schemes.
- o) SOPs and guidelines need to be implemented to engage corporates.
- p) The resource gap could be bridged by using an online platform which can be launched in Maharashtra.
- q) State judicial academies should organize special task forces to look into matters of trafficking.
- r) The adaptive use of technology needs to be harnessed in all possible measures. For example, trials could be conducted through video conferencing.
- s) Statements of the victims under Section 164 of the Code of Criminal Procedure, 1973 should be taken immediately so that victims will not be subject to the subsequent procedures of the trials which could be conducted by video conferencing.
- t) Speedy delivering of justice needs to be addressed. MSWC should reach out to the Bombay High Court to formulate guidelines for special courts established under legislations such as the Immoral Traffic (Prevention) Act, 1956 on the speedy delivery of justice.
- u) The property of perpetrators needs to be seized immediately and used for the rehabilitation of victims.
- v) While conviction rate has increased to almost 50%, but it is much lower at the national level and requires attention.
- w) Accurate data of human (sex and labour) trafficking offences need to be procured, data to include: number of accused on trials, number of convictions, etc. Additionally, data should be collected on offences committed by government officers for corruption and trafficking; this would send a strong signal to others in the government to improve their functioning.

Dr. PM Nair commenced his address by quoting Article 23 of Constitution of India which provides that trafficking of any form is prohibited. He said that a woman has a mandate from the Constitution that she will not be trafficked. It further cast a duty on the State to ensure that she is not trafficked. He referred to human trafficking as a “*chronic offence—it’s slavery at its worst*”. He spoke about his appreciation for the book “The Locust Effect” written by Mr. Gary Haugen, CEO and Founder, IJM. Dr. Nair said that it was wishful thinking for anyone to think poverty is the cause of human trafficking. If the cause of trafficking was poverty, it should have been the same across the board. According to Dr. Nair, the true cause of trafficking is violence that manifested itself in different forms.

On the Government’s side, he informed that there were numerous institutions and commissions: police, prosecutor, judiciary, ministries, MSCW, child rights and human rights commission, which were established to protect the rights of the vulnerable. On the performance of the central government and state governments, he said, “A plethora of institutions and agencies are in place to tackle trafficking. All 29 states and UTs have agencies and if we see their performance in the fight against trafficking, they’re not satisfactory. Some are prompt and stringent, some are decent and some are hopeless. Commissions have become places of omission”.

Dr. Nair informed the gathering that almost all the states in the country had a plan of action. Every state had a Nodal Officer on human trafficking who could be contacted. He recalled the turning point in his career, where he came across data from 2002-2004 where six percent of police were trained on trafficking. Since 94% were not trained, Dr. Nair asked the question as to who should have been blamed. He urged not to play the blame game and acknowledged the initiatives taken by the central and the state governments.

He stated that the condition in the States was improving. For instance, in 2005, in Telangana, victims were initially arrested and prosecuted as prostitutes. Today, no victims were being arrested and prosecuted as prostitutes. The majority of victims who were being rescued now were children. Also, as of today more than 100 traffickers have been convicted. He shared, “Concerted effort will make a difference. The same police, same prosecutor, same judge, have now changed in their approach towards trafficking and this has led to 115 establishments shutting down in Telangana”

At the international level, UN Model Law against Trafficking in Persons has been created by studying the best legislations around the world. He spoke about how customers were not arrested in 2005 and that today they are. About how today, it is possible to close a place where a child is exploited even if it is a five star hotel.

Dr. Nair stressed on the importance of capacity building programs through collaborative efforts. He informed that in 2007, for the AHTUs in Andhra Pradesh—capacity building was their larger mission. The Ministry of Home Affairs started moderating and facilitating the operation SMILE. He also mentioned other methods of rehabilitation for the victims such as counseling and financial support.

Dr. Nair addressed the issue of effective leadership in efforts to tackle trafficking. Working the talk as compared to walking the talk is more important. He acknowledged the role played by

civil society participation and advocacy, but questioned how the judiciary could be transformed and empowered. Pointing towards the audience, he acknowledged the presence of Mrs. Swati Chauhan, former Magistrate of the ITPA Court, who initiated the use of video conferencing, and praised the fact that today we have this technology available not only in Nepal, but also Bangladesh. He appreciated the many agencies who were working on this, including IJM and Justice and Care.

While sharing statistics on missing children, Dr. Nair mentioned that research showed 33% of children in India had been missing and that most of these children were trafficked into labour and or sexual exploitation. He urged that all missing children needed to be tracked and registered. He also mentioned that by rescuing the child only one part of the job was getting done. Identification of the perpetrator and his prosecution are equally important. He brought attention to the fact that, “It’s not that girls go missing, they’re made to go missing”.

Dr. Nair highlighted the need to undertake a paradigm shift. From ego building to ecobuilding; association to aggregation; disempowerment to empowerment; victimization of victims to criminalization of criminals; shift from no data to some data and from preaching to practice. In the past victims of commercial sexual exploitation were prosecuted, however with awareness building and sensitization of the system, there has been a change in this practice. He shared how the DGP of Andhra Pradesh made an order to the police saying section 8 of ITPA (criminalizing seduction or solicitation for the purpose of prostitution) should never be used in Andhra Pradesh henceforth.

Sharing from his personal experiences he mentioned that of the 629 women he has interviewed for his research, none mentioned that they were there in the trade on their own volition. He explained how a child is never a prostitute—they have been prostituted. Legalization of prostitution is the legalization of trafficking. Nobody would like to work as a sex slave and that this business should be stopped.

Dr. Nair pointed out that a lot needs to be done to change the system. Agencies masquerading as marriage and placement bureaus need to be regulated as most of them are involved in human trafficking. Prosecution of customers to affect the demand must be implemented. He said IJM had been successful in this and was sure that they would like to share their strategies on the same. He insisted that cracking down on the customers was important and that there needed to be information sharing on the same. On dealing with traffickers, he said their assets should be confiscated. He said that it was important to, “Go behind the façade of conviction of brothel managers and track down the traffickers.”

Concluding on a promising note, he congratulated the organizers of the Conference. He promised saying, “We are with you—this leadership, this partnership, I’m sure we will make the difference.”

Mrs. Sharon Cohn Wu, Senior Vice President, IJM

Mrs. Cohn Wu opened her address by stating that good work has been done but there is much good work to do. She mentioned that the vulnerable are victimized because they are not protected and those who prey on the vulnerable are unchecked. There is a clear economic incentive and when there is not counter disincentive, law enforcement is required. She was glad to note that through law enforcement a deterrence in criminal behavior was being established and effected. She emphasized that:

1. The end of poverty requires the end of violence;
2. The end of violence requires the end of impunity, and
3. The end of impunity requires effective law enforcement.

Mrs. Cohn Wu observed that when and where law enforcement consistently held abusers accountable for their crimes—violence stopped. She said that the crime of trafficking was highly susceptible to the effect of law enforcement, massive and very quick change is possible. In early 2000s the Philippines was one of the most popular destinations in the world for commercial sexual exploitation of women and children. Laws meant little because they were not enforced. Traffickers profited without fear of being held accountable for their crimes.

She mentioned that IJM worked with Bill and Melinda Gates Foundation to see if prevalence could be reduced. IJM offices in the Philippines partnered with the PJS for collaborative casework. They brought individual criminals to justice, helped restore survivors and worked with PJS professionals to fill gaps they saw in casework. They also had a specialized victim recovery center to attend to particular needs of trafficking survivors.

She stated that they witnessed a radical reduction in the availability of children for commercial sexual exploitation. The aim was to attain a 20% reduction in Cebu of commercial sexual exploitation of children. In 2010, an independent auditor found that it had dropped by 79% over the course of 4 years, four times the project goal. She pointed out that when laws were enforced, people felt protected, crime decreased and children were not victimized. The same model was set to be replicated in other cities. It resulted in the prevalence of commercial sexual exploitation of children decreasing:

- In Manila by 75% in 7 years, and
- In Pampanga by 86% in 4 years.

Sharing the results, Mrs. Cohn Wu stated that, one in 11 victims of Commercial Sexual Exploitation were minors, after the intervention minors only represented one in 43. Similar results were obtained in Cambodia, formerly a popular destination for pedophiles to use young girls. 15-30% of residents in brothels were children.

She explained how consistent and successful enforcing of the law led to a decrease in the trafficking of young children to the point where it has now become extremely rare. There had been a visible change with the age of children being rescued, getting older and older. In 2015, there was a 73% reduction in all the three locations they had partnered with the Cambodian government to address.

Sharing the numbers with the audience, Mrs. Cohn Wu said that 140 operations had been conducted with the Cambodian police, 515 people had been rescued which had resulted in 200 convictions.

She reiterated the importance of the work of law enforcement agencies in protecting the world's poor from violence and abuse. In the places they had worked, it was not permissible to abuse girls any longer—so girls weren't abused.

In conclusion, she shared encouragingly that justice for the poor was indeed possible. She extended her willingness and support to partner with others to make justice for the poor unstoppable. She threw light on the "Fear Equation" in which victims have great fear because traffickers have no fear. She said there was a need to stand with the vulnerable so that criminals became afraid. She ended her address saying, "I look forward to the day I can stand here with you together and say that human trafficking is no more."

Lt. Col. Aroon Promphan, Anti-Trafficking in Persons, Division, Thailand

Mr. Promphan wished to give the audience a glimpse of the law enforcement perspective in Thailand on trafficking. He said that Thailand was a place of trafficking- origin, transit and destination. People are exported to the Middle-East, China, Europe, and so on. People from neighboring countries—Malaysia, Indonesia, Philippines— come in transit to another destination. Thailand is also the destination of neighboring countries for forced labour.

Mr. Promphan said that Thailand had passed an Anti-Trafficking in Persons (TIP) Act in 2009. He said that they had over 2000 TIP cases, 1619 sexual exploitation cases, 372 forced labour cases and 153 begging cases. The victims of prostitution were over 75% of the TIP cases and forced labour took place mainly on fishing boats.

He stated that the people behind the organized crime rings had been arrested. The Prime Minister of Thailand wanted this type of crime to be considered as money laundering (in terms of organization). The Office against money laundering was to follow the money, to cut out the black money and to try to stop trafficking's re-occurrence.

Mr. Promphan explained the types of trafficking in Thailand, shared the statistics of the crime over the years, the areas that required immediate action, areas that needed close monitoring and areas that needed to be monitored.

He shared an overview of the anti-trafficking law, policy and system and success stories. The biggest TIP case in Thailand had resulted in the arrest and imprisonment of 127 traffickers, including some military personnel. The anti-money laundering office had even managed to seize cash amounting to INR 400 million or Baht 200 million by working with the bank.

Mr. Promphan stressed that the TIP act required amendment and updating. He said that buying sex in Thailand was not against the law, but buying sex from a minor was illegal and quite a few arrests had been made. He said that June 5th had been announced as national anti-human trafficking day in Thailand.

Mr. Promphan emphasized and explained that they believed in the five 'P's': Policy, Prevention, Protection Prosecution and most importantly, Partnership. He informed that in 2005 alone, there had been 24 meetings trainings, capacity building with ASEAN member countries. Prosecution would require intelligence collecting, sharing and processing, further investigation leading to rescuing the victims and arresting the perpetrators, as well as conduct of court procedures. Protection would entail running checks on construction sites, pubs, clubs and fishing vessels. Prevention would require training police and officials, legal training and sharing knowledge on TIPs. Partnership would entail working with international and local organizations

In conclusion, Mr. Promphan said that TIP was not the problem of one single country, and that collective efforts of international agencies was imperative to combat it sustainably.

V (B). Panel Session 3: Ending Impunity for Trafficking Crimes

Moderator:Judge Swati Chauhan

Panelists:

1. Mr. V.V. Laxminarayan, Addl. Director General of Police, Planning and Coordination, Maharashtra;
2. Prof. Irudaya Rajan, Centre for Development Studies, India;
3. Ms. Janet Francisco, Chief of National Bureau of Investigation and Anti-Human Trafficking Division, Manila, Philippines

Judge Swati Chauhan

Judge Swati Chauhan addressed the gathering emphatically by stating that there had been enough outrage and provocation against the offence at different levels, however, questioned if it was truly enough. She pointed saying that, “If we look at statistics from 2015 we see that human trafficking cases increased 25% from 2014, out of which 40% of the increase was regarding child trafficking.”

She drew attention to the fact that there had been convictions at times, but on the whole it did not deter the functioning of the brothel. Judge Chauhan said, “This statistics reveal that there is impunity and that our criminal justice system is not so effective to deter the perpetrators.” Further, she added, “Maybe the perpetrator was arrested but what happens to the place where the exploitation was being conducted? The brothel are still functioning. Maybe the perpetrator is in jail but his partner is conducting the brothel.”

An important aspect worthy of discussion according to her was bail. She questioned the efforts of the Criminal Justice System on placing restrictions and creating conditions which increased difficulty in obtaining bails by perpetrators. On identifying the nature of the human trafficking network, she said “Nowadays the “flesh trade mafias” are working as the corporate sector. Within the brothels, within their working units they have housekeeping section, security, marketing, administrators.” She compared India’s legislation to “A” class laws and our mechanisms to “C” class.

On addressing the challenges in the system she said, “Being a special judge I can pass an order for closing of a brothel, but I cannot go and close the brothel myself. It [my order] depends on the other systems of the government to implement my order. These are certain flaws and challenges we face while working in the system.”

On helping the cases against trafficking, she mentioned that in ITPA there is a provision for forming a multi-disciplinary advisory committee consisting of members of the society, NGOs, and those who are experts in the field. Its role is to advise the police on the issues of human trafficking cases and had to be always available to make a sound proof case of human trafficking, to be presented to the Court against the trafficker to help the case reach conviction.

On ending impunity in the human trafficking system, Judge Swati Chauhan said, “Everything has to be proven in Court beyond reasonable doubt. It is a process where everyone needs to come together and help the Court in ending impunity and bringing the case to a logical end which is conviction, penalizing and punishing the accused and giving compensation to the victim.”

Mr. V.V. Laxminarayan, Addl. Director General of Police, Planning and Coordination, Maharashtra;

Mr. Laxminarayan commenced his address by drawing attention to the existence of other legislation in addition to the Constitution for protection against human trafficking. In his opinion, "In India we have most powerful laws but we are lacking implementation." Lack of enforcement of laws emboldens the trafficker.

He shared with the audience his experiences from his first job. He provoked the sensitivities of the members of society by questioning their reaction on the happening of such heinous atrocities to their loved ones. He suggested that affecting amendments in procedure and treating trafficking as an organized crime would aid in removing the difficulties in combatting the issue. He remarked, "A concept of multidisciplinary investigation teams has been established. Especially dealing with economic offences, the Investigation Officer is given some additional help in the form of experts." Studying the link between countries with maximum corruption, according to him, would show a direct co-relation with countries involved in most amount of human trafficking.

On victim compensation, he informed the audience that even during investigations under S. 357-A of the Indian Penal Code, a trafficked human being needs to be compensated with at least INR 1,00,000, according to a Government of India notification passed in year 2015. Further, he added, "The State of Maharashtra has passed a notification that lists three types of offences that are eligible for victim compensation: murder, acid attack and permanent disability. My request is to see that the victims of human trafficking are equally compensated."

Mr. Laxminarayan thereafter shared the perspective of the Supreme Court on acquittals of cases related to human trafficking. He said, "The Supreme Court has come down heavily on the acquittals of many cases. They said that if the case ends in acquittal, the judge must make a mention of what are the reasons for the acquittals and if it is because of the pure negligence of the investigator officer or the public prosecutor in presenting the matter, an action must be initiated against them. This started a shock wave and henceforth a lot of responsibility has come to investigator officers and public prosecutors."

Mr. Laxminarayan reminisced that he used to work closely with IJM and had asked them to support this investigating officer to help to fill out the gaps in the investigation based on IJM's experience in the field. He highlighted this good practice of multidisciplinary investigation teams for improving investigations, so that proper evidence was collected to be able to bring before the Court a strong case, so that human traffickers are not acquitted.

On speaking about collaboration between stakeholders, he said, "It is the responsibility of all the stakeholders to see that each case comes to a logical conclusion, followed by other actions such as attachment of properties, compensation to the victims in order to achieve complete justice."

On discussing the current scenario, he said that with the availability of CCTV cameras everywhere, if a proper photograph was taken, a red flag would be raised and face mapping could be used to find the perpetrator. He spoke about the Child Protection Unit in Thane which

provided support to children in need of help. He shed light on the Maharashtra police investigation fund that was implemented so that the police would be able to conduct investigations.

In conclusion, he encouragingly said, “Development is not possible without peace. Peace is not possible without justice. Justice is not possible without rule of law. Rule of law is not possible without effective implementing agencies.”

Prof. Irudaya Rajan, Centre for Development Studies India

Mr. Irudaya Rajan began by sharing his work experience which was largely on the issue of migration, followed by working for the cause of forced labour in Kolkata.

While discussing the possibility of abuse of Indian domestic workers in foreign countries, he remarked on the policy which allowed women only above the age of 30 years to be recruited in Gulf countries. Further, in case of male Indian domestic workers, a security deposit of USD 2,500 must be submitted to the embassy. As a result, many people go to these places illegally, without valid visas and documentation and end up in trouble.

He further added, “There are two types of passports: ECRT, Emigration Clearance Required Passport and ECNRT, Emigration Clearance Not Required Passport. Most people fall within the ECRT bracket, and the cost to complete processes increases, thus the cost of migration goes up and these girls cannot return to their home countries. The policies of the ECRT in fact means “exploitation compulsory recommended passport”.

He stressed on the importance of looking at these aspects carefully as these policies enabled people to hide. Further, he asked for a careful study of the definition of trafficking, as this issue is also dominant in the marriage market.

Ms. Janet Francisco, Chief of National Bureau of Investigation and Anti-Human Trafficking Division, Manila, Philippines

Ms. Janet Francisco apprised the audience of the fact that Philippines was the only country in Asia to be ranked in Tier 1, two years in a row. She explained that the Philippines had adopted a multi-sector approach with different stakeholders working together to achieve the common goal of ending human trafficking in their country. She acknowledged that this had been possible only by making amendments to their trafficking laws.

She gave a brief overview of the trafficking laws in Philippines. She explained how perpetrators were imprisoned for life if caught trafficking a minor. This amendment was crucial in preventing perpetrators from committing offences against their citizens.

She further explained how collaborating with partners (international and national) the Philippines was able to bring successful dramatic reduction of trafficking cases. Previously, sighting minors employed in clubs and bars in the Philippines was common. With help from IJM she spoke about how they were able to close multiple establishments.

Ms. Francisco shared the changing trends of trafficking in Philippines. Perpetrators have shifted their base to the online platform and practice their methods with complete anonymity while operating from the comforts of their own houses. In increasing numbers mothers have offered their children to pedophiles abroad through the internet. Efforts are being made to address these emerging trends and to rescue child victims of online abuse with the help of IJM.

She informed that another strategy that was being employed was state border control. Stringent checks at the Bureau of Immigration at the airports, have managed to prevent Filipinos who may become victims of human trafficking abroad. Another strategy devised was the human trafficking awareness campaign which helped educate the citizens on the seriousness of human trafficking, which had been rampant in the Philippines.

On a concluding note, she appealed that it was necessary to empower citizens, “We need to provide them with shelter and means of livelihood so they can protect themselves.”

Questions on Ending Impunity for Trafficking Crimes (to be placed in a box and highlighted)

QUESTIONS& ANSWERS

Q What precautions have been taken to see that a sound structure is prepared to find the perpetrator guilty?

Mr. V.V. Laximinarayan, Addl. Director General of Police, Planning and Coordinating, Maharashtra

- We have our officers prepare a plan of investigation. What are the ingredients of the First Information Report (FIR)? It should be evidence, statements of witnesses, documents that can be collected...

- While preparing the charge sheet, each aspect needs to be able to be proven via the witnesses, otherwise it's very difficult to track a case and to take it to conviction. So we would do mock trials to make sure that when we're in court we have proper evidence.

Q. If the case ends in acquittal—what are the reasons of their judgment? Is it negligence?

Lot of responsibilities are placed on investigating officers. As senior officers, it is our responsibility to ensure they are properly equipped to bring convictions. [When I] need additional help in terms of experts—I call IJM.

There is a need to institute multidisciplinary teams that are able to work across the process from rescue, to supporting victims through restoration and additionally support prosecutors with the case at the trial and appeal stages. Advisory committee for police on human trafficking issues to present cases to the court.

It should not happen that someone who has committed such a large crime, gets out.

Q. Can you share any best practice or examples where you were able to face the challenge and the matter ended in convicting the accused?

Ms. Janet Francisisco, Chief of National Bureau of Investigation, Anti-Human Trafficking Division, Manila, Philippines

- *A. In the Philippines, all the stakeholders work together toward our goal to end human trafficking. Primary issue is to rescue the victim, protect the victim. Even though we have problems identifying and locating the victims—we face challenges in online sexual exploitation of children.*
- *We collaborate closely with foreign counterparts. We were able to successfully investigate borderless crimes. We involved the department of social workers—tasked with protecting the victims. In every operation the social worker must be there—no statement can be taken without the social worker present. Victims receive psycho social care right after the rescue.*
- *There are prosecutors who are committed to prosecuting cases we bring before them. Law enforcers, prosecutors, - [are] able to rescue victims, close brothels, [and] convict perpetrators.*
- *A. Yesterday we rescued 70 minors, we arrested perpetrators. With the help of organisations like IJM and other partners nothing is impossible in the Philippines.*
- *A. Arrest is not the end of the matter. Conviction is the end of the matter. Once perpetrators are arrested—everyone forgets. The victims need to be prepared for statements and cross examination...*

Q. Would you like to share any experiences?

Dr. Irudaya Rajan, Centre for Development Studies

- *When you talk about trafficking of women after the age of 18, I think they are basically being forced to be trafficked. We should look at it [this way], ‘why are they being trafficked?’ Because there are no opportunities, there is no livelihood. “I became divorced at 22, I had 2 children. How was I supposed to make money?” There is no opportunity for them to create livelihood. We need to look to see how we can train people.*
- *When we interviewed people who were married to someone 12 years older than them [for example]society thinks that you’re not getting married because of stigma of having been trafficked. Once a woman is married we don’t think anything more about her. We don’t realize it’s trafficking—[arranged, marriage to men in other states]. I think that marriage is a necessary evil. Let’s think about the link between marriage and trafficking in these types of cases.*

Mr. V.V. Laximinarayan, Addl. Director General of Police, Planning and Coordinating, Maharashtra

- *A. If a proper photograph is taken, it’s possible we can identify this person by feeding it into our system.*
- *The other issue –Child Protection Unit—we’re taking volunteers for this unit. People with interest and concern,only they can really help.*

- *In Maharashtra we have started an Investigation Fund. Police don't have funds.*
- *Everybody talks about development. I read a good quote—development not possible without peace, peace not possible without justice.*

V (C). Plenary Session 3: Restoring Freedom and Empowering Victims of Human Trafficking

Dr. Sunitha Krishnan, Chief Functionary, Prajwala

Dr. Sunitha Krishnan began her emphatic speech by stressing the fact that the victims of human trafficking are subject to one of the worst forms of human rights violations—being raped multiple times. She stated that only seven percent of these victims were actually rescued, 93% of victims were still trapped.

Dr. Krishnan sensitized the gathering on the damage that the crime of human trafficking inflicts on its victim. She said that the entire process destroyed the body and soul of a person. She pointed out that justice and liberty were being discussed at the Conference, for a mind that had been retarded, whose cognitive functions were retarded and whose scars were cut deep in their psyche. She said, “When a lady is molested once in a bus, she remembers it for a lifetime. How much worse it would be for young people who were raped up to 40 times every day?” She said that such was the plight of the girls that their lives were riddled with infections, diseases, brain injuries, alcohol, substance abuse, kerosene, and so on. Some took to intoxication because serving forty men in a day could not be done in a sane frame of mind.

She pointed out the paradox of a society to which the rescued girl was brought back to, for social reintegration. The perceptions, attitudes, and mindset of the very same society questioned the victim of her intentions, her clothes, and her relationship with the perpetrator. According to Dr. Krishnan, reintegration cannot end with the handing over of the rescued victim to her family. It is imperative to look after her mental health needs, medical needs, education, and livelihood. These are bare minimums.

Dr. Krishnan reiterated the circle of events a victim goes through once she is rescued. She said if a girl is rescued at six in the evening, at 10:00 PM she may become aggressive; she would might try cutting her wrist, abusing and could be experiencing withdrawal.

She explained the loss of social skills of a victim once they were subjected to the conditions in the brothel. She said the victims would usually lose sense of right and wrong and their decision making capacities can be impaired. The cultural norms in a brothel are different from societal norms. On reintegration, the societal cultural norms would have to be imparted and adopted once again. She emphasized how age appropriate education, life skills and livelihood programming would be crucial in helping a victim with reintegration. She remarked that the skills imparted would have to proceed beyond candle-making and tailoring alone.

Dr. Krishnan shared the experiences of her organization which had helped survivors achieve great feats after reintegrating into society. She shared the stories of girls who had become vendors, girls running carpentry units, security agencies, working with TV channels and working in construction as masons. She promised that if linkages and an enabling environment were provided to them, the sky would be the limit for how much they could achieve.

Dr. Krishnan asserted that the legal justice system would have to play an important role for the above to succeed. The amount of secondary victimization that a survivor was subjected to is far more damaging than the damage caused by trafficking. She asked a pertinent question, "Is it possible to make the criminal justice more bearable for victims in the fight for justice?"

She cited the case of a victim who had been trafficked from Hyderabad to Mumbai. Sharing the details she said, "My august partners, Judge Swati Chauhan, IJM and I were party to a case in which the entire testimony of the victim from Hyderabad was done through video conferencing. There was a Judge who took initiative, an IAS officer who went an extra mile to ensure that NIC provided the video conferencing facility and there were two mad NGOs who bent backwards to make sure it was done." She asked if it could be done for one victim, why not for all.

Dr. Krishnan admitted that the process of getting justice during court processes was difficult. However, she noted that the state had the responsibility of providing the survivor with social justice. She shared the story of a young girl who was rescued in Hyderabad from West Bengal. The girl was found in the late stages of AIDS. She said, "I want to be with my family before I die". They requested the court and restored her to her family. When her family was contacted and was requested to take the girl home, who had only 7-10 days to live, her parents responded saying, "to us she is dead."

This, she said, displayed the need of the State to create a support system and an enabling environment to help the survivor come back to society with dignity. She shared the results of a program in Andhra Pradesh by which INR 20,000 was given immediately after the rescue to the survivor to open a bank account. The program helped her procure an Aadhar Card and a house via a government scheme. She wished that the same could be replicated for all victims across the country.

Dr. Krishnan declared that for most, justice and liberty were a privilege, but for many young victims it is was not. This could be done however, if there was better organization amongst those working against trafficking. The fragmented anti-human trafficking movement is in stark contrast to the trafficking syndicate which has an organized, one point agenda: to exploit.

She called for greater unity to address the issue; she hoped that the Conference would provoke the audience and move the audience to action.

Ms. Sadhna*, Survivor of Sex Trafficking

A survivor of trafficking, Sadhana, shared her testimony with the gathering. She said she was a 19 year old belonging to a small village in West Bengal. Her family comprised of her father, mother and younger sister. At the young age of eight, she was an unafraid, free soul, playing in the fields, helping her mother with chores and fishing in the river. She used to love studying and going to school.

She said that her father had been an alcoholic. In 2010, her father passed away in a tragedy that killed 130 people due to the consumption of toxic alcohol. Belonging to a Hindu family, it was the duty of the eldest son to perform the final rites. However, being the eldest daughter with no brothers, she had to perform the last rites. Thereafter, the responsibility of her family fell on her shoulders. She had to leave her education and do odd jobs such as serving fish and working in a coconut factory in order to provide for the family. Such was the extent of their poverty, that there were days when she used to sleep without food.

Sadhna, at fourteen, decided to move to Kolkata with her family for better paying jobs as her family situation had worsened. Her mother had taken ill and Sadhna did not want her younger sister to drop out of school like herself. In Kolkata, whilst searching for a job as a domestic helper, a girl from the locality informed her that a woman was looking for an underage domestic worker. Sadhna was given her number and was asked to come to her house.

Sadhna entered the house and noticed that it was compartmentalized with cardboards. The lady offered her water and Sadhna fell unconscious after drinking it. When she regained consciousness she found herself unclothed in a small room. The lady informed her that she had to do sex work and if she didn't comply, her family would be harmed. Ever since that day, Sadhna was sold for sex work every day for 2 months.

Sadhna said that her name had been changed. She had lost her identity. She felt hopeless, dirty and worthless. Her movements had constantly been monitored. She was rescued one day by the police along with IJM. She was placed in Mahima home and was informed that she was safe.

Sadhna informed the audience that she was a lover of knowledge. She was sent to school by her aunt. Along with studies she learned art and craft, and Indian classical dance. She also received training in tailoring. At present, she said, she was a student of class 10. She had been selected by her school to receive an award for her achievements.

She now accompanied the aunties in the villages in West Bengal on awareness camps to tell people her story. To let them know traffickers targeted vulnerable girls and to educate them on what steps could be taken to keep themselves safe.

Whilst stirring the emotions of the audience, she said proudly in English, "My name is Sadhna I am 19 years old. I want to be a social worker. Today I have a future. Thank you so much."

Ms. Shivamma, Survivor of Labour Trafficking

Shivamma, a survivor of labour trafficking shared her testimony with the audience. She said that she and her family, comprising of her parents and their three children, belonged to a small village in Karnataka. They earned their living by doing daily wage work. She was the eldest of three

sisters. Their family earned just about enough to provide for each day by also selling milk from their cows in the village.

Shivamma sought to borrow a loan in order to celebrate an important festival that came once every five years. She had to repay by working/labouring for it. Her family had been looking for money to borrow and an acquaintance had told her about this opportunity which had seemed viable. Her husband and her parents joined her in the work.

Shivamma's acquaintance asked them to assemble at his house. On reaching, they were informed that they would receive a loan of INR 15,000 for the four of them, in turn they would have to work for him. They were given the money and they celebrated the festival. After that, Shivamma was informed that they would have to work at the brick factory. For every 1000 bricks made, they were to be paid INR 250. Shivamma pleaded for INR 350 for every 1000 bricks.

She said that the owner was unperturbed by the difficulty she or her children faced in making the bricks under the hot sun. After six years, she asked the owner for more money, if not, to enroll her children in school. He got angry and beat her up. Dejected and feeling hopeless, Shivamma went to the village heads to seek justice. They informed her that she would have to go to the police and file a complaint. Some advisors even discouraged her saying the owner was a powerful man. It would become difficult to repay the loans and each person would end up having to pay INR 2 - 3 lakhs. The easier alternative suggested was to work off the debts at the brick kiln.

At the time, there were twelve couples and they decided to go back to the kiln for another six months. In a week her family would make about 7000-8000 bricks for which they were remunerated with INR 1,000. She said it was enough to buy groceries but not enough to buy an extra pair of clothes.

One day, Shivamma shared her sorrows with two other families that had come to work at the factory. She told them that the owner had placed a big advance against their families and had written something on a white piece of paper that they didn't understand. Shivamma was apprehensive about the families. However, she thought since they had come to listen to their sorrows, something good would come out of it.

When the police officials came to visit them at the brick factory they were weary of what was happening. Shivamma said her mother was crying and was afraid that the police would either take her out, or kill them, or rescue them and save them. Shivamma told her mother that it would be best if they were taken out, because surviving outside without three meals and just water would have been better.

Shivamma informed the audience that it had been 3 years since she had been rescued by the police. Today she possessed government documents and a bank account. She said she wanted to positively contribute to society and wished nobody had the life like she did. She said she wanted to help in the rescue of victims of bonded labour and help them have a life of freedom. She acknowledged that if the police officials hadn't rescued her, she would not have been standing in

front of the audience sharing her story. She found it absolutely unbelievable to be present at the Conference and speaking during a session.

Dr. Prabhu Shankar, IAS, Sub-Collector Tindivadam, Tamil Nadu

Dr. Prabhu Shankar shared his thoughts on how easy it was for someone to take liberty for granted when it had never been taken away. He called bonded labour an “iceberg phenomenon.” He explained that the majority of the tribespeople were exploited in bonded labour, in brick kilns. This was work that other communities would not do. As an officer in training, he said he had witnessed the trials of people working in IJM as they worked to help survivors get identity cards, compensation and housing. This gave him the motivation to work towards supporting anti-trafficking.

He quoted Franklin Roosevelt in saying that, “In The truest sense freedom can’t be bestowed, it must be achieved.” According to him the “traditional approach” was an “appeasement approach” with lack of focus on sustainable solutions where survivors were left to fend for themselves.

During his work, he questioned and dreamed as to why something unique could not be done for the people. His questioning led to a “Comprehensive Rehabilitation Project” to be initiated to make a community self-sufficient. After carrying out a needs assessment it was found that the survivors needed government documents; this had been addressed. Houses with solar panels were constructed for 43 people identified from six villages. A cooperative milk society was formed and was always sold out. An *Anganwadi*-nursery school, was established for the children. Self-help groups had been created for women. The entire project had been hand-held by him; which according to Dr. Shankar was the most important aspect.

He informed that certain needs, such as continuous supply of water for drinking and cattle needs, delivery of milk, good roads and overhead tanks were taken care of. He said that the end result looked like a gated community in a village.

Dr. Shankar remarked that raising funds were never an issue. The government was willing to fund if it was asked for in the proper format. He informed that INR 1.59 crores had been sanctioned by the Ministry of Tribal Affairs and INR 40 lakhs had been sanctioned by the district administration. His motto: “You try, you get it.”

Dr. Shankar informed the audience that the second round too had been funded by the government. This would be utilized for snake venom extraction units, traditional medicinal herbs nursery and other projects. He said that this round was dedicated to a rescued baby. His wish was to ‘torch’ ignorance and create a society where both genders lived with equality.

V (D). Panel Session 4: Cyber-Trafficking: The Evolution of Human Trafficking

Moderator: Mr. Brijesh Singh, Director General Information and Publicity, Maharashtra

Panelists:

1. Officer Liborio Carabbacan, Chief of the Women and Children Protection Centre, Philippines National Police
2. Mr. Sam Inocencio, National Director, IJM Philippines
3. Mr. Muktesh Chander, IPS, Director General of Police, Goa

Mr. Brijesh Singh, Director General Information and Publicity, Maharashtra

Mr. Brijesh remarked that the nature of crime had changed over the past few years with a lot of high value crime moving to technology. He acknowledged the existence of a technological gap at the governments end due to different reasons. He said that technology had become so pervasive, it had become increasingly difficult to come up with credible evidence in a court of law. Tackling the menace of cybercrimes and online trafficking had become increasingly challenging.

He remarked, “Police databases werenot digitalized but now there is a central government scheme called: “Crime and Criminal Tracking Network System” which is an India-wide network of police databases.”first in the country to connect all databases. Once the databases were obtained, all analytics could be performed on it. Traditionally, in normal policing, data would stay with the police, but today, he said he would like to be able to see where networks were operating by doing a case search, in a short span of six months

Mr. Brijesh said that there were now 44 cyber police stations, analytics were being run on police databases, call records and social media, biometrics had beencatching up and there was now a very advanced facial recognition technology which enabled the police to look at thousands of faces and find the victim and the perpetrator. He concluded on a positive note saying, “All is not dark—things are looking up if the criminals can have it so can the government.”

Officer Liborio Carabbacan, Chief of the Women and Children Protection Centre, Philippines National Police

Sharing the Filipino perspective, Officer Liborio said that every police station nationally had a women’s desk. There were 1918 women’s desks and 4573 employees. On painting a picture of TIP in Philippines, he said 693 operations had been conducted, 3032 victims rescued, 1264 suspects arrested and 693 cases registered.

On online sexual exploitation, Officer Liborio informed that it had been gaining momentum and causing challenges to the government inthe Philippines. There was easy access to the internet andoften family members acted as facilitators.Children weremade to believe that online exploitation washarmless due to no physical contact. There was online grooming,that was done face to face,by a stranger or someone they knew and payments weremade through international money and/or remittance centersusing Bitcoins.

Officer Liborio remarked that Philippines had enacted laws against pornography and Congress had expanded the Anti-Trafficking in Person’s Act of 2012. The Inter-Agency Council Against Traffickingwasmandated to recover, rehabilitate and reintegrate.

He said that in the Philippines they were only able to know the extent of the problem with the help of their foreign counterparts who showed them how to monitor and filter web traffic. He acknowledged that they partnered with IJM and were able to see that there really was a problem with online exploitation. That is where it started. He hoped that at the Conference, the first thing that would be done was confront the problem and end the denial that nothing was wrong. He concluded by pledging his commitment to fight against child exploitation. It is a transnational crime and it needs hands to work in unity to achieve prosperity.

Mr. Sam Inocencio, National Director, IJM Philippines

Mr. Sam Inocencio shared his experience working with IJM, Philippines for the past 15 years in the area of cybersex trafficking. In his observations, he noted that as opposed to the traditional forms of child sex trafficking, in the past five years there had been an explosion of referrals for cyber trafficking. Almost, 500 referrals per month. Majority had been children and majority of those less than 12 years old. 67% of suspects arrested had been relatives, parents or close family friends. He noted that cybersex trafficking of children was an economic crime—thriving in the sale of children online.

He further added that cybersex trafficking of women was in fact a violent crime, not a victimless crime. The existence of cybersex trafficking was on a vast scale where laws were not enforced. He pointed out that traffickers did not have an incentive to stop if there was no risk of arrest or accountability. He informed that in the US, social media providers were required to report sexual material that went through their platform. That was how they were able to find the traffickers in the Philippines. Social media data showed that 673 accounts were based in the Philippines.

On speaking about collaborative casework, he said, three years ago they had hit a roadblock. Thereafter, they worked with their police partners. They were doing cases and moving them through the pipeline. Filipino officials were able to understand the issues better, provide an appropriate intervention and move it forward. In his opinion, with effective law enforcement and successful investigations we could hope to see an end to cybersex trafficking.

Mr. Muktesh Chander, IPS, Director General of Police, Goa

Speaking about online trafficking, Mr. Muktesh Chander said that trafficking in Goa and other places, was moving from traditional to internet based. He remarked, “It is so difficult to control the websites, so difficult to find the channels because internet offers tremendous anonymity, the payments through the website, use of encryption and even the use of encrypted tools such as WhatsApp for which there is no record available and the police can hardly intercept it.” While being posted in Daman, he ensured Daman Escort Service, (a portal that provided escort services and online sex services) was unable to function.

On the impunity rampant in the system, Mr. Chander observed that in the digital age the criminal felt he was above the law because of the anonymity provided by internet gateways. He said, “There are huge gaps between the capacities of law enforcement agents vis-à-vis the

criminals. Specialization is missing from the police, this is why these crimes don't get the priority or the importance that they deserve."

Commenting on the existing legislation and the difficulty of prosecuting criminals, he said, "Under the IT Act there is a sort of immunity to internet service providers. If the intermediary is not aware of what is happening he is not liable and only becomes liable once he gains knowledge of the offence that is happening through his platform."

He further informed that, "The Defense Advance Research and Project Agency of USA has designed a software called MEMECS, especially to filter what is happening in the dark web, preparing a hit map of cyber-trafficking."

He explained to the gathering the concept of "bullet-proof hosting". In bullet-proof hosting, the host of the websites remained anonymous. Getting information from the courts on the identity of the owner would then get difficult. He further said that perpetrators of cyber trafficking used normal bank accounts, with fake credentials. They enjoyed complete anonymity. On the privacy aspect he commented, "There is a very thin line between privacy and a crime that is happening through internet. In the name of privacy you cannot hide a criminal."

He said that the topic of his PhD was cyber-crime and cyber security and observed that these crimes had not been getting the priority or importance that they deserved.

Questions on Cybersex Trafficking Crimes (to be placed in a box and highlighted)

QUESTIONS & ANSWERS

Q. In Maharashtra there is no doubt we have worked against cyber-trafficking, in other parts they have very limited knowledge of cybercrime. Most of the time judges don't know about cyber-trafficking, in information technology they are not aware. There is a lot of cybercrime, but only one conviction. If we can track terrorists we can track traffickers.

Mr. Muktesh Chander, IPS, DG Goa Police

- *A. It's at a very senior level that this is happening. Every month they are training senior police on cyber trafficking. It's happening! Much more is desired, and Maharashtra might be ahead of other states in the country, but it is happening. Internet gives each packet the destination and origin on it. Without it, it couldn't have reached your computer or mine?*

- *A. I've been monitoring what the Philippines is doing. It is possible to track. If criminals are using technology we also much use it. Software called Memmix, to track what's*

happening in the dark web to show where trafficking is originated. Technology will come to our help. No one else can.

Q. Filing a case on behalf of a victim who has been a victim of cyber exploitation. For example, of booking a case from a social networking site.

Mr. Muktesh Chander, IPS, DG Goa Police

- A. Under IT act—it's very difficult to prosecute, ISP providers have immunity under the act by stating, "we are only a platform". "I give you my land. What you sell is your responsibility." "I rent you my shop, whether you sell guns or girls, I don't care." If the person renting the site doesn't know what's happening they are not liable—thin line between privacy and crime that's happening because of that. Block entire Google, block entire Facebook—very difficult case to take. "...must tilt themselves toward humanity" let's give them access to our data, in the name of privacy you can't hide a criminal.

V (E). Panel Session 5: The Role of Media in the Fight against Trafficking

Moderator: Ms. Ambika Pandit, Times of India

Panelists:

1. Mr. R.K Radhakrishnan, Associate Editor, Frontline;
2. Ms. Nita Bhalla, Senior Correspondent, South Asia, Reuters;
3. Mr. Nitesh Tiwari, Film Director
4. Ms. Nidhi Kamdar, Officer on Special Duty to Office of Chief Minister, Maharashtra

Ms. Ambika Pandit, Times of India

Ms. Pandit stressed on the role of the media in the cause which they fulfilled by telling stories of rescues and campaign significantly. She shared her experience about how she received a call from a brother of a survivor. The 15 year old girl had been missing since April, 2017 and was rescued in July, 2017. Her family had been so terrified of the stigma that they had not approached the police. The NGO and the Government came forward and Ms. Pandit said that they had reported the crime.

Commenting on the gap in urban and rural reporting, she said, “There is a big divide between urban and rural reporting. Some stories from rural reporters would not be published due to local pressure they work under.”

Discussing the role of the media in combatting trafficking she remarked, “The more you report, the more you bring this issue to the forefront. We as stakeholders need to combine.”

Mr. R.K Radhakrishnan, Associate Editor, Frontline;

On sharing his perspectives on the role of the media in combatting trafficking of women, Mr. Radhakrishnan said, “There are only certain type of stories that make it to the magazines or newspapers.” He informed that in the mainstream press—crime reporters by and large were not the best writers. Many were chosen because they were hard workers, put in long hours, and used right language. Some were even influenced by the police.

On the reporting of crimes, he said, “A crime that makes news in mainstream news needs to be edited—police need to respond because PM is enraged—more important than the crime itself.” On the use of sensitive nomenclature surrounding the issue, he said the words survivor instead of victim and commercial sex work instead of prostitution were consciously being used.

Mr. Radhakrishnan said that the issues underlying poverty and violence were bigger than what was apparent. Similar laws were being implemented in country after country— however the media ended up ignoring the core issues that lay beneath. He stated that laws on forced migration aided trafficking. Today, it was difficult to account for 3.5 lakh people who were said to migrate from Sri Lanka to India.

Mr. Radhakrishnan requested the government to be mindful of the steps and actions they were taking to combat trafficking lest they should be misused. On talking about the system of “facial recognition” he asked if there was any way to guarantee no misuse by a self-serving police official.

Ms. Nita Bhalla, Senior Correspondent, South Asia, Reuters;

Ms. Bhalla enumerated the challenges of being an international reporter in the field trying to report on human trafficking. She shared that it was difficult since most countries did not want to admit the existence of modern slavery on their territories. Information could only be procured by building long lasting relationships. She said that they looked at supply chains (coffee, chocolate, makeup, clothes, phones etc.) for their information on human trafficking and modern day slavery.

On speaking about the role of the media, she said not only was the media there to create awareness but also to unearth perpetrators. That was the reason why they looked at supply chains. Mentioning an issue faced in Tamil Nadu, she informed that INR 75,000 was given to young girls, they had been kept in these factories for three years with no freedom of movement. They were overworked and were not given the full amount in the end.

She said that since the Tamil Nadu economy was based on the clothing industries no one was willing to talk about it openly. People enslaved were often the most unwilling to tell their stories. She narrated an incident when four female journalists including herself and a translator were arrested for looking at a factory in Tamil Nadu.

Ms. Bhalla remarked that finding perpetrators, higher up in the levels was hard. She said, “The further up you go to report the perpetrators, the harder it gets because there are so many players involved including local people, local politicians even the police, even the district officials.”

Mr. Nitesh Tiwari, Film Director

Mr. Nitesh Tiwari, director of the movie, ‘Dangal’, said his story was about the immense belief that nothing was impossible. ‘Dangal’ - the story of a man who fought beyond all odds to have his daughters succeed in a sport that was primarily male dominated and achieve his dream. He stressed on the importance to spot potential and to invest in children, irrespective of whether it was a boy or a girl. He said that it was difficult to make a movie in Bollywood without a love story, thrill, and so on. He considered himself lucky to have written it for Disney who is known to support movies like this.

He concluded saying, ‘I can only create awareness. I can hope that my work will bring a mind-set change. You guys are the heroes that are doing the work on the ground. A big congratulations and thank you to you for actually going out there and doing the work.’

Ms. Nidhi Kamdar, Officer on Special Duty to Office of Chief Minister, Maharashtra

Ms. Nidhi Kamdar spoke about the increasing role of social media platform in combatting trafficking. She remarked that when leadership believed in technology, it made it easier for it to percolate into other parts of the government.

On the role of citizens, she said, “The citizens that are continuously present on social platforms can be such amazing volunteers and can be a great help on cracking the cases as well.”

On collaboration to end trafficking, she said “Social responsibility belongs to every individual but they don’t know what to do, so we must bridge this gap and integrate all the efforts— from NGO, from media, from individuals and of course the government. Sahabhag, the social responsibility portal, is an initiative to bridge all these gaps.”

Questions on Ending Impunity for Trafficking Crimes (to be placed in a box and highlighted)

QUESTIONS & ANSWERS

Q. What do you think of the cause of women empowerment?

Mr. Nitesh Tiwari, Film Director

- *A. I’ve been doing that for quite a long time in my career. I’ve always been very pro girl child. (I have a background in advertising). I’ve always vouched for women empowerment, girl empowerment. As a filmmaker I can only raise awareness, I can only hope that it brings about change. I hope, and think, you are aware.*

- *A. There is great power in stories. We’re all trying to share our point of view through stories “this is what happened” stories inspire, only if we create more heroes, further more heroes will be born.*

Q. You mentioned on certain stories make it to the newspapers...

Mr. R.K. Radhakrishnan, Associate Editor Frontline Magazine

- *A. It’s very simple. A child who has been violated so badly coming back to life and saying I am here and after all the terrible things you’ve done to me I’ve come back and I’m going to make a contribution to this world. We have some space to write, especially on Sundays, but otherwise we have 300 words. You cannot fault anyone in the system—the reader doesn’t want to read long pieces—everyone wants free news.*

- *A. We do a lot of stories, but we can do more. Focus on regional media is very important—it’s where they [pieces on trafficking] can be highlighted.*

Closing Programme

Mrs. Vijaya Rahatkar, Chairperson of the MSCW, and Mr. Sanjay Macwan, Regional Director, IJM, India addressed the gathering with the concluding remarks of the Conference. Both shared their gratitude and appreciation for the organizations and individuals involved in making the Conference a success. Mrs. Rahatkar affirmed the commitment of government bodies like the MSCW, to work against human trafficking in Maharashtra. She additionally supported the need for convergence between the various departments of the Government and private agencies. According to Mr. Macwan, “For the first time, the Government of India and of Maharashtra are telling the world that they are ready to lead the fight against trafficking. That itself is a new benchmark. This Conference will not only be an event. After it’s over, the MSCW, IJM and the Government of Maharashtra are going to put together a strategic plan to actually achieve deterrence and a decrease in this crime.”

This Conference between MSCW and IJM marks the first time the Indian government has partnered with an NGO to publicly and jointly address the scourge of human trafficking. This was one of Maharashtra state’s most prominent initiatives to tackle the crime and it has truly taken the lead in pioneering efforts to Secure Justice and Restore Freedom for countless victims of trafficking.

CLOSING ADDRESS

Mr. Sanjay Macwan, Regional Director India, International Justice Mission

Mr. Macwan initiated his concluding remarks appreciating the hard work of Mrs. Vijaya Rahatkar, Chairperson, MSCW. He shared his childhood experiences and his encounter with the trafficking world. He said he hailed from a small village in Gujarat and had lived a life of pain and suffering. He had started working as a child at ten years of age. He had lost his mother at the tender age of one and his father had become a paraplegic.

As a child while passing through Mumbai, Mr. Macwan and his friend had decided that they would visit it some other time. He only returned to Mumbai at the age of seventeen. He recalled how, when they came out of their hotel, which was right in the middle of the red light district, pimps kept following them asking if they wanted girls. They were terrified. They ran away from the scene and promised each other that they would never tell anybody what they had witnessed.

Mr. Macwan, now 49, told the audience that ten years earlier he had come back to the same city to rescue the same girls. Ironically, he had even gone to the same hotel to rescue girls. He informed that today, when he walked down the same streets —there were no girls. The hotel where he had stayed had been shut and padlocked since 2013.

He ended on a note of encouragement stating, “It’s an amazing story India is writing, that Mumbai is writing, similar story in Kolkata, and Chennai and Bangalore. We are working so that the girl child is actually safe in this country. There are challenges but there is great hope.”

He vociferously asserted, “Change is happening. We cannot complain about what pain is now if we are not part of the solution. A girl who was rescued said, “I want to be beautiful again” and that’s the story we’re writing. Let’s make the world beautiful again.”

On pledging to end women trafficking by 2020, he remarked, “Not a single girl suffering in our country—is it too much?”Mr. Macwan believes we can and we will.

Mrs. Vijaya Rahatkar, Chairperson, Maharashtra State Commission for Women

Mrs. Vijaya Rahatkar opened her address by discussing the commitment to end trafficking that had been deliberated upon at the Conference. She informed the gathering that their valuable inputs would be considered and added to the existing draft. A new draft of international significance would be created. She declared that this would form the common agenda to move forward irrespective of where the people in the gathering would be after the Conference;in Maharashtra, a small village, in any state, anywhere in the country, or anywhere in the world.She reminded the audience of the Chief Ministersencouraging address the previous day where he said he would support whatever was recommended and suggested by the attendees along with the Commission at the Conference and that he would strive to make the policies apply nationally.

This policy, she informed would serve as a model which couldbe applied by various human rights, child rights and women’s rights commissions across the country in their respective states. It would look into the root causes of human trafficking andthe ensuing work would be targeted at eradicating all thecauses. She reiterated that the responsibility of preventing trafficking of women lay with the government, the parents and guardians of the girls. Therefore, it was imperative to be aware and conscientious of child’s upbringing. The help of the education system had to be taken to educate children who had dropped out of schools. Education would increase the understanding of the pupils enabling them to raise their voices against injustice better.

Mr. Rahatkar further added that in order to prevent trafficking of women, the police would also have tokeep a sharp lookout on agencies which sold liquor. A notification would be sent to the police department from the MSCW on this regard. She gently reminded her colleagues from other commissions across the countrythat they too had the authority to tell their respective police departments to keep a look out for establishments selling liquor and encouraged them to do so. This too would go a long way in helping prevent the trafficking of women.

The Chairperson urged the organizations working in the field of preventing human trafficking must demonstrate unity. She shared an incident in which Rescue Foundationhad rescued 66 minor girls who were trafficked from a place in Maharashtra based on a Public Interest Litigation had been filed in court. The Commission had intervened and offered assistance in the matter to the government agencies involved in the investigation and trial, to ensure the best could be done for the children.

Mrs. Rahatkar mentioned there were many volunteer and other social organizations doing good work in the field of trafficking. The support of these organizations and experts on thetopicwould be crucial in moving forward. She mentioned that Ms. Sidiqqi from United Nations

Development Program was present in the gathering. Mrs. Rahatkar stated that the MSCW would be signing a MOU with UNDP for skill development to be provided to victims of sex trafficking

She apprised the audience of certain programs that had been formulated with the foreign affairs department which would benefit all the commissions. It would also hold international significance as the difficulties faced by countries in repatriation of victims of trafficking to their country of origin would be eased. She said that conversations were on with the foreign ministry which had been very supportive of the issue and had extended help in every possible way. A meeting would be held with the Airport Authority of India, Emigration Department, Maharashtra government and the MSCW to discuss the issue on women trafficking and to formulate a plan to deal with the issue of cross border trafficking of women.

Mrs. Rahatkar was proud to announce that the MSCW had become an e-office and all required data could be made available. She acknowledged the support and role of IJM in the Conference and referred to them as a knowledge partner.

Concluding on a note of joy, gratitude and promise, she called the gathering to collaborate with an unparalleled display of unity to see the end of women trafficking in the near future.

VII. **Ways Forward: Takeaways from ICWT 2017**

Potential actions to be taken by government stakeholders:

MSCW

Identification

1. MSCW will constitute a committee to identify legislations and bring about a draft order for regulating placement agencies.
2. Maharashtra State Government to consider passing a law that mandates that no child under 12 years old be left alone/without care of parents:
 - a. Prosecuting and penalizing the parents, and
 - b. Similar to Goa Children's Act.
3. Sensitize the SS branch about trafficking and persons migrating from Nepal.
4. Develop Self regulatory mechanisms and establish MoUs between MSCW and industries known to encourage migration which in turn lead to trafficking.
5. Social Campaign:
 - a. Create awareness amongst vulnerable population, and
 - b. Create ground level community based vigilance mechanisms
 - i. PRI – Panchayat Raj Institutions
 - ii. CBO – Community Based Organisations
 - iii. Child Protection Committees
 - iv. SHG- Self Help Groups
 - c. Sensitize and train tourism service providers and implement MoU's signed at the Conference.
 - d. Effective implement the monitoring of Government programmes and schemes.
 - e. Convergence with SABLA - Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (RGSEAG)–'Sabla', ICPS - THE INTEGRATED CHILD PROTECTION SCHEME (ICPS), ICDS - Integrated Child Development Services, Maharashtra state rural livelihood Mission (MSRLM), Swadhar, Ujjwala, Kishori Shakti Yojana, and Childline.
 - f. Comprehensive efforts to prevent second generation trafficking.
 - i. Set up day-night care centers
 - ii. Economic and social rehabilitation of survivors.
 - g. Promote providing of vocational training in secondary education to reduce vulnerability due to poverty or lack of livelihood options.

6. Create a monitoring mechanism to check on whether women and children are forcibly brought into construction sites (naka).
7. Age of skill for CSR sector shall be brought to 14 years from 18 years
8. School attendance for children in red light areas should be compulsory. If mother does not comply, child should be taken into custody and mother should be treated as unfit.
9. Verify Aadhar and Pan cards.
10. Use bio metric systems effectively to combat trafficking.

Rescue

1. Sign MoU for repatriation with governments of Nepal, Bhutan, Myanmar, Maldives, Sri Lanka and other countries from which victims are being trafficked. (Similar to MoU already in place with between India and Bangladesh.)
2. Encourage airlines to staff counselors to profile women and children traffickers and ensure that they are not trafficked under the guise of tourism, immigration, etc.
3. Sign MoUs between Government of India or State governments and NGOs in country of repatriation to provide victims a safe place and qualify rehabilitation beyond the point of entry.
4. Strengthen AHTUs and increase accountability.
 - a. Adequate number of female staff.
 - b. Holistic training programmes
 - c. Stability of postings (at least three years).
 - d. Due to shortage of officers at Inspector rank, temporarily notify Assistant Police Inspectors as PI for the duration of posting in AHTU.
 - e. Develop MoU between SP/DCP in charge of AHTU with local competent and capable NGOs as an integral part of the AHTU.
 - f. MSCW should have MoU with appropriate and capable NGOs for sensitization training.
 - g. AHTUs should receive professional training by associating the Maharashtra Police Academy and Centre for Police Research, Pune.
 - h. MSCW should create a model similar to other states to combine training of judicial officers, prosecutors, police officers, and caregivers to impact delivery and output.
 - i. MSWC shall undertake quarterly review of work done regarding missing children.

- j. Complete Operation Smile/Operation Muskaan rescues of mission children once a month by AHTUs under the supervision of the Special IG PAW.
 - k. Missing children cases remaining untraced for more than four months needs to be investigated by the AHTU under the Supreme Court Order.
 - l. Government of Maharashtra (WCD) should partner with UN agencies willing to support improvement of shelter home functions.
 - m. MSCW may be tasked with the responsibility of monitoring activities in shelter homes by setting up a task force and associating appropriate NGOs and experts.
 - n. Study Swedish law that places responsibility on customers to ensure women are not trafficked. MIS and NCW should address this issue.
5. Maharashtra government should consider creating a separate Directorate (like West Bengal), or a separate unit under the MSCW and state child right commission.
 6. Involve psychiatrists from NIMHAN's Bangalore and TISS Mumbai for trauma.

Rehabilitation

1. WCD needs to map existing counseling resources, rehabilitation mechanisms in all districts.
2. Mobilize resources by dovetailing the work of State Rural Livelihood Mission (SRLM), ICPS, district skill development authorities, National Urban Livelihood Mission (NULM)
3. MoU between WCD and other district stakeholders to ensure appropriate follow up in rehabilitation.
4. WCD should facilitate involvement of corporations in rehabilitation.
5. Develop SOPs/guidelines to achieve minimum standards of care for survivors. Community Resource Person (CRP) under SRLM should be used for mentoring survivors.
6. Resources for gap funding may be used from the Sahabag portal of the CM.
7. Prosecution issues:
 - a. Create MoUs between MSWC and state police agencies and judicial academies for combined/separate training of judicial officers, prosecutors, police officers, and caregivers.
 - b. Integrate technology into training, operations, investigation, prosecution and trial of all trafficking crimes.
 - c. Monitor AHTU functions. The SP/DCP shall undertake review of all trafficking crimes in a monthly crime meeting and submit a report to police headquarters with a copy to MSWC

Conviction

1. Implement MoU with voluntary agencies to boost morale of the complainant.
2. High courts should issue guidelines that specify special trafficking courts dispose of at least five cases per month.
3. Property of the trafficked victim needs to be attached immediately after the charge sheet if formed and used for public purposes (need clarification on this point. I believe the speaker meant to say the accused trafficker, not the victim?)
4. Compile accurate data for investigations, trials, convictions, acquittals, etc.
5. Register data separately for government officers prosecuted for corruption/negligence in preventing trafficking and make data public.

Mr. Sumit Mullick, Chief Secretary, Government of Maharashtra

1. We have special courts for speedy trials of trafficking cases. We have some of the best laws in the world, but we need to implement them.
2. There are many unreported cases of trafficking. We have a witness protection program, but it needs to be made more robust, strengthened.
3. The Sweden Model brings a relevant aspect in focus, that the customer is responsible for determining the woman has not been trafficked, if she has, client goes to jail.
4. Indian dance bars have been closed down by the government, but there has been no rehabilitation. We need to find alternative livelihood for them.

Mr. Dnyaneshwar Mulay, Secretary, Consular, Passport, Visa and Overseas Indian Affairs, Ministry of External Affairs

Current MEA actions:

1. Ensuring no person would be required to travel outside a 50km radius to obtain a passport.
2. Ensuring implementation of Immigration Act of '53 and '83
3. 24 hour call line
4. E-Migrate
5. Indian Community Welfare Fund: provides food/shelter, passport back/emergency ticket.
6. Pre-departure organization program, mandated for all those going abroad.

Mr. Satish Mathur, Director General of Police, Maharashtra

1. Providing AHTUs with increased manpower. Recruiting more people and with clarity that the responsibilities would be akin to that of a senior officer.
2. Ensuring the crime is tried as an economic offence in order to break the economic success of the perpetrators. Police Stations require an officer who is in charge of economic offenses (organized crime).

Mr. Praveen Dixit, DGP, Maharashtra

At the end of the Plenary Session on 27 July, Former Director General of Police, Mumbai, Mr. Pravin Dixit, was open to receiving ideas from different stakeholders and ensuring that the suggestions will also have strategic action plans so that this does not just remain in books but is also practically implemented.

He invited delegates saying, “There are several aspects of this problem. We need to develop strategies, implement programmes, and focus on rehabilitation and effectiveness of prosecution. Role of media is important. I appeal to all delegates to give suggestions. We would compile these suggestions and prepare the Strategic Action Plan.”

1. Our first suggestion is that the Women’s Commission should formulate an exploratory team to review the suggestions made (Quarterly Review).
2. We urge the Women’s Commission to create a MoU with various Chambers of Commerce, in order to create a self-regulating mechanism.
3. Make similar MoU’s with neighboring countries (Nepal, Sri Lanka, Maldives) to ensure Indians are protected.
4. ID verification at international departure and arrival desks. Airlines need to properly scrutinize documents. The Women’s Commission should have a MoU for profiling at airports.
5. Placing more female police personnel at AHTUs. AHTU function needs to be coordinated at the senior level.
6. Signing of MoUs between agencies for proper training at the Police Academy and Center for Research.
7. Classroom and online training for police, prosecutors and judiciary officers.
8. Police need to address missing children reports every month.
9. Shelter home functions should be monitored by volunteer agencies and the Women’s Commission.
10. Study of Swedish Law, putting the onus on the customer not the woman.
11. Request DWCD to map existing resources and rehabilitation mechanisms in various districts.

12. Implement an MoU between DWCD and various stakeholders.
13. SOPs and guidelines need to be implemented by corporations.
14. MSCW should reach out to the High Court to establish guidelines for the special courts to ensure speedy trials.
15. Seize property of perpetrators immediately and use it to support victims.
16. Accurate offense data needs to be collected and readily available, including data for offenses by government officers being prosecuted for corruption and trafficking.

Mr. VV Laximinarayan, Addl. Director General of Police, Planning and Coordination, Maharashtra

1. Ensuring every aspect of a charge sheet is proven via witnesses.
2. Take interested volunteers for the Child Protection Unit.
3. Investigation Fund in Maharashtra has been initiated but the police don't have the funds.

VIII. Appendices

VIII (A). Conference Schedule

THURSDAY, 27 JULY, 2017

8:00 am - 10:00 am	Breakfast
10:00 am- 11:00 am	Registration
11:00 am- 12:00 pm	Opening Session: Inaugural Session
12.00 pm – 1:00 pm	Plenary Trafficking: Reality and Impact of violence against women
1:00 pm – 2:00 pm	Lunch Break
2:00 pm – 3:30 pm	Panel Preventing and Combatting Human Trafficking Crimes
3:30 pm – 4:00 pm	Break
4:00 pm – 5:30 pm	Panel Sustainable Development and Human Trafficking
5:30 pm – 6:30 pm	Media Sessions
6:30 pm – 9:00 pm	Celebration Dinner

FRIDAY, 28 JULY, 2017

9:30 am - 10:30 am	Plenary Government Perspective on the Rule of Law and Criminal Justice in Ending Human Trafficking
10:30 am- 10:45 am	Break
10:45 am- 12:00 pm	Panel Ending Impunity for Trafficking Crimes
12.00 pm – 12:45 pm	Plenary Restoring Freedom and Empowering victims of Human Trafficking
12:45 pm – 1:30 pm	Panel CyberTrafficking The evolution of Human Trafficking
1:30 pm – 2:30 pm	Lunch
2.30pm – 3.30pm	The Role of Media in the Fight Against Trafficking
3:30 pm – 4:30 pm	Closing Programme Commitment to End Trafficking in Women

VIII (B). The Justice Journey

Comms to Include images of the Justice Journey

VIII (C). Guests, Speakers and Moderators

GUESTS OF HONOUR

- 1) Mr. Devendra Fadnavis, Chief Minister, Government of Maharashtra
- 2) Mrs. Pankaja Munde, Minister of Women and Child Development, Government of Maharashtra
- 3) Mr. Chandrakant Patil, Hon'ble Minister of Revenue and Public Works, Gov't of Maharashtra
- 4) Mrs. Mridula Sinha, Hon'ble Governor of Goa (Hon'ble Chief Guest)
- 5) Mr. Akshay Kumar, Actor

PLENARY SPEAKERS AND PANELISTS

- 1) Mrs. Hajia Samira Bawumia, Second Lady of Ghana
- 2) Mr. Gary Haugen, CEO, IJM
- 3) Mr. Sumit Mullick, Chief Secretary, Government of Maharashtra
- 4) Mr. Dnyaneshwar Mulay, Secretary, Consular, Passport, Visa and Overseas Indian Affairs, Ministry of External Affairs
- 5) Mr. Praveen Dixit – Former DGP, Maharashtra
- 6) Mr. Satish Mathur, Director General of Police, Maharashtra
- 7) Mr. Mahesh Bhagwat, Commissioner of Police, Telangana
- 8) Ms. Roshni Sen, Principal Secretary, Women and Child Development, West Bengal
- 9) Ms. Archana Kotecha, Head of Legal, Liberty Asia
- 10) Ms. Grace Kjoki Ndirango, Sr. Superintendent of Police Child Protection Unit at Department of Criminal Investigation
- 11) Dr. Girish Kulkarni, Founder Snehalaya
- 12) Mr. Jhonny Aguilera, FELCC of La Pazz, Anti-Crime Police Force
- 13) Sanjay Saxena, Joint Commissioner of Police Crime Branch, Mumbai
- 14) Mr. Sunil Jacob, Responsible Sourcing Operation, Walmart
- 15) Mrs. Grace Pinto, Managing Director, Ryan International Group Institutions
- 16) Ms. Aafreen Siddiqui, State Focal Point, Maharashtra, United Nations Development Project
- 17) Mr. Dietmar Roller, Development Expert
- 18) Mr. Menglang Keng, National Programme Officer, International Organization for Migration, Cambodia
- 19) Mr. PM Nair, IPS, Rtd., Nodal Officer of National Human Rights Commission, NDRF, Government of India
- 20) Ms. Sharon Cohn Wu, Senior Vice President, IJM
- 21) Lt. Col. Aroon Promphan—Anti-Trafficking In Persons, Division, Thailand
- 22) Mr. V.V. Laximinaryana, Addl. Director General of Police, Planning and Coordinating, Maharashtra
- 23) Dr. S. Irudaya Rajan, Centre for Development Studies
- 24) Ms. Janet M. Francisco, Chief of Anti-Human Trafficking Division, National Bureau of Investigation, Manila, Philippines
- 25) Dr. Sunitha Krishnan, Chief Functionary, Prajwala
- 26) Ms. Sadhna*, Survivor of Sex Trafficking
- 27) Ms. Shivamma, Survivor of Labour Trafficking

- 28) Dr. Prabhu Shankar, IAS, Sub-Collector Tindivadam, Tamil Nadu
- 29) Officer Liborio Carabacan, Chief of the Women and Children Protection Centre, Philippines National Police
- 30) Mr. San Inocencio, National Director, IJM Philippines
- 31) Mr. Muktesh Chander, IPS, Director General of Police, Goa
- 32) Moderator: Ms. Ambika Pandit, Times of India
- 33) Mr. R.K. Radhakrishnan, Associate Editor Frontline Magazine
- 34) Ms. Nita Bhalla, Senior Correspondent, Reuters
- 35) Mr. Nitesh Tiwari, Film Director
- 36) Ms. Nidhi Kamdar, OSD to Maharashtra Chief Minister's office.

MODERATORS

- 1) Judge Swati Chauhan
- 2) Mr. Brijesh Singh, Secretary, Informational and Public Relations, Government of Maharashtra
- 3) Mr. Ajoy Varghese, Regional Director, IJM, India
- 4) Ms. Esther Daniel, Director of Structural Transformation, IJM, Bangalore