

HUMAN TRAFFICKING IN NORTH EAST INDIA: A CASE STUDY OF NAGALAND

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CHAPTER: 1

INTRODUCTION AND CONCEPTUAL FRAMEWORK

1.1 Introduction

Human trafficking has received increased attention over the past 10 to 15 years, both in political and public arenas. “Human trafficking” or “trafficking in persons” and “modern slavery” are terms often used interchangeably to a variety of crimes associated with the economic exploitation of people. Human trafficking has been associated with transnational organized crime groups, small, more loosely organized criminal networks and local gangs, violations of labor and immigration laws, and government corruption (Richard, 1999; US Government Accountability Office, 2006; Vayrynen, 2003).¹

Human trafficking has a history coterminous with that of society and has existed in various forms in almost all civilizations and cultures. It is defined as a trade in something that should not be traded in for various social economic or political reasons. The Oxford English Dictionary defines traffic as ‘trade, especially illegal (as in drugs)’. It has also been described as ‘the transportation of goods, the coming and going of people or goods by road, rail, air, sea, etc’. The concept of human trafficking in simple words generally refers to the criminal practice of exploiting human beings by treating them like commodities for profit.

The Transnational Training Seminar on Trafficking in Women, held in Budapest from 20 to 24 June 1998, promulgated the following definition: “Trafficking consists of all acts involved in the recruitment or transportation of persons within or across borders, involving deception, coercion or force, debt bondage or fraud, for the purpose of placing persons in situations of abuse or exploitation, such as forced prostitution, slavery-like practices, battering or extreme cruelty, sweatshop labour or exploitative domestic servitude”.²

Apart from a range of other definitions given by various associations and groups, the most commonly used definition of human trafficking however, is drawn from a supplemental

¹Burke, Mary C.; 2013; Human Trafficking Interdisciplinary Perspectives; Routledge Publication; New York, P-4

²<http://www.childtrafficking.com>(accessed on 24/10/12)

protocol to the UN convention against transnational crime, adopted in December 2000 (UN Protocol). In that document, human trafficking is defined as follows- Trafficking in persons, by means of the trade or use of force, by abduction, of fraud, of deception, coercion of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of sexual exploitation. Exploitation shall include at a minimum, the exploitation for prostitution or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.³This definition states that the process of human trafficking can be divided into three related components: the movement of people, the means of controlling people, and the purpose of exploitation. It is important to note that it is not necessarily for “movement” to include crossing from one country to another; an individual can be trafficked within the borders of her or his own country or town and can even be trafficked from the home in which she or he lives, in which case movement is not even relevant.⁴

Human trafficking in the Nagaland context may be defined as “those activities perpetrated by profit driven organizations or individuals with the single minded purpose to exploit the vulnerability of targeted groups thereby placing their victims at the mercy of unscrupulous others and stripping away their rights to live a life of choice and dignity. These vulnerabilities are mostly pursuit of better education, poverty and a lack of awareness”.

Some of the most common forms of human trafficking are bonded labor or debt bondage, trafficking for organs, early and forced marriage, forced labor and voluntary domestic servitude, sex trafficking and child soldiering. Whilst we are aware of the traditional forms of human trafficking, there are other emerging forms of exploitation, which includes the trafficking of babies, trafficking for benefit fraud and trafficking for forced criminality. Concerning forced criminality, evidence shows that victims are often children who are forced into begging on the streets and used for criminal activities such as

³Sen, Sankar. & Nair, P.M; 2005; *Trafficking in Women and Children in India*; Orient Longman Publication; New Delhi, P- 2.

⁴Burke, Mary C; 2013; *Human Trafficking Interdisciplinary Perspectives*; Routledge Publication; New York, P-5

theft, shoplifting, pick pocketing and so on. They are also forced into drug production and distribution.⁵

The common place understanding of trafficking as similar to 'prostitution' was one of the major reasons why the human rights violation inherent in trafficking was never understood. This called for a demystification of the term. The common place association of trafficking with 'prostitution' has hidden several human rights violations inherent in all forms of trafficking. The complexity of the phenomenon, its multidimensional nature, its rapid proliferation, continued persistence and the confusion surrounding the concept has made the need for a deeper comprehension of trafficking a major concern.⁶

As is the case in India, its domestic law lacks a comprehensive definition of trafficking at the central level. The ITPA (Immoral Trafficking Prevention Act) does not define trafficking, but it defines prostitution to mean sexual exploitation or abuse of persons for commercial purposes, which has elements of trafficking. It has a number of provisions which punish forms of trafficking without actually defining trafficking.⁷ In this regard however, the 1990's witnessed a significant shift in the perception of the flesh trade, by differentiating 'prostitution' from 'trafficking', seeing it not merely as a moral or law enforcement problem, but as a human rights (including legal and democratic rights) violation linked to gender discrimination and disparity in development. Attendant causal factors that create fertile ground for trafficking, such as poverty, vulnerability of the girl child, lack of access to education and health care, and lack of livelihood options were also acknowledged.⁸

In India, public debate on the issue of trafficking of women and children for commercial sexual exploitation emerged in the 1990s after the landmark decisions of the Supreme Court in the cases of Vishal Jeet vs. Union of India (1990) and Gaurav Jain vs. Union of India

⁵Ikeora, May; 2018; Bilateral Cooperation and Human Trafficking; Eradicating Modern Slavery Between the UK and Nigeria; Springer International Publishing AG; Switzerland, P-8

⁶Sen, Sankar & Nair, P.M; 2005; *Trafficking in Women and Children in India*; Orient Longman Publication; New Delhi, p. 1.

⁷ Thomas, Sarasu Esther; 2011; *Responses to Human Trafficking in Bangladesh, India, Nepal and Srilanka*; United Nation office on Drugs and crime publication; New Delhi, p. 30

⁸Government of India Ministry of Women and Child Development New Delhi; 2006; *Judicial Handbook on combating trafficking of Women and Children for commercial sexual exploitation*. P.1

(1997), in which the Supreme Court issued directions to the Union and State Governments to study trafficking in depth and prepare a national plan to address the problem. In 1998, the Government of India (GoI) formulated the National Plan of Action to Combat Trafficking and Sexual Exploitation of Women and Children. This prescribes an exhaustive set of guidelines to Central and State Governments, covering the entire spectrum of prevention, law enforcement, awareness generation and social mobilisation, health care, education, child care services, housing, shelter and civic amenities, economic empowerment, legal reform, and rescue and rehabilitation. Today in India, there are seven Public Interest Litigations (PILs) seeking more effective implementation of the Plan by the Central and State Governments.⁹

If we delve deeper into the concept of human trafficking, it is an organized crime which violates all tenets of human dignity and rights. It is a violation of several human rights, including the very fundamental right to life, the right to liberty, human dignity and security of person, the right to freedom from torture or cruelty, inhumane or degrading treatment, the right to a home and a family, the right to education and proper employment, the right to healthcare and everything that makes for a life with dignity.¹⁰

Looking into the history of the problem of human trafficking, it has been an area of concern since the early 20th century. However it is only recently that the international community has opened its eyes and deemed human trafficking to be an organized crime and a widening of focus on the issue has followed. The steady rise in human trafficking worldwide is a direct result of a very lucrative industry and this menace especially affects women and children. There are many factors and causes which contribute to this steady rise. It primarily includes poverty, gender discrimination, lack of social and economic stability, lack of access to education and information, domestic violence, disintegration of family structure, etc. Other major factors may include increasing demand for cheap and exploitable domestic labourers, a rise in the demand for sex workers in a highly lucrative and globalizing sex

⁹<http://evaw-global-database.unwomen.org/en/countries/asia/india/2005/judicial-handbook-on-combating-trafficking> (Accessed on 09/03/18)

¹⁰Sen, Sankar & Nair, P.M; 2005; *Trafficking in Women and Children in India*; Orient Longman Publication; New Delhi, p. xxvii.

industry and lack of public awareness of the dangers and negative consequences of human trafficking.¹¹

In India, there is a provision in its Constitution that prohibits all forms of trafficking under Article 23 (1). According to the article, 'Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law'.¹² This however has failed to stem the flow and occurrence of trafficking in the country. In fact in India, human trafficking cases are on the rise and remain one of the countries with the highest number of human trafficking cases. The greatest sufferers of human trafficking are children and women. Approximately 65% of trafficked children are exploited through child labour or forced labour while women are generally exploited on the grounds of prostitution and servitude. In the hunger for earning more money, women and minors more often than not, get carried away and land themselves into trouble.

The North East of India shares 98% of its boundaries with other countries and the international borders are largely open and unmanned. There is ample scope for illegal trades including those related to human trafficking. There are reported cases of young women being taken across the border to work in brothels for forced sex labour, while boys are taken to work in coal mines for slave labour. Human trafficking is growing at an alarming rate all across India and North east is emerging as the greatest source of these trafficked human goods, mostly women and children. Official data is hardly ever there, but there are indicators to validate such comments. A look at Assam Police's annual list of missing persons shows up hundreds of images and two third of them belong to young women, between the age of 18-35. And this is just the list of 1 year (2009). In Assam Thousands of its women, old and young, have gone missing over the past 10 years. A recent police report says 3,184 women and 3,840 female children have gone missing in the state since 1996. That's around two females a day on average.

¹¹<http://www.northeasttoday.in/net-stories/rising-dilemma-of-human-trafficking-in-india/> (accessed on 02/06/12)

¹² Basu, Durga Das; 2005; *Introduction to the Constitution of India*, 19th edition; Wadhwa and Company Law Publishers; Agra, Nagpur, New Delhi India, p.114.

For quite some time in Nagaland, there was a feeling that human trafficking was an alien term and an issue only in other parts of the world. And that being a closely woven landlocked area, such a menace could never permeate the Naga society. But if we have learnt anything from the global experience of the past decades, it is that no place is remote from contact with the rest of the world and that no place is immune from the issues that confront modern society. Slowly anecdotal evidences started beginning to grow, the media started paying attention and today human trafficking in Nagaland has become a real problem. It is a fundamental denial of any principle of equality and a fundamental assault on any concept of the human rights of individuals. It is organised crime with vulnerable people - almost always women and children – as its raw material and as its victims. The recent cases of trafficked young boys and girls, who were lured by agents promising them job opportunities, being rescued from different parts of the country, speaks volumes about how fast and wide the trafficking racket has spread in the state. Also, the rising employment of minor boys and girls in Naga homes for doing domestic chores amounts to trafficking and child labour to some extent, as per law. In Nagaland, one person goes missing every 3 ½ days. According to a study conducted by a local NGO called Prodigal Home, 68% of them are children, 35% of whom will never be found again. ¹³. And therefore, finding out root causes of the problem becomes imperative for any formal acknowledgement or institutional response in the state.

¹³<http://traffickingnews.wordpress.com/tag/assam/> (accessed on 16/10/12)

1.2 Literature Review

Tarachand (1991) *Rural Social Structure and Flesh Markets* reiterates that the Devadasi system contributes to the growth of commercial prostitution and that this relation between the Devadasi system and commercial prostitution is quiet ancient and close.

Ram Ahuja (1998) *Violence Against Women* states that, of the crimes against women committed in one year under the IPC and SL (say 1, 06,471 in 1995), about 13% are kidnapping and abduction cases, while 8% are immoral traffic cases. According to the author, there have also been sporadic reports of poor girls being abducted and sold either as wives to rich Arabs or as potential prostitutes to pimps. Significantly, the Report of the UN Human Rights Panel has pointed out that the phenomenon- child/girl/woman prostitution- has taken an uglier turn in India. The sale of unsuspecting innocent children/girls/women brought from remote tribal areas and villages feeding the big metropolises and other towns and cities have increased.

Soma Wadhwa (1998) *For Sale: Childhood* an article in *Outlook Magazine* writes how young Nepali flesh sells well in Indian brothels and explains how grotesque appetites demand this tender, white commodity to use and abuse till it wears out, sickens and is discarded. Then fresh supply is procured from across the border again and dumped for consumption in the squalid shops that trade in female flesh. Every year between 5,000 and 7,000 Nepali girls are trafficked into the filthy red-light areas of our metros. Many of them barely 9 or 10 years old. Traumatized children, teenagers and young women who are trapped into the Indian sex trade that already has about 200,000 Nepali girls on offer. Sold by their ignorant, poor parents or hoodwinked into fraudulent marriages or promised employment in towns, these vulnerable, unsuspecting girls are lured out of their remote hilly homes and deprived lives, only to find themselves in Hindustan's depressingly dingy brothels. Where they're locked up for days, starved and beaten till they learn how to service up to 25 clients a day, learn how to cope with cigarette butts being stubbed out on their young bodies and learn to live with the festering diseases they earn in their business.

Donna M. Hughes (2000) In an article *The "Natasha" Trade: Transnational Sex Trafficking* she stated that Trafficking in women and girls for the purpose of sexual

exploitation is a shadow market valued at US \$7 billion annually. Women are trafficked to, from, and through every region in the world. This highly profitable trade poses a relatively low risk compared with trades in drugs or arms. She further commented that the money makers are transnational networks of traffickers and pimps who prey on women seeking employment and opportunities. These illegal activities and related crimes not only harm the women involved; they also undermine the social, political, and economic fabric of the nations where they occur.

Asian Development Bank (2003) *Combating Trafficking of Women and Children in South India: Regional synthesis paper for Bangladesh, India, and Nepal* mentions that, there are conflicting aspects, to the social impacts of trafficking, since for many women trafficking episodes, while causing harm, also provide opportunities to remove themselves from otherwise oppressive circumstances. As stated in Blanchet's recent study for USAID, women who have returned remained silent about their experience of the world. Some of these women have managed to turn these experiences into personal empowerment within their communities. Also, trafficked persons have often faced extreme psychological stress that in turn leads to trauma, depression and, in some cases, suicide. A trafficked woman or child may have been exposed to isolation, fear, sexual abuse, rape and other forms of physical and mental violence. Emotional stress is usually compounded by constant fear of arrest and public stigmatization, making the thought of returning home fearful.

Theresa Blanchet (2005) in her article '*Bangladesh Girls Sold as wives in North India*', relates that migration and sale of young girls and women from Bangladesh to India for the purpose of marriage is known to have occurred at least from the 1970s onwards. She also recounts incidents where some girls were taken to Kolkatta and Mumbai, where they were groomed for a month or two and offered on the markets of Uttar Pradesh or other parts of North India. Others were recruited from their Bangladesh villages by 'Dalals' who could be neighbors or relatives, and were taken directly to Uttar Pradesh. But unfortunately, most of these marriages have no marriage document. So, it proves very clearly that these were all fake marriages in nature and the girls were simply cheated in the name of marriage.

Sankar Sen and P.M. Nair(2005) in their book *Trafficking in Women and Children in India* opines that, the trafficking of women and children from the North eastern states of India

and bordering countries, in both directions, is a serious issue which has not drawn public attention. It emerges from their study that Pangsa and Dimapur in Nagaland and Moreh in Manipur are major transit and demand centres. According to the information collected during the research, women and children from Assam and Bangladesh are trafficked to Moreh and from there, they are moved out to Myanmar and other countries in South East Asia through the Golden triangle. Similarly, women and children from Assam, Nagaland and Bangladesh are trafficked through the Pangsa International Treaty tower and then moved to the golden triangle.

Sankar Sen and P.M. Nair's, (2005)*Trafficking in Women and Children in India* states that all over the world the institution of religion forms the normative structure of society. Its practical dimension is expressed in a number of ways in any given culture or society. Its doctrinal aspects, moral and social theology, philosophy, and dogmas give rise to enumerable forms of ceremonies, worship, rites, moral teachings and mystical teachings. In India there is one such custom that is a culturally sanctioned practice. This is the cult popularly referred to as the Devadasi system, where a girl is dedicated to a Deity, an object of worship or to a temple. They further elaborate that besides this system, certain communities like the Rajnat of Rajasthan, the Bedia of Madhya Pradesh and the Bachada of Rajasthan- Madhya Pradesh border also have some socially sanctioned practices that exploit women.

There is no denying that culturally sanctioned practices, such as the Devadasi system could not be done away with because of the patronage of the ruling classes, the priestly class and the nobility. And in their book, '*Trafficking in Women and Children in India*' (2005) Sankar Sen and P.M. Nair elaborate that this remains true even today as can be seen from the studies that have been conducted on the subject. They further cite an example of, Harshad R. Trivedi's study, *Scheduled Caste Women: Studies in exploitation* (1976), which shows how women belonging to the scheduled caste are encouraged to undergo the initiation ceremony and accept the Devadasi way of life. Such women are expected to take up the prostitution either at local or at city red light areas. According to another estimate, about 2, 50,000 girls are dedicated as Devadasis to Yellamma, Hanuman and Khandoba temples on the Maharashtra-Karnataka border (Ranjana 1983).

Dr.P.M.Nair (2007)*Hand Book for Law Enforcement Agencies in India* clearly highlighted the legal regimes relevant in the context of trafficking that have been implemented in India so far- Immoral Traffic (Prevention) Act 1956 (ITPA) ,The Juvenile Justice (Care and Protection of Children) Act, 2000 (JJ Act 2000), The Goa children's act, 2003 (Applicable only in the state of Goa), The Indian Penal code, 1860, Procedural laws (criminal Procedure Code i.e., The Indian evidence Act, etc.). Preventive sections of CRPC, Other special laws relevant to the context (e.g., if the trafficked victim is exploited to develop pornographic materials and the porn is circulated through electronic media or internet, then the Provisions of Information Technology Act, 2000 [Say, Section 67 IT Act] will also be attracted.) In the same hand book, Kiran Bedi in her foreword writes- Irrefutable is the fact that trafficking of women and children is a grave violation of Human Rights and one of the most serious organized crimes of the day, transcending cultures, geography and time. The response by the agencies concerned in addressing the issues has been far from satisfactory, which has exacerbated the violations and harm to the trafficked persons. No wonder, the vulnerable sections have become more prone to trafficking. The spate of incidents reported from different parts of the country, where thousands of children remain untraced, is a symptom of the serious dimension of trafficking. In order to address this issue, there is a need for empowering the Law Enforcement agencies, i.e., police, prosecutors, judiciary, correctional administrators, development administrators as well as the social activists and the media so that they are fully empowered with knowledge, skills and appropriate attitude. Dr.P.M.Nair elaborates that trafficking does not mean prostitution. They are not synonymous. In understanding trafficking, one should delink it from prostitution. As per the existing law, Immoral Traffic (Prevention) Act 1956 (ITPA) prostitution becomes an offence when there is commercial exploitation of a person. If a woman or child is sexually exploited and any person gains out of the same, it amounts to commercial sexual exploitation (CSE), which is a legally punishable offence wherein the culpability lies against all exploiters.

R.K. Pruthi and Archana Chaturvedi, Dr.S.Muthulakshmi (2008)*Encyclopaedia of Gandhian Thought* writes that the Devadasi Bill, which became an Act (Prohibition to Dedication Act) in 1982, deals only with the Inam-holding Devadasis, but there is a section of that community which practices dedication under the cloak of religion simply to make a living out of prostitution. This is nothing but traffic in children, because children are even bought

and adopted (adaptation by a devadasi is allowed by our Hindu Law), and, at an age when they are innocent and cannot judge or act for themselves, are led into this abominable life from which they rarely escape.

The United Nations Office on Drugs and Crime's background paper(2008), *An Introduction to Human Trafficking: Vulnerability Impact and Action*, states that human trafficking is a multi-dimensional threat. From the physical abuse and torture of victims to the psychological and emotional trauma, to the economic and political implications of unabated crime, the impact on individuals and society is clearly destructive and unacceptable. Human trafficking is a crime against individuals and its consequences are most directly felt by those who are its victims. It deprives people of their human rights and freedoms, it is a global health risk, and it fuels the growth of organized crime. While human trafficking is a global phenomenon that knows no international borders, it undermines the health, safety and security of all nations it touches. It is within individual countries and societies that its far-reaching and pervasive consequences are felt. More than 130 countries are affected by human trafficking.

Alexis A. Aronowitz(2009) *Human trafficking, Human Misery: The Trade in Human beings* writes that, the trafficking process can be viewed as a process rather than a single offence. The first stage involves the abduction or recruitment of a person followed by the transportation and entry of the individual into another country (in the case of trans-border trafficking). The third phase is the exploitation phase during which the victim is forced into sexual or labor servitude. An additional phase may occur, one which involves the offender and is common to any large scale organization: the laundering of criminal proceeds.

In the same book, the author talks about the use of internet as a tool for new opportunities in human trafficking and he clearly states that as of March 2008, there were more than 1.4 billion (1,407,724,920) internet users worldwide. The majority are in Asia (37.6 percent), followed by Europe (27.1 percent), North America (17.5 percent), Latin/America and the Caribbean (9.8 percent), Africa (3.6 percent), the Middle East (3.0 percent), and Oceania and Australia (1.4 percent). New technologies have expanded opportunities for traditional crime to evolve. The internet as one such technology, offers both sellers and consumers of sex and pornography, new opportunities to find customers and markets and deliver women

and children into situations of trafficking. Because of its anonymity and the huge number of persons that can be reached through the Internet, it has become a perfect tool to acquire girlfriends and wives, to establish contact with children for the purpose of sex, and to buy, sell, or trade child pornography. The recruitment of trafficked victims via the internet has created a new means to obtain victims. Rather than using dating, marriage, or employment agencies, traffickers can now post free advertisements on the Internet. The two most common means of Internet recruitment for trafficking are through advertisements for dating, escort, marriage or employment agencies, and in chat rooms.

Teela Sanders, Maggie O'Neil and Jane Pitcher (2009) *Prostitution, Sex Work, Policy and Politics* in which Lin Lean Lim(1998: 175) writes that 'globally, child prostitution is estimated to net US\$5 billion annually and is reported to be more serious in Asia and South America'. A United Nation Report in 2001 estimated that 1.2 million children are trafficked each year. Moreover, prostitution (defined as providing sexual services for material gain-money, food, a roof) has strong economic foundations. In Indonesia, 60 percent of registered prostitutes are aged between 15 and 20 years old and include children selling sex for survival and boys selling sex in tourist resorts. Lim writes that the CSEC is 'not just an intolerable form of forced labor but a contemporary form of slavery' (1998:150). In reports by the UN, ECPAT and Council of Europe the CSEC is discussed in relation to sexual abuse, child prostitution, child pornography and trafficking for the purposes of prostitution. Research by ECPAT, the UN and key researchers (Bishop and Robinson, 1997; Lim, 1998; O'Connell- Davidson, 2005) maintains that poverty and globalization combine to facilitate the CSEC in South –East Asia.

In the '*Journal of Human Rights and Civil Society*' (2009) Johns Hopkins University, Paul H. Nitze, opines that the term "trafficking" refers to a set of interrelated activities that encompass migration, prostitution, and acts that violate human rights. The term is synonymous with illicit trade in human beings across international borders or within the same country.

Siddharth Kara (2009) *Sex Trafficking: Inside the Business of Modern Slavery* opines that while the global economic integration that began in the early 1990's led to several benefits, such as expanding international trade, foreign investment, and acceleration of the transfer of

knowledge among countries, globalization's corresponding ills resulted in a rapid increase in global slavery by deepening rural poverty, widening the chasm between rich and poor, promoting social instability and eroding real human freedom, all of which compromised the very democratic transitions that enabled the transformation in the first place . As the process of economic globalization unfolded, it essentially manifested a singular dynamic: the net transfer of wealth, raw materials, commodities, and other assets from newly opened, developing nations into richer, developed ones. The resulting social strife and economic collapse, coupled with the same advances that promoted the freer exchange of goods, services, capital, knowledge, and people, catalyzed the ascent of human trafficking and contemporary slavery.

Human Trafficking in India: Dynamics Current Efforts and Intervention Opportunities (2010), a report for The Asian Foundation, discusses the root causes of human trafficking in India where they have emphasize on a study conducted by the National Commission for Women where they found that 62% of women in commercial sex work are from schedule caste. These numbers demonstrate that trafficking is negatively skewed towards historically disadvantaged group. This is made worse by age- old customs and traditions that reinforce gender discrimination based on caste and ethnicity. The most visible and common example is the Devadasi tradition in Karnataka, Andhra Pradesh, and Maharashtra, in which parents from the scheduled tribes marry their daughters before puberty to a deity or a temple where they are then forced to provide sexual services to upper caste community members. Given the girls' status as minors, this is a form of trafficking. The level of these kinds of cultural practices is associated with the level of Scheduled caste and scheduled tribes in any given state. Further the report also stresses that with a backdrop of poor governance and scarce government services, the absence of an effective legal framework interacts with the exclusion of vulnerable groups from basic social and economic services to enable an environment conducive for trafficking.

According to the '*Hindu*', a popular national newspaper, an article that came out in June 16, 2010 by Narayan Lakshman, India is among the worst ranked countries in tackling human trafficking and India has been ranked as a "Tier II Watch List" country – only one level

better than worst-performing Tier III countries such as Saudi Arabia and Zimbabwe – in the 2010 Trafficking in Persons Report (TIP) compiled by the State Department of USA.

Sarasu Esther Thomas (2010) *Cooperation to Combat Cross Border Trafficking: India-Nepal-Bangladesh* says that cross border trafficking is of special concern to India where many men, women and children are trafficked across the borders from Nepal and Bangladesh into India. The borders are porous and very long. There are about twenty check posts across the length of the Bangladeshi border which is 4,156 kms long. Crossing the border is not a cumbersome process and money often changes hands. With Nepal there are fourteen legal entry points, but illegal cross border movement takes place easily. Under treaty, Nepalese have free access to India and therefore trafficking and illegal entry become difficult to pin. The United Nations estimates that trafficking is a highly profitable industry, generating \$7-10 billion annually. India has also been victim to this menace, acting as a hub not only for Bangladeshi and Nepali refugees, but also as a transit point for victims being taken to the Middle East. While there is no official record of the number of trafficking victims in India, it does not boast of a very healthy track record. Aid agencies estimate that around 5,000-7,000 women and girls are trafficked from Nepal every year and around 10,000 to 20,000 come from Bangladesh.

An SSB *Vision Document on Human Trafficking* explains the factors responsible for cross border trafficking and analyses the problem from the ‘supply’ and ‘demand’ factors. Supply factors are poverty, coupled with lack of employment opportunities and these are the major factors contributing towards a persons’ vulnerability to being trafficked. Traffickers lure poor women and girls from Nepal with false promises of a job or marriage and once they enter into India, sell them into different brothels in India. Widespread poverty in Nepal drives women and children in situations where they are forced to exchange sex for food, shelter, and survival. The demand factors as identified by the UNODC are as follows: “changes in the informal economies of countries, growing involvement of criminal syndicates, and illegal activities in the sector, globalization, migration, and development; better transportation and communication; internet, cell phones, etc., increased demand for cheap labor, and an increase in demand for sex with children.”

The United Nations Human Rights in their commentary- *recommended principles and guidelines on human rights and human trafficking (2010)* asserts that a series of treaties dealing specifically with the issue of trafficking (then understood as the sexual exploitation of women and girls in foreign countries) was concluded during the first half of the twentieth century. The following treaties were given by 1904 International Agreement for the Suppression of the White Slave Traffic: *i)* 1910 International Convention for the Suppression of the White Slave Traffic. *ii)* 1949 Protocol Amending the International Agreement for the Suppression of the White Slave Traffic, and Amending the International Convention for the Suppression of the White Slave Traffic. *iii)* 1921 International Convention for the Suppression of Traffic in Women and Children. *iv)* 1933 International Convention for the Suppression of Traffic in Women of Full Age. *v)* 1947 Protocol Amending the International Convention for the Suppression of Traffic in Women and Children and the International Convention for the Suppression of Traffic in Women of Full Age.

Palak Bhambri (2011) in a literature essay, '*Devadasi- Prostitution With A Religious Sanction*' the author tells us that although the Government put a ban on it once in the year 1982 under the Prohibition to Dedication Act and again in 2004 when the Government of Maharashtra passed a Anti-Devadasi bill, it is still flourishing in parts of Andhra Pradesh, Maharashtra, Tamil Nadu and Karnataka.

International Development Law Organization (IDLO) (2011) in their publication *Preventing and Combating the Trafficking of Girls in India Using Legal Framework Strategies* states that although it is often difficult to obtain comprehensive data on the extent of human trafficking in India, it is generally accepted that India is a source, destination, and transit country for trafficking of persons, including young girls. A 2006 study found that 378 of the 593 districts in India were affected by human trafficking. It is estimated that ninety percent of trafficking in the country is internal, with victims of trafficking mostly being used for forced labor. Child victims of trafficking in India are exploited in many ways - including as factory and agricultural workers, domestic servants and beggars. Girls in particular are vulnerable to trafficking for the purpose of forced marriage and commercial sexual exploitation.

In an article by Pankaj Sarma that appeared in *The Telegraph* on 20/06/11, he writes about US government on human trafficking in the Northeast. The US state department's 2012 Trafficking in Persons Report, released by secretary of state Hillary Clinton in 19/06/11, said there had been a rise in women from the region being subjected to "servile marriages" in states with low female-to-male child sex ratios such as Haryana and Punjab. According to the report, girls from the Northeast are also subjected to transactional sexual exploitation in West Asia under the guise of temporary marriages. The report blames corrupt law enforcement officers in India of facilitating the movement of sex trafficking victims besides protecting suspected traffickers and brothel-keepers from enforcement of the law by taking bribes from sex trafficking establishments and sexual services from victims. "Some policemen allegedly continue to tip off sex and labour traffickers to impede rescue efforts," the report said.

Freida M'Cormack (12/08/11) *The impact of human trafficking on people and countries* in her research report- cites Aronowitz work which says that it is difficult to accurately measure the impact of trafficking because of its clandestine nature and hidden economies in which trafficked people work. Lack of legislation and inadequate national definitions; lack of political will; inexperience in dealing with the issue; corruption; victims' inability or unwillingness to cooperate all make it difficult to determine the scale and impact of the human and social consequences of trafficking are compelling. She also elaborated that the more closed the borders, the greater the opportunity for trans-national criminal groups, who have taken advantage of demand (increased dependence on trafficked and exploited labour and consumers seeking cheap goods and services, including sexual services) and supply (spurred by the desire to access a better standard of living) conditions. The involvement of criminal groups in migration means that smuggling leads to trafficking and thus to victimization and the violation of human rights.

Venla Roth (2012) *Defining Human Trafficking Human Trafficking and Identifying its Victims: A Study on the Impact and Future Challenges of International, European and Finnish Legal Responses to Prostitution- Related Trafficking in Human Beings* argues that the organized crime group involved in trafficking in human beings share a number of important similarities, but there are distinctions based on structure and the extent to which

the groups rely on human trafficking activities and are involved in other criminal activities. While some other groups are hierarchically structured, other groups consist of a limited number of individuals forming a relatively tight and structured core group, surrounded by a loose network of “Associates”. At a global level, the largest number of reported references to traffickers is to the nationals of Asian countries followed by Central and South Eastern Europe and Western Europe. The majority of the arrested traffickers are nationals of the trafficked persons’ countries of destination.

The Internet ‘*Wikipedia*’ (2012) on human trafficking, clearly states that India is a source, destination, and transit country for men, women, and children trafficked for the purposes of forced labour and commercial sexual exploitation. Internal forced labour may constitute India’s largest trafficking problem; men, women, and children are held in debt bondage and face forced labour working in brick kilns, rice mills, agriculture, and embroidery factories. And according to the same source, while no comprehensive study of forced and bonded labour has been completed, NGOs estimate this problem affects 20 to 65 million Indians. Women and girls are trafficked within the country for the purposes of commercial sexual exploitation and forced marriage especially in those areas where the sex ratio is highly skewed in favour of men. Children are subjected to forced labour as factory workers, domestic servants, beggars, and agriculture workers, and have even been used as armed combatants by some terrorist and insurgent groups. Till date, in the case of child trafficking, there has been no let down in the country as the latest government data shows that over 1.26 lakh such cases were registered during 2011-12. India is also a destination for women and girls from Nepal and Bangladesh trafficked for the purpose of commercial sexual exploitation.

Anasua Basu Ray (2012) *Trafficking of Women and the Crisis of Identity* states that, it is estimated that every year between 5,000 to 10,000 Nepalese women and girls are trafficked to India for the purposes of commercial sexual exploitation and work in brothels in various cities in India. However, 90% of India's sex trafficking is internal with victims of trafficking mostly being used for forced labor. Trafficking from neighboring countries account for the remaining 10%. Of this 10% about 2.17% are from Bangladesh and 2.6% from Nepal. Movement from Pakistan and Sri L A report in a local daily in Nagaland- the

‘*Nagaland Post*’ (dated 24/08/12) stated that in August 2012, 14 Naga boys were taken to Goa by fake agents with the promise of lucrative jobs in the hospitality sector but later were rescued from a mining area in the state. They were forced to work in iron ore mines and confined to tents and port-cabins with not even basic amenities. In the same newspaper (dated- 28/06/12) there was a report of a total of 179 girls who were trafficked into Goa for commercial sexual exploitation that were rescued in the state over the last three years. The revelation came from Anyay Rahit Zindagi (ARZ), a nodal NGO working to curb human trafficking for commercial sexual exploitation in Goa. According to ARZ director Arun Pandey. He said 146 were Indian girls followed by Nepal (27), Bangladesh (4) and Russia (2). From Indian states, 39 girls came from Mumbai. Others were Manipur (31), Goa (16), Andhra Pradesh (14), West Bengal (9), Nagaland (8), Karnataka (7), Maharashtra and Assam (both 5 each), Mizoram (4), Times of India report stated (Nagaland Post). In yet another article published by a local daily- The Morung Express in Nagaland on August 10th 2012 reported that, for over a year now, the fate of 23 minors from Ukhrul district in Manipur still hangs in the balance in Kerala as they were yet to be brought back home after they had been reportedly rescued from persons who promised them free education. A despairing picture in this fiasco is that the repatriation process of the 26 children from Kerala has been stalled due to the non-cooperation of the responsible department of the state of Manipur.

Yvonne C.Zimmerman (2013) in *Dreams of Freedom: Religion, Sex and Human Trafficking* states that, accurate statistics about the frequency of human trafficking crimes are extraordinarily difficult to generate. There are many reasons for this. During the days of chattel slavery, being a slave denoted a legal status and, except in unusual circumstances, a lifelong condition. Today slavery is not a lifelong condition. While people may be enslaved for a lifetime, enslavement also may last for a significantly shorter duration. The key attribute of contemporary slavery is not duration but the marked economic exploitation of a person that is created or maintained through violent control. In the same book the author opined that statistics are always notoriously slippery, and the variations between different estimates of the number of people who are enslaved worldwide are almost as spectacular as the number themselves.

Veerendra Mishra (2013) *Human Trafficking: The Stake Holder's Perspectives* says that the demand for women and children is more because they are considered to be soft targets, less empowered, more submissive and subservient, insecure, vulnerable, non complaining and cheap. Most of the societies, the world over are patriarchal. The women more or less play second fiddle to their male counterparts, which is overtly evident in rural settings and somewhat covertly expressed in urban areas. The power dynamics in favour of men leads to rampant occurrences of violence against women. The moral turpitude of household men and that of community encourages the women and girls, who can afford to desire for independence, to search for an opportunity to harness a better world. This wishful desire is seldom fructified. The desperateness to liberate, unshackle themselves from bounds of social victimization puts them in high vulnerability zone, helping traffickers to exploit.

UNODC (2014) *Global Report on Trafficking in Persons* clearly highlights the purpose of trafficking in recent times and elucidates that a majority of trafficking victims are subjected to sexual exploitation while other forms of exploitation are also increasingly detected. Trafficking for forced labor - a broad category which includes, for example, manufacturing, cleaning, construction, catering, restaurants, domestic work and textile production – has increased steadily in recent years. Some 40 per cent of the victims detected between 2010 and 2012 were trafficked for forced labor. Trafficking for exploitation that is neither sexual nor forced labor is also increasing. Some of these forms, such as trafficking of children for armed combat, or for petty crimes or forced begging, can be significant problems in some locations, although they are still relatively limited from a global point of view. There are considerable regional differences with regard to forms of exploitation. While trafficking for sexual exploitation is the main form detected in Europe and Central Asia, in East Asia and the Pacific, it is forced labor. In the Americas the two types are detected in near equal proportions. Since UNODC started to collect information on the age profile of detected trafficking victims, the share of children among the detected victims has been increasing. Globally, children now comprise nearly one third of all detected trafficking victims. Out of every three child victims, two are girls and one is a boy.

Policy brief in-depth collaboration amongst the students and faculty of three organizations: the Cornell International Human Rights Clinic, The Avon Global Center for Women and

Justice at Cornell Law School, The University of Chicago Law School's International Human Rights Clinic, and Jindal Global Law School's Centre for Health Law, Ethics and Technology (2015) India's Human Trafficking Laws and Policies and the UN Trafficking Protocol: Achieving Clarity has stated clearly that the actual number of labor trafficking victims is often difficult, if not impossible, to calculate. The primary difficulty lies in distinguishing between migrant laborers who move into or around India voluntarily in search of employment and laborers who have been lured into exploitative labor through the means of trafficking outlined in the UN Trafficking Protocol. Furthermore, many migrant workers may begin their journey voluntarily but then become vulnerable to trafficking when they are unable to secure adequate employment or the work for which they originally migrated terminates. It is equally difficult to ascertain the presence and extent of sex trafficking. The document has also highlighted the study conducted in 2008 by the Ministry of Women and Child Development in India where they found that there were an estimated three million sex workers in India. It is possible that many of these sex workers are victims of sex trafficking. Interviews with government officials suggest that the number of individuals trafficked for the purposes of sexual exploitation is particularly difficult to estimate as these victims, after escaping from their traffickers, may return to sex work in the face of limited alternatives. Lack of education or vocational training limits the ability of many former trafficking victims to find sustainable employment in other sectors, and even work that is available in 37 sectors like domestic labor may have much lower earning potential. Alternative employment options outside of sex work are frequently limited for victims of sex trafficking due to the social stigma attached to 38 having engaged in commercial sex acts. Therefore, in some cases it may be difficult to ascertain whether a sex worker is presently a victim of trafficking, was a victim of trafficking and chose to remain engaged in sex work, or was always voluntarily employed in this sector.

Kamala Kempadoo, Jyoti Sanghera and Bandana Pattanaik (2016) *Trafficking and Prostitution Reconsidered: New Perspective on Migration, Sex Work and Human Rights* Jyoti Sanghera in her discourse *Unpacking the Trafficking Discourse* says that, to provide protection and redress to women and girls who are trafficked, a clear distinction needs to be made between the abuse and human rights violations committed during the entire process or recruitment, and confinement via coercion to exploitative labor conditions on the one hand,

and the form of employment or purpose of trafficking on the other. In the case of trafficking for the purpose of domestic work, forced marriage, or work in carpet factories, the objective of anti trafficking intervention must be to target the abuse, force labor, and violation of rights that is endured by those affected by trafficking and not to eradicate marriage as an institution, or domestic work and the carpet industry as sectors of employment. Similarly, attempting to eradicate the sex industry in a bid to prevent the harm of trafficking may be an unrealistic agenda. Not all victims to trafficking are prostitutes, nor are all prostitute victims of trafficking.

Vimal Vidushy (2016) in her article *Human Trafficking in India: An analysis* elaborates on the factors of trafficking in women and children and says that it can be divided into two categories: push and pull factors. The push factors include: poor socio-economic conditions of a large number of families, poverty coupled with frequent, almost annual natural disasters like floods leading to virtual destitution of some people, lack of education, skill and income opportunities for women (and for their family members) in rural areas, absence of awareness about the activities of traffickers, pressure to collect money for dowries which leads to sending daughters to distant places for work, dysfunctional family life, domestic violence against women, low status of girl children, etc. It appears from the case studies that extreme poverty and other causes of deprivation not only push people to fall in the tripod the traffickers, they also create for some an incentive for trafficking. Often the prostitutes, who have no option to come out of the exploitative environment, gradually develop intimate connections with the traffickers and follow in their footsteps. The pull factors are: lucrative employment propositions in big cities, easy money, promise of better pay and a comfortable life by the trafficking touts and agents, demand of young girls for marriage in other regions, demand for low-paid and underage sweat shop labor, growing demand of young kids for adoption, rise in demand for women in the rapidly expanding sex industry, demand for young girls in places of military concentration like Kashmir in India in recent times, demand for young girls for sexual exploitation as a result of the misconception that physical intimacy with young girls reduces men's chances of contracting HIV/AIDS, or of the myth that sex with a virgin can cure HIV/AIDS and impotence. The rampant practice of female feticide in the northern states of Haryana and Punjab has also fuelled internal trafficking. Since there is a shortage of women in these states having a low

female to male ratio, they have become fertile ground for the operation of traffickers. Traffickers procure girls from faraway states like Assam and Orissa; trick their families into believing they are to be married, only to later push them into prostitution.

1.3 Statement of the Problem

Geographically and historically the Northeast states of India find themselves isolated from mainland India. Even in terms of tradition and culture, there is a marked difference between the inhabitants of these states with the rest of India. If one looks into the annals of the region's history, human trafficking was probably an unheard of phenomenon in most of the states and particularly in Nagaland, it was entirely unknown. But with the onset of modernization and globalization coupled with a long history of ethnic and armed conflict and lack of economic development, the region is impoverished and struggles with its stagnant economy making it a hotspot for human trafficking.

If one looks at the present scenario on the problems of human trafficking in the Northeast states, there are numerous reported cases of people having been trafficked in recent years for many reasons like prostitution, child labor, fake marriages etc. It is only periodically we feel that this might be a problem when we see newspaper articles or the like, but fail to comprehend the immensity of the issue. But the overwhelming truth is that there is a bigger and much more sinister underworld racket which we seem not to be aware of. While a lucky few have been rescued by the commendable hard work of NGO's and police forces, the majority are still purported to be missing. Cases of human trafficking have been on the steady rise in recent years, however we lack proper and sufficient knowledge about the causes of trafficking and at the same time awareness of the people in the region to the problem is very low. Availability of definite data is a major setback as we don't have sufficient data to show how many of them go missing every year because many cases go unreported.

Human trafficking is a fast-growing problem today on a global scale yet literature on human trafficking is very limited. Publications of NGOs and international organizations, lawyers, criminologists, social workers have contributed to the issue, most often by focusing on legal aspects and globalization. But only rarely do these academic contributions focus directly on the individual destinies affected by human trafficking. There is a lack of research about the stories, experiences and the world of trafficking victims.

With the Government of India having started the Look East Policy which was initiated specially to focus on the development of the region, it may on the other hand have negative aspects in its progress like increase in human trafficking as the region will open doorways to South Asian countries and the rest of India. This brings us to question ourselves whether we are equipped to handle and protect ourselves with the rapid development that this policy should bring about. If this so happens to be the case, the region will soon be hit with a bigger and more daunting challenges of human trafficking, increasing crimes and other problems.

The researcher believes that this study will not only provide reliable reference literature for scholars, academia, policy makers, NGO's, civil societies etc, but also endeavor to create awareness generation materials for the local media, community based organizations (CBO's) and the general public. The findings of the study also include the causes and impact of human trafficking in Nagaland and investigates the level of awareness of different sections of people on this problem as well as the cooperation and coordination of different governmental and non-governmental organizations set up to deal with this issue.

1.4 Theoretical and Conceptual Framework

Human trafficking is not only one concept in itself but the fusion of a number of abstract ones that have come together to explain the phenomenon. As a result this chapter will briefly deal with the elements in the conceptual framework of the research on Human Trafficking.

1. Globalization a Key Factor in Human Trafficking:

Globalization has contributed to the growth of the practices of modern-day slavery and human trafficking. One definition of globalization provided by Martin Albrow is that it is “the active dissemination of practices, values, technology and other human products throughout the globe” (Bales, Understanding Global Slavery 32).¹⁴The practice of slavery has translated human beings into commodities. People have become products which can be traded, bought, sold, and exploited. Globalization is making the world smaller in a sense, making commodities more readily available to people and companies around the globe. Transnational criminals have been major beneficiaries of globalization. Human smuggling and trafficking have been among the fastest growing forms of transnational crime because current world conditions have created increased demand and supply. Migration flows are enormous, and this illicit trade is hidden within the massive movement of people. The supply exists because globalization has caused increasing economic and demographic disparities between the developing and developed world. Globalization has also resulted in the tremendous growth of tourism that has enabled pedophiles to travel and many to engage in sex tourism. Trafficking has expanded because the transportation infrastructure is there and transportation costs have declined.¹⁵

Both functionalist and conflict approaches to understand human trafficking could begin from the same starting point: Globalization. Thus, many modern day political , economic and social issues intersect with the concept in some form. Indeed, ‘human trafficking’ or ‘modern-day slavery’, can be seen as a product of an increasingly globalised world.

¹⁴www.academia.edu

¹⁵Shelly, Louise ; 2010; Human Trafficking a global perspective; Cambridge University Press; New York, p2&3

i) **Functionalist Approach:** From a functionalist perspective, the fact that so many people are trafficked around the world for various purposes like agriculture labor, industrial labor, domestic labor, construction and sex- could be seen as a necessary, functionally important by-product of globalization. In other words, functionally speaking, human trafficking may produce numerous positive, stabilizing benefits for the global social system, and its numerous societal subsystems. Thus, rather than view Human Trafficking as a social problem reflecting various conflicts and inequalities, a functionalist perspective might see it as a system level response to bring balance to and maintain the health of the global system. The fact that human trafficking occurs so frequently and universally would be cited as evidence of the system attempting to fix or stabilize itself, for example, by moving workers quickly and cheaply to places where labor is needed to sustain the healthy functioning of the global capitalist market place.

ii) **Conflict Approach:** A conflict perspective on the other hand, argues that globalization and global capitalism produce positive and negative consequences for societies around the world. However, a conflict orientation also believes that most benefits of globalization accrue in already well to do places (e.g. the US), while the negative consequences fall disproportionately, if not completely, upon the shoulders of the worlds less wealthy, less powerful and more marginalized peoples and places. Clearly from a conflict view, individuals have a much greater degree of freedom to make choices, but those choices are ultimately structured and conditioned by larger forces outside their direct control. Importantly, a conflict approach to understand human Trafficking does not preach stability or functional necessity and, therefore opens many avenues for possible strategies at the structural (macro) and individual (micro) levels to mitigate or prevent HT in the future.¹⁶

2. Force, Fraud and Coercion as Key Components in Human Trafficking:

Some trafficking victims are captured and kept by force while some are imprisoned in chains or under guard. For example, pimps are people, usually men, who own sex slaves and find business for them. Pimps often use beatings and gang rapes to keep their sex slaves too frightened to escape, even though the slaves may move freely about the streets.

¹⁶Palmiolto, Michael J.; 2015; Combating Human Trafficking : A Multidisciplinary Approach; Published by Taylor and Francis Group Boca Raton; London, New York, P-42

Fraud is intentional deception resulting in injury to another person. Traffickers commit fraud when they lie to lure their victims into going along willingly. Common promises include too good to be true deals, offering high wages, easy work, nice housing and pretended affection. Pretended affection is also called the “loverboy” approach, because young, handsome traffickers charm vulnerable girls into trusting them. The girl believes she is in a loving relationship but finds out otherwise when the boyfriend sells her into prostitution.

When a trafficker forces a victim to obey through fear, intimidation or threats, this is known as coercion. Some traffickers never physically abuse their victims, but use psychological tactics instead. They might threaten their victims’ families or lie to them, exaggerating the dangers of the outside world. Undocumented immigrants are especially susceptible to this approach because traffickers can threaten them with deportation if they go to the authorities¹⁷.- Complete coercion exists when victims have been abducted. However, coercion occurs rarely with adults trafficked for labor and sexual exploitation, and seldom in most instances involving child labor. Furthermore coercion is a complex issue. Not all victims of trafficking are physically restrained and constantly controlled. For many, the coercion is more psychological than physical.¹⁸

3. Slavery as a Form of Human Trafficking:

The depiction of slavery in the Judeo-Christian old and new testaments, in the Muslim Koran(Qur’an)and in the classical texts of ancient Greece and Rome accurately reflect the existence of chattel slavery in early societies. Indeed, chattel slavery- the outright, legally recognized ownership of persons on the same basis as other’s property-“existed in all the ancient civilizations of Asia, Africa, Europe and pre Columbian America. In medieval times chattel slavery remained a publicly acknowledged and codified category for human beings. Modern day slavery or human trafficking, as it is officially termed- is quite similar to traditional slavery. The slave holder exercises complete or nearly complete control over the people he or she has enslaved, and the enslaved person lives and works as ordered by

¹⁷Farrel, Courtney; 2011; Human trafficking; Published by ABDO Publishing Company; Minnesota, p-12& 13.

¹⁸Aronowitz, Alexis A.; 2009; Human trafficking, Human Misery:The Global Trade In Human Beings; Praeger Publishers; Westport USA, P-3

the slaveholder.¹⁹ Although old forms of slavery, with kidnapping, auction blocks and chattel slaves forced to work in chains, maybe rare incidences today, scholars have argued that there are parallels between traditional and modern forms of human trading in that desperate and vulnerable human beings are taken advantage of and treated as commodities in contemporary conditions akin to slavery. From this perspective, Human Trafficking as a contemporary form of slavery is marked not by legal ownership of one human being by another or long term enslavement, but by temporary ownership, debt bondage, forced labor and hyper-exploitative contractual arrangement in the global economy (Bales 2000, Bales 2005, Miers 2003).²⁰

While dealing with human trafficking and contemporary slavery, these two concepts overlap significantly with varied forms of abuse. Thus while contemporary forms of slavery differ in significant ways from more traditional forms of slavery, the core factors like being held against one's will, threats/violence, and economic exploitation remain. And when we frame contemporary slavery as occurring in multiple forms it highlights slavery's position on a continuum of exploitation occurring around the world more than its historically fixed status as the "particular institution". In other words, slavery is no longer an institution, but instead a state of affairs that whether short-term or life-long, it best resembles a highly dysfunctional human relationship punctuated by violence and threat of violence.²¹

4. Prostitution as a Form of Human Trafficking:

Definitions of human trafficking have coalesced around contested positions on issues of prostitution, individual agency, and consent. The notion that trafficking is synonymous with the traffic of women for commercial exploitation can be traced back to public concerns about the 'White Slave Trade' of women and young girls into prostitution at the end of the 19th century. A series of international agreements adopted in the early part of the 20th century on the 'traffic of women' include; the 1910 white slavery convention, the 1919 covenant of the league of nations, the 1921 convention for the suppression of the traffic of women and children, the 1933 convention for the suppression of the traffic of women of

¹⁹Du Pont, Kathryn Cullen; 2009; Human Trafficking ; Infobase Publishing; New York, P-6&7

²⁰Lee, Maggy; 2011; Human Trafficking; Published by Routledge; London and New York, P-3

²¹Brysk, Alison & Fitzpatrick, Austin Choi.; 2012; From Human Trafficking to Human rights: Reframing Contemporary Slavery; Published by University of Pennsylvania Press; Philadelphia, P-16

full age and notably, the 1949 convention of the traffic in persons and the exploitation of others.²² In the modern day slavery cases, a woman trafficked into prostitution is placed into debt bondage. In this system, she is also expected to repay the costs of her food, lodging and clothing plus the costs of her own trafficking. If all these monies are repaid, the implication is that the woman will be released. Trafficked women prostituted in this manner, however, rarely manage to pay off debt bondage.²³

One of the best theories to explain human trafficking is the conflict theory, that is, “inequality in employer and laborer relationship. Emile Durkheim holds that there are different groups in society; there are conflicts between these groups that generate economic inequality”. Human trafficking is the result of excessive ambition that creates a market with trafficking with men, women and children who are engaged in all forms of forced labor, including agriculture, domestic service, construction work and sweatshops as well as sexual exploitation. The groups that conflict here are the traffickers and the industries that surround them with the victims and all those who use them for their own benefit creating a demand. The conflict theory states “human trafficking and prostitution exist due to power, status and discrimination in a particular culture.”²⁴

5. Human Trafficking as a Form of Transnational Organized Crime:

Organized crime is a difficult phenomenon to define. Organized crime can be defined from the perspective of national legislation and of international obligations at the minimum. Also different sociological and criminological definitions may form the basis for understanding the meaning of organized crime. Several different definitions of organized crime exist. Due to the fact that different crime groups are unique and differ in form and with regard to the crimes they commit, a single, conclusive definition of organized crime has to be very general in nature (Junninen 2006a, 17–18). Junninen notes that different authorities lack a common definition of organized crime. The United Nations Convention against Transnational Organized Crime does not contain a precise definition of 'transnational organized crime'. Nor does it list the kinds of crimes that might constitute it. This lack of

²²Lee, Maggy; 2011; Human Trafficking; Published by Routledge; London and New York, P-4

²³Du Pont, Kathryn Cullen.; 2009; Human Trafficking ; Infobase Publishing; New York, P-11

²⁴Ezeh, Mary Dorothy; 2017; Human Trafficking and Prostitution Among Women and Girls of Edo State, Nigeria: Possibility and Rehabilitation Through Education and Prevention; Published by Xlibris; UK, P-60

definition was intended to allow for a broader applicability of the Organized Crime Convention to new types of crime that emerge constantly as global, regional and local conditions change over time. The Convention does contain a definition of 'organized criminal group' and according to them, ““Organized criminal group” shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.”(United Nation 2000)²⁵

Human Trafficking has been conceptualized within a framework of organized crime. The role of criminally sophisticated transnational organized crime proves as a driving force behind the highly profitable trade of smuggling and trafficking unauthorized migrants or asylum seekers. (Bruinsna and Meershoek 1999; Budapest group 1999; Shelley et al 2003; Williams 1998; Williams 2002). Indeed, an important aspect of the institutionalization of the 'trafficking as organized crime' approach has taken place viz a vis the 2000 UN convention against transnational organized crime. The trafficking as transnational crime approach has been premised on 2 contrasting views of the relationship between the state and the trafficking problem. The first view, epitomized by what Taylor and Jamieson (1999) have termed the use of 'the mafia shorthand' and an alarmist interpretation of the trade posed by foreign gangsters and organized crime networks, takes border control as the basis of the state sovereignty and as intrinsic to its logic of being.²⁶ The growth of organized criminal activities in modern times is a byproduct of globalization. The globalized economy has provided new opportunities not only for business in licit markets, but also criminal and /or underground enterprises in the black or illicit markets. While advancement of technology in communication, transportation, financial transaction may be regarded as positive aspects of globalization, these are simultaneously exploited by organized criminal

²⁵Viuhko, Minna & Jokinen, Anniina; 2009; HUMAN TRAFFICKING AND ORGANISED CRIME: Trafficking for sexual exploitation and organised procuring in Finland; European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI); Retrieved from http://www.heuni.fi/material/attachments/heuni/reports/6KHnvL4X1/Uusittu_pdf_netti_4.2.10.pdf, p-12&13 (Accessed on 21/08/17)

²⁶Lee, Maggy; 2011; Human Trafficking; Published by Routledge; London and New York, P-5 &6

groups in promoting illegal business.²⁷ The involvement of organized criminal groups and in trafficking has become more apparent in modern times. It has been noted that this marks the transition from the traditional form of slavery to modern trafficking of human beings. One of the reasons why organized criminal groups engage in trafficking is the high profit they can make and low risk of carrying it out. Due to highly sophisticated organization, members may be located in origin, transit, and destination countries providing services along the route (Aronowitz, 2009a). Larger organization may be divided into smaller subunits that can employ criminal specialists, who provide expertise and particular services (e.g. forged documents) that might otherwise be beyond the capability of the criminal organization itself.²⁸ According to the theory of interactionism human trafficking is not a product of rational choice, but it is influenced by the desire to satisfy basic needs and progress in life. The traffickers take advantage of people's dreams employment with secure pay. Trafficked people become slaves while they perform all kinds of services. The majority of trafficking is done by networks of smaller groups that each specialize in a certain area, like recruitment, transportation, advertising, or retail.

Interactionist, Edwin Sutherland believed that "deviant behavior is learned from interpersonal interaction with others." Human trafficking therefore overlaps with corporate crime because of the mode of organization. The *Symbolic interactionists* tend to understand the micro elements, the face-to-face, everyday actions and interactions of individuals. They maintained that people act as they do because of how they define situations. Therefore, those individuals involved in human trafficking have created their own social system, with a hierarchy, an internal police force, and their own laws.²⁹

6. Human Trafficking as a Human Rights Issue:

Most of the world's states have long since ratified the 1948 UN universal declaration of human rights, and hence in principle accept the various freedoms and rights contained in it. Several of the 30 articles comprising the declaration relate to HT, with others being less

²⁷Obokata; Tom; 2006; Trafficking of Human Beings From a Human Rights Perspective; Martinus Nijhoff Publishers Leiden; Boston, P-30

²⁸ Aronowitz, Alexis A.; 2017; Human trafficking: A Reference Handbook; Library of Congress Cataloging in Publication; California, P-111&112

²⁹Ezeh, Mary Dorothy; 2017; Human Trafficking and Prostitution Among Women and Girls of Edo State, Nigeria: Possibility and Rehabilitation Through Education and Prevention; Published by Xlibris; UK, P-63

directly relevant. Thus article 3 (‘everyone has the right to life, liberty and security of person’), article 4 (‘no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms’), article 5 (‘no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment’), article 6, (‘everyone has right to recognition everywhere as a person before the law’), article 7 (first part= ‘all are equal before the law and are entitled without any discrimination to equal protection of the law’) and article 23 (concerning ‘free choice of employment’ and ‘just and favorable remuneration’) can all be invoked to demonstrate various ways in which trafficking constitutes a serious and multiple abuse of human rights.³⁰ According to this, many practices associated with Human Trafficking are clearly prohibited under international human rights law. Slavery, servitude, child sexual exploitation, forced marriage, servile forms of marriage, child marriage, enforced prostitution and the exploitation of prostitution are also trafficking-related practices that are prohibited under international human rights law. However, over the past decade a general agreement has emerged within the international community that trafficking itself is a serious violation of human rights. For example, both the Council of Europe’s Convention on Action against Trafficking in Human Beings and the European Union Directive on preventing and combating trafficking in human beings and protecting its victims identify trafficking as a violation of human rights. The United Nations General Assembly and the Human Rights Council have repeatedly affirmed that trafficking violates and impairs fundamental human rights, as have many of the international human rights mechanisms.³¹

By its very definition, trafficking constitutes a denial of all those fundamental rights that make for a life of dignity. Human trafficking is also a major development challenge for its root causes are embedded in key development issues including insecurity of food and livelihood, poverty, structural inequalities and migration.³²

³⁰Holmes, Leslie; 2010; Trafficking and Human Rights; European and Asia-Pacific Perspectives; Published by Edward Elgar Publishing Limited; Cheltenham UK & Northampton US, p-11

³¹Human Rights and Human Trafficking; 2014; Fact Sheet No. 36; United Nations Human Rights Publication New York and Geneva, p-5

³²Report of the UN High Commissioner for Human Rights; 2004; UN Publication; New York, P-16

7. Exploitive Labor Outcomes in Human Trafficking:

What is often called the “exploitive labor outcome” of trafficking can occur in many different labor sectors. The ILO has outlined the major areas of work that frequently harbor trafficking victims as: “agriculture, food processing, construction, and garment enterprises, retail, manufacturing, logging, mining, restaurants, domestic work and entertainment,” To these also can be added begging and the commercial sex sector. Although begging is not exactly a form of labor, it is a way of earning money and the traffickers who force their victims to beg are making a profit by exploiting their time and effort. Similarly, some commentators argue that sexual exploitation is not a labor issue and that women exploited in prostitution should not be considered as “working in the sex sector” but as victims of human rights violations. This is understandable, but the truth is that in many countries prostitution is legal and is effectively a labor sector. Just as with other sectors that receive trafficking victims for exploitive labor, the sex sector often includes trafficked women alongside those who have elected to work legitimately.³³

The crimes of forced labor and human trafficking trap at least 12.3 million women, men and children in appalling working conditions across the world. No country is immune. Far from disappearing, new forms are emerging in response to the new challenges and opportunities presented by modern day globalization. They represent the very antithesis of decent work.³⁴

The ILO's (International Labor Organization) mandate to combat forced or exploitative labor and trafficking originates from social movements in the 20th century that battled against conditions of employment in overseas colonies and the forced movement of people for labor purposes. International campaigns against forced labor in the nineteenth and twentieth centuries provided the impetus for two of the fundamental ILO Conventions: the Forced Labor Convention, 1930 (No. 29), followed in 1957 by the Abolition of Forced (No. 105). Furthermore, the ILO Convention on the Worst Forms of Child Labor (No.182) adopted in 1999 includes the sale and trafficking of children as one of the worst forms of child labor that must be tackled as a matter of urgency

³³Burke, Mary C.; 2013; Human Trafficking Interdisciplinary Perspectives; Routledge Publication; New York, P-119,124&125

³⁴Forced Labor And Human Trafficking: A Toolkit For Trade Unions In Zambia;2008;An International Labor Organization publication; Geneva 22, Switzerland.

Economic theory supports the claim that child labor trafficking is a function of supply and demand. On the one hand, the supply of children as units of labor is bolstered by parent's economic inability to provide for their family, thus placing them in vulnerable situations conducive to labor exploitation.³⁵ The global prevalence of child trafficking for labor exploitation today is astounding as the children are being matched to specific markets. There, their gender, age and appearance greatly influence the type of labor they perform.

³⁵ Quayaon, Ato & Arhim, Antonela; 2012; Labour Migration, Human Trafficking and Multinational Corporations: The Commodification of Illicit Glows; Routledge Publication London and New York.

1.5 Objectives of the Study

1. To identify the causes and nature of human trafficking in Nagaland.
2. To study and understand which sections of society are more prone to human trafficking.
3. To examine the impact of human trafficking on the individual and society.
4. To examine the response of the community and government to human trafficking.
5. To find out the extent of awareness on Human Trafficking in Nagaland.
6. To suggest remedial measures on prevention, protection and rehabilitation of trafficking victims/ survivors.

1.6 Research Questions

1. Is globalization a key factor in rising causes of human trafficking in the state?
2. Are international and inter-state boundaries and major transit points being properly manned?
3. Which sections of the society are more susceptible to human trafficking?
4. Is socio-economic background of the family related to trafficking?
5. Is human trafficking a gender based phenomenon?
6. Are trafficking victims given appropriate support and assistance?
7. What is the level of awareness and stance of the general populace of Nagaland on the issue of human trafficking?

1.7. Methodology

Area of the Study:

As the present study, was conducted on the prevalent situation of human trafficking in the state of Nagaland, out of 11 districts of the state, 5 sample districts were chosen, keeping in mind its proximity to other states and international boundaries. The districts chosen were Dimapur district as it borders the state of Assam, Tuensang district for its proximity to Myanmar, Mon district as it shares its boundary with Myanmar and the state of Arunachal Pradesh, Peren district which also shares its borders with the states of Assam and Manipur and finally Mokokchung district because of its proximity to the state of Assam and as it serves as a link to many other districts in the state.

The present research was based on an empirical, explorative and descriptive study.

1. Empirical study: Empirical studies are the collection and analysis of primary data based on direct observation or experiences in the 'field'. This part of the research was carried out by interviewing victims and law enforcement personnel and collection of data through questionnaires given to different sections of the society.

2. Explorative study: Exploratory research, as the name implies, intends merely to explore the research questions and does not intend to offer final and conclusive solutions to existing problems. Conducted in order to determine the nature of the problem, the exploratory research undertaken by the researcher is not intended to provide conclusive evidence, but to help us to have a better understanding of the problem.

3. Descriptive study: A descriptive study aims at describing a specific or particular situation through an investigative question. What has to be kept in mind is that there should be clarity on the methods of data collection before formulating the problem statement. In this research, study questions are investigated and answers to these are drawn through the use of primary data.

The study comprised of the following methodological framework:

i. Sources of Data Collection:

The present study utilized primary as well as secondary sources to collect valid and relevant research data. Primary information was collected from the field through structured questionnaire, interview method, Group discussion and personal observation. Interviews were conducted with the victims, police personnel's, lawyers and people working in NGOs related to trafficking. Structured questionnaires has been collected through different sections of society such as; Government employees, entrepreneurs, church workers, students, private practitioners, etc., To augment primary findings, Secondary information was obtained from various sources such as published and unpublished materials, books, journals, magazines, seminar paper presentations, websites, and the articles and write-ups published in newspapers related to the problem of study. The researcher also visited different libraries, book stores, NGOs, civil societies, religious leaders and Government Agencies to collect secondary authentic data. Police records, charge sheets and case files related to the research were also utilized.

ii. Sampling:

The sampling technique adopted in this study is based on purposive random sampling. Out of 11 districts, 5 districts namely; Dimapur, Peren, Tuensang, Mon, Mokokchung prevalent situation of human trafficking in the state of Nagaland were selected for the study. From these 5 districts, 50 respondents were randomly selected from each district to represent the universe of the study.

iii. Data Analysis:

The procedure and technique used for data analysis in this study involved coding, cross-checking, verifying, validating, tabulating, analyzing and calculating of percentages to analyze primary data. The analyzed data has been illustrated with the help of tables, graphs, pie-charts and bar diagrams. The researcher also used Likert scale to analyse comparative study of the five districts. All of these are explained and integrated into different chapters systematically.

1.8. Structure of the Study

The first chapter presents the introduction, conceptual and theoretical frame work of the research and focuses on related literature reviews, research questions, objective of the study, statement of the problem, methodology of the study.

The second chapter deals with a broad general overview of causes and factors of human trafficking in the Northeast of India.

The third chapter deals specifically with the main areas of research dealing with the problem of human trafficking in Nagaland. It focuses on people's level of awareness, their opinions and views and governmental and non-governmental mechanisms in combating the issue. Through this chapter, the nature and causes of the problem in the state are depicted.

The fourth chapter deals with the impact of human trafficking on society and individual. This is done by analyzing people's opinions on issues like susceptibility, causes, globalization, stigmatization of victims, response of police and law enforcing agencies to human trafficking and the role of NGO's.

The fifth chapter summarizes key findings, answers research questions of the study, gives suggestions for further research and gives remedial suggestions to combat the problem of human trafficking.

CHAPTER: 2

AN OVERVIEW OF HUMAN TRAFFICKING IN NORTHEAST INDIA

2.1 Profile of Northeast India

Geographical Location:

Northeast India (officially called North Eastern Region, NER) is the eastern-most region of India, representing both a geographic and political administrative division of the country, spreads over an area of 262179sq.kms and consists of eight States: Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim. It is stretched between 89.46 degree to 97.30 degree East longitude and 21.57 degree to 29.30 degree North latitude. The Siliguri Corridor in West Bengal, with a width of 21 to 40 kilometres (13 to 25 mi), connects the North Eastern Region with East India. This region has a 4,500 km long international border with five foreign countries namely Bangladesh, Bhutan, Burma (Myanmar), China and Nepal.³⁶ The partition of the country in 1947 geographically isolates the entire north eastern regions from the mainland of India. The region since then is connected with the mainland by a narrow land called the north Bengal corridor³⁷- a link that has come to be referred to as the 'Chicken's Neck'.

The Northeast region can be physiographically categorized into the Eastern Himalaya, the Patkai and the Brahmaputra and the Barak valley plains. Northeast India (at the confluence of Indo-Malayan, Indo-Chinese, and Indian biogeographical realms) has a predominantly humid sub-tropical climate with hot, humid summers, severe monsoons, and mild winters. Along with the west coast of India, this region has some of the Indian sub-continent's last remaining rain forests, which support diverse flora and fauna and several crop species. Reserves of petroleum and natural gas in the region are estimated to constitute a fifth of India's total potential.

³⁶<http://www.neportal.org/northeastfiles/northeast/>(Accessed on 16/05/17)

³⁷ . Deb, Bimal J., et al; 2008; Globalization and North East India; Published By Concept Publishing Company; New Delhi, p-73

The region is covered by the mighty Brahmaputra-Barak river systems and their tributaries. Geographically, apart from the Brahmaputra, Barak and Imphal valleys and some flat lands in between the hills of Meghalaya and Tripura, the remaining two-thirds of the area is hilly terrain interspersed with valleys and plains; the altitude varies from almost sea-level to over 7,000 metres (23,000 ft) above MSL. The region's high rainfall, averaging around 10,000 millimetres (390 in) and above, creates problems of ecosystem, high seismic activity, and floods. The states of Arunachal Pradesh and Sikkim have a montane climate with cold, snowy winters and mild summers.

The states of North Eastern Region are officially recognized under the North Eastern Council (NEC), constituted in 1971 as the acting agency for the development of the north eastern states. Long after induction of NEC, Sikkim formed part of the North Eastern Region as the eighth state in 2002. India's Look-East connectivity projects connect Northeast India to China and ASEAN.³⁸

³⁸https://en.wikipedia.org/wiki/Northeast_India(Accessed on 20/2/18)

Demographics:

The total population of Northeast India is 46 million. 68 percent of the total populations live in Assam alone.

Table 2.1
Population of Northeast India

<i>State</i>	<i>Population</i>	<i>Males</i>	<i>Females</i>	<i>Sex Ratio</i>	<i>Literacy%</i>	<i>Rural Population</i>	<i>Urban Population</i>	<i>Area (km²)</i>	<i>Density (km²)</i>
Arunachal Pradesh	1,383,727	713,912	669,815	938	66.38	870,087	227,881	83,743	17
Assam	31,205,576	15,939,443	15,266,133	958	72.19	23,216,288	3,439,240	78,438	397
Manipur	2,570,390	1,290,171	1,280,219	992	79.21	1,590,820	575,968	22,327	122
Meghalaya	2,966,889	1,491,832	1,475,057	989	74.43	1,864,711	454,111	22,429	132
Mizoram	1,097,206	555,339	541,867	976	91.33	447,567	441,006	21,081	52
Nagaland	1,978,502	1,024,649	953,853	931	79.55	1,647,249	342,787	16,579	119
Sikkim	610,577	323,070	287,507	890	81.42	480,981	59,870	7,096	86
Tripura	3,673,917	1,874,376	1,799,541	960	87.22	2,653,453	545,750	10,486	350

Source: 2011, *Census of India*, *Wikipedia*

Religions:

Table 2.2
Religious Population of North Eastern India

State	Hinduism	Islam	Christianity	Buddhism	Jainism	Sikhism	Other Religions	Religion not stated
Arunachal Pradesh	401,876	27,045	418,732	162,815	771	3,287	362,553	6,648
Assam	19,180,759	10,679,345	1,165,867	54,993	25,949	20,672	27,188	50,873
Manipur	1,181,876	239,836	1,179,043	7,084	1,692	1,527	233,767	10,969
Meghalaya	342,078	130,399	2,213,027	9,864	627	3,045	258,271	9,578
Mizoram	30,136	14,832	956,331	93,411	376	286	808	1,026
Nagaland	173,054	48,963	1,739,651	6,759	2,655	1,890	3,214	2,316
Sikkim	352,662	9,867	60,522	167,216	314	1,868	16,300	1,828
Tripura	3,063,903	316,042	159,882	125,385	860	1,070	1,514	5,261
Total	24,726,344	11,466,329	7,893,055	627,527	33,244	33,645	903,545	88,499

Source: 2011, census of India, Wikipedia

Look East Policy:

The look East Policy introduced by the government of India in the nineties was basically a strategy to change its foreign policy in accordance with the changed world business scenario. This policy had its genesis in the end of the cold war following the collapse of the Soviet Union. It is an attempt to integrate India with the neighboring eastern economies. The LEP is one of the most important strategies of India's development. Implementation of this policy will certainly impact the economy of North east. For better part of the post independence period the region had a peripheral existence in the Indian economy. With the initiation of the LEP this region has become a focal point. It is expected that the successful implementation of this policy will bring certain economic benefits to the North East region.³⁹ India's Look East Policy (LEP) joins India with its Southeast Asian neighbours on the basis of shared economic and strategic interests. But the policy is also linked with

³⁹ Lyngdoh, Charles Reuben & Rani, Merostar; 2008; Look east Policy: Impact on Northeast India; Published by Akansha Publishing House; New Delhi, P-38&39

India's domestic considerations as it is an innovative attempt to link India's landlocked and impoverished Northeastern states with the stronger Southeast Asian economies.⁴⁰

⁴⁰Chatterjee, Shibashis; 2014; Policy Report: The Look East Policy and India's Northeastern States; S. Rajaratnam School of International Studies; P-1

2.2 Historical, Political and Cultural Perspective of the Region

The North East is one of the most ethnically and linguistically diverse regions in India. Each of the states that form this part of India has its own culture and tradition. There are about 220 languages spoken in these states, belonging mainly to three language families, namely Indo-Aryan, Sino-Tibetan and Austric. The Indo-Aryan represented mainly by the Asamiya and Bangla, Austro-Asiatic represented mainly by Khasi and the Sino-Tibetan family of languages is represented by the Tibeto-Burman and the Siamese-Chinese sub families.

There is a hypothesis that the Tibeto-Burman tribes first came through Burma and entered the hills and valleys of the North Eastern India in about 1000 B.C. They gradually encroached upon the Austric settlers who have been in these parts since 2000 to 2500 B.C. and forced most of them to take refuge in the mountainous area. That was how the Khasis thrived in their mountainous homes high on the hills of Meghalaya. However the maximum concentration of the Tibeto-Burman speakers is found in the North Eastern part of the country. The North Eastern part of India is bounded by Bhutan, Tibet, China, Myanmar and Bangladesh.

The British came into the area in the 1820s, following the Burmese conquest of Manipur and parts of Assam. The area had become unstable in the later part of the eighteenth century following the over-extension of the Ahom kingdom, a Burmese-based kingdom that reached into Assam. The instability caused by the weakening of the Ahom kingdom prompted the Burmese to move westward to secure their flanks. But the Burmese action also helped to bring in the British. The British East India Company was lying in wait to see the Ahom kingdom disintegrate.

The Anglo-Burmese war of 1824-26 ended with the British emerging victorious. By the peace treaty signed at Yandabo on Feb. 24, 1826, the British annexed the whole of lower Assam and parts of upper Assam. The Treaty of Yandabo provided the British with the foothold they needed to annex Northeast India.⁴¹ However, the imperialist ambitions of British were commercial and many of the hill areas which did not serve commercial

⁴¹Raatan, T.; 2006; History, Religion and Culture of North East India; Published By Isha Books, P-10,11&16

interests enjoyed relative autonomy under British Rule. Hence, large sections of indigenous population were not actively involved in the independence struggle nor did they share common sentiments of nationalism with the rest of India. Therefore, when the wind of integration began to blow across India, north eastern region found itself in a quagmire as we see emergence of new tribal bodies and associations starting with the formation of Hill Leaders Union in 1945 at Shillong expressing their discourse on the future.⁴²

The states have distinct cultures and multiple ethnic groups and are a fine example of unity in diversity. The variety of ethnic groups, languages and religions reflect the multi-cultural character of the states. The region houses over 200 of the 635 tribal groups in the country, speaking a variety of Tibeto-Burman languages and dialects. States like, Arunachal Pradesh, Meghalaya, Mizoram and Nagaland are predominantly inhabited by tribals with a certain degree of diversity among the tribes. States like, Assam, Manipur, Tripura and Sikkim are inhabited by people of various religious denominations like, Hindus, Christians and Muslims and a combination of local tribes and communities. The region has remained isolated from the rest of the country because of its location and terrain and has failed to secure equal benefits in the process of development. This has resulted into social-political disturbances and unrest for a few years. While the region has a lower level of industrial and economic development, it has abundant forest resources. Petroleum and tea are two significant resources harnessed in the region. At the same time, agriculture, horticulture and handloom continue to be the main activities of these states.⁴³

⁴² Sarup, Sinha; 2016; North East India: A Region in an Endless Ordeal; Journal of North East India Studies Vol.6(2), P- 80- 87.

⁴³ NCERT;2017; North East India:People History And Culture; New Delhi, p-5 and 6

2.3 Human Trafficking- The Northeast Perspective

The Northeast region with its proximity to a number of Southeast Asian countries, which are mostly opened and unmanned, enactment of the 'Look East Policy', its long history of ethnic violence, demand for secession of various states, insurgency and its economic poverty coupled with the demands of globalization and societies which are mainly patriarchal in nature have all posed a threat and contributed to the region becoming a hotspot for human trafficking not just to India's mainland but to different parts of the world.

Trafficking in Northeast region occurs at two levels. There is the internal trafficking of children and women from conflict affected rural areas for domestic work and prostitution. Secondly, on an international level, there is trafficking of women to other South East Asian countries like Bangladesh, Bhutan, Bangkok, via Myanmar (Burma) for various purposes such as drug trafficking, labour, bar girl and prostitution.

The term 'internal trafficking' was not an issue in the North East region until recently. Only from the year 2003 has it been addressed by the initiatives of some social organizations. The awareness building and rescue intervention carried out along with and as a result of the drug trafficking in bordering districts has made internal trafficking a subject of growing concern. There is however no concrete study yet on the subject in the context of the eight Northeastern regions on internal trafficking of women and children. This however does not take away the fact that internal trafficking does exist in the state. Among the 60 CSWS interviewed in Dimapur, Nagaland and Assam border, it is clear that there is a growing menace of internal trafficking of girls in the region. Besides this luring women and children in the name of providing domestic work in metro cities are growing particularly in conflict affected areas such as Bodoland Territorial Council in Assam. There were also 109 girls lured from the relief camps of Srirampur gate under Kokrajhar district of BTC, Assam for domestic work to many parts of the country and outside of the country such as Bhutan and Nepal. No study has been carried out so far on young girls working in bars and restaurants.

It is however, prevalent in the bordering areas of the Northeast region with other South East Asian countries.⁴⁴

There have been reports of girls gone missing from various places in Assam like Dhubri, Kokrajhar, Barpeta, Bongaigaon, Nalbari, Kamrup and Guwahati. These are mainly insurgency prone area and people of these areas belong mainly to the below poverty line group. It is given that some agents are active in these districts and they lure the girls promising them jobs and other better livelihood opportunities. In some cases the agents live with some poor families having young girls and make friendship with the family members. Thereafter they take away the girls from their custody and never return and at times they take away the girls paying a lot of money to their parents.⁴⁵ Insurgency, militancy or whatever name is given to the low intensity warfare in India's North East is part and parcel of life in the region. North East India is known from decades in India and to the world as the hotspot of ethnic violence, insurgency and extremism. The region is witnessing various kinds of violence which threaten the sovereignty and integrity of the nation. In this very situation, a large number of human rights are violated and a lot of innocent civilians are sandwiched between the insurgent movement on one hand and the counter-insurgency measures of the government on the other. These internal armed conflicts have also caused wide-scale trafficking of a different kind. Large numbers of children in conflict areas are forcefully recruited by the rebels as soldiers for their cause. A portion of these rebel get ups are girls. It was revealed by returnees (surrendered girls from rebel forces) to authorities that most of the time they were made to perform sex acts on superiors/ commanders and other rebel group leaders visiting the camps. They also informed that they were made to enact sex acts for blue films which were sold in the international market as fund raisers to run the rebel camps in the deep jungles.⁴⁶

Though men, women and children are equal sufferers in these conflicts in terms of security for their lives, it is, however the women and children who face all the more an added threat

⁴⁴Roy, Rekha; 2010; Women and Child Trafficking in India, A Human Right Perspective; Published by Akansha Publishing House; New Delhi, P-68-69

⁴⁵http://paperroom.ipsa.org/papers/paper_765.pdf, p-8 (Accessed- 13/11/2017)

⁴⁶Roy Rekha ; 2010; Women and Child Trafficking in India: A Human Right Perspective; Published by Akansha Publishing House; New Delhi, p-72&77

of human traffickers as they are seen as easier prey and have a whole lot bigger market. The girl child is easy prey to traffickers. It is reported that Assam is ranked as one of the eight Indian states with regard to the Child Trafficking (UNODC, REPORT 2013). The Bodoland Territorial Area District have a regular feature of conflict and due to the backwardness of the area, child trafficking is in an alarming scale in this region. Girls are also supplied to the forces for sexual exploitation.⁴⁷ Besides during armed conflict situations, women face sexual violence, domestic violence, trauma of children born of rape and sexual exploitation and the societal taboos related to it. Apart from the problems of insurgency, an influx of migrants over the past few decades into northeast India from neighboring areas have also sparked ethnic conflicts over land, leading to demands for secession and political autonomy. Many armed insurgent groups are active in the region and blood feuds are common. In the last few decades, violence has ravaged the states of Assam, Manipur, Nagaland, Tripura and Arunachal Pradesh. Assam, Manipur and Tripura which has paved the way for massive displacement. The ethnic division and monopoly of power by the dominant groups has always been an issue in the region. It is the root cause of the existing problem of insurgency in the region. The development resources such as education, land and forest have not been equally distributed and continuing marginalization of the ethnicity has resulted in the region being on fire for many decades.⁴⁸

The large scale trafficking of adivasi girls and women within Northeast India to be exploited as labour force is induced by non-inclusive development, including large projects and extractive industries, loss of traditional livelihoods, lack of quality education and sustainable income opportunities. Many of the thousands of tribal women who migrate to cities in search of jobs have become victims of trafficking by false inducements and placement agencies. Others are employed for domestic work, a sector that is unorganized and controlled by unregulated placement agencies that induce traffic and control wages and

⁴⁷ IOSR Journal Of Humanities And Social Science (IOSR-JHSS) Volume 22, Issue 2, Ver. I (Feb. 2017) PP 27-30
e-ISSN: 2279-0837, p-ISSN: 2279-0845. www.iosrjournals.org DOI: 10.9790/0837-2202012730
www.iosrjournals.org 27 | Page Armed Conflict and Girl Child Rangili Brahma

⁴⁸ Roy Rekha ; 2010; Women and Child Trafficking in India: A Human Right Perspective; Published by Akansha Publishing House; New Delhi, p-78

are highly exploitative. In spite of the existence of various laws and developmental programmes, no visible improvement has taken place.

The situation in each of the eight Northeast states varies. For example, Meghalaya is a major destination due to its coal industry. It is estimated that 40,000 children from Nepal and Bangladesh are trafficked into the coalmines for labour by landowners and exporters. Furthermore, the highway networks in the Northeast connect many national and international destinations. In the state of Assam, truckers have used the highway routes to transport drugs and traffic girls. It is a well-known fact that the truck drivers from all over India are deceiving young Northeastern children into fake marriages, child labour and sex work. The main source, transit and destination points for these victims are usually New Delhi, Mumbai, Pune, Goa, Kolkata and extend as far as Thailand, Singapore and Malaysia. Siliguri in West Bengal is the main transit point as it connects many train lines and bus services. It has long been a convenient way to smuggle women and children across the Indo-Nepal border without detection.⁴⁹

Almost 80% of the NE population comprises of diverse ethnic groups. Today each group is trying hard to preserve their identity by creating self governed autonomous lands. The reported cases of trafficking in the NE region is drawn from a wide range of ethnicities including some from illegal Bangladeshi immigrants.⁵⁰

The impact of the ethnic conflict in the region has drained away the peace and development in the region so much so that the economic liberalization launched in the early 1990s is yet to impact on the northeast in the sameway that it has touched other parts of India. This has further made the region extremely congenial for human trafficking.

“Poverty and conflict are fuelling trafficking in the north eastern states. This opens up hugepossibilities for the spread of HIV. It is high time programmes address the problems,” DigambarNarzary, head of the Nedan Foundation, an Indian NGO, said. He further reiterated, “We visited 25 relief camps of internally displaced persons [IDPs] in Kokrajhar

⁴⁹Maranan, Luz Barca, et al; 2015; Indigenous Peoples Human Rights Challenges: North East India;Published by Asia Indigenous Peoples Pact (AIPP) Foundation; Thailand. P- 26

⁵⁰Roy Rekha ; 2010; Women and Child Trafficking in India: A Human Right Perspective; Published by Akansha Pulishing House; New Delhi P-78

in Bodoland Territorial Council, Assam [state]. Nearly 200,000 people are living in these camps without proper food. Traffickers carry out recruitment drives in such relief camps. They make false promises of jobs as domestic help in big cities," he said. Narzary noted that more than 100 young women had gone missing from the camps over the past two years. Regional analysts fear that such "missing girls" may have been sold into sexual slavery or "temporarily married" often a euphemism for prostitution. The fear is that many such girls are extremely susceptible to HIV/AIDS and that many have already been infected. "Young girls and women from poor, desperate families are doubly vulnerable: to being trafficked into the sex trade and to catching HIV. But there are no initiatives at present to address these twin problems," Nazary said. India now holds the second largest absolute number of HIV infections in the world, UNAIDS has said. With more than 5 million people living with HIV in the adult population in 2004, India accounts for almost 13 percent of global HIV prevalence. Kokrajhar is one of several hot spots in conflict-ridden northeast India. Since the late 1990s, hundreds of thousands of people have been displaced in the region by regular clashes between various militant and tribal groups.⁵¹

It has been debated that 'Globalization' is also a vector for human trafficking. According to the Webster dictionary, 'Globalization' is the development of an increasingly integrated global economy marked especially by free trade, free flow of capital, and the tapping of cheaper foreign labor markets that transcend nation-state boundaries. In part, globalization disseminates practices, values, technology, and other human products throughout the globe (Bales 2005). It must be acknowledged that forms of slavery and human trafficking are not just outcomes of globalization; they are part of the globalization process itself that involves a functional integration of dispersed economic activities. To illustrate this phenomenon, author Kevin Bales offers the example of the woman recruited in Thailand, and subsequently trafficked to other states as a sex-slave who generates money that is in turn recycled back into the Thailand brothel economy.⁵²

⁵¹<http://www.irinnews.org/report/34306/india-human-trafficking-northeast-fuelling-hiv-aids-report> (Accessed on 10/05/17)

⁵²<http://www.du.edu/korbel/hrhw/researchdigest/trafficking/Globalization.pdf>, p- 46. (Accessed on 13/11/2017)

In recent years globalization has facilitated the process of internal and transnational migration in response to the forces of labor demand and supply, need and aspirations, and the easier and cheaper access to various modes of transport and communication.⁵³ In fact, human trafficking embodies the worst form of labor exploitation and can be regarded as one of the dark sides of globalization. If we look into the North east scenario, we cannot deny the fact that globalization has already touched the region but at the same time we cannot refute to the fact that despite 70 years of Indian independence, the economic development in the region is not significant and majority of the populations are still living below poverty line without even basic needs. Therefore in the absence of major industrial establishment and other employment opportunities in the region unemployment rate, particularly urban educated youths, is not only high but also increasing rapidly. According to the Current Daily Status (CDS) unemployment level in the urban area is highest in Tripura followed by Assam which is also higher than the national level. In the remaining states, though lower than the national average, what is a more intriguing fact is that the volume of unemployment in absolute term is growing in the post globalization period.⁵⁴ It is this section of the society which becomes easy prey to the negative elements like insurgency and drug abuse and human trafficking.

Founder of Impulse NGO Network, Hasina Kharbhih, feels that as with time, trends of trafficking also change. Earlier, girls mostly from the rural areas were trafficked to the urban areas for domestic purposes, but now girls belonging to middle class are being trafficked in the name of employment to big cities like New Delhi, Haryana, Rajasthan, Mumbai, Pune and Bangalore and countries like Malaysia, Thailand and Singapore.

“In the name of employment, many young and middle aged girls are trafficked to other countries only to find themselves in trouble and in a cycle of trafficking,” Kharbhih said adding that the region has seen a mushrooming in skills agencies by 35 percent during the last 5-7 years.

⁵³ Mishra, Veerendra; 2013; Human Trafficking From A Stakeholder Perspective; Sage Publication; New Delhi, P-68

⁵⁴ www.nits.ac.in/departments/humanities/new_hum/social_scanner/3.doc (Accessed on 11/03/18)

Reiterating that the trafficking scenario has changed over the past few years, Kharbhih said that nowadays girls are being trafficked from small cities to big metropolitans and other countries as well on the promises of a lucrative career while adding that placement agencies are a gateway to a monstrous crime.

While maintaining that skills development centres are important to empower the youth with the much need skills to take on the competitive world, it is also important to ensure that the youth are placed at safe and secure centres.

She also maintained that criminals take advantage of the fact that India is faced with the problem of unemployment. “When the government approves these skills centres, it should also ensure that the placement agencies as referred by these centres are regulated and registered with the government to make sure that our youth are not placed at the wrong places,” she said.

She also mentioned that the internet plays a big role in furthering flesh trade in the country and beyond. “Traffickers identifies their vulnerable victims online on the pretext of marriage or promise of a well paid job,” she said adding that cyber crime has become so rampant that a serious introspection is required to prevent the youth from falling prey into such criminals.⁵⁵

The highly increasing trend of trafficking of women and girls in the north east region is due to several reasons but one important fact is, women in these regions are more vulnerable in the sense that, not only are they victims to several evils like ethnic violence, insurgency, poverty etc and they are also victims of the traditional patriarchy system where from time immemorial, women have been regarded as subordinate beings in the society. Therefore, a large percentage of women from this region look for greener pastures outside and in doing so, some of them become easy prey for human traffickers. The largest markets for trafficked NE women are metros like Delhi and Mumbai, and states like West Bengal, Goa, Kerala and even Arunachal Pradesh. According to official records, 117 Assamese women were rescued in Maharashtra, 173 in the border areas of Arunachal Pradesh and 13 in Delhi

⁵⁵<https://thenortheasttoday.com/trafficking-in-northeast-india-takes-new-form-girls-trafficked-in-the-name-of-employment>. (Accessed on 20/02/18)

between January and December 2012. Though women existing below the poverty line, with limited employment opportunities are most vulnerable to human trafficking; but a recent trend has emerged whereby young, educated girls from the North East seeking employment outside their local area have also been caught up in trafficking when these girls are duped/coerced into the commercial sex trade by ill-intentioned employers", said Hasina, team leader of impulse NGO network.⁵⁶

According to Bachpan Bachao Andolan, an NGO working to spread awareness on human trafficking, the low conviction rate encourages traffickers to spread their tentacles. "During 2007-11, 17,558 inspections were made by the Assam government; they led to only 58 prosecutions and just nine convictions. In the NE, a total of 26,553 inspections were made, of which 64 prosecutions were completed and just 15 of the accused were convicted," said an official of the NGO.⁵⁷

An analysis of human trafficking in Northeast India cannot be done without the mention of India's Look East Policy and it becomes all the more imperative as this will allow and open doorways between the Northeast region and South East Asian countries. 'India's Look East policy stemmed as an effort to cultivate extensive economic and strategic relations with the nations of Southeast Asia in order to bolster its standing as a regional power and a counterweight to the strategic influence of the People's Republic of China. It was launched in 1992, after the end of the cold war, following the collapse of the Soviet Union (USSR). With economic reforms and liberalization, it was a strategic decision taken by India in its foreign policy. It was developed and enacted during the government of Prime Minister P.V. Narasimha Rao (1991–1996) and rigorously pursued by successive administrations.⁵⁸

The Northeast region is rich in biodiversity, natural and mineral resources. The Look East Policy focuses on promising opportunities and challenges for the future of the Northeast and portrays the region as a 'Business Hub' of South East Asia because of its strategic geographical location in the International border with Bhutan, China, Myanmar and

⁵⁶<http://www.meghalayatimes.info/index.php/region/11555-human-trafficking-in-north-east-> (Accessed on 12/11/17)

⁵⁷ <http://timesofindia.indiatimes.com/india/Traffickers-target-northeast-Indian-women-sell-them-like-cattle/articleshow/17725299.cms> (accessed on 12/11/17)

⁵⁸ [https://en.wikipedia.org/wiki/Look_East_policy_\(India\)](https://en.wikipedia.org/wiki/Look_East_policy_(India)) Accessed on 17/05/17

Bangladesh. Along with being rich in biodiversity, the region is also a hot spot for innumerable species of flora and fauna and has the potential to be massive exporters of rice and tea if the policy is properly implemented. 'North East Vision 2020' under Look East Policy is for India to enter into a freetrade agreement with the ASEAN. This document tries to encompass all the key sectors of the economy and the vast resource potential of the region.⁵⁹ As a result, there has been an emphasis on developing the infrastructure of the region by widening the roads, expanding air connectivity, extending railway networks, opening new and reactivating dormant trade routes, as well as facilitating border trade and transit points.

The fate of the Northeast appears inextricably tied to the Look East policy, especially in the coming days. Increased trade and connectivity will rapidly transform the region and place it in the broader network of power, capital and markets. Improved bilateral ties and connectivity are definitely the high octaves of melody for the policy practitioners sitting in New Delhi.

However, unless the terms of the policies are reconciled by the communities in the Northeast, the agendas stare at a cul-de-sac, which has been the exact case with the Look East policy that has till now been tentative rather than rooted in long-term strategy. While better access to the market is linearly equated to peace, prosperity and development, some sections of the society are apprehensive about veiled threats that usually creep in and are associated with progress, human trafficking being one of them.⁶⁰ A closer inspection of the present scenario of human trafficking in the region, makes it clear that it is gathering pace day by day as opening up of International borders have paved the way and opened a corridor for the menace of human trafficking as well as drug trafficking to thrive. A case in point, is that most of these transit points are open, lax or unmanned. There have also been reports of victims that have been trafficked from Nepal to other parts of South East Asia by the use of these routes and transit points. For a while, Assam-Siliguri route was identified as a main trafficking route through which the victims of flesh trade were transported across

⁵⁹https://www.researchgate.net/publication/260188626_Look_East_Policy_Trafficking_of_Women_in_Manipur (Accessed on 17/05/17)

⁶⁰ . <https://thewire.in/97491/bridging-spaces-widening-schisms-look-east-policy-northeast/> Accessed on 17/05/17

north east India. But routes change and when one route is identified traffickers begin using another. Through these routes in the north east, women from Nepal, Burma, Bangladesh, the NorthEast itself and Bengal are seduced or coerced into flesh trade and trafficked.⁶¹ What we also have to understand is that though the Look East Policy was launched in the 90's, its implementation has been rather slow as well as the region's promised economic growth. Coupled with the problem of insurgency in most of the states, the region has witnessed large scale migration of the local population to the comparatively richer parts of the country.

Table 2.3
Status of Human Trafficking in North East India (2011-2015)

<i>Name of the State</i>	Cases Reported (Year wise)				
	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
Arunachal Pradesh	0	1	2	0	2
Assam	21	30	18	68	47
Nagaland	2	4	1	3	3
Meghalaya	2	7	4	0	0
Manipur	0	15	0	3	0
Mizoram	8	0	0	0	0
Sikkim	1	0	0	0	0
Tripura	2	0	0	0	2

Source: *National Crime Records Bureau (Ministry of Home Affairs)*

Conclusion:

It is clear that the growing need for better livelihood options and employment, a myriad of avenues opened up by India's Look East Policy, along with the combination of ethnic violence, insurgency, gender inequality, inadequate legislation and law enforcement, have turned the Northeast into a fertile place for human traffickers to ply their trade. In the past few years, thousands of young men and women of the region have fallen prey to the designs of traffickers and have been exploited as cheap labour, prostitutes and slaves. Continued insurgency and ethnic violence also in some states have also forced

⁶¹Banerjee, Paula & Chaudhury, Anasua Basu Ray; 2011, Women In Indian Borderlands; Sage Publication; New Delhi, p-31

parents to send their children outside the affected states for education or shelter where at times they play straight into the hands of these traffickers.

CHAPTER: 3

NATURE AND CAUSES OF HUMAN TRAFFICKING IN NAGALAND.

3.1 A Brief Profile of Nagaland

Nagaland is a state in Northeast India. The state is located between the 93°20' E and 95°15' E Longitudes and 25°6' and 27°4' N Latitudes. The total area covered by the state is 16,579 square km and with a population of 1,980,602 people according to the 2011 Census of India, it is one of the smallest states of India. It borders the state of Assam to the west, Arunachal Pradesh and part of Assam to the north, Burma to the east, and Manipur to the south.

With the state capital at Kohima, Nagaland has 11 districts which are inhabited by 16 tribes- Angami, Ao, Chakhesang, Chang, Kachari, Khiamniungan, Konyak, Kuki, Lotha, Phom, Pochury, Rengma, Sangtam, Sumi, Yimchunger, and Zeliang. Each tribe is unique in character with its own distinct customs, language and dress.

Nagaland was declared the 16th state of the country of India on 1 December 1963. Prior to this, Nagaland used to be a union territory. Agriculture is the most important economic activity and the principal crops include rice, corn, millets, pulses, tobacco, oilseeds, sugarcane, potatoes, and fibers. Other significant economic activity includes forestry, tourism, insurance, real estate, and miscellaneous cottage industries.⁶²

Physiography of Nagaland:

Nagaland consists of a narrow strip of hilly country running North-east to South-west and facing the Assam plains to its North and North-west. The Barail range enters the state at the South- west corner and runs in a North-easterly direction almost up to Kohima. Near Kohima the Barail range merges with the mountain ranges which have extended to Manipur and the main range assumes a much more northerly trend. This range is considerably higher than the Barail, with peaks like Saramati (3826.15 m) and Mataung Kien (3420 m) at its extreme east. Between Mao and Kohima, there are several very high peaks including Japvo.

⁶²<https://en.wikipedia.org/wiki/Nagaland> (Accessed on 3/4/17)

North of Kohima the main range declines in height, and as far north as Mokokchung district, the Japukong range attains an average elevation of 750m. In general, 94% area falls under hilly⁶³ and rugged terrain and only 6% land is plain, especially those bordering Assam plains along western boundary of the state. The State has a rolling landscape with low hills covered with very dense vegetation.

Historical Background of the Birth of Nagaland At the time of independence, the Naga Hills was one of the districts of Assam and it continued to be so till 1956. In 1957, the Naga Peoples Convention proposed the formation of a separate administrative unit by merging the Tuensang Frontier Division of the erstwhile North East Frontier Agency (NEFA - now known as Arunachal Pradesh) with the Naga Hills District of Assam. The Government of India accepted this proposal and on December 1, 1957; the Union Government took over the administration of Naga Hills district of Assam and Tuensang division of NEFA to form a separate administrative unit called 'Naga Hill Tuensang Area' (NHTA). In July 1960 the Sixteen Point Agreement between the then Prime Minister of India and representatives of Naga Peoples Convention resulted in the creation of Nagaland as a constituent State of the Indian Union. In 1961 the NHTA became a de-facto Tribal State under the name Nagaland with de-facto legislative ministry. With the enactment of the Constitution (Thirteenth Amendment) Act, 1962, the State of Nagaland came into existence as the Sixteenth State of Indian Union on December 1, 1963 comprising erstwhile territory known as 'Naga Hills Tuensang Area' (NHTA) which was formed in 1957. The entire administrative area was then divided into three districts, namely, Kohima, Mokokchung and Tuensang.

During the period 1971-81, four more districts were created by the State Government for administrative convenience. They are Phek, Wokha, Zunheboto and Mon. In 1997, another district Dimapur was created increasing the number of districts to eight in the State. In January 2004, three new districts were inaugurated by the State Govt., viz, Longleng, Kiphire and Peren. Prior to the formation of these as separate district, Longleng and Kiphire were the sub-divisions of Tuensang district and Peren was a sub-division of Kohima district. At present there are altogether eleven districts in the State (However, the present study takes into consideration only 8 districts of Nagaland as in 2001 since relevant data

⁶³http://www.nsdma.gov.in/Docs/Acts_Plans/NSDMP%202012.pdf (Accessed on 11/3/18)

pertaining to years beyond 2001 for newly constituted districts are not available). Each district generally has predominant concentration of one of the major/minor tribes of the State, making the 57 districts distinct in their socio-political, traditional, cultural and linguistic characteristics. As per 2001 census, there are 9 towns out of which 8 are statutory towns and 1 is Census town named Chumukedima. The state has 1,317 villages out of which 1,278 are inhabited and 39 uninhabited villages. There are more than 35 major tribes in Nagaland along with their sub-tribes and each tribe has its own dialect, follows its own rich culture and customs and, therefore, cannot speak or understand the other Naga dialect. Therefore, the Nagas use a common language called 'Nagamese' which is a hybrid mixture of Assamese and Naga languages but it serves as the lingua franca of the Naga people. The official language of the State is English and more than 80 per cent of the population speaks English.⁶⁴

Table 3.1
District- Wise Area &Population (2011 census)

<i>Sl.No</i>	<i>State/ District</i>	<i>Area in sq.km</i>	<i>Population</i>
	<i>Nagaland</i>	<i>16,579</i>	<i>1,978,502</i>
1	Kohima	3,114	267,988
2	Peren		95,219
3	Dimapur	927	378,811
4	Phek	2,026	163,418
5	Mokokchung	1,615	194,622
6	Zunheboto	1,255	140,757
7	Wokha	1,628	166,343
8	Tuensang	4,228	196,596
9	Kiphire		74,004
10	Longleng		50,484
11	Mon	1,786	250,260

Source: *Statistical Handbook of Nagaland 2015*

Note: The highlighted districts are the area of study.

⁶⁴http://shodhganga.inflibnet.ac.in/bitstream/10603/20472/8/09_chapter%203.pdf (Accessed on 11/3/17)

Table 3.2
District – Wise Literate Population and Literacy Rate in Nagaland (2011 Census)

State/ District	Total Population			Literate population			Literacy rate(Percentage)		
	Person	Male	Female	Person	Male	Female	Person	Male	Female
Nagaland	19,78,502	10,24,649	9,53,853	13,42,434	7,23,957	6,18,477	79.55	82.75	76.11
Kohima	2,67,988	1,38,966	1,29,022	1,97,489	1,07,038	90,451	85.23	88.69	81.48
Dimapur	3,78,811	1,97,394	1,81,417	2,78,037	1,50,142	1,27,895	84.79	87.54	81.77
Phek	1,63,418	83,743	79,675	1,05,893	57,926	47,967	78.05	83.66	72.21
Mokokchung	1,94,622	1,01,092	93,530	1,59,494	83,479	76,015	91.62	92.18	91.01
Wokha	1,66,343	84,505	81,838	1,28,208	67,385	60,823	87.69	90.81	84.48
Zunheboto	1,40,757	71,217	69,540	1,02,881	53,504	49,377	85.26	87.85	82.62
Tuensang	1,96,596	1,01,933	94,663	1,17,511	63,653	53,858	73.08	76.31	69.59
Mon	2,50,260	1,31,753	1,18,507	1,19,626	67,432	52,194	56.99	60.94	52.58
Peren	95,219	49,714	45,505	62,204	34,584	27,620	77.95	82.84	72.58
Kiphire	74,004	37,830	36,174	41,232	22,675	18,557	69.54	74.88	63.97
Longleng	50,484	26,502	23,982	29,859	16,139	13,720	72.17	74.48	69.63

Source: Statistical Handbook of Nagaland 2015

Note: The highlighted districts are the area of study.

3.2. Overview of Nature and Causes of Human Trafficking in Nagaland

Globalization has been such a defining characteristic across the world in recent years and has been a positive feature of human life. We get to share our cultures, our traditions are more widely appreciated and our experiences, enriched.

These positive developments have, however, been accompanied by – and have sometimes masked – a much less savory movement of people, utterly involuntary and wholly exploitative. Made easier by the political and social dislocation of many states and given superficial cover by the unequal distribution of the world's goods. This is the reality of human trafficking, our modern slavery.

For quite some time in Nagaland, there was a feeling that human trafficking was an alien term and an issue only for other places. And that being a closely woven landlocked area, such a menace could never permeate the Naga society. But if we have learnt anything from the global experience of the past decades it is that no place is remote from contact with the rest of the world and that no place is immune from the issues that confront modern society. Slowly anecdotal evidences started beginning to grow, the media started paying attention and today human trafficking in Nagaland has become a real problem. It is a fundamental denial of any principle of equality and a fundamental assault on any concept of the human rights of individuals. It is organized crime with vulnerable people - almost always women and children – as its raw material and as its victims. And therefore, finding out root causes of the problem becomes imperative for any formal acknowledgement or institutional response in the state.

Vulnerability arises due to poor economic conditions, existence of gender-based discrimination, political instability, geographical location and lack of awareness. Nagaland is a hot bed for all of these.

Nagaland is endowed with huge untapped natural resources and has the potential to transform itself into a commercial hub of India. However with rampant corruption at all levels, gross unemployment and the absence of any major factories, this looks a distant dream and the state remains decades behind mainstream India. Again, employment, vocational training and economic opportunities are in chronic shortage. As a result,

unemployed youths and school dropouts are reduced to vulnerability. More vulnerable are those who migrate from rural areas, where opportunities are even rarer, to urban areas in search of employment and other opportunities. This has created a congenial atmosphere for human trafficking activities to thrive in. Promises of better livelihood, employment, education and so on are tools used by traffickers to lure economically frustrated inhabitants of the state into their trap.

Gender based issues is another factor that creates situations congenial for human trafficking. The Naga social organization is Patriarchal in nature. Though its womenfolk are treated with respect and have equal opportunities to education, they are treated as subordinate beings with no say in issues of inheritance, family businesses when there are male siblings, and policy making in traditional institutional setups. As a result, in such a male dominated and patriarchal society and consequently, because of all these dogmas, its womenfolk usually look for greener pastures and opportunities. Inevitably, this makes them easier and more viable targets for traffickers to hone in on.

Political instability is another major cause of human trafficking in Nagaland. The insurgency problem in this region is not new and has been in existence since the early years of Indian independence. Through the years, this has left thousands homeless, orphaned many and caused destruction to established means of livelihood. Along with this, rampant corruption with no political settlement in sight (until only recently), have provided flourishing opportunities for the perpetrators of human trafficking.

Another reason why Nagaland has become a source, destination and transit region for human trafficking is because of its geographical location. There are cross-border trafficking, especially from Myanmar and Bangladesh, as well as interstate trafficking from Assam, Arunachal Pradesh and some from Meghalaya. This is as a result of the state's close proximity to these human trafficking hotspots.

Trafficking in human beings, especially women and children, is modern-day slavery. It spans national and international boundaries and is considered to be a gross violation of the basic human rights. Victims of human trafficking are often mentally, physically and sexually abused and forced into service without pay in the worst condition. Despite the

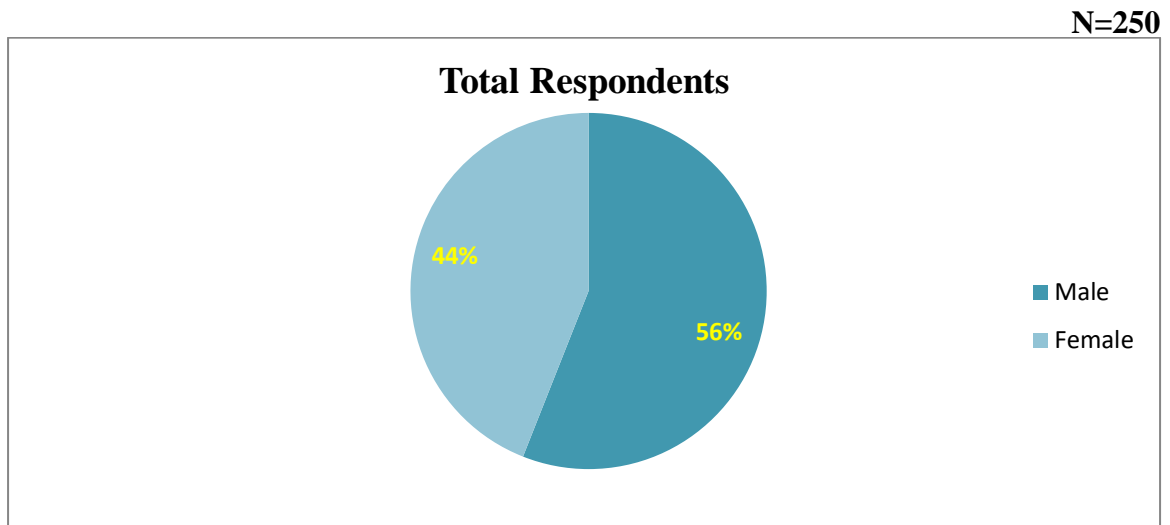
brutal nature of human trafficking, many countries have either been slow to recognise the problems associated with human trafficking or have been unsuccessful in combating it. Again a major contribution to why the victims are they themselves trafficked is because of their lack of awareness as well as the society's level of understanding of the issue.

This chapter deals specifically with the main areas of research dealing with the problem of human trafficking in Nagaland. It focuses on people's level of awareness, their opinions and views and governmental and non-governmental mechanisms in combating the issue. Through this chapter, the nature and dimensions of the problem in the state are depicted.

3.3. General Information of the Respondents

For the present study stratified random sampling was used to select the sample population and as such a number of 250 respondents were selected to cover the sample universe. Since description of respondents is important in getting a clearer view about the problem, therefore different Variables have been taken up to determine the socio economic aspects of the respondents i.e., age, educational qualification, occupation, and so on. Detailed descriptions of the respondents are given below.

Figure 3.1
Total Respondents



The figure depicts the total number of respondents. It clearly validates that 56% of the respondents are male and 44% of the respondents are female.

Table 3.3
Gender Wise Age Distribution

N=250

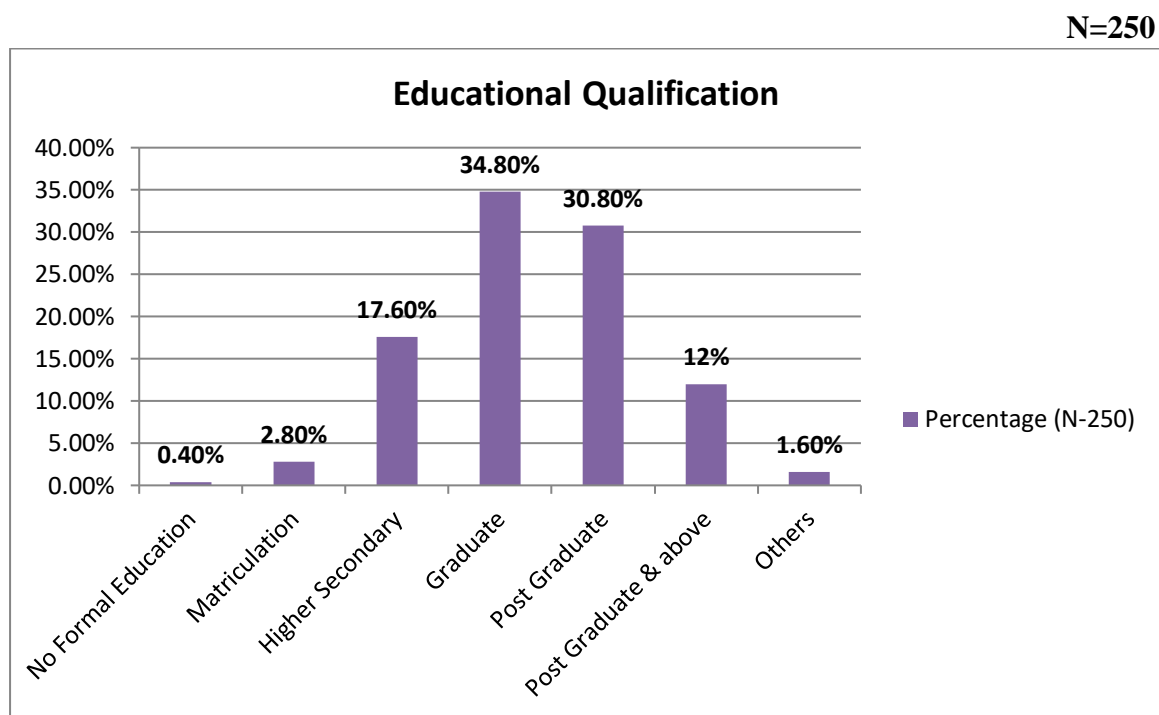
Districts	Gender Wise Age Distribution								Total
	15-24 years		25-34 years		35-44 years		45 years and above		
	M	F	M	F	M	F	M	F	
Dimapur	8(16.0)	4(8.0)	15(30.0)	17(34.0)	5(10.0)	1(2.0)	0(0.0)	0(0.0)	50 (100.0)
Peren	5(10.0)	10(20.0)	9(18.0)	7(14.0)	6(12.0)	4(8.0)	7(14.0)	2(4.0)	50(100.0)
Tuensang	6(12.0)	10(20.0)	18(36.0)	7(14.0)	7(14.0)	1(2.0)	0(0.0)	1(2.0)	50(100.0)
Mon	4(8.0)	3(6.0)	14(28.0)	16(32.0)	11(22.0)	1(2.0)	1(2.0)	0(0.0)	50(100.0)
Mokokchung	7(14.0)	11(22.0)	12(24.0)	10(20.0)	2(4.0)	4(8.0)	3(6.0)	1(2.0)	50(100.0)
Total	30(12.0)	38(15.20)	68(27.20)	57(22.80)	31(12.40)	11(4.40)	11(4.40)	4(1.60)	250(100.0)

Gender and age are important factors in determining relevancy and differences in opinions. Therefore gender and age are important components for the present study. As shown in Table 3.1, total respondents comprised of 56% male and 44% female. The study also shows that majority of the respondents belong to 25 to 34 years which comprise of 27.2% male and 22.8% female.

(i) Educational Qualification:

Education plays a vital role in how a person responds to different social phenomenon. It is an essential indicator to know how a person perceives the problem. As a result, educational qualification was felt as an imperative element in this study. The data pertaining to education of the respondents are given in figure 3.2.

Figure 3.2
Distribution of the Respondents According to Educational Qualification



The above figure shows that persons having no formal education is only 0.4%, while 2.80% of the respondents have completed their matriculation. Persons that have completed their higher secondary level is 17.60%. The highest percentage of the respondents fall in the graduate level group which is 34.80%, followed by Post graduates amounting to 30.80% of the total respondents. A considerable number of respondents are highly qualified (12%) whereas a handful of respondents (1.60%) had vocational diplomas.

(ii) Occupation of the Respondents

An occupation can be defined as an activity that serves as one's regular source of livelihood. It determines a person's economic status which in turns affects one's own lifestyle as well as his social role. Therefore keeping this view in mind, the researcher identifies respondents belonging to various occupations to find out their responses to this social phenomenon. The distribution of the respondents according to their occupation has been highlighted in the figure below.

Figure 3.3
Occupation of the Respondents

N=250

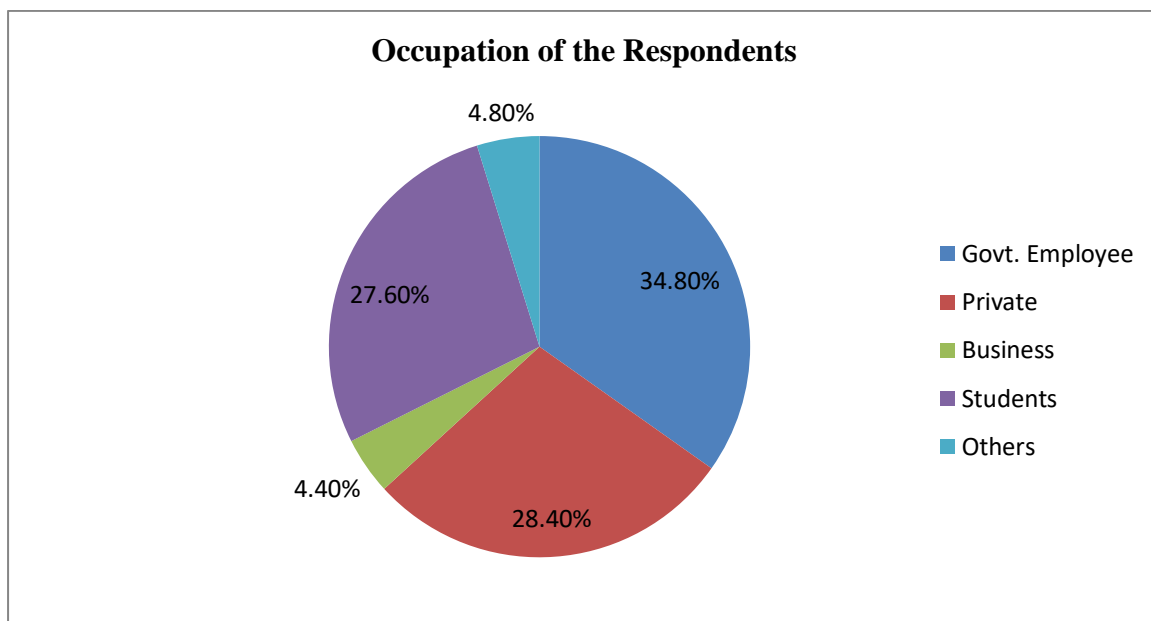


Figure 3.3 clearly reveals that 34.80% of the respondents are engaged in government service, while 28.40% of the respondents are engaged in private enterprises. A good number of respondents are students (27.60%) while other occupations such as church workers make up 4.80%. The remaining 4.40% respondents come under the category of business.

3.4. Causes of Human Trafficking

There are several reasons for trade in human beings especially when it comes to women and children. Causes of human trafficking may vary from country to country or from state to state. However, when we analyze the various reasons, it more often than not boils down to two main factors i.e., the push factor and the pull factor. Push factors are high unemployment, poverty, gender discrimination, lack of awareness about the activities of traffickers, impact of globalization, conflict, and collapse of social structure and so on. The pull factors includes demand for cheap labour, demand for commercial sex, employment propositions in big cities luring the victims by trafficking agents promising to pay handsome salary and a comfortable life and fake marriages which are very common in the northern part of India like Punjab and Haryana. Due to female feticide, the ratio of females are drastically lesser than the males and as such they lure girls from other parts of India by deceiving the parents and the victim on the pretext of marriage and later on push the innocent girls into prostitution. Also one major cause for human trafficking is the weak machinery of various states in handling cases of human trafficking. The researcher also observed that though there are anti-human trafficking units in all the districts of Nagaland, they don't function actively which in turn emboldens human traffickers to ply their trade.

Figure 3.4
Causes of Human Trafficking

N=250

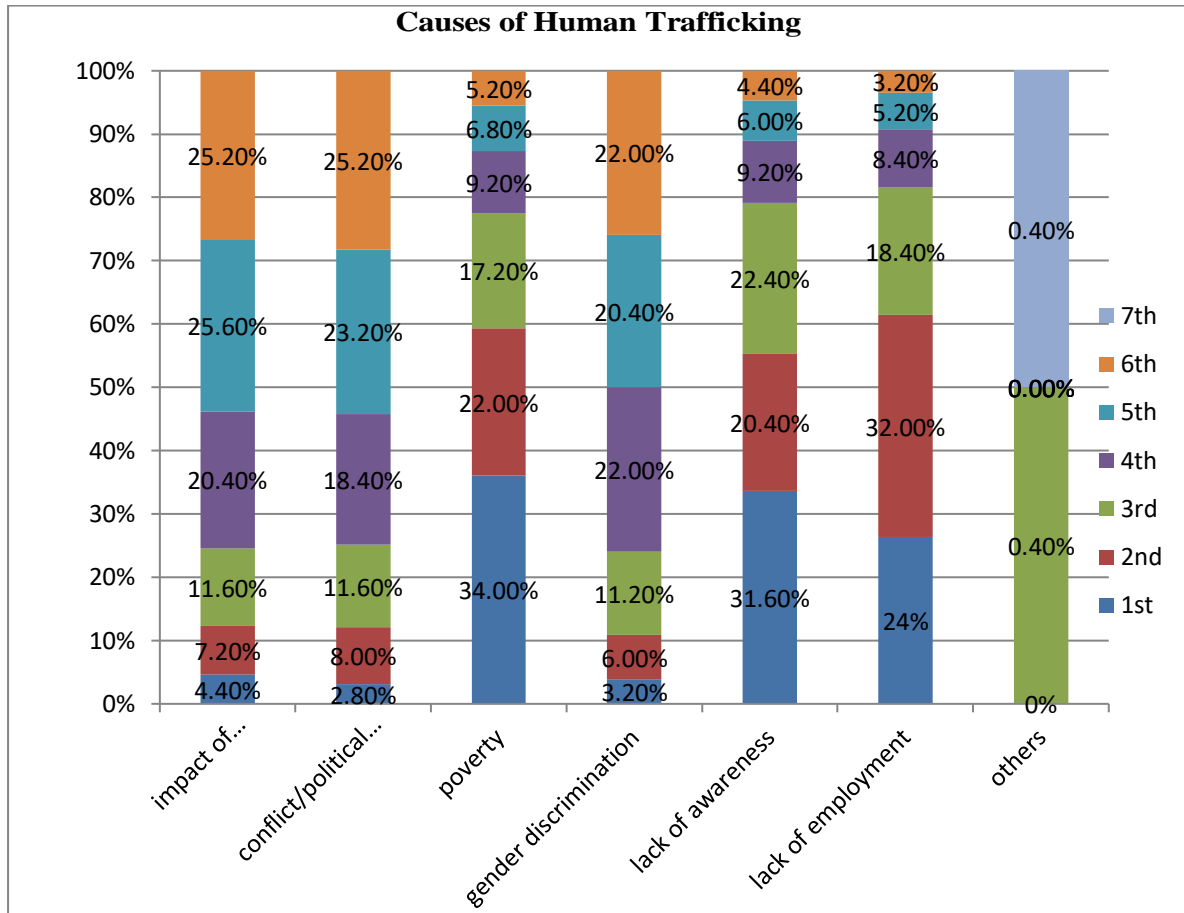


Figure 3.4 shows respondents' opinion priority wise on the causes of human trafficking in Nagaland. 34% said that poverty is the primary cause of human trafficking in Nagaland, 22% said that it is the second main cause, 17.20% said it is the third, 9.20% said it is the fourth, 6.80% the fifth and 5.20% said it is the sixth main cause.

For lack of awareness as a cause of human trafficking, 31.60% had it as their first priority, 20.40% as their second, 22.40% as their third, 9.20% as their fourth, 6% as their fifth and 4.40% as their sixth.

For the lack of employment option, 24% had it as their first priority, 32% as their second, 18.4% as their third, 8.4% as their fourth, 5.20% as their fifth and 3.20% as their sixth.

For impact of globalization, 4.40% had it as their first priority, 7.20% as their second, 11.60% as their third, 20.40% as their fourth, 25.60% as their fifth and 25.20% as their sixth.

For gender discrimination, 3.20% had it as their first priority, 6% as their second priority, 11.20% as their third, 22% as their fourth, 20.40% as their fifth and 22% as their sixth.

For conflict/political unrest, 2.80% had it as their first priority, 8% as their second, 11.60% as their third, 18.40% as their fourth, 23.20% as their fifth and 25.20% as their sixth.

In the others category (forced labor and organ trafficking) 0.40% had it as their third priority and another 0.40% had it as their seventh priority.

The study indicates that the main cause for human trafficking in the state is due to poverty, lack of awareness, and lack of employment. A majority of the trafficking cases occur to victims from poor economic and educational backgrounds. Traffickers are also able to entice victims with promises of employment and better living. However, conflict/political unrest, is the least chosen factor. This is because of major insurgent outfits being brought to the table by the central government. Again, when it comes to traffickers, it has been found out that in most instances, they are not always strangers but someone victims know like a neighbour, an acquaintance, a friend or a community member.

Table 3.4
Comparative Study (District Wise) on Causes of Human Trafficking

N=250

<i>Opinion on the causes of human trafficking</i>	<i>Districts</i>				
	<i>Dimapur</i>	<i>Peren</i>	<i>Tuensang</i>	<i>Mon</i>	<i>Mokokchung</i>
Impact of globalization	3.42	3.543	3.714	3.818	3.659
Conflict/political unrest	3.425	3.795	3.547	3.556	3.531
Poverty	5.84	5.595	5.205	5.804	5.267
Gender discrimination	3.157	3.717	3.846	3.487	3.84
Lack of awareness	5.391	4.729	5.627	5.76	5.45
Lack of employment	5.75	5.391	5.302	5.212	6.181
others	0	0	0	1	0.75

Table 3.4 examines the district wise comparative study of opinions on causes of human trafficking. An analysis of the data indicates that there are marked differences on what people feel is the main cause of human trafficking in the state with almost every other district having different opinions when it comes to primary causes. Mon and Peren districts have a common view that is poverty. The respondents of Dimapur and Tuensang district felt that lack of awareness is the main cause of human trafficking. The respondents of Mokokchung district had the opinion that it is lack of employment.

The above comparative study shows us that views on causes of human trafficking are varied. However it is clear that poverty and lack of awareness are the main causes of human trafficking in the state of Nagaland.

Table 3.5
Data on Registered Cases of Human Trafficking in Nagaland till Date.

<i>District</i>	Year-wise registered cases												
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Dimapur	1	3	4	3	8	3	8	11	13	2	6	0	0
Peren	0	0	0	0	1	0	0	0	0	0	0	0	0
Zunhebuto	0	0	0	0	0	0	0	1	0	0	0	0	0
Wokha	0	0	0	0	0	0	0	0	0	0	0	0	0
Kohima	0	0	0	0	1	0	0	0	0	0	0	0	0
Mokokchung	0	0	0	0	0	0	0	0	0	0	0	0	0
Kiphire	0	0	0	0	0	0	0	0	0	0	0	0	0
Tuensang	0	0	0	0	0	0	0	0	0	1	0	0	0
Mon	0	0	0	0	0	0	0	0	0	0	0	0	0
Longleng	0	0	0	0	0	0	0	0	0	0	0	0	0
Phek	0	0	0	0	0	0	0	0	0	0	0	0	0

Source: PHQ (Police Headquarters) Kohima: Human Rights Cell

Note: The table shows just the number of registered cases and not the number of victims.

The table above on registered cases of human trafficking, indicates that human trafficking activities take place in Dimapur, Peren Zunhebuto, Wokha, Kohima and Tuensang. On analysing the case reports, it is evident that most of the trafficked victims are from impoverished families based in rural areas and they are mostly women and children trafficked for prostitution and child labor.

AHTUs have been established in all eleven districts since 2010. It is headed by the Officer-in-charge of the respective police station, including the women cell and staff. They register and investigate cases related to human trafficking. Since its inception, AHTUs in Nagaland have played a major role in curbing human trafficking. The table below shows commendable work done by them.

Table 3.6
Registered cases of human trafficking by AHTUs from 2010-2014

Number of persons arrested	46
Number of victims rescued	184
Details of interstate cases of trafficking 1. Ten boys rescued from Pune, Maharashtra. One accused arrested. 2. Fourteen girls rescued from Mylapore, Chennai, Tamil Nadu. Three accused arrested. 3. Twenty nine children (all female) rescued from Andhra Pradesh. Three accused arrested. 4. Eight children (5 female, 3 male) rescued from Jaipur Rajasthan. Two accused arrested	

Source:PHQ (Police Headquarters Kohima(Human Rights Cell)

Introduction to the Problem of Human Trafficking:

Mass media is a very important tool in dissipating awareness on different issues. In a lot of instances, people first get introduced to various concerns through one form of media or through the other. The figure below projects how the respondents were first introduced to the issue of human trafficking.

Figure 3.5

Respondents' Opinion on First Source of Introduction to Human Trafficking

N=250

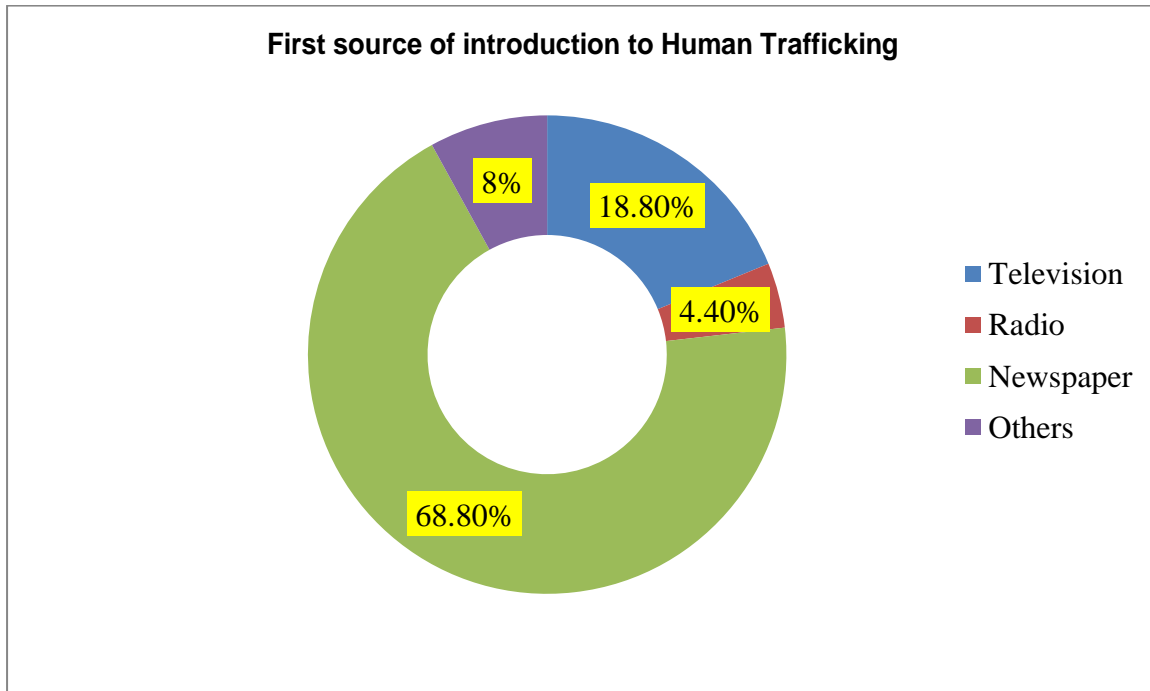


Figure 3.5 shows the percentage of different sources which first introduced the respondents to human trafficking. 68.80% of respondents said that they first heard about human trafficking through newspapers while 18.80% said it was through television. 4.40% heard it from the radio while 8% of the respondents heard it from other sources which included the internet, friends and family members.

This component of the study clearly shows that media in its various forms play an important role in disseminating awareness to the masses.

Table 3.7

Comparative Study on First Source of Introduction to Human Trafficking according to District and Gender Wise.

N=250

Districts	Sources								Total
	Television		Radio		Newspaper		others		
	M	F	M	F	M	F	M	F	
Dimapur	5(10.0)	2(4.0)	0(0.0)	0(0.0)	18(36.0)	18(36.0)	5(10.0)	2(4.0)	100.0
Peren	5(10.0)	4(8.0)	3(6.0)	3(6.0)	19(38.0)	11(22.0)	0(0.0)	5(10.0)	100.0
Tuensang	7(14.0)	4(8.0)	1(2.0)	2(4.0)	19(38.0)	13(26.0)	4(8.0)	0(0.0)	100.0
Mon	5(10.0)	6(12.0)	0(0.0)	0(0.0)	24(48.0)	12(24.0)	1(2.0)	2(4.0)	100.0
Mokokchung	4(8.0)	5(10.0)	2(4.0)	0(0.0)	17(34.0)	21(42.0)	1(2.0)	0(0.0)	100.0

Table 3.7 highlights the district and gender wise comparative study on the first source of introduction to human trafficking. In Dimapur district, a majority of the respondents were introduced to human trafficking by newspapers. Similarly, in all the other sample districts, respondents learnt about the human trafficking issue through the medium of newspapers. The second most popular choice as source of introduction for all the districts was the medium of television. This was followed by other sources. These other sources were mainly described as the internet followed by books. In Dimapur and Mon districts, there were no responses to radio as a source.

Through this comparative study it is clear that through newspapers majority of the people came to learn about human trafficking in all the districts with Mon having the highest percentage of male respondents (48%) and Mokokchung having the highest percentage of female respondents (42%). Apart from the other mentioned sources like television and radio, it appears that internet sources like social media also play a role in spreading information in the state.

3.5. Types of Trafficking

Human trafficking has various dimensions. Trafficking in persons especially women and children has become an important issue transcending borders, affecting countries all over the world. It is a growing phenomenon involving transnational organized crime syndicates. Women and children have been trafficked for prostitution, forced marriage and other forms of sexual exploitation such as sex tourism, and pornography, as domestic workers, labourers in sweat shops and on construction sites, as beggars, as male order brides, as camel jockeys and for organ trade. The increasing use of new information technologies, in particular, the Internet, has altogether added a new dimension to the problem faced.

Who are the victims?

Anyone can be a victim of human trafficking. Victims may be:

- Men, women and children
- Of varying ages
- Of varying levels of education
- Any race or ethnicity

Voluntary migrants escaping poverty, gender-based discrimination or political persecution, who become enslaved Individuals seeking better employment and livelihood opportunities who are then tricked into slavery. Persons abducted involuntarily and held against their will through force, fraud or deception

Who are human traffickers?

Anyone can be a human trafficker. A trafficker can be working on their own, in a small criminal group, or in a large-scale organized crime network. Frequently a trafficker is someone that the victim knows on a personal basis, such as a family member, friend, or community member. Most traffickers have the same nationality as their victim. The United Nations Office on Drugs and Crime 12 has found that in some part of the world women play a more prominent role in human trafficking. This may be because former victims become perpetrators as a means of escaping their own enslavement, or because women are more successful recruiters, as they are more likely to be trusted. So human traffickers may be:

- Transnational, national, or local criminal organizations
- Neighbours, friends, family members, village chiefs, returnees
- Agricultural operators
- Owners of small or medium-sized businesses
- Pimps and brothel owners I
- independent operators
- diplomatic families
- Police, government authorities, military
- Individual members of peacekeeping missions⁶⁵

In a place like Nagaland, before the advent of popular media, information and awareness on issues were extremely slow to treacle down. A case in point is that the researcher while having an informal discussion with a particular respondent in Tuensang district was told about an incident that came occurred a couple of decades before. According to her, *a young woman married a mason who came from mainland India to work on a project. After the project was completed, the husband took the young woman back to his native village on the pretext of meeting his parents. Years went by and there was absolutely no news of her. Years later, when the family had given up all hope of finding her, she returned to the village with her husband. After pacifying her family and persuading them that all was alright and that she had in fact bettered her life, she told them of her plans to stay with them for a few weeks and to leave along with her younger sister who would help her out. The parents having been convinced by her story realizing that it too would mean a better life for their younger daughter, readily agreed. Years have gone by, and till date there have been no news of the two sisters.*

The story of these two sisters appears suspiciously familiar like the fake marriage dimension of human trafficking. What's more is that, often trafficked victims become traffickers themselves later on. Or the elder sister could have been acting under threats and coercion. Without any substantiation, this story becomes only assumption. However

⁶⁵Darshna, Saudamini Singh and Tabinda Khan; 2016; Judicial Colloquium On Human Trafficking. Retrieved from http://jajharkhand.in/wp/wp-content/uploads/2017/01/05_human_trafficking.pdf. (Accessed on 22/05/17) P-11 &12.

knowing is half the battle won when it comes to human trafficking, and this incident sheds light on the need for awareness on human trafficking and all dimensions of this menace. The graph below shows the opinions that respondents have on the types of trafficking that is prevalent in our state.

Human trafficking is first and foremost exploitation of people to achieve a desired goal or outcome. There are many forms of exploitation into which people can be trafficked and held in slavery. These crimes against humanity are happening in every corner of the world and can include any person, regardless of age, sex, socio-economic background or location. Some of the most commonly reported forms of exploitation for human trafficking in the state are domestic servitude, forced prostitution, fake marriages, and forced labour.

Figure 3.6
Types of Exploitation Known to the Respondents

N=250

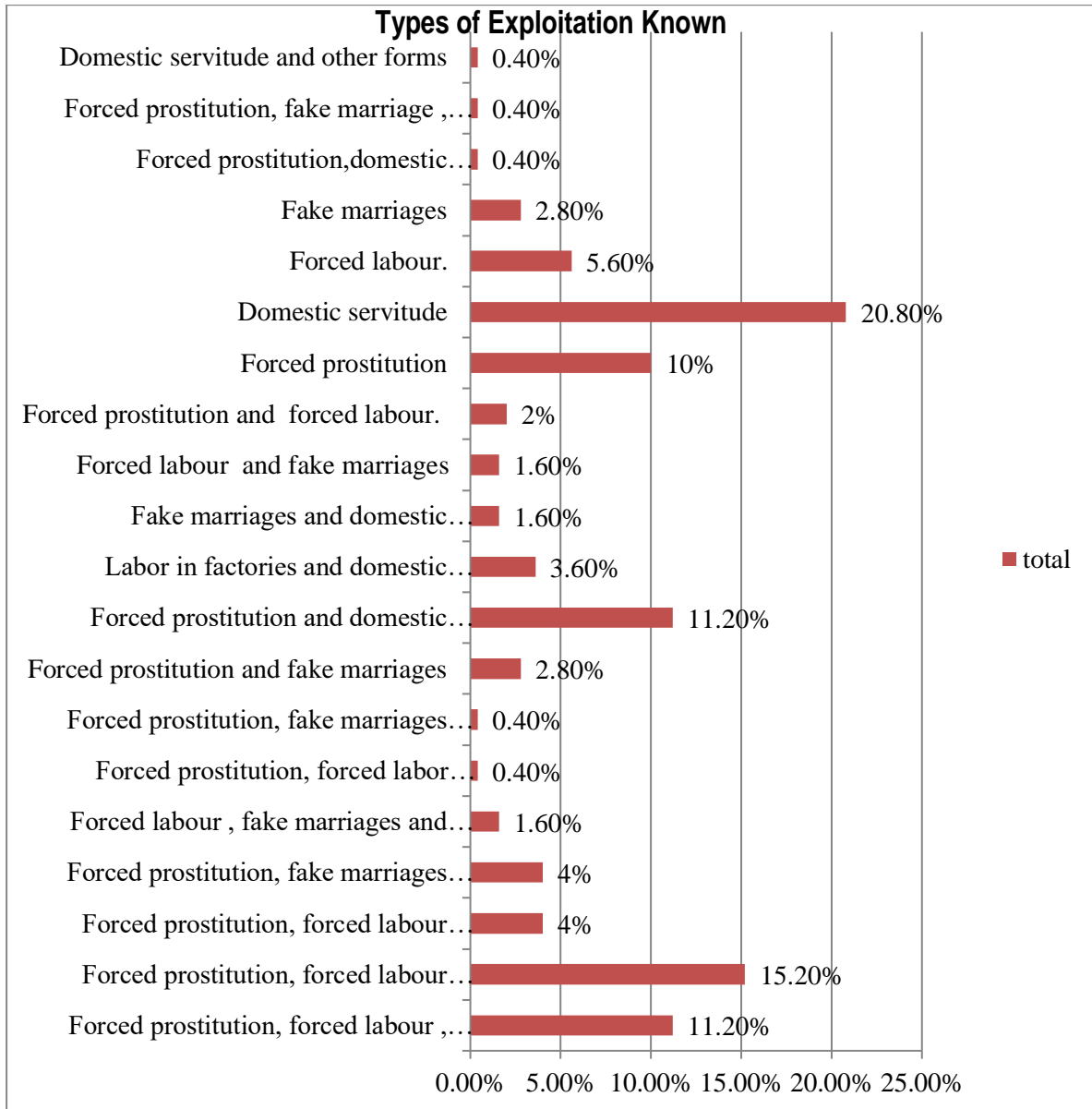


Figure 3.6 demonstrates the types of exploitation known to the respondents. However 20.80% of the respondents know only one type of exploitation which is domestic servitude followed by 15.20% which consist of forced prostitution, forced labour and domestic servitude. 11.20% said they knew forced prostitution, forced labour, fake marriages and domestic servitude. 11.20% knew forced prostitution and domestic servitude. 5.60% of the respondents knew only forced labour. Also a few percentages of respondents (4%) knew

forced prostitution, fake marriages and domestic servitude. Again, 4% knew forced prostitution, forced labour and fake marriages. 3.60% of the respondents are familiar with forced labour and domestic servitude. 2.80% knew forced prostitution and fake marriages. Another 2.80% knows about fake marriages. 2% of the respondents are familiar with forced prostitution and forced labour. 1.60% knew about forced labour and fake marriages. Another 1.60% are familiar with fake marriages and domestic servitude. A further 1.60% knows about forced labour, fake marriages and domestic servitude. Domestic servitude and other forms/ forced prostitution, fake marriages, domestic workers and others forms/ forced prostitution, domestic workers and other forms/ forced prostitution, fake marriages and other forms and finally, forced prostitution, forced labour and other forms all had 0.40% responses each. When respondents opted for other forms in their responses, some of them said that these involved illegal adoption, fake jobs and child labour.

An analysis of figure 3.6 indicates that though there are various types of human trafficking related forms of exploitation, a great number of people are not familiar with all of them. However the ones that they are most familiar with are domestic servitude, forced prostitution and forced labor.

Table 3.8
District Wise Comparative Study on Types of Exploitation according to Respondent's Opinions

N=250

<i>Types of exploitation</i>	<i>Districts wise</i>									
	<i>Dim</i>	<i>%</i>	<i>Peren</i>	<i>%</i>	<i>Tuen</i>	<i>%</i>	<i>Mon</i>	<i>%</i>	<i>Mok</i>	<i>%</i>
Forced prostitution, forced labour, fake marriages and domestic servitude.	7	14	8	16	4	8	5	10	4	8
Forced prostitution forced labour and domestic servitude	13	26	8	16	5	10	8	16	4	8
Forced prostitution, forced labour and fake marriages.	2	4	1	2	3	6	1	2	3	6
Forced prostitution, fake marriages and domestic servitude	2	4	2	4	3	6	2	4	1	2
Forced labour, fake marriages and domestic servitude	1	2	0	0	3	6	0	0	0	0
Forced prostitution, forced labour and other forms.	1	2	0	0	0	0	0	0	0	0
Forced prostitution, fake marriages and other forms.	1	2	0	0	0	0	0	0	0	0
Forced prostitution and fake marriages	1	2	1	2	2	4	1	2	2	4
Forced prostitution and domestic servitude.	7	14	6	12	3	6	6	12	6	12
Forced labour and d domestic servitude	4	8	0	0	0	0	4	8	1	2
Fake marriages and domestic servitude	0	0	1	2	2	4	1	2	0	0
Forced labour and fake marriages	0	0	0		3	6	1	2	0	0
Forced prostitution and forced labour	0	0	1	2	1	2	1	2	2	4
Forced prostitution	3	6	7	14	7	14	3	6	5	10
Domestic servitude	7	14	7	14	8	16	14	28	16	32
Forced labour	1	2	6	12	4	8	1	2	2	4
Fake marriages	0	0	2	4	2	4	2	4	1	2
Forced prostitution, domestic servitude and other forms	0	0	0	0	0	0	0	0	1	2
Forced prostitution, fake marriage ,domestic servitude and other forms	0	0	0	0	0	0	0	0	1	2
Domestic servitude and other forms	0	0	0	0	0	0	0	0	1	2
Total	50	100	50	100	50	100	50	100	50	100

Note: Dim=Dimapur, Tuen=Tuesang, Mok=Mokokchung

Table 3.8 reveals the district wise comparative study on the types of exploitation known in Nagaland.

The majority of inhabitants (26%) of Dimapur district, are aware of exploitation that involves forced prostitution, labour in factories and domestic workers followed by forced prostitution, labour in factories, fake marriages and domestic workers/ forced prostitution and domestic workers/and domestic workers, all three categories of which had 14%. This was followed by labour in factories and domestic workers (8%), forced prostitution (6%), forced prostitution, labour in factories and fake marriages (4%), forced prostitution, fake marriages and domestic worker (4%), labour in factories, fake marriages and domestic workers (2%), forced prostitution, labour in factories and other forms (2%), forced prostitution, fake marriages and other forms (2%), forced prostitution and fake marriages (2%) and finally, labour in factories (2%).

For Peren district, 16% said they knew forced prostitution, labour in factories, fake marriages and domestic workers. Another 16% felt they knew forced prostitution, labour in factories and domestic workers followed by forced prostitution (14%), domestic workers (14%), forced prostitution and domestic workers (12%), labour in factories (12%), forced prostitution, fake marriages and domestic worker (4%), fake marriages (4%), forced prostitution, labour in factories and fake marriages (2%), forced prostitution and fake marriages (2%), fake marriages and domestic workers (2%) and forced prostitution and labour in factories (2%).

For Tuensang district, 16% of the respondents ticked the domestic workers option, followed by forced prostitution (14%), forced prostitution, labour in factories and domestic workers (10%), forced prostitution, labour in factories, fake marriages and domestic workers (8%), labour in factories (8%), forced prostitution, labour in factories and fake marriages (6%), forced prostitution, fake marriages and domestic worker (6%), labour in factories, fake marriages and domestic workers (6%), forced prostitution and domestic workers (6%), labour in factories and fake marriages (6%), forced prostitution and fake marriages (4%), fake marriages and domestic workers (4%), fake marriages (4%) and forced prostitution and labour in factories (2%).

For Mon district, 28% of the respondents picked the domestic workers option, followed by forced prostitution, labour in factories and domestic workers (16%), forced prostitution and domestic workers (12%), forced prostitution, labour in factories, fake marriages and

domestic workers (10%), labour in factories and domestic workers (8%), forced prostitution (6%), forced prostitution, fake marriages and domestic worker (4%), fake marriages (4%), forced prostitution, labour in factories and fake marriages (2%), forced prostitution and fake marriages (2%), fake marriages and domestic workers (2%), labour in factories and fake marriages (2%), forced prostitution and labour in factories (2%), and labour in factories (2%).

For Mokokchung, 32% knew about domestic workers, followed by forced prostitution and domestic workers (12%), forced prostitution(10%), forced prostitution, labour in factories, fake marriages and domestic workers (8%), forced prostitution, labour in factories and domestic workers (8%), forced prostitution, labour in factories and fake marriages (6%), forced prostitution and fake marriages (4%), forced prostitution and labour in factories (4%), labour in factories (4%), forced prostitution, fake marriages and domestic worker (2%), labour in factories and domestic workers (2%), fake marriages (2%), forced prostitution, domestic workers and other forms (2%), forced prostitution, fake marriage , domestic workers and other forms (2%) and domestic worker and other forms (2%).

The evaluation of the data given above reveals people of Peren district know more about the different types of exploitation associated with trafficking because when case records of trafficking cases were analyzed, it was found that many incidences of trafficking occurred in the district and because of this, many respondents are familiar with different types of trafficking. Peren is followed by Dimapur and Mon districts. The respondents of Mokokchung and Tuensang districts had marginally lesser knowledge about these different types of exploitation.

Figure 3.7
Respondents' Opinions on the Most Prevalent Types of Trafficking

N=250

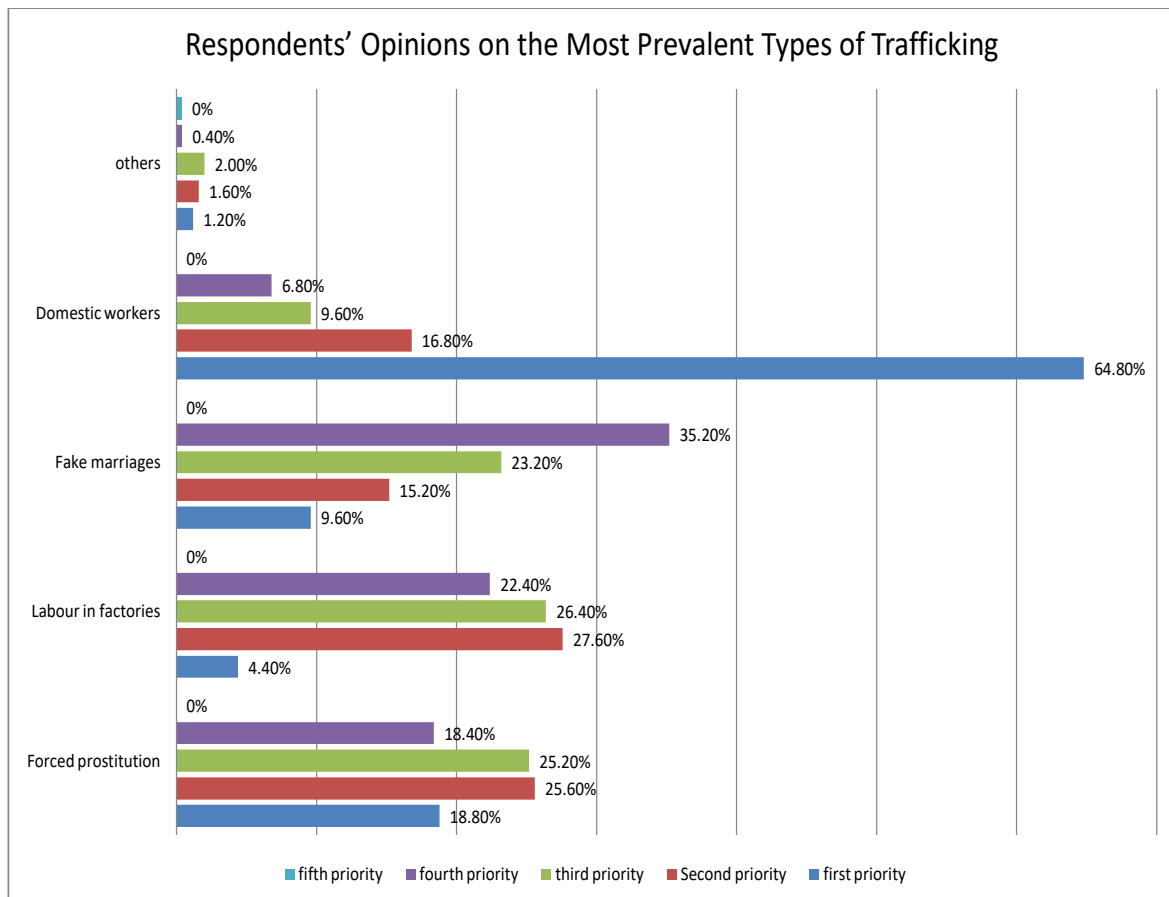


Figure 3.7 depicts the percentage of opinions on the types of human trafficking that is most prevalent in the state priority wise. 64.80% of respondents said that domestic workers as a type of trafficking is the most prevalent form in Nagaland. 16.80% said that it was the second, 9.60% as the third and 6.80% as the fourth most prevalent form of human trafficking.

18.80% of the respondents felt that forced prostitution is the most prevalent type while 25.60% said that it was the second. 25.20% said it was the third and 18.40% felt that it was the fourth most prevalent type of human trafficking in Nagaland.

Fake marriages as a type of human trafficking was deemed to be the most prevalent in Nagaland by 9.60% of the respondents. 15.20% deemed it as the second, 23.20% said it was the third and 35.20% felt that it was the fourth.

Other forms of trafficking other than those mentioned was felt by 1.20% of the respondents to be the most widespread, 1.60% as the second, 2% as the third and 0.40% as the fourth. These forms of human trafficking as mentioned by the respondents are false promises to give employment, illegal adoption and child labour.

In the realm of human trafficking there are numerous factors for which people are trafficked, but after analyzing the data above there is a clear indication that trafficking for domestic work is the most prevalent form of human trafficking in the state of Nagaland. However, the researcher has observed that most of these domestic workers that are from rural setups, come of their own accord to urban areas, in search of better education and living and these terms are usually received from their employers for services rendered by them. So the system and network that ropes in domestic workers and dissipates them to households, coming under the realm and confines of human trafficking in Nagaland, is a debatable issue.

Table 3.9
District Wise Comparative Study on Most Prevalent Types of Human Trafficking in the State of Nagaland.

N=250

<i>Opinion in order of priority</i>	<i>Districts</i>				
	<i>Dimapur</i>	<i>Peren</i>	<i>Tuensang</i>	<i>Mon</i>	<i>Mokokchung</i>
Forced prostitution	3.143	3.630	2.621	3.375	3.559
Forced labour	3.167	3.418	3.15	3.097	3
Fake marriages	2.833	2.739	3.408	2.925	2.972
Domestic servitude	4.591	4.395	4.041	4.64	4.44
Others	0.33	1	0	0.22	0.24

The comparative study above shows that all the districts were unanimous when it came to domestic servitude as the most prevalent form of human trafficking. After domestic servitude, opinions of the second most prevalent form of trafficking varies with Dimapur stating that it is forced labour, Peren, Mon and Mokokchung saying that it is forced prostitution while it was fake marriages for Tuensang district.

3.6 Impact of Globalization on Human Trafficking

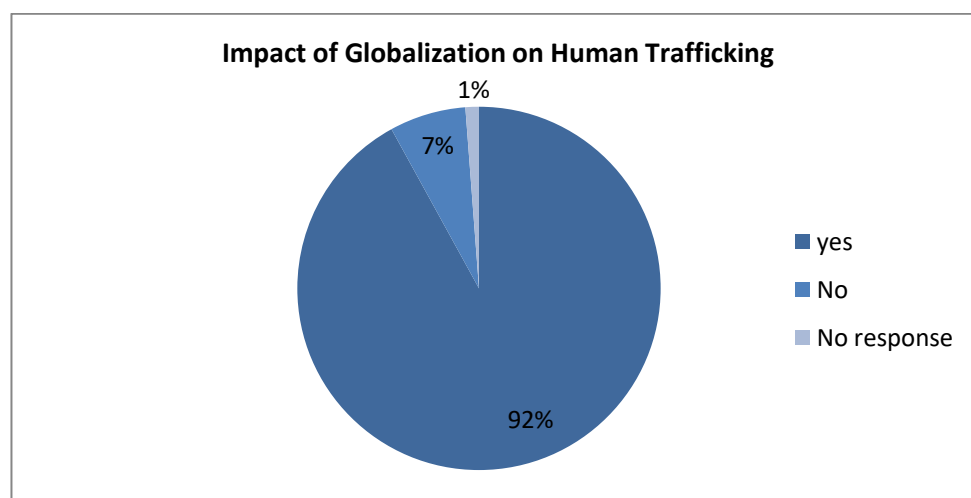
Globalization according to many writers and researchers is a key element in human trafficking. Globalization is the development of an increasingly integrated global economy marked especially by free trade, free flow of capital, and the tapping of cheaper foreign labour markets that transcend nation-state boundaries. In part, globalization disseminates practices, values, technology, and other human products throughout the globe. It must be acknowledged that forms of slavery and human trafficking are not just outcomes of globalization; they are part of the globalization process itself that involves a functional integration of dispersed economic activities.

As the world “shrinks” and evolves toward a sort of global community, the transfer of people both voluntary and coerced is becoming more prevalent. The condensing of the world can be attributed to the process of globalization.⁶⁶ It is in large part due to globalization that human trafficking has become such a lucrative and thus, fast-growing criminal activity.

Below we try to understand whether the respondents feel that globalization impacts human trafficking.

Figure 3.8
Impact of Globalization on Human Trafficking

N=250



⁶⁶<https://www.du.edu/korbel/hrhw/researchdigest/trafficking/Globalization.pdf> (Accessed on 27/09/17)

Figure 3.8 shows us the respondent's opinions on globalization as a factor in human trafficking. 92% of them felt that globalization was a factor in human trafficking 7% felt that it wasn't while 1% did not respond.

Table 3.10
Comparative Data (District and Gender Wise) on Impact of Globalization on Human Trafficking
N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	24(48.0)	21(41.0)	4(8.0)	1(2.0)	0(0.0)	0(0.0)	50(100.0)
Peren	26(52.0)	20(40.0)	1(2.0)	2(4.0)	0(0.0)	1(2.0)	50(100.0)
Tuensang	27(54.0)	18(36.0)	3(6.0)	0(0.0)	1(2.0)	1(2.0)	50(100.0)
Mon	26(52.0)	19(38.0)	4(8.0)	1(2.0)	0(0.0)	0(0.0)	50(100.0)
Mokokchung	23(46.0)	26(52.0)	1(2.0)	0(0.0)	0(0.0)	0(0.0)	50(100.0)

Table 3.10 shows the comparative data on globalization as a factor in human trafficking. For Dimapur district, 48% of males and 41% of females felt that globalization impacts human trafficking, while 8% of males and 2% of females felt that it did not.

For Peren district, 52% of males and 40% of females said yes, while 2% of males and 4% of females, said no. 2% of females chose no response.

For Tuensang district, 54% of males and 36% of females said yes, while 6% of males said no. 2% of males and 2% of females chose no response.

For Mon district, 52% of males and 38% of females said yes, while 8% of males and 2% of females said no.

For Mokokchung district, 46% of males and 52% of females said yes, while 2% of males said no.

From the given analysis, we can safely assume that majority of the respondents in all the districts feel that globalization effects human trafficking. There are more male respondents that said yes in all the districts other than Mokokchung. Peren had the highest percentage of male respondents (52%) that said yes, while Mokokchung had the highest percentage of female respondents that said yes (52%).

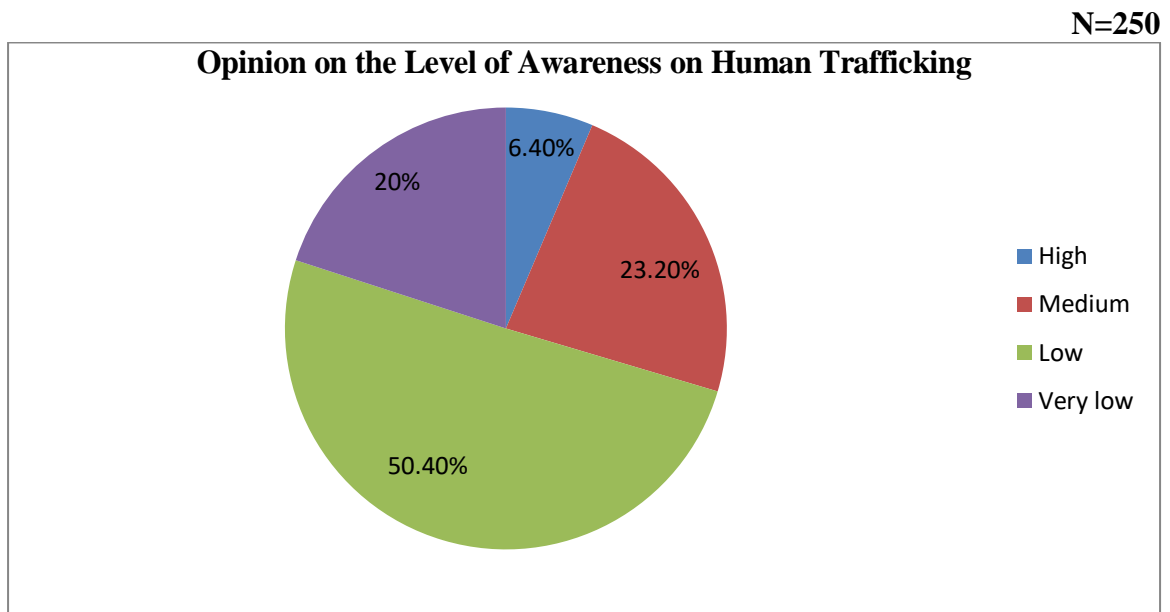
3.7. Human trafficking: Importance of Awareness

In recent years, media efforts have been key in raising awareness about human trafficking, prompting many to become more educated. However, these efforts by and large associate sexual exploitation with human trafficking, neglecting many other types of modern slavery. Human trafficking involves more than just sexual exploitation, often including the trade of humans for the purpose of forced labour, marriage, or the extraction of organs and tissues. Human trafficking and its consequences are not only far away and other peoples' problem. It is a problem that is taking place right in our doorsteps.

Those who are trafficked are enslaved, and their vulnerability is exploited. The most common form of trafficking is forced labour, involving an estimated 16.4 million people ⁶⁷ Many people including young children and women fall victim to human trafficking through different methods used by traffickers. Traffickers use enticing rewards such as a high-paying job, a loving relationship and new and exciting opportunities to lure the victims. The promise of a new future, money, happiness, stability and hope can tempt a young person into stepping into a dangerous and vulnerable situation. Most victims fall into this trap as a direct result of their lack of awareness and ignorance to this problem. The life that awaits them is one of untold misery. Thus it is very important that we try to prevent human trafficking. It is often too late once the victims are trafficked. Preventative steps are fundamental in the combat against human trafficking and this can only be achieved by spreading awareness to all levels of society.

⁶⁷(<http://natoassociation.ca/human-trafficking-the-importance-of-public-awareness/> (Accessed on 27/09/17))

Figure 3.9
Opinion on the Level of Awareness on Human Trafficking



One of the factors sought by this research was to find out the level of awareness on the issue of human trafficking in Nagaland. There was some disparity in the answers provided by the respondents, 50.40% said that the level of awareness in the state is low, 23.20% of the respondents were of the opinion that the level of awareness is of medium level, 20% in the very low category and 6.40% in the high level of awareness category. Therefore the above figure (3.9) indicates that the people's awareness about the problem of human trafficking in Nagaland is low.

Table 3.11
Comparative Data (District and Gender Wise) on the Level of Awareness

N=250

Districts	Opinion on the level of awareness								Total
	High		Medium		Low		Very low		
	M	F	M	F	M	F	M	F	
Dimapur	1(2.0)	2(4.0)	10(20.0)	2(4.0)	12(24.0)	10(20.0)	5(10.0)	8(16.0)	50(100.0)
Peren	1(2.0)	1(2.0)	5(10.0)	10(20.0)	17(34.0)	10(20.0)	4(8.0)	2(4.0)	50(100.0)
Tuensang	2(4.0)	2(4.0)	8(16.0)	7(14.0)	17(34.0)	8(16.0)	4(8.0)	2(4.0)	50(100.0)
Mon	1(2.0)	3(6.0)	6(12.0)	2(4.0)	14(28.0)	12(24.0)	9(18.0)	3(6.0)	50(100.0)
Mokokchung	1(2.0)	2(4.0)	3(6.0)	5(10.0)	12(24.0)	14(28.0)	8(16.0)	5(10.0)	50(100.0)

Table 3.11 shows the respondents' views on the level of awareness of the people of Nagaland on human trafficking. In Dimapur district, only 2% males and 4% females felt that the people in Nagaland have high level of awareness on the issue, while 20% of males and 4% of females said that it was medium. 24% of males and 20% of females deemed it as low and lastly 10% of males and 16% of females felt that the level of awareness of the people is very low.

In Peren district, only 2% of males and 2% of females said that the people's level of awareness is high, 10% of males and 20% of females said that it is in the medium category, 34% of males and 20% of females felt that it is low, while 8% of males and 4% of females had the opinion that it is very low.

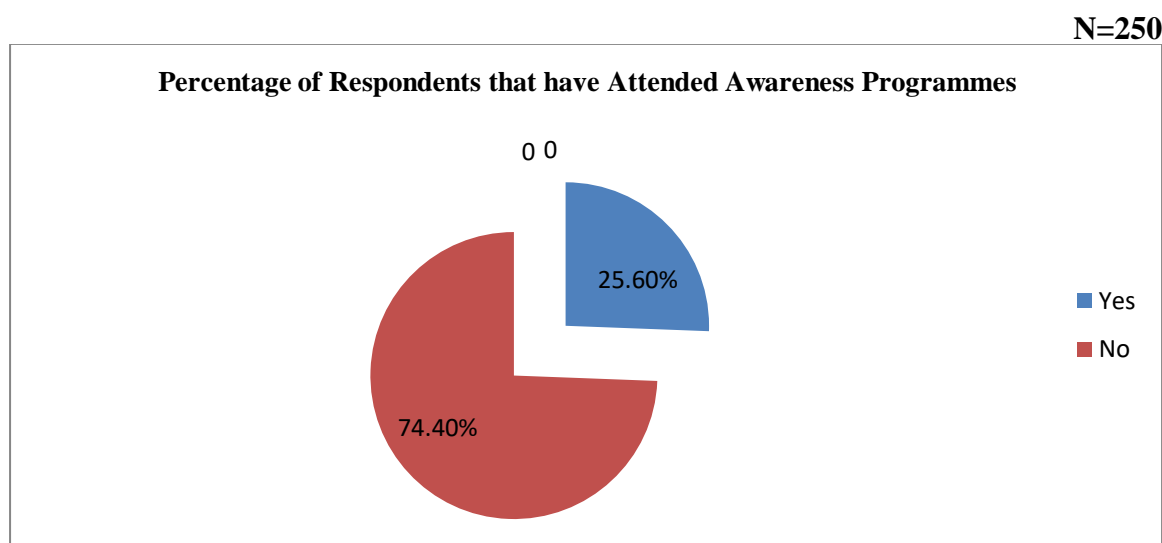
When it came to Tuensang district, 4% of males and 4% of females said that the people's level of awareness is high, 16% of males and 14% of females said that it is medium, 34% of males and 16% of females had the opinion that it is low and 8% of males and 4% of females deemed it to be very low.

In Mon district, 2% of males and 6% of females said that the level of awareness is high, 12% of males and 4% of females believe that it is medium, 28% of males and 24% of females think that it is low, and 18% of males and 6% of females consider it to be very low.

Lastly in Mokokchung district, 2% of males and 4% of females consider the people's level of awareness to be high, 6% of males and 10% of females feel it to be medium, 24% of males and 28% of females had the opinion that it is low and 16% of males and 10% of females regard it as very low.

From the above data, taking into account the responses of all the districts, we can rightly conclude that there are hardly any differences in opinion between the sample districts in regard to people's level of awareness on human trafficking. Therefore, we can deduce that the level of awareness of the inhabitants of Nagaland is low.

Figure 3.10
Percentage of Respondents that have Attended Awareness Programmes



The figure above depicts the number of respondents (in percentage) that have attended awareness programmes on human trafficking. From it, we can see that only 25.60% of them have attended it. This data also strengthens the fact that there is low level of awareness when it comes to human trafficking in the state.

Table 3.12
Comparative study, district and gender-wise, on Percentage of Respondents that have
Attended Awareness Programmes

N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	6(12.0)	4(8.0)	24(48.0)	16(32.0)	50(100.0)
Peren	12(24.0)	12(24.0)	15(30.0)	11(22.0)	50(100.0)
Tuensang	5(10.0)	5(10.0)	26(52.0)	14(28.0)	50(100.0)
Mon	6(12.0)	1(2.0)	24(48.0)	19(38.0)	50(100.0)
Mokokchung	6(12.0)	7(14.0)	18(36.0)	19(38.0)	50(100.0)

Table 3.12 shows the comparative study on the number of respondents that have attended awareness programmes on human trafficking. Peren district had the highest percentage of attendees with 24% males and 24% females. Next was Mokokchung which had 12% male and 14% female attendees. Dimapur and Tuensang had an overall percentage of 20% attendees with 12% male and 8% female attendees for Dimapur, and 10% male and 10% female attendees for Tuensang. Mon had the least with only 12% male and 2% female attendees.

Mass Media:

Mass media is one of the most important, if not the most important component in disseminating awareness on any issue. Over the years, popular mass media like newspapers and television have been instrumental in directing people's attention to burning issues like human trafficking.

Figure 3.11
Best Medium of Mass Media for Creating Awareness

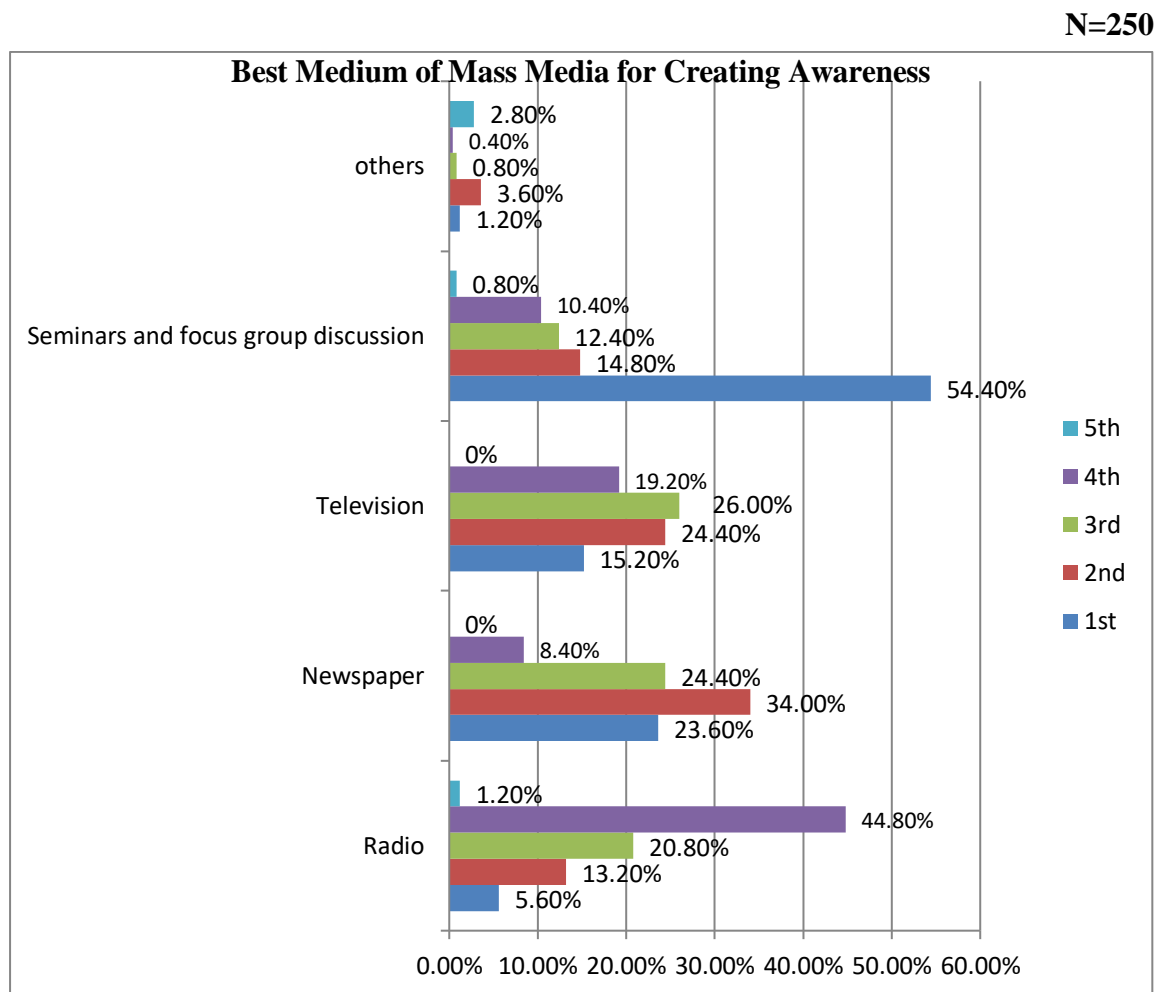


Figure 3.11 above shows data collected from respondents according to their opinions on which is the most appropriate form of mass media for creating awareness on human trafficking. Seminars and focus group discussion according to the respondents (54.40%) is the most appropriate medium for creating awareness. 14.80% said it is their second opinion,

12.40% said it is their third, another 10.40% considered it their fourth priority and 0.80% as their fifth.

23.60% said that newspapers are the most effective medium for creating awareness, 34% said it is the second, 24.40% regarded it as the third, and 8.40% as fourth.

15.20% of the respondents feel that television will be the most appropriate medium for spreading awareness, 24.40% said that it will be the second most effective medium, 26% said that it will be the third and 19.20% deemed it as fourth.

For radio, 5.60% consider it as their first preference, 13.20% as their second, 20.80% as their third, 44.8% as fourth and 1.20% as their fifth.

The 'others' category had 1.20% as first option, 3.60% as second, 0.80 % as third, 0.40% as fourth and 2.80% as fifth. The elements in the others' category are churches, poster campaigns and internet sources like social media.

With the onset of globalization and the advancements in technology, it is no wonder that it has permeated every element of society. However in the case of human trafficking and after a retrospection of the information given above, it is noted that a large percentage of the respondents (54.40%) chose seminars and focus group discussion as the most suited medium for creating awareness. It is clear from this that the majority of the respondents feel that a more hands on and interactive tool is more apt and effective.

Table 3.13
Comparative Data (District Wise) on Best Medium of Mass Media for Creating Awareness

N=250

<i>Indicators</i>	<i>District Wise Opinion</i>				
	<i>Dimapur</i>	<i>Peren</i>	<i>Tuensang</i>	<i>Mon</i>	<i>Mokokchung</i>
Radio	2.6	2.55	2.8	2.690	2.978
Newspaper	3.977	3.851	3.604	3.565	4.022
Television	3.390	3.425	3.534	3.458	3.275
Seminars and focus group discussion	3.937	4.291	4.333	4.522	3.931
Others	0.88	0.285	0	0.2	0.37

Table 3.13 indicates the opinions of the people of the state on the most appropriate form of mass media to create awareness. In Dimapur district, majority of the respondents said that newspapers are the most appropriate medium, followed by seminars and focus group discussion, television, radio and others (social media).

When it came to Peren district, majority of respondents opted for seminars and focus group discussion, followed by newspaper, television, radio and others (poster campaign and social media).

In Tuensang district, most of the respondents felt that seminars and focus group discussion will be the most effective medium, followed by newspaper, television and radio.

In Mon district, majority of respondents considered seminars and focus group discussion to be the most appropriate medium, followed by newspaper, television, radio and others (social media).

Finally coming to Mokokchung district most of the respondents look upon newspapers as the most effective medium, followed by seminars and focus group discussion, television, radio and others (social media).

It is clear from this analysis that apart from Dimapur and Mokokchung districts which chose newspapers, seminars and focus group discussion are the people's preferred medium of mass media to spread awareness.

3.8 Role of Agencies in Tackling Human Trafficking

Other than the government, civil society organizations play a key role in combating any form of organized crime as well as the commendable support that they extend to its victims. They also involve people who care about the issues that their governmental bodies take care of and provide very knowledgeable and expert resources which the government can take advantage of. In Nagaland, the work of NGOs and church based organizations have been central in tackling a lot social issues.

Figure 3.12
Role of NGOs in Tackling the Problem

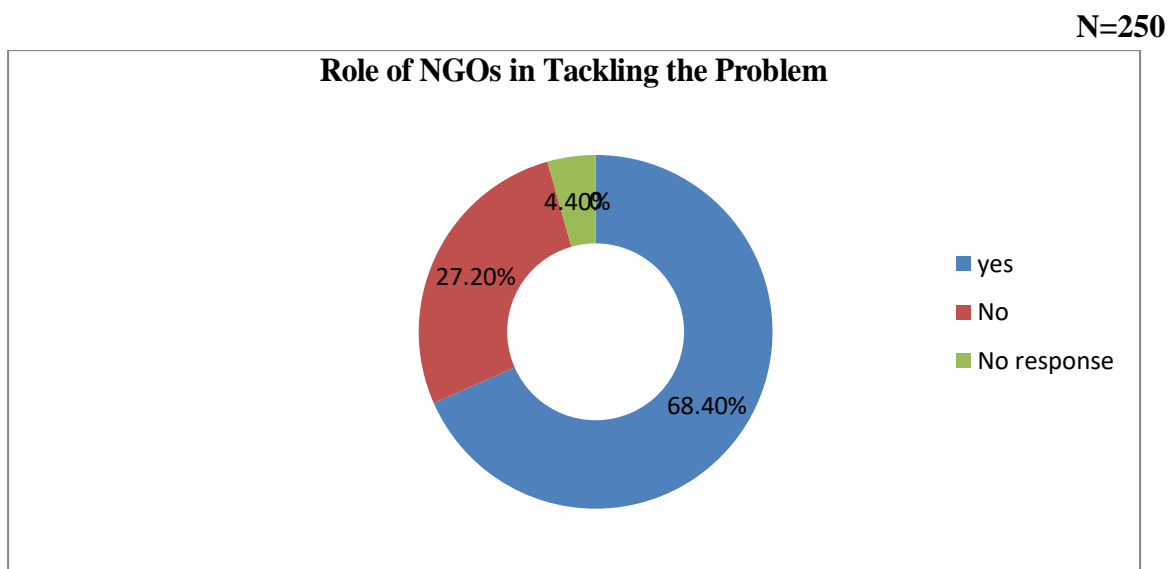


Figure 3.12 reflects the respondents' opinions on whether NGOs should be given more authority and responsibility to address the problem of human trafficking in Nagaland. 68.40% of the respondents felt that they should, while 27.20% said otherwise. 4.40% did not respond. The data clearly indicates that the people of Nagaland feel that NGOs will be more effective to address the problem rather than the state government. The researcher also observed that NGOs in the state have been pivotal and critical in addressing not only human trafficking but also numerous other social issues through the years and have been key in directing the state government and people's attention and spreading awareness on these issues.

Table 3.14**Comparative Study (Gender and District Wise) on the Role of NGOs in Tackling the Problem****N=250**

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	20(40.0)	12(24.0)	8(16.0)	7(14.0)	0(0.0)	3(6.0)	50(100.0)
Peren	22(44.0)	17(34.0)	5(10.0)	4(8.0)	0(0.0)	2(4.0)	50(100.0)
Tuensang	21(42.0)	14(28.0)	9(18.0)	3(6.0)	1(2.0)	2(4.0)	50(100.0)
Mon	24(48.0)	12(24.0)	6(12.0)	6(12.0)	0(0.0)	2(4.0)	50(100.0)
Mokokchung	12(24.0)	17(34.0)	12(24.0)	8(16.0)	0(0.0)	1(2.0)	50(100.0)

The table depicts the opinions of the respondents (gender and district-wise) on whether NGOs should be given more authority and a bigger role to address the problem. In Dimapur district, 40% males and 24% females said yes, while 16% of males and 14% of females said no. There were 6% females who did not respond.

For Peren district, 44% males and 34% females said yes, while 10% males and 8% females said no. There were 4% female who did not respond.

For Tuensang district, 42% males and 28% females said yes, while 18% males and 6% females said no. There were 2% male and 4% females who did not respond.

For Mon district, 48% males and 24% females said yes, while 12% males and 12% females said no. There were 4% female who did not respond.

For Mokokchung district, 24% males and 34% females said yes, while 24% males and 16% females said no. There were 2% female who did not respond.

An analysis of the above data shows us that the majority of the people from all the districts of the state, both male and female, feel that NGOs other than the state government should

be given more authority to address and tackle the problem of human trafficking. Only Mokokchung had an equal percentage of male respondents (24% each) that said yes and no.

Figure 3.13
Suitability Status of Organizations to Combat Human Trafficking

N=250

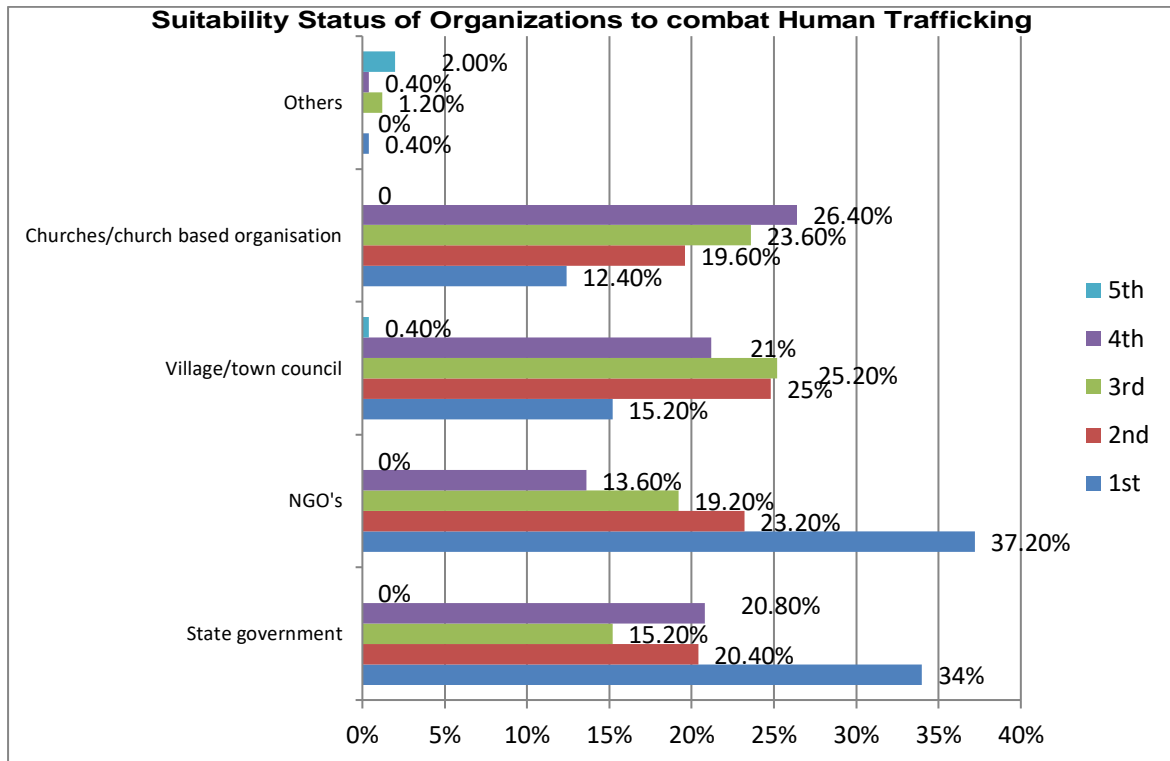


Figure 3.13 above illustrates the respondents' opinion on the organization best suited to handle human trafficking in the state of Nagaland. NGOs as the most suitable organization to combat the problem was preferred by most of the respondents (37.20%) followed by 23.20% saying that it was their second preference, 19.20% said it was their third, and 13.60% considered it to be their fourth preference.

In the state government option, there were 34% first preference, 20.40% second preference, 15.20% third preference, and 20.80% fourth preference.

In the village/town council option, there were 15.20% first preference, 24.80% second preference, 25.20% third, 21.20% fourth and 0.40% fifth preference.

In the churches/ church based organization option, there were 12.40% first preference, 19.60% second preference, 23.60% third preference, 26.40% fourth.

In the others choice, there were 0.40% first preference, 0% second preference, 1.20% third preference, 0.40% fourth preference and 2% fifth preference. The elements in the others' category were youth organizations, student's forums and educational institutions which the respondents felt should be given more power to combat the problem.

Table 3.15

Suitability Status of Organizations to Combat Human Trafficking (District Wise)

N=250

Indicators	District wise opinion				
	<i>Dimapur</i>	<i>Peren</i>	<i>Tuensang</i>	<i>Mon</i>	<i>Mokokchung</i>
State government	3.613	3.906	3.556	3.717	3.875
NGO's	4	3.695	4.14	4.127	3.5
Village / town councils	3.441	3.512	3.116	3.380	3.458
Churches/ church based organization	3.219	3.232	3.289	2.977	3.410
Others	0.45	1	0	0.33	0.5

The table above give us the comparative study (district-wise) on the organization that will be best suited to curb human trafficking. In Dimapur district, the majority of the respondents said that NGOs are the most appropriate organization to do so, followed by state government, village / town councils, churches/ church based organizations and others (educational institutions).

In the case of district of Peren, the majority of the respondents opted for the state government, followed by NGOs, village / town councils, churches/ church based organization and others (youth organizations).

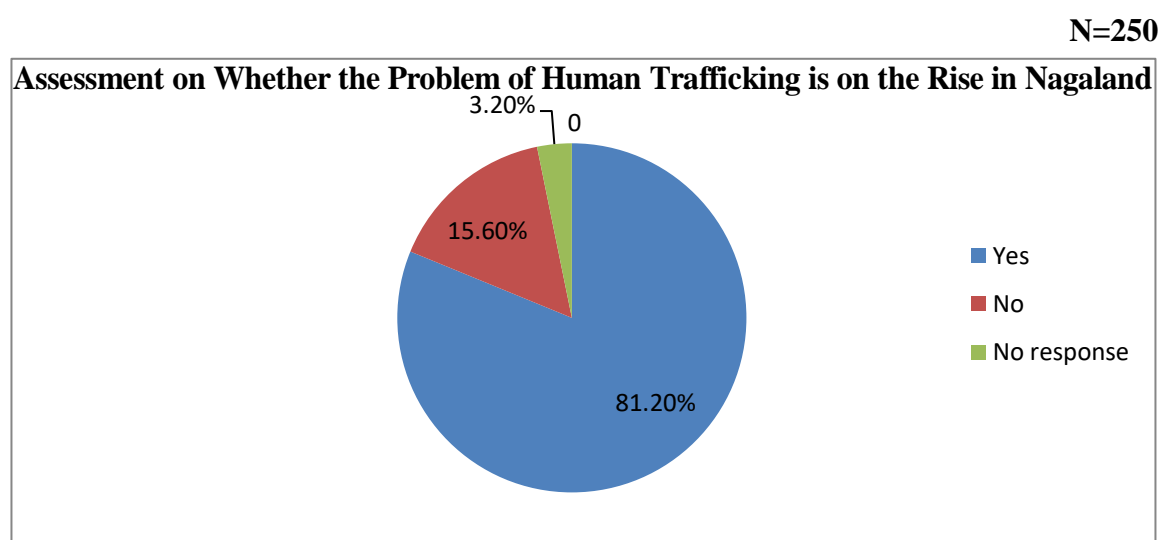
Coming to Tuensang district the majority considered NGOs to be the most appropriate organization, followed by state government, churches/ church based organization and village / town councils.

In Mon district , the majority selected NGOs, followed by state government, village / town councils, churches/ church based organization and others (student forums).

Finally in Mokokchung district, the majority of the respondents said that the state government will be the best equipped organization, followed by NGOs, village / town councils, churches/ church based organization and others(educational institutions).

From the given data, we come to know that three districts (Tuensang, Mon and Dimapur) feel that NGOs will be the best suited organization to tackle the issue of human trafficking in the state. For two districts (Mokokchung and Peren) it is the state government.

Figure 3.14
Assessment on Whether the Problem of Human Trafficking is on the Rise in Nagaland



The figure above shows whether the respondents feel that the problem of human trafficking will increase or not with Nagaland slowly becoming a tourist spot. An overwhelming 81.20% felt that it will, while 15.60% felt that it won't. There were 3.20% having no responses. It has become clear over the last few years that human trafficking takes place on every continent. And with discovery and growth of tourist destinations all over the world,

human trafficking tentacles have spread over time with the push for demands like sex tourism. Apart from this aspect of trafficking, demand for cheap labour and domestic servitude have also pushed the human trafficking market to swell.

Table 3.16

Comparative Study on Assessment on Whether the Problem of Human Trafficking is on the Rise in Nagaland (District and Gender wise)

N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		Total
	M	F	M	F	M	F	
Dimapur	25(50.0)	17(34.0)	3(6.0)	5(10.0)	0(0.0)	0(0.0)	50(100.0)
Peren	24(48.0)	16(32.0)	2(4.0)	5(10.0)	1(2.0)	2(4.0)	50(100.0)
Tuensang	27(54.0)	16(32.0)	3(6.0)	3(6.0)	1(2.0)	0(0.0)	50(100.0)
Mon	23(46.0)	16(32.0)	7(14.0)	4(8.0)	0(0.0)	0(0.0)	50(100.0)
Mokokchung	22(22.0)	17(34.0)	2(2.0)	5(10.0)	0(0.0)	4(8.0)	50(100.0)

Table 3.16 illustrates the comparative data (district-wise) on whether the respondents feel that the problem of human trafficking will increase or not with Nagaland slowly becoming a tourist spot. In Dimapur district, 50% of males and 34% of females felt that it would, while 6% of males and 10% of females felt that it would not.

For Peren district, 48% males and 32% females said yes while 4% males and 10% females said no. 2% males and 4% females did not respond.

For the district of Tuensang, 54% males and 32% females said yes while 6% males and 6% females said no. 2% males did not respond.

For Mon district, 46% males and 32% females said yes while 14% males and 8% females said no.

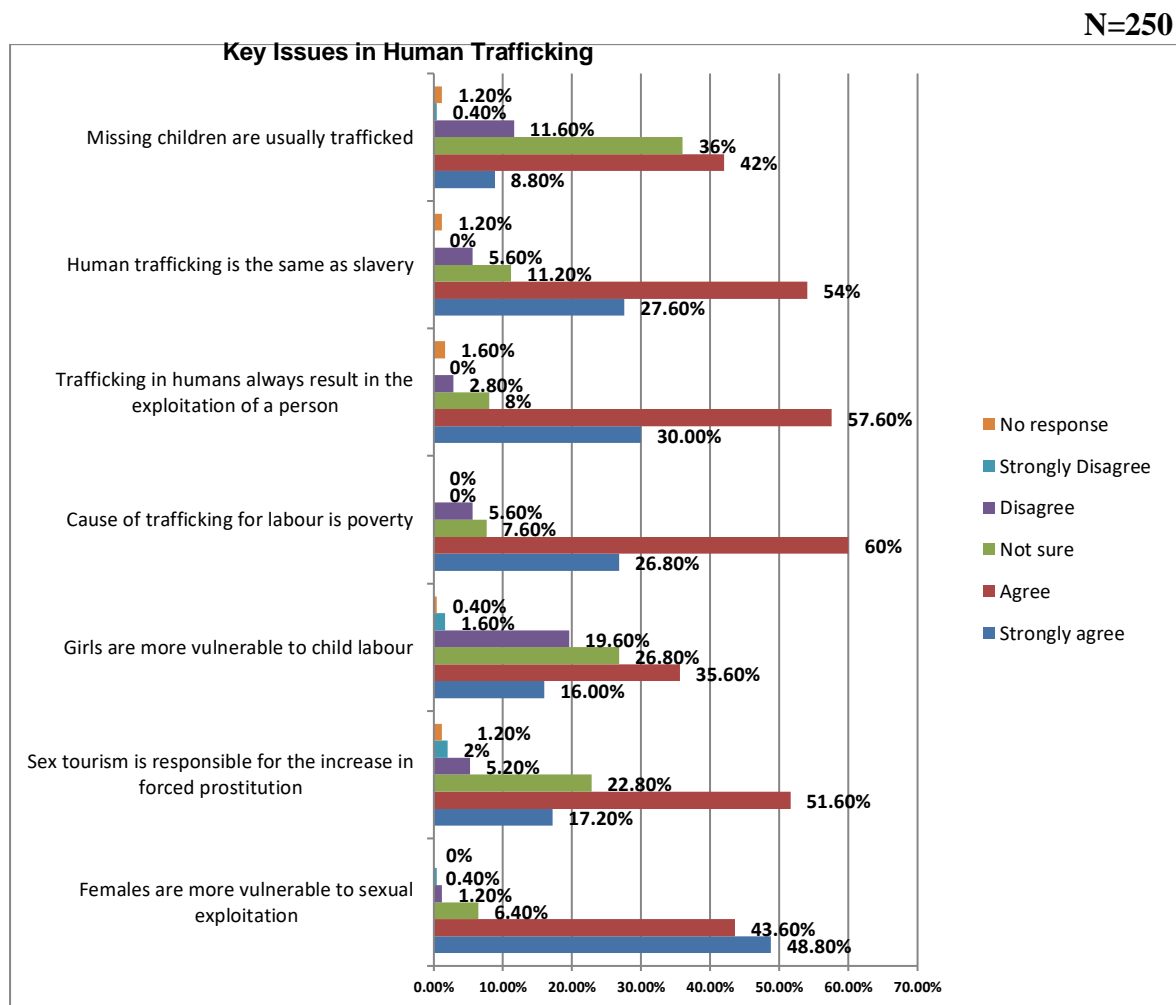
For Mokokchung district, 22% males and 34% females chose yes while 2% males and 10% females said no. 8% females did not respond.

A retrospection of the data reveals that the majority of the respondents from all the districts believe that with Nagaland becoming a tourist spot, the immensity of the problem of human trafficking will increase. Tuensang (54%) had the highest percentage of male respondents that agree with this while Dimapur and Mokokchung (both 34%) had the highest percentage of female respondents. Contradicting this, Mon (14%) had the highest percentage of male respondents while Dimapur, Peren and Mokokchung (all 10%) had the highest percentage of female respondents.

3.9.Key Issues in Human Trafficking

When it comes to human trafficking, there are numerous issues like cases of missing children, slavery and exploitation, poverty as a cause, sex tourism, gender and girl child. Knowledge and understanding of these key issues are essential in the fight against human trafficking. A lot trafficking cases gets down to people's ignorance on these key factors. Keeping this in mind the respondents were asked for their opinions on key issues in human trafficking.

Figure 3.15
Key Issues in Human Trafficking



The figure above reveals opinions of the respondents on various issues related to human trafficking. In the '*females are more vulnerable to sexual exploitation*' option, 48.80% of

the respondents strongly agree, 43.60% agree, 6.40% were not sure, 1.20% disagree and 0.4% strongly disagree.

In '*sex tourism is responsible for the increase in forced prostitution*', 17.20% strongly agree, 51.60% agree, 22.80% were not sure, 5.20% disagree, 2% strongly disagree and 1.20% no response.

In '*girls are more vulnerable to child labour*', 16.0% strongly agree, 35.6% agree, 26.8% not sure, 19.6% disagree, 1.6% strongly disagree, 0.4% did not respond.

In '*cause of trafficking for labour is poverty*', 26.80% strongly agree, 60% agree, 7.60% were not sure and 5.60% disagree.

In '*trafficking in humans always result in the exploitation of a person*', 30% strongly agree, 57.60% agree, 8% were not sure, 2.80% disagree and 1.60% did not respond.

In '*human trafficking is the same as slavery*', 27.60% strongly agree, 54% agree, 11.20% were not sure, 5.60% disagree and 1.2% did not respond.

In '*missing children are usually trafficked*', 8.80% strongly agree, 42% agree, 36% were not sure, 11.60% disagree, 0.40% strongly disagree and 1.20% did not respond.

An analysis of the data given above reveals that of all the key issues involved in human trafficking, the people of Nagaland feel that females are more vulnerable to sexual exploitation.

CHAPTER: 4

IMPACT OF HUMAN TRAFFICKING

Human Trafficking which is often referred to as ‘Modern Day Slavery’ results not only in the violation of numerous human rights but also poses a threat to human security. It affects the overall well being of an individual. Human trafficking is a big social problem which has far-reaching negative consequences, not only for those persons who have survived trafficking, their families and closest environment, but also for society at large. Human trafficking is often referred to as ‘modern slavery’, and it represents a criminal act and dramatic form of breaching fundamental human rights. The definition of human trafficking and forms in which it appears, makes it clear that this is a remarkably traumatic experience that belongs to the order of experiences that did not have to happen, i.e. aren’t ”destiny”, but are accidental, which makes them harder to process psychologically.⁶⁸

Trafficking in persons also has a significant impact on the human security of communities from which victims are recruited. Creating an environment of violence, crime and fear, trafficking in persons separates families, erodes social bonds and support networks, and undermines the economic prospects of communities.⁶⁹ All forms of trafficking, because of the abusive and exploitative nature of the crime, produce harmful effects on trafficked individuals. Prolonged physical and mental abuse affects victims’ behavior in negative ways, having an impact on both physical and emotional responses.

Trafficked persons often experience extreme forms of trauma over long periods of time, their capacities both to understand what has happened to them and to describe their experiences are directly impaired as a result of such abuse. Often victims of sexual exploitation, one of the many elements of human trafficking, are stigmatized, and as a result in some cases, victims simply move away from the home area and return to prostitution. Others choose not to reveal anything at all about the trafficking experience, with this choice significantly affecting their physical and psychological recovery.

⁶⁸Korićanac, Irena; 2013; Human Trafficking: Trauma and Psychotherapy: A Collection of Papers; Published by NGO ASTRA Tamara Vukasović; Belgrade, p-16

⁶⁹Human Security At The United Nations Newsletter-Issue6(Winter 2009/2010)- United Nations Office For The Coordination Of Humanitarian Affairs – Human Security Unit (Accessed on 28/09/17)

In a recent national study, surveyed communities exhibited some understanding of the role of social and economic hardships in vulnerability to trafficking, but overwhelmingly blamed the immoral character of the trafficked girl herself, who was seen to bring disgrace and shame to her family and community.⁷⁰ Trafficking undermines extended family ties, and in many cases, the forced absence of women leads to the breakdown of families and neglect of children and the aged (Danailova-Trainor and Laczko 2010). Victims who return to communities often find themselves stigmatized and shunned, and are more likely to become involved in substance abuse and criminal activity (US Department of State 2004). Children trafficked into forced labour or sexual exploitation have their development as a person ‘irreparably damaged’ (US Department of State 2004: 17). Survivors often suffer multiple traumas and psychological problems. There are significant health impacts for victims both while they are being transported and when they have reached their destination. Perilous journeys expose trafficked victims to injury and even death, while overcrowded and unsanitary conditions, and shortages of food and water increase the risk of spreading infectious disease (Todres 2011). 4 Trafficked persons experience ‘physical, sexual, and emotional violence at the hands of traffickers, pimps, employers, and others. They are also exposed to various workplace, health, and environmental hazards’ (Todres 2011: 463). Individuals trafficked for the sex industry also experience increased risk of contracting HIV and other sexually transmitted diseases (STIs).⁷¹

Most victims of trafficking go through a lot of turmoil starting from physical abuse to emotional and psychological abuse and as such we can assume that impact of trafficking is difficult to measure because its consequences are often hidden by the individual and family. This chapter gives an overview of the legal framework of laws related to human trafficking and identifies some of the major impacts of human trafficking on the individual, family and society and outlines important policy deliberation in each of these areas.

⁷⁰United Nations Office On Drugs And Crime; 2008; An Introduction to Human Trafficking: Vulnerability, Impact and Action: Background Paper; Vienna

⁷¹<http://www.gsdr.org/docs/open/hd780.pdf> (Accessed on 5/03/18)

4.1. The Legal Framework

(i) International

Despite increasing global attention and significant responses, human trafficking today is a very tragic reality. It is a violation of human rights. The crime of human trafficking has received immense international attention as a social problem and area which needs to be studied over the past decade. So in this part of the thesis the researcher focuses on the issues of human rights and the legal framework for combating human trafficking.

Human Rights and Human Trafficking

The links between human rights and the fight against trafficking are well established. From its earliest days to the present, human rights law has unequivocally proclaimed the fundamental immorality and unlawfulness of one person appropriating the legal personality, labour or humanity of another. Human rights law has decried and outlawed arbitrary detention, forced labour, debt bondage, forced marriage, and the sexual exploitation of children and women. Given below are universal human rights which are most relevant to human trafficking.

- The prohibition of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status
- The right to life
- The right to liberty and security
- The right not to be submitted to slavery, servitude, forced labour or bonded labour
- The right not to be subjected to torture and/or cruel, inhuman, degrading treatment or punishment
- The right to be free from gendered violence
- The right to freedom of association
- The right to freedom of movement
- The right to the highest attainable standard of physical and mental health
- The right to just and favourable conditions of work

- The right to an adequate standard of living
- The right to social security
- The right of children to special protection

Different human rights will be relevant at different points in the trafficking cycle. Some will be especially relevant to the causes of trafficking (for example, the right to an adequate standard of living); others to the actual process of trafficking (for example, the right to be free from slavery); some rights are broadly applicable to each of these aspects.⁷²

As stated earlier, human trafficking is a matter of serious concern as it involves the violation of fundamental human rights. Although numerous separate abuses that contravene both national and international law are committed during the course of trafficking, it is the combination of the victims' displacement from their community and their commercialized exploitation that makes trafficking distinct. Below is an overview of some selected international legal framework relevant to trafficking.

- **International Agreement for the Suppression of the White Slave Traffic 1904**

The agreement was formulated with the intention of securing for women of full age who have suffered abuse or compulsion, as also underage girls, effective protection against criminal traffic known as the 'White Slave Traffic'.

- **International Convention for the Suppression of the White Slave Traffic 1910**

This Convention criminalized the procurement, enticement or leading away of a woman or girl under the age of 21, even with her consent for immoral purposes, irrespective of whether the various acts constituting the offence may have been committed in different countries.⁷³

- **ILO Forced Labour Convention 1930 (No 29)**

Adopted by the International Labour Conference at its fourteenth session (June 1930), the ILO Forced Labour Convention was the first international legal instrument providing a definition of forced and compulsory labour and listing

⁷²United Nations Fact Sheet No. 36; 2014; Human Rights and Human Trafficking,; New York and Geneva, p-4&5

⁷³ Sen, Sankar & Nair, P.M.; 2005; Trafficking in Women and Children in India; Published by Orient Longman; New Delhi, P-186.

possible exceptions. Forced or compulsory labour is defined as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. In June 2014, the ILO International Labour Conference voted to adopt a Protocol and a Recommendation which supplement the Forced Labour Convention, 1930 (No. 29), in order to provide guidance on effective measures to be taken regarding prevention, protection and remedy to eliminate all forms of forced labour.

- **The Universal Declaration of Human Rights 1948**

The Universal Declaration of Human Rights establishes in Article 4 that “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms” and that everyone has the right to the free choice of employment.⁷⁴

- **The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others 1949**

Article 17 of this Convention requires States parties to “undertake, in connection with immigration and emigration, to adopt or maintain such measures as are required, in terms of their obligations under the present Convention, to check the traffic in persons of either sex for the purpose of prostitution”.

- **The Convention on the Rights of the Child 1989**

Article 35 of this Convention stipulates that States parties must “take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form”.

- **The Convention to Eliminate the Worst Forms of Child Labour (ILO Convention No. 182) 1999**

Article 3 of this convention prohibits (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the

⁷⁴<http://www.oecd.org/gov/Background-Paper-Developing-a-framework-for-combatting-corruption-related-to-trafficking-in-persons.pdf>. (Accessed on 11-10-17)

production and trafficking of drugs as defined in the relevant international treaties;
(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children”.

- **The Rome Statute of the International Criminal Court**

In Article 7 it defines “crimes against humanity” as including “enslavement” and defines “enslavement” as “the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children”.

- **United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children 2000**

In this protocol the States parties declare that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights. The purposes of this Protocol are: (a) To prevent and combat trafficking in persons, paying particular attention to women and children; (b) To protect and assist the victims of such trafficking, with full respect for their human rights; and (c) To promote cooperation among States Parties in order to meet those objectives. ⁷⁵

- **South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution 2002**

The purpose of the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution is to promote cooperation amongst SAARC Member States so that they may effectively deal with the various aspects of prevention, interdiction and suppression of trafficking in women and children as well as the repatriation and

⁷⁵ Inter-Parliamentary Union & UNODC;2009; Combating Trafficking in Persons: A Handbook for Parliamentarians; A United Nations Publication, P-3 & 5.

rehabilitation of victims of trafficking and prevent the use of women and children in international prostitution networks.

- **Association of Southeast Asian Nations (ASEAN) Declaration Against Trafficking in Persons Particularly Women and Children 2004**

The purpose of the declaration is to establish a regional focal network for sharing of information, views, and strengthen operations and cooperation to prevent and combat trafficking in persons, particularly women and children, in the ASEAN region.⁷⁶

(ii) India

- **The Suppression of Immoral Traffic in Women and Girls Act 1956 (SITA)**

With a view to implement the International Convention signed at New York on the 9th May, 1950, "The Suppression of Immoral Traffic in Women and Girls Bill, 1950" was introduced in the Lok Sabha on the 20th December, 1954, by the then Minister K.N. Katju.⁷⁷ The Act aimed to rescue exploited women and girls, to prevent the deterioration of public morals and to stamp out the prostitution that was rampant in various parts of the country. This Act was drastically amended and renamed the Immoral Traffic (Prevention) Act 1956.⁷⁸

- **The Immoral Traffic (Prevention) Act 1956**

This Act is a legislation that deals exclusively with trafficking. The laws were intended as a means of limiting and eventually abolishing prostitution in India by gradually criminalising various aspects of sex work. The main points of the Immoral Traffic (Prevention) Act 1956 are as follows:

Sex Workers: A prostitute who seduces or solicits shall be prosecuted. Similarly, call girls can not publish phone numbers to the public. (Imprisonment up to 6 months with fine)

⁷⁶<http://www.oecd.org/gov/Background-Paper-Developing-a-framework-for-combatting-corruption-related-to-trafficking-in-persons.pdf>, P-17 (Accessed on 11-10-17)

⁷⁷ Kumar; Hajira & Varghese, Jaimon; 2005; Women's Empowerment: Issues, Challenges & Strategies; Regency Publications, New Delhi, P-435

⁷⁸ Sen, Sankar & Nair, P.M.; 2005; Trafficking in Women and Children in India; Published by Orient Longman; New Delhi, P-194.

Clients: A client is guilty of consorting with prostitutes and can be charged if he engages in sex acts with a sex worker within 200 yards of a public place or "notified area". (Imprisonment of up to 3 months, point 7) The client may also be punished if the sex worker is below 18 years of age. (From 7 to 10 years of imprisonment, whether with a child or a minor)

Pimps and Babus: Babus or pimps or live-in lovers who live off a prostitute's earnings are guilty of a crime. Any adult male living with a prostitute is assumed to be guilty unless he can prove otherwise. (Imprisonment of up to 2 years with fine)

Brothel: Landlords and brothel-keepers can be prosecuted, maintaining a brothel is illegal. (From 1 to 3 years imprisonment with fine for first offence) Detaining someone at a brothel for the purpose of sexual exploitation can lead to prosecution. (Imprisonment of more than 7 years) Prostitution in a hotel is also a criminal offence.

Procuring and Trafficking: A person procures or attempts to procure anybody is liable to be punished. Also a person who moves a person from one place to another, (human trafficking), can be prosecuted similarly. (7 years imprisonment with fine for first conviction, and up to life imprisonment thereafter)

Rescued Women: The government is legally obligated to provide rescue and rehabilitation in a "protective home" for any sex worker requesting assistance.⁷⁹

- **India's Bonded Labour System (Abolition) Act, 1976**

The Act defines bonded labour in terms similar to those used for labour trafficking in the UN Trafficking Protocol, but it fails to specify that persons may be trafficked for the purposes of bonded labour. Further, the language of the Act itself indicates that the punishment for the offence is a very limited one and hinges on the labour falling within the scope of a "bonded labour system" as defined under the Act.⁸⁰

⁷⁹https://en.wikipedia.org/wiki/Prostitution_in_India. (Accessed 6-11-17)

⁸⁰<http://voiceagainstchildtrafficking.org/globalstatics.html> (Accessed 07-03-18)

- **The Child Labour (Prohibition and Regulation) Act 1986**

The Act outlines where and how children can work and where they cannot. It defines a child as any person who has not completed his fourteenth year of age. The act prohibits children from working in any occupation listed in Part A of the Schedule and also prohibits children from working in places where certain processes are being undertaken, as listed in Part B of the Schedule. Children are not permitted to work for more than three hour stretches and must receive an hour break after the three hours. Children are not permitted to work for more than six hour stretches including their break interval and cannot work between the hours of 7 p.m. and 8 a.m.⁸¹

In July 2016, the Parliament has passed the Child Labour (Prohibition and Regulation) Amendment Bill, 2016. This act amends the Child Labour (Prohibition and Regulation) Act, 1986 by widening its scope against child labour and provides for stricter punishments for violations. The act has completely banned employment of children below 14 in all occupations and enterprises, except those run by his or her own family, provided that education does not hampered. With passing of this new legislation, India law is now aligned with the statutes of the International Labour Organisation (ILO) convention.⁸²

- **The Protection of Children from Sexual Offences Act 2012**

It is an Act to protect children from offences of sexual assault, sexual harassment and pornography and provides for establishment of Special Courts for trial of such offences.

- **Indian Penal Code**

When the Constitution of India was adopted in 1950, it incorporated many parts of the Indian Penal Code, which was out-of-date in the year 1860. Interestingly, the problem of trafficking in Human being was addressed in the Indian Penal Code,

⁸¹ Srivastava, RN, et al; 2013; Child abuse and Neglect: Challenges and Opportunities; Jaypee Brothers Medical Publishers(P)Ltd; New Delhi, P-82

⁸²<https://academy.gktoday.in/article/child-labour-prohibition-and-regulation-amendment-act-2016>
(Accessed 07-03-18)

which extensively prohibited trafficking of women and girls into coercive prostitution in India and prescribed ruthless punishment for offenders.⁸³

Here are some important sections of the Indian Penal Code that addresses human trafficking in one form or the other:

- Section 366: Kidnapping, abducting or inducing a woman to compel marriage.
- Section 366A: Procuring a minor girl.
- Section 366B: Importation of a girl below 21 for sexual exploitation.
- Section 367: Kidnapping/ abducting to subject person to grievous hurt, slavery.
- Section 370: Buying or disposing of person as slave.
- Section 371: Habitual dealing in slaves.
- Section 372: Selling minor for prostitution.
- Section 373: Buying minor for prostitution.
- Section 374: Compelling a person to labour.⁸⁴

- **Transplantation of Human Organs Act 1994**

This Act deals with criminal responsibility in cases of harvesting of organs and trafficking of persons for this purpose includes traffickers, procurers, brokers, intermediaries, hospital or nursing staff and medical laboratories technicians involved in the illegal transplant procedure. Sec 11 declares prohibition of removal or transplantation of human organs for any purpose other than therapeutic purposes and Sec 19 clarifies that it punishes those who seek willing people or offer to supply organs; it is punishable with imprisonment not less than 2 years but which may extend to 7 years and would be liable to fine not less 10000 which may exceed to 20000 rupees.

⁸³ Banode, D Monika; Comparative Human Trafficking Law : Legal Framework against Human Trafficking.; Retrieved from <http://ijlls.in/wp-content/uploads/2015/06/Long-Article-Frame-work-for-combating-Human-Trafficking-30-03-2015.pdf> (Accessed on 12/10/17)

⁸⁴ https://www.unodc.org/documents/humantrafficking/2011/Responses_to_Human_Trafficking_in_Bangladesh_India_Nepal_and_Sri_Lanka.pdf, P- 29 (Accessed on 14/9/17)

- **The Juvenile Justice (Care and Protection of Children) Act, 2000**

The Juvenile Justice (Care and Protection of Children) Act, 2000 defines a child in need of care and protection to include a child “who is found vulnerable and is likely to be inducted into . . . trafficking.” The Act establishes procedures for the recovery and social reintegration of such children, including 50 the creation of shelter homes and the provision of foster-care services. However, this scheme only applies to minors defined as persons below the age of eighteen years. Chapter 3 of the Act deals with Children requiring care and protection. It is essential that law enforcement agencies should ensure that victimized children must not be accused nor be arrested and they must be produced before Child Welfare Committee.⁸⁵

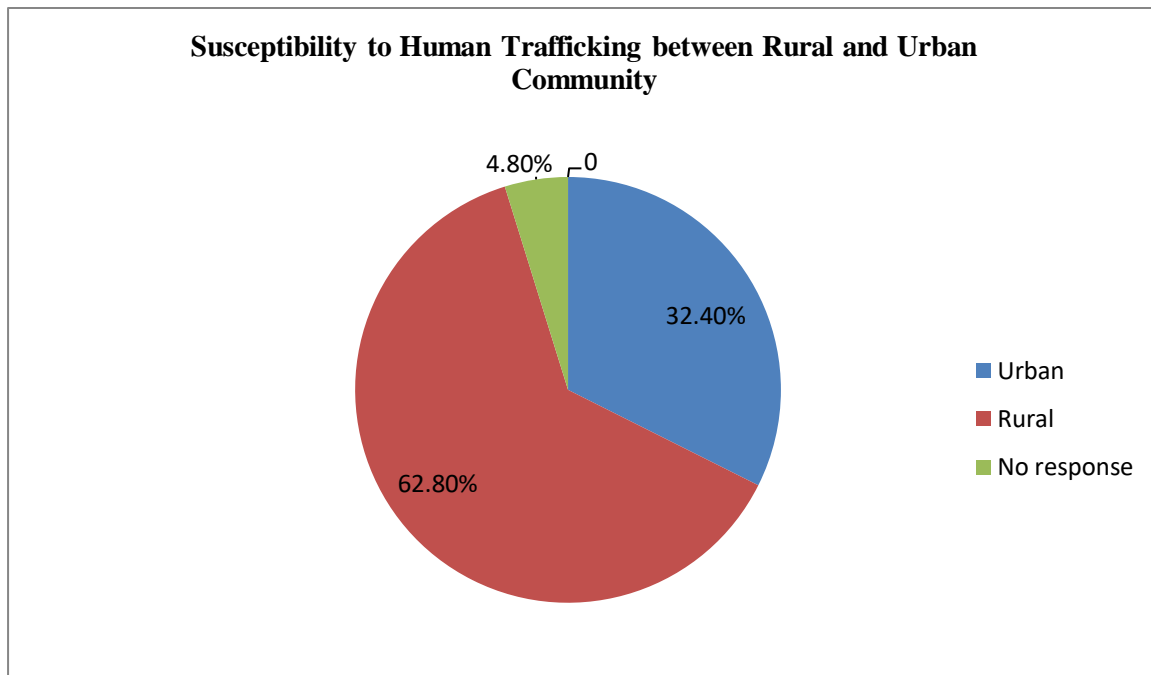
⁸⁵Darshna, Saudamini Singh and Tabinda Khan; 2016; Judicial Colloquium On Human Trafficking. Retrieved from http://jajharkhand.in/wp/wp-content/uploads/2017/01/05_human_trafficking.pdf. (Accessed on 22/05/17)

4.2. Impact of Human Trafficking in Nagaland

The study below focuses of the views and opinions of the people of Nagaland on the impact that human trafficking has on the individual, family and society.

Figure 4.1
Susceptibility to Human Trafficking between Rural and Urban Community.

N=250



The figure above gives the opinion of the respondents on which section or community of the Naga society is more susceptible to human trafficking. 62.80% of the respondents said it is the rural community, 32.40% said that it is the urban community while 4.80% of them did not respond.

Table 4.1

Comparative Study on Susceptibility to Human Trafficking between Rural and Urban Community (District and Gender Wise).

N=250

<i>Districts</i>	<i>Urban community</i>		<i>Rural community</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	5(10.0)	6(12.0)	23(46.0)	16(32.0)	0(0.0)	0(0.0)	50(100.0)
Peren	8(16.0)	10(20.0)	19(38.0)	12(24.0)	0(0.0)	1(2.0)	50(100.0)
Tuensang	15(30.0)	12(24.0)	14(28.0)	4(8.0)	2(4.0)	3(6.0)	50(100.0)
Mon	9(18.0)	5(10.0)	20(40.0)	15(30.0)	1(2.0)	0(0.0)	50(100.0)
Mokokchung	5(10.0)	6(12.0)	18(36.0)	16(32.0)	1(2.0)	4(8.0)	50(100.0)

According to table 4.1, on the rate of susceptibility between rural and urban community, 10% of males and 12% of females of the respondents from Dimapur district said it is the urban community while 46% male and 32% female respondents said that it is the rural community.

In Peren district, 16% male and 20% female respondents said that it is the urban community while 38% males and 24% females said that it is the rural community. 2% female did not respond.

In Tuensang district, 30% male and 24% female respondents said it is the urban community while 28% male and 8% female respondents said that it is the rural community. 4% of males and 6% of females did not respond.

In Mon district, 18% male and 10% female respondents said it is the urban community while 40% male and 30% female respondents said that it is the rural community. 2% of males did not respond.

In Mokokchung district, 10% male and 12% female respondents said it is the urban community while 36% male and 32% female respondents said that it is the rural community. 2% of males and 8% of females did not respond.

The comparative study above reveals that there is not much difference between the respondents' opinions on type of community that is more susceptible to human trafficking. The crime of human trafficking makes no distinction but a slightly higher percentage of respondents from all the districts except for Tuensang district (30% male and 24% female), feel that the rural community is slightly more vulnerable. The researcher also endorses the fact that most of the trafficking victims are from rural communities when it comes to the state of Nagaland.

Figure 4.2
Respondents' Opinion on Firsthand Knowledge on Trafficking Cases

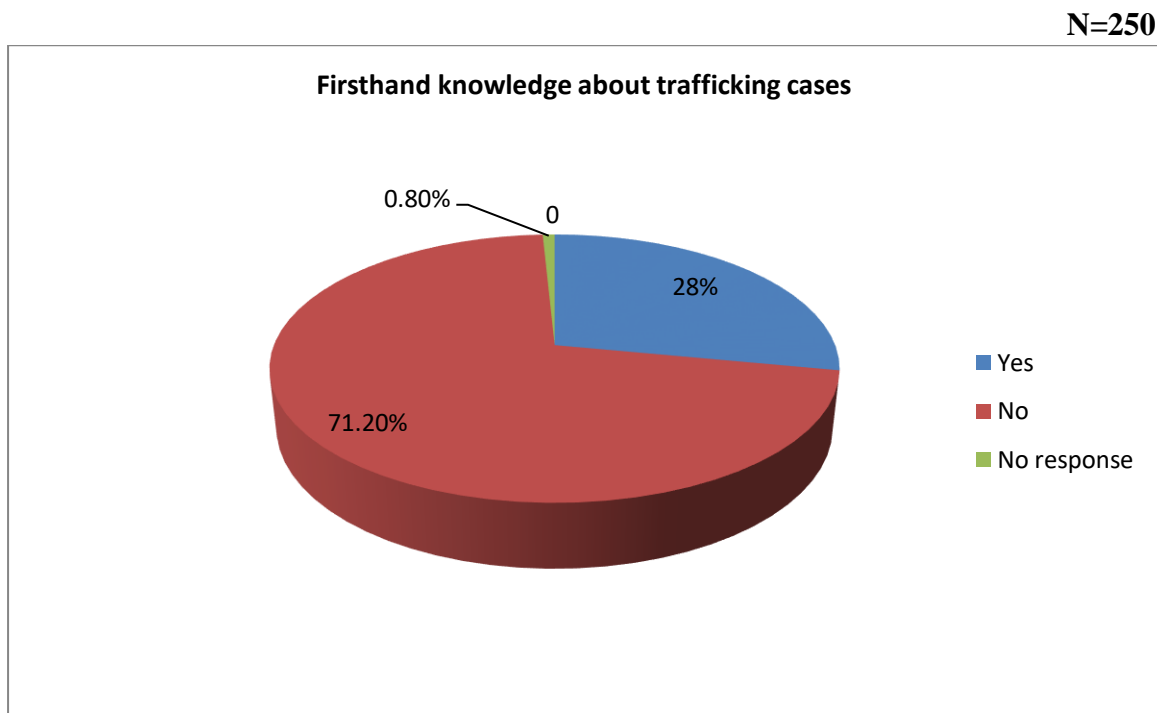


Figure 4.2 shows whether the respondents know of any individual or person that has or had been trafficked. From it we can surmise that a large percentage of them (71.20%) have not come across any cases where people they know have been trafficked. 28% of the respondents said they have while 0.80% of them did not respond.

Table 4.2**District and Gender Wise Comparative Study on Firsthand Knowledge of Trafficking Cases****N=250**

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	4(8.0)	5(10.0)	24(48.0)	17(34.0)	0(0.0)	0(0.0)	50(100.0)
Peren	8(16.0)	9(18.0)	19(38.0)	14(28.0)	0(0.0)	0(0.0)	50(100.0)
Tuensang	13(26.0)	4(8.0)	17(34.0)	15(30.0)	1(2.0)	0(0.0)	50(100.0)
Mon	9(18.0)	2(4.0)	21(42.0)	17(34.0)	0(0.0)	1(2.0)	50(100.0)
Mokokchung	8(16.0)	8(16.0)	18(36.0)	16(32.0)	0(0.0)	0(0.0)	50(100.0)

Taking the case of Dimapur district, 8% of the male respondents and 10% of the female respondents said they have come across incidences where they know that people have been trafficked. 48% males and 34% females said they haven't.

In Peren district, 16% males and 18% females said yes while 38% males and 28% females said no.

Coming to Tuensang district, 26% males and 8% female respondents said that they have come across such cases while 34% males and 30% females said they haven't. There was 2% of the male respondents who did not respond.

In Mon district, 18% males and 4% females said yes, while 42% males and 34% females said no. There was 2% of the female respondents who did not respond.

Finally in Mokokchung district, 16% of both male and female respondents said yes, while 36% males and 32% females said no.

Taking into account the above comparative study it can be asserted that a larger percentage (71.20%) of the respondents had no knowledge on trafficking cases. Out of this a larger percentage of the respondents who said 'no' were males (Dimapur 48%, Mon 42%, Peren 38%, Mokokchung 36%, Tuensang 34%) than females (Dimapur 34%, Mon 34%, Mokokchung 32%, Tuensang 30%, Peren 28%). In the case of 'yes' the Responses were

varied (Peren M=16% F=18%, Tuensang M=26% F=8%, Mokokchung M=16% F=16%, Mon M=18% F=4%, Dimapur M= 8% F=10%). Dimapur and Peren districts had more female numbers who said yes than males while in Mokokchung district it was evenly split between the sexes.

Figure 4.3
Community of Trafficked Person

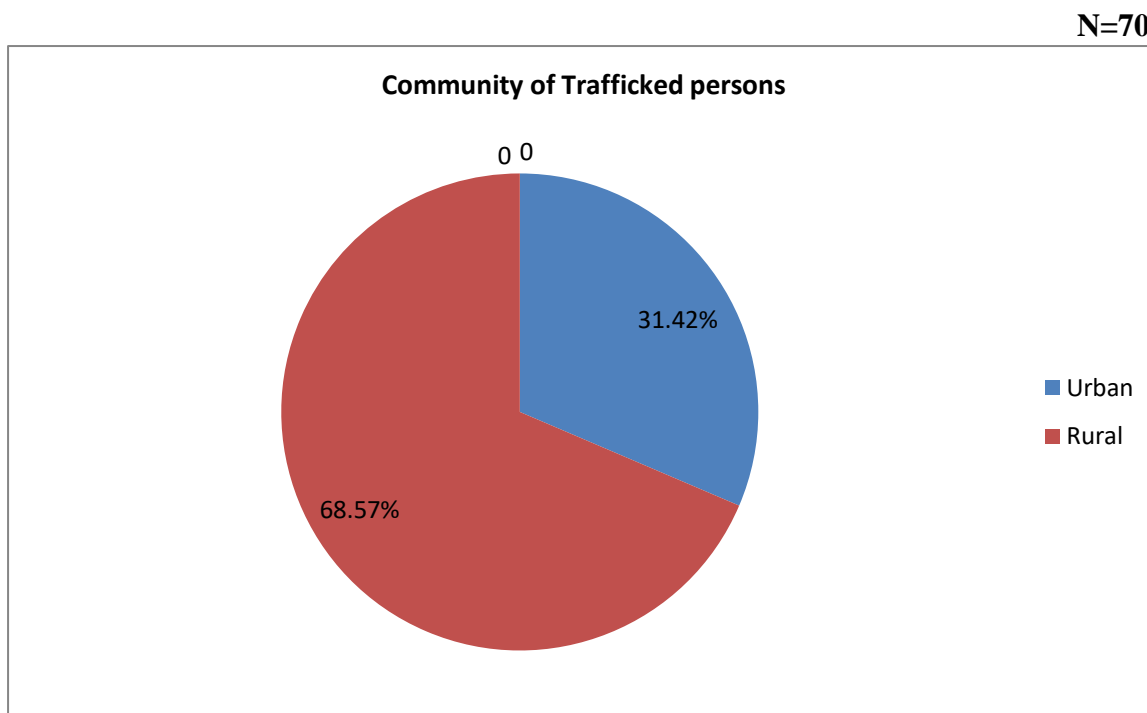


Figure 4.3 shows the type of community from where persons are mostly trafficked from based on the respondent's firsthand knowledge. A large majority (68.57%) of the trafficked persons are from the rural community according to the respondents while only 31.42% are from the urban community.

Table 4.3**District and Gender Wise Comparative Study on Community of Trafficked Persons**

N=70

<i>Districts</i>	<i>Urban</i>		<i>Rural</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	1(2.0)	0(0.0)	4(8.0)	4(8.0)	(100.0)
Peren	2(4.0)	4(8.0)	6(12.0)	5(10.0)	(100.0)
Tuensang	6(12.0)	3(6.0)	5(10.0)	3(6.0)	(100.0)
Mon	2(4.0)	0(0.0)	7(14.0)	2(4.0)	(100.0)
Mokokchung	3(6.0)	1(2.0)	5(10.0)	7(14.0)	(100.0)

Table 4.3 includes only the respondents who said that they have come across human trafficking cases. In Dimapur district, only 2% of males said that the trafficking cases they are familiar with occurred from the urban community. There were 8% males and 8% females who said that the trafficking cases they know are from the rural community.

In Peren district, 4% male and 8% female said it was from the urban community while 12% males and 10% females said it was from the rural community.

In Tuensang district, 12% males and 6% females said that the human trafficking incidences they know are from the urban community. 10% males and 6% females said that it was from the rural community.

In the case of Mon, only 4% males said that the trafficking case they were aware was from the urban community, while, 14% males and 4% females said it was from the rural community.

Coming to Mokokchung district, 6% male respondents and 2% female ones said that it was from the urban community. 10% males and 14% females said it was from the rural community.

An analysis of the data shows us that except for Tuensang district (M=12%, F=6%), which knew more urban human trafficking cases, rest of the sample districts knew trafficking cases from the rural community.

(i) Vulnerability to Trafficking:

Society is a whole unit that is made up of interrelated parts that work together. However, when it comes to human trafficking, traffickers manipulate this setup to their advantage and for them there is no single profile for trafficking victims; trafficking occurs to adults and minors, rural, suburban or urban communities across the world. Victims of human trafficking have diverse socio-economic backgrounds and varied levels of education. While human trafficking spans all demographics, there are however some circumstances or vulnerabilities that lead to a higher susceptibility to victimization. The study below takes into account the opinions of the inhabitants of Nagaland on key factors which lead to this vulnerability in their state.

Figure 4.4
Respondents' Opinion on Vulnerability to Trafficking

N=250

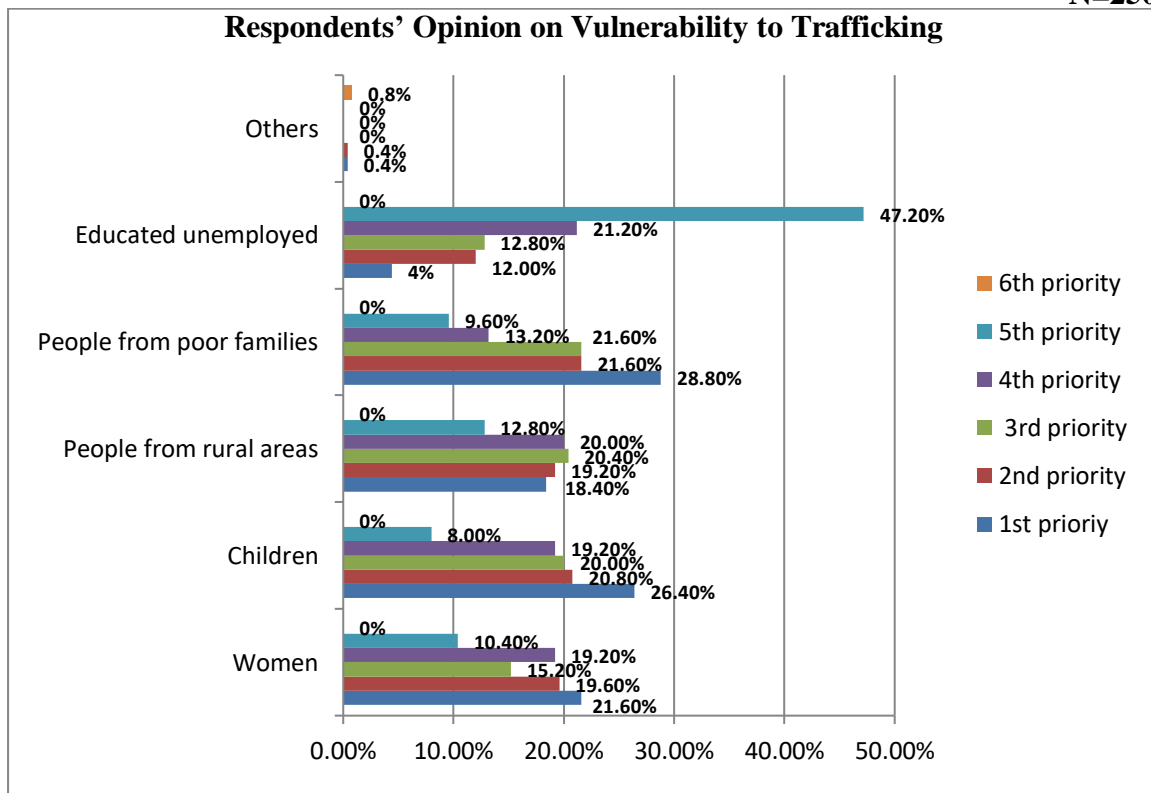


Figure 4.4 shows the opinions of the respondents on which section of society they feel is more vulnerable to human trafficking. According to the analysis of the data, people from

poor families are the main targeted group followed by children, women, people from rural areas and the educated unemployed in descending order.

Table 4.4
District Wise Comparative Study on Vulnerability to Trafficking

N=250

Indicators	District wise opinion on vulnerability to trafficking				
	<i>Dimapur</i>	<i>Peren</i>	<i>Tuensang</i>	<i>Mon</i>	<i>Mokokchung</i>
Women	4.312	4.309	4.431	4.139	4.105
Children	4.659	4.630	4.410	4.565	4.083
People from rural areas	4.244	4.022	4.098	4.133	4.095
People from poor families	4.317	4.446	4.234	4.557	4.86
Educated unemployed	2.8	3	3.229	2.916	3.204
Others	1	0	0	0	0.80

Table 4.4 shows the district wise opinions of respondents to the vulnerability of elements in society to human trafficking. Starting with the district of Dimapur, its inhabitants feel that children are the most vulnerable group followed by people from poor families, women, people from rural areas and educated unemployed. A small number of the respondents also felt that school drops outs were also vulnerable.

In Peren district, majority of the respondents said it is children who are more vulnerable to human trafficking, followed by people from poor families, women, people from rural areas and the educated unemployed.

Coming to the district of Tuensang, majority of the respondents said it is women followed by children, people from poor families, people from rural and lastly, the educated unemployed.

In Mon district, a majority of the respondents said children are most vulnerable to human trafficking, followed by people from poor families, women, people from rural areas and lastly, the educated unemployed.

Lastly in Mokokchung district, majority of its respondents said that it is people from poor families, followed by women, people from rural areas, children and the educated

unemployed. Further, a small number of respondents from this district gave other indicators saying that it also included drop out students.

A scrutiny of the comparative data above reveals that Dimapur, Peren and Mon districts believe that children are the most vulnerable while Tuensang district think that it is women. Mokokchung deemed people from poor families as the most vulnerable to human trafficking.

(ii). A Case Study Of 'Moana' A Child Trafficking Victim:

Moana (name changed to protect the victim) was rescued from an orphanage in Jaipur in 2013. She was 11 years old at the time of rescue. Moana hails from a village in Peren district of Nagaland. I luckily got to meet and interview her after she had been rescued and was placed in a rehabilitation centre run by an NGO based in Dimapur. Her's is a story of confusion and betrayal of an innocent child caught in the web of lies, deceit and exploitation that is endemic to child trafficking or human trafficking for that matter.

Moana is the eldest of eight siblings. She was born to parents who were poor farmers. Seeing no way to properly bring up so many children or provide them with education, Anna being the eldest, was sent to an orphanage in Jalukie under Peren district to help ease their burdens. It was during her stay in this orphanage that the proprietor heard of a certain Grace Home in Jaipur that was taking in orphans and children of poor parents and providing them with education, through a pastor in Manipur. Seeing this as an opportunity for his young charges, the proprietor decided to visit Grace Home in 2005 where he was warmly welcomed by Pastor Jacob John the owner and was shown the surroundings including the church and school bus for the children and given the promise that since his home was meant for the poorest of the poor, his wards would also be readily accepted. Being satisfied and happy by the work of Jacob John, thereafter in 2006 and with the consent of the parents, he took five children from Nagaland and Manipur including one of his own nephews. From that year onwards he started taking children from Nagaland and Manipur to Grace Home in Jaipur every successive year. One of these children was Anna.

For Moana, the prospect of receiving further education in mainland India seemed like a dream and too good to be true. But this in fact was going to be the start of an ordeal that lasted for three years up until her rescue in 2013 by a joint team of both Manipur and Nagaland Police. During her stay, she was never sent to school and was kept locked up in a room with other children except on rare occasions when they were taken for outings or to church. Other than that they were not even allowed to go up to the terrace to take in the sun. They were rarely allowed to speak on the phone with their parents but when they did so it was done under strict supervision. Anna recalls that she had severe pain in her legs that made it difficult for her to walk and instead of taking her to the hospital, she was given

a gold colored tablet two times a day. There were similar problems with a lot of the other children staying with her and they too were given this tablet. None of them got to be treated at the hospital.

Moana also narrated that on arrival at Grace Home in Jaipur the children were given English names. This they were told was because their sponsors who sent aid every month found it difficult to pronounce their names. The children were also given and allowed to keep photos of their sponsors.

When asked whether she was sexually abused by the pastor, she said that she was not but she did hear the other children talking that some of the elder girls were.

Whenever Moana recalls her past, she is brought to tears. She had her innocence taken away by the ugly face of child trafficking. Only time may heal the psychological scars left by her ordeal. But today she has recovered physically and like any other child with dreams of their own, she is going to school to help make it into a reality.

Date of Interview: 30/06/2016

Age: 14 years old

Sex: Female.

(ii) Rescued Victims:

In a lot of instances, victims after they are rescued or returned are often stigmatized by the very society that they were originally a part of. When we talk of stigma as applied to human trafficking, it can be blame on the victims for their victimization, discrimination, shame, loss of status and so on. In other instances, it may be a genuine feeling of pity. However, what is undeniable is that a victim's life is never the same again. Below we assess the plight of these victims in Nagaland through the opinions of its citizens.

Figure 4.5
Opinions on Rescued Victims

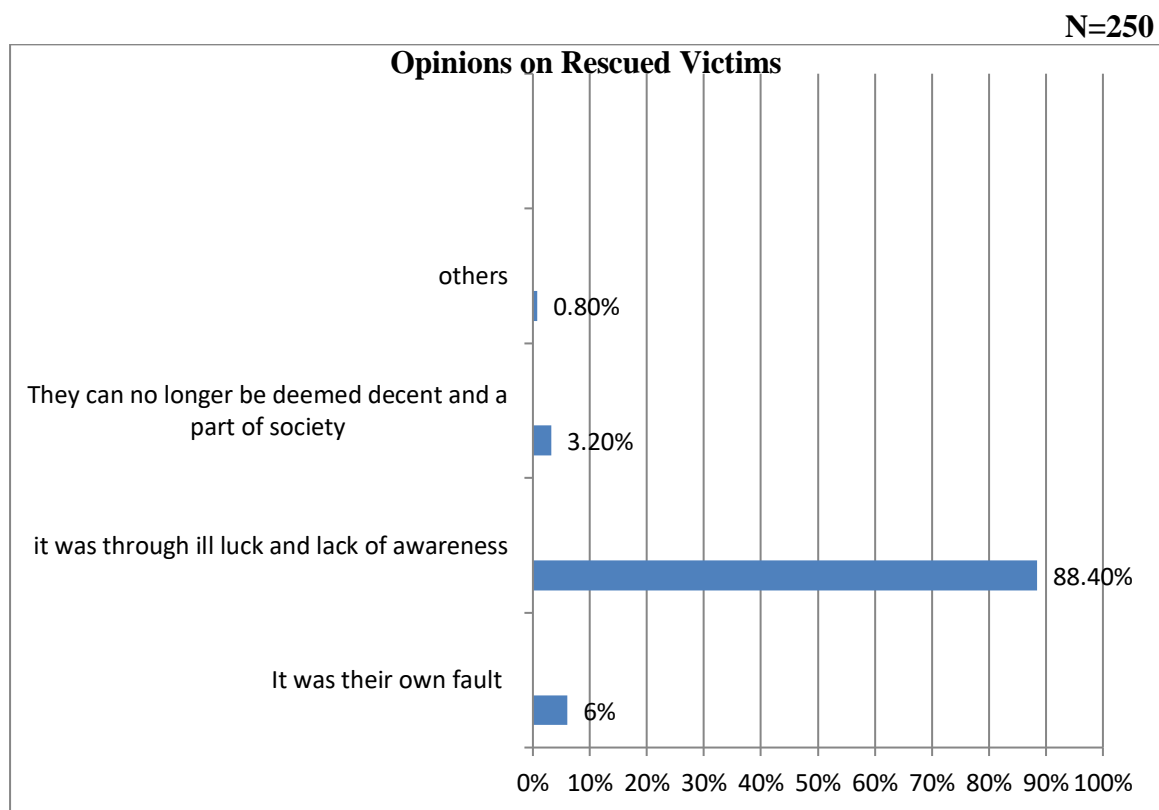


Figure 4.5 demonstrates the opinions the respondents have of victims of human trafficking when they are rescued or return home. A majority (88.40%) of the respondents feel that it was through ill luck and lack of awareness, and their plight should be sympathized with. The second most opinions (6%) of the respondents felt that it was their own fault. Next, 3.20% of the respondents have the opinion that they can no longer be deemed decent and a

part of society. Finally, 0.80% said that they need all the help they can get while others from felt that the narrow mindedness of the society discourages and degrades victims. This analysis shows that though a large majority of the people sympathize with victims of human trafficking, there are still people who look down upon and stigmatize them.

Table 4.5
District and Gender Wise Comparative Study on Opinions on Rescued Victims

N=250

Districts	Opinion										Total
	It was their own fault in the first place		It was through ill luck and lack of awareness, and their plight should be sympathized with		They can no longer be deemed decent and a part of society		Others		NO response		
	M	F	M	F	M	F	M	F	M	F	
Dimapur	1(2.0)	0	25(50.0)	22(44.0)	1(2.0)	0	1(2.0)	0	0	0	50(100.0)
Peren	3(6.0)	1(2.0)	24(48.0)	20(40.0)	0	0	0	0	0	2(4.0)	50(100.0)
Tuensang	2(4.0)	5(10.0)	28(56.0)	14(28.0)	1(2.0)	0	0	0	0	0	50(100.0)
Mon	2(4.0)	0	28(56.0)	19(38.0)	0	1(2.0)	0	0	0	0	50(100.0)
Mokokchung	1(2.0)	0	18(36.0)	23(46.0)	3(6.0)	2(4.0)	0	1(2.0)	2(4.0)	0	250(100.0)

The data above shows the comparative study on opinions of the respondents on returning victims. First, in Dimapur district, 50% male and 44% female have the opinion that victims should be sympathized as it was through ill luck and lack of awareness that they have landed in such a situation whereas 2% male felt that it was because of the victims fault that they have been trafficked and 2.0% male respondents have the opinion that victims can no longer be deemed decent and a part of society. 2% of males chose the ‘others’ indicator and said that the victims need all the help they can get.

Peren district data shows that 48% males and 40% females of the sample population felt that since victims have gone through so many turmoil due to ill luck and lack of awareness, they should be sympathized but at the same time 6% males and 2% females have the opinion that it was their fault that they have been trapped in the trafficking racket.

56% male and 28% female respondents from Tuensang view that it was through ill luck and lack of awareness that victims have been trafficked and therefore the victims should be

sympathized with. Again 4% male and 10% females believe that it was the fault of the victims for their trafficking and 2% male think that trafficking victims should no longer be deemed decent and a part of society.

Maximum numbers of respondents from Mon district (56% male and 38% female) have the opinion that victims should be sympathized whereas 4% males viewed that it was the fault of the victims and 2% female respondents felt that trafficking victims can no longer be regarded decent.

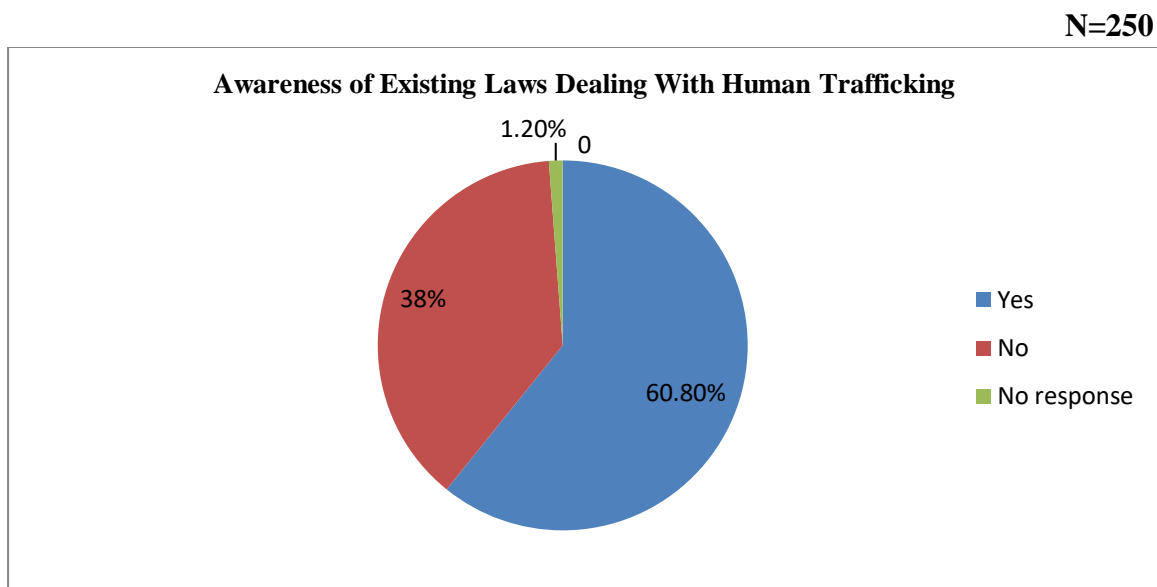
Mokokchung data indicates that 36% males and 46% females have the opinion that it was through ill luck and lack of awareness that victims are trapped. 6% males and 4% females viewed that trafficking victims are no longer deemed decent and a part of society. Again 2% males viewed that it was the fault of the victims and 2% female respondents said that it was the narrow mindedness and naivety of the society that discourages and degrades the victim directly or indirectly. 4% of the males did not respond.

An examination of the above comparative data shows us that a large majority of the people and more males than females from four sample districts (Dimapur M=50% F=44%, Mon M= 56% F= 38%, Peren M= 48% F=40%, Tuensang M= 56% F=28%,) sympathize with the victims. Mokokchung district (M= 36% F=46%) had more female sympathizers. However there are still a small percentage of the people who look down upon and stigmatize them by believing that it was their own fault in the first place (Dimapur M= 2%, Peren M= 6% F= 2%, Tuensang M=4% F=10%, Mon M= 4%, Mokokchung M= 2%) and feeling that they can no longer be deemed decent and a part of society (Dimapur M= 2%, Tuensang M= 2%, Mon F= 2%, Mokokchung M= 6% F=4%).

(iv) Awareness of Existing Law:

The first step to combating any social evil is to be armed with knowledge. Education and knowledge of trafficking in persons especially the awareness of existing laws among all members of society are key to beating human traffickers. In the study below we try to analyze the people's knowledge of the existing laws dealing with human trafficking and human traffickers in the state.

Figure 4.6
Awareness of Existing Laws Dealing With Human Trafficking



Based on the figure above, we can safely assume that a large percentage (60.80%) of the inhabitants of Nagaland are aware of existing laws dealing with human trafficking.

Table 4.6
District and Gender Wise Comparative Study on Awareness on Existing Laws Dealing With Human Trafficking.

N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	14(28.0)	15(30.0)	14(28.0)	7(14.0)	0(0.0)	0(0.0)	50(100.0)
Peren	14(28.0)	15(30.0)	13(26.0)	7(14.0)	0(0.0)	1(2.0)	50(100.0)
Tuensang	23(46.0)	10(20.0)	8(16.0)	8(16.0)	0(0.0)	1(2.0)	50(100.0)
Mon	20(40.0)	13(26.0)	9(18.0)	7(14.0)	1(2.0)	0(0.0)	50(100.0)
Mokokchung	15(30.0)	13(26.0)	9(18.0)	13(26.0)	0(0.0)	0(0.0)	50(100.0)

Table 4.6 above shows the comparative study (district and gender wise) on awareness of existing laws dealing with human trafficking. In Dimapur, 28% of the males and 30% of females said that they are aware about existing laws to curb human trafficking and punish human traffickers while 28% males and 14% females said that they aren't.

In Peren district, 28% of the male and 30% of the female respondents are aware about existing laws while 26% male and 14% female respondents said that they aren't. 2% female respondents did not respond.

In Tuensang district, 46% male and 20% female respondents said that they are aware while 16% male and 16% female respondents said that they are not. 2% female respondents did not respond.

In Mon district, 40% male and 26% female respondents said that they are aware while 18% males and 14% females said that they are not. 2% male respondents did not respond.

Coming to Mokokchung district, 30% male and 26% female respondents said that they are aware about existing laws on human trafficking and 18% male and 26% female respondents that they knew nothing about such laws.

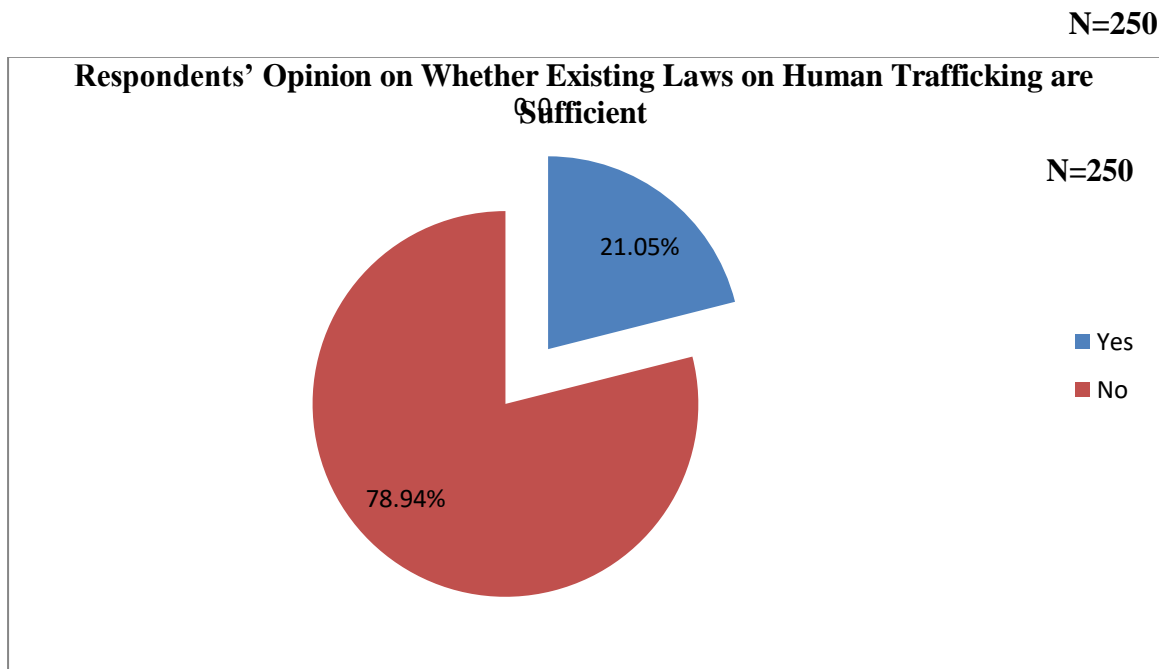
This comparative study shows us that Dimapur (M=28% F=30%) and Peren (M=28% F=30%) have a higher percentage of females who know about existing laws on human

trafficking. In all the other districts there is a higher percentage of males (Tuensang M=46% F=20%, Mon M=40% F= 26%, Mokokchung M=30% F=26%). When it came to ignorance on existing laws on human trafficking Dimapur (M=14% F=7%), Peren (M=13% F=7%) and Mon (M=18% F=14%) have higher percentage of males, Tuensang (M=16% F=16%) have an equal percentage between the sexes, while Mokokchung (M=18% F=26%) have a higher percentage of females. A further analysis of the data reveals that a larger percentage of males are aware about existing laws on human trafficking than their female counterparts.

(v) Effectiveness of Existing Law on Human Trafficking:

Any existing law to combat crime has to be in itself self sufficient, well rounded and dynamic enough allowing no room or loopholes for criminals to operate in or escape. However, if history is anything to go by, consequent legislations on different crimes are usually flawed, do not address all aspects of these crimes and more often than not, create confusion. Below we try to assess whether anti human trafficking laws too fall under this category or whether it is sufficient enough to deter and tackle the crime, through the responses of the people of Nagaland.

Figure 4.7
Respondents' Opinion on Whether Existing Laws on Human Trafficking are Sufficient



Looking at figure 4.7 gives us a clear indication that citizens of Nagaland (78.94%) are not satisfied and feel that existing laws on human trafficking are not sufficient.

Table 4.7
District and Gender Wise Comparative Study of Respondents' Opinion on Whether Existing Laws on Human Trafficking are Sufficient

N=152

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	3(6.0)	2(4.0)	10(20.0)	14(28.0)	29(58.0)
Peren	3(6.0)	5(10.0)	11(22.0)	10(20.0)	29(58.0)
Tuensang	1(2.0)	5(10.0)	22(44.0)	5(10.0)	33(66.0)
Mon	5(10.0)	1(2.0)	15(30.0)	12(24.0)	33(100.0)
Mokokchung	4(8.0)	3(6.0)	11(22.0)	10(20.0)	28(56.0)

Table 4.7 shows the comparative study (district and gender wise) on whether the people deem existing laws on human trafficking as sufficient or not. Starting with Dimapur district, 6% of their male and 4% of their female respondents think that the existing laws are sufficient. 20% males and 28% females said no.

Next in Peren district, 6% of male and 10% of female respondents said yes, while, 22% male and 20% female respondents said no.

In Tuensang, only 2% male and 10% female respondents said yes, whereas 44% male and 10% female respondents said no.

In Mon district, 10% of its male and 2% of its female respondents think that the existing laws are sufficient. 30% males and 24% females said that it isn't. .

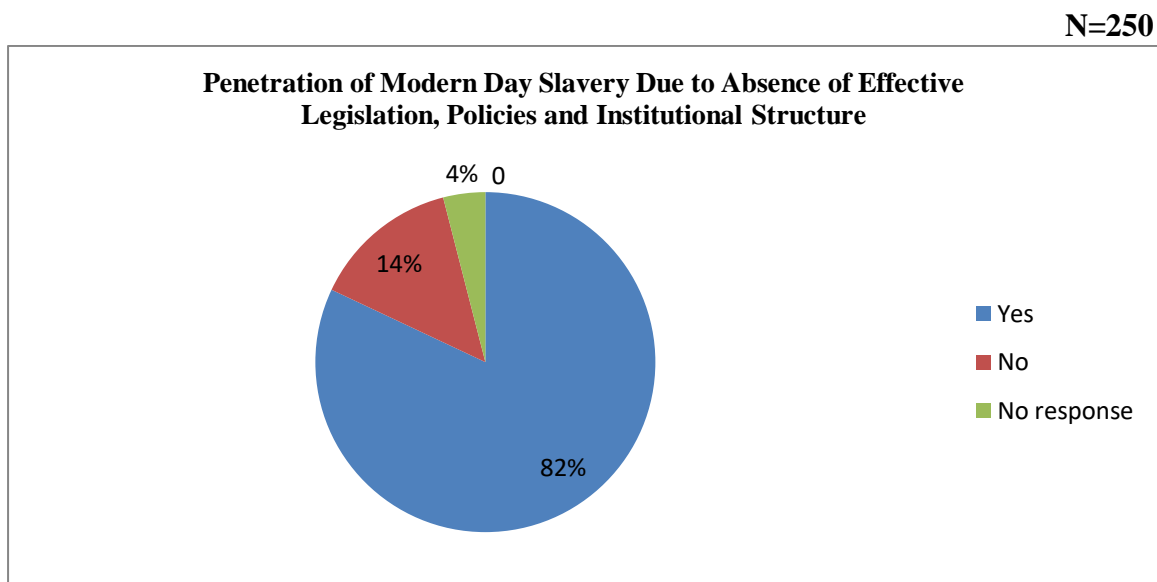
In Mokokchung district, 8% of male and 6% of female respondents said yes, while, 22% male and 20% female respondents said no.

The comparative study tells us that the majority of the respondents of all the districts, male and female, believe that existing laws on human trafficking are not sufficient. Tuensang has the highest percentage of males (44%) while Mon has the highest percentage of females (24%) that think so. An underwhelming percentage feel that the existing laws are enough. Among them Mon have the highest percentage of males (10%) while both Peren and Tuensang have the highest percentage of females (Both 10% each).

(vi) Modern Day Slavery:

The idea of democracies is that governments exist for the welfare of its citizens. However, when politics interfere and there is absence of effective legislation, policies and institutional structure in addressing key issues, crimes like human trafficking, often referred to as ‘modern day slavery,’ penetrate and spread their tentacles. As a result, the following analysis takes into account whether that is also the case in Nagaland through the opinions of its citizens.

Figure 4.8
Penetration of Modern Day Slavery Due to Absence of Effective Legislation, Policies and Institutional Structure



The above figure clearly indicates that modern day slavery has penetrated our society due to absence of effective legislation, policies and institutional structure in addressing the problem. This is justified by 82% of the respondents saying yes.

Table 4.8
District and Gender Wise Comparative Study on Penetration of Modern Day Slavery
Due to Absence of Effective Legislation, Policies and Institutional Structure

N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	20(60.0)	18(36.0)	7(14.0)	3(6.0)	1(2.0)	1(2.0)	50(100.0)
Peren	23(46.0)	18(36.0)	3(6.0)	2(4.0)	1(2.0)	3(6.0)	50(100.0)
Tuensang	27(54.0)	12(24.0)	4(8.0)	7(14.0)	0(0.0)	0(0.0)	50(100.0)
Mon	30(60.0)	20(40.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	50(100.0)
Mokokchung	18(36.0)	19(38.0)	4(8.0)	5(10.0)	2(4.0)	2(4.0)	50(100.0)

Table 4.8 shows the comparative study on whether human trafficking is penetrating our society as a result of the absence of effective legislation, policies and institutional structure.

In Dimapur, 60% of male and 36% of female respondents said yes, while, 14% male and 6% female respondents said no. 2% males and 2% females did not respond.

Coming to Peren, 46% of male and 36% of female respondents said yes, while, 6% male and 4% female respondents said no. 2% males and 6% females did not respond.

In Tuensang, 54% of male and 24% of female respondents said yes, while, 8% male and 14% female respondents said no.

In Mon, 60% of male and 40% of female respondents said yes.

In Mokokchung district 36% of male and 38% of female respondents said that the absence of effective legislation, policies and institutional structure has allowed human trafficking to penetrate our society , while, 8% male and 10% female respondents said no. 4% males and 4% females did not respond.

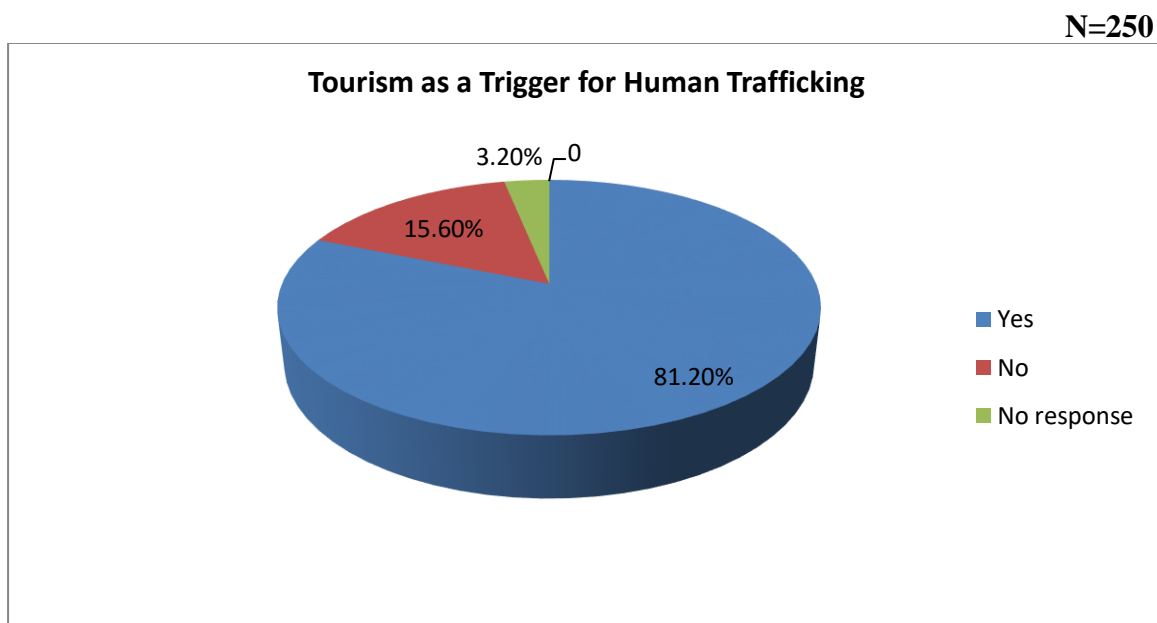
An analysis of the data above shows us that a majority of the male and female population in Nagaland deem the absence of effective legislation, policies and institutional structure to be issues that has allowed modern day slavery to penetrate our society. Mon has the highest percentage of male respondents (60%) who think so, while again for the females, Mon has

the highest percentage (40%). Only 14% of the respondents feel the absence of effective legislation, policies and institutional structure not to be issues that have allowed modern day slavery to penetrate our society. Among them, Dimapur has the highest percentage of males (14%), while Tuensang has the highest percentage of female respondents (14%).

(vii) Tourism and Human Trafficking:

There is a general consensus that when areas open their doors to tourism, it provides breeding ground for elements of human trafficking like sex tourism and prostitution. Nagaland had always been a landlocked area until only recently and tourism to the state is slowly picking up. Below we take the opinions of its people on whether this will push the problem of human trafficking to increase.

Figure 4.9
Tourism asa Trigger for Human Trafficking



The figure above reinforces the belief of the people of Nagaland that with the state slowly becoming a tourist spot, it is bound to increase the problem of human trafficking. And it is clearly indicated by, 81.20% of the respondent saying yes and only 15.60% saying no.

Table 4.9
District and Gender Wise Comparative Study on Tourism as a Trigger for Human Trafficking

N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>No response</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	25(50.0)	17(34.0)	3(6.0)	5(10.0)	0(0.0)	0(0.0)	50(100.0)
Peren	24(48.0)	16(32.0)	2(4.0)	5(10.0)	1(2.0)	2(4.0)	50(100.0)
Tuensang	27(54.0)	16(32.0)	3(6.0)	3(6.0)	1(2.0)	0(0.0)	50(100.0)
Mon	23(46.0)	16(32.0)	7(14.0)	4(8.0)	0(0.0)	0(0.0)	50(100.0)
Mokokchung	22(22.0)	17(34.0)	2(2.0)	5(10.0)	0(0.0)	4(8.0)	50(100.0)

Table 4.9 shows the comparative analysis (district and gender wise) on the issue of tourism as a trigger for the increase of human trafficking. In Dimapur, 50% male and 34% female respondents said that tourism is going to add to the immensity of the problem of human trafficking. 6% male and 10% female respondents said that it isn't.

In Peren, 48% male and 32% female respondents said yes while 4% male and 10% female respondents said that it isn't. 2% males and 4% females did not respond.

In Tuensang district, 54% male and 32% female respondents said yes while 6% male and 6% female respondents said that it isn't. 2% males did not respond.

When it came to Mon district, 46% male and 32% female respondents said yes while 14% male and 8% female respondents said that it isn't.

Lastly in Mokokchung district, 22% male and 34% female respondents said yes while 2% male and 10% female respondents said that it isn't. 8% females did not respond.

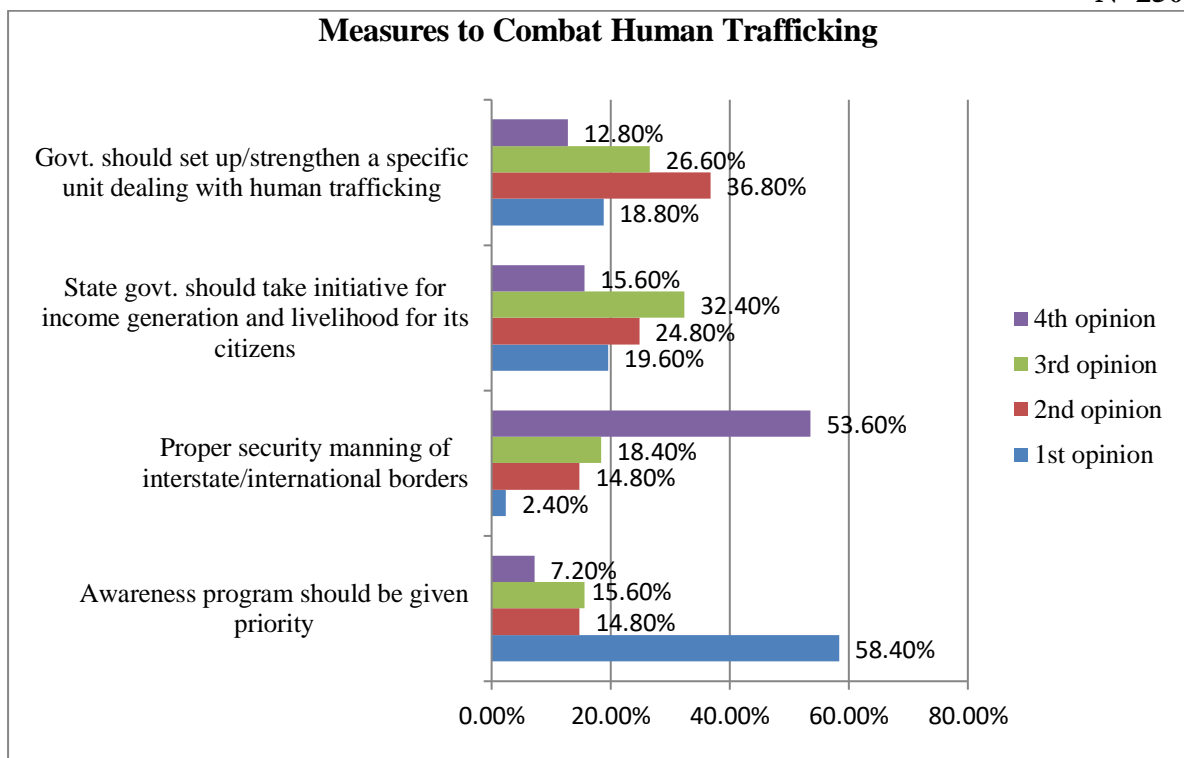
On examination of the comparative study above, we can deduce that the majority in all the districts, both male and female, feel that the factor of tourism and Nagaland becoming a tourist spot is definitely going to increase the problem of human trafficking in the state. Tuensang has the highest percentage of males (54%) who think so, while both Dimapur (34%) and Mokokchung (34%) have the highest percentage of females. On the contrary, Mon has the highest percentage of males (14%) who do not think so, while Dimapur, Peren and Mokokchung have the highest percentage of females (10% each).

(viii) Combative Measures to Human Trafficking:

Mitigation, control or prevention of any form of crime needs measures and efforts by government as well as nongovernmental setups. Below we try to take into account the views of the people of Nagaland on what measures will be most effective to fight the crime that is human trafficking in their state.

Figure 4.10
Measures to Combat Human Trafficking

N=250



An analysis of the data presented in figure 4.10 shows us that the people feel that knowledge is power as awareness programs (58.40%) can act as the most effective measure to combat human trafficking. The state government by taking up initiative for income generation and livelihood for its citizens (19.60%) can act as the second most effective measure to combat human trafficking. The third most effect measure according to them, can be by setting up or strengthening of a specific unit (18.80%) by the government to deal with human trafficking. Proper security manning of interstate and international borders (2.40%)

is viewed as the fourth most effective measure that can be used to combat the crime of human trafficking.

Table 4.10
District Wise Comparative Study on Measures and Their Effectiveness to Combat Human Trafficking

N=250

<i>Views</i>	<i>District wise views of measures in order of effectiveness to combat human trafficking</i>				
	<i>Dimapur</i>	<i>Peren</i>	<i>Tuensang</i>	<i>Mon</i>	<i>Mokokchung</i>
Awareness program should be given priority	3.312	3.416	3.085	3.625	3.127
Proper security manning of interstate/ international borders	1.625	1.434	1.780	1.477	1.795
State government should take initiatives for income generation and livelihood for its citizens	1.830	2.530	2.446	2.510	2.733
Government should set up/ strengthen a specific unit dealing with human trafficking	2.755	2.693	2.729	2.562	2.5

Table 4.10 gives us a district wise comparative study of measures to combat human trafficking in order of their effectiveness. The people in Dimapur district are of the opinion that awareness programs will be the most effective measure to combat human trafficking. This is followed by their view that the government should set up or strengthen a specific unit to deal with human trafficking. The third most effective measure according to them will be if the state government takes initiatives for income generation and livelihood for its citizens. The fourth most effective measure to combat human trafficking is by the proper security manning of interstate and international borders.

In Peren district, majority of the respondents feel that awareness programs will be the most effective measure to combat human trafficking. This is followed by their view that the government should set up or strengthen a specific unit to deal with human trafficking. The third most effective measure according to them will be if the state government takes initiatives for income generation and livelihood for its citizens. The fourth most effective measure to combat human trafficking is by the proper security manning of interstate and international borders.

In Tuensang district, majority of the respondents feel that awareness programs will be the most effective measure to combat human trafficking. This is followed by their view that the government should set up or strengthen a specific unit to deal with human trafficking. The third most effective measure according to them will be if the state government takes initiatives for income generation and livelihood for its citizens. The fourth most effective measure to combat human trafficking is by the proper security manning of interstate and international borders.

The study in Mon district shows us that majority of the respondents feel that awareness programs will be the most effective measure to combat human trafficking. This is followed by their view that the government should set up or strengthen a specific unit to deal with human trafficking. The third most effective measure according to them will be if the state government takes initiatives for income generation and livelihood for its citizens. The fourth most effective measure to combat human trafficking is by the proper security manning of interstate and international borders.

Finally coming to Mokokchung district, the data reveals that majority of the respondents feel that awareness programs will be the most effective measure to combat human trafficking. The second most effective measure according to them will be if the state government takes initiatives for income generation and livelihood for its citizens. The third most effective measure according to them will be if the government sets up or strengthens a specific unit to deal with human trafficking. Least on their list is proper security manning of interstate and international borders.

On analyzing the comparative study above, we can safely assume that all the districts strongly believe that giving awareness programs on human trafficking to the masses will be the best option to combat the crime of human trafficking.

(ix) The State Government and Human Trafficking:

Since the civil society has surrendered their right to fend for themselves to the government for the common good of every individual, the government in turn owes certain duties and responsibilities to the civil society. The oldest and simplest justification for government is as protector and provider for its people. So the study that ensues below is to ascertain the people's views on whether their government is doing enough to protect them against this crime that violates all tenets of human dignity.

Figure 4.11
Effectiveness of the State Government in Combating Human Trafficking

N=250

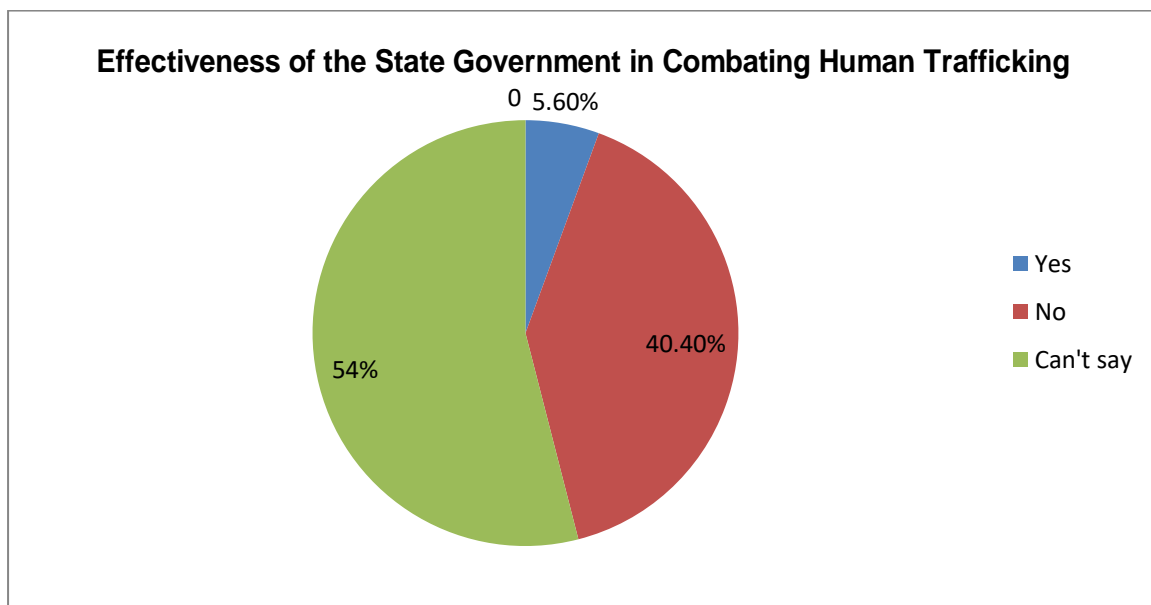


Figure 4.11 clearly illustrates the view of the people of Nagaland and the degree of confidence they have in their government to protect the masses from the phenomenon that is human trafficking. 54% of them can't say whether the state government is doing enough, 40.40% said no while only a measly 5.60% said that the state government was doing enough.

Table 4.11
District and Gender Wise Comparative Study on Effectiveness of the State
Government in Combating Human Trafficking

N=250

<i>Districts</i>	<i>Yes</i>		<i>No</i>		<i>Can't say</i>		<i>Total</i>
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	
Dimapur	1(2.0)	0(0.0)	14(28.0)	11(22.0)	13(26.0)	11(22.0)	50(100.0)
Peren	0(0.0)	6(12.0)	10(20.0)	7(14.0)	17(34.0)	10(20.0)	50(100.0)
Tuensang	0(0.0)	4(8.0)	13(26.0)	3(6.0)	18(36.0)	12(24.0)	50(100.0)
Mon	1(2.0)	0(0.0)	15(30.0)	8(16.0)	14(28.0)	12(24.0)	50(100.0)
Mokokchung	0(0.0)	2(4.0)	10(20.0)	10(20.0)	14(28.0)	14(28.0)	50(100.0)

Table 4.11 illustrates the comparative study district and gender wise on opinions of the people on whether the state government is doing enough to fight the problem of human trafficking in Nagaland.

Starting with Dimapur district, only 2% of males and none of females feel that the state is doing enough to fight the problem. 28% males and 22% females said that the government was not doing enough while 26% males and 22% females said that they can't say.

In Peren district, only 12% of the female respondents said yes, 20% males and 14% females said no while 34% males and 20% females said that they can't say.

In Tuensang district, only 8% of the female respondents said yes, 26% males and 6% females said no while 36% males and 24% females said that they can't say.

In the district of Mon, only 2% of males and none of females feel that the state is doing enough to fight the problem. 30% males and 16% females said that the government was not doing enough while 28% males and 24% females said that they can't say.

In Mokokchung district, only 4% of the female respondents said yes, 20% males and 20% females said no while 28% males and 28% females said that they can't say.

Analysis of the comparative study above shows that more females (Peren 12%, Tuensang 8%, Mokokchung 4%) than males (Dimapur 2%, Mon 2%) said yes when it comes to

effectiveness of state government in combating human trafficking whereas more males (Dimapur 28%, Peren 20%, Tuensang 13%, Mon 30% and Mokokchung 20%) said no than females (Dimapur 22%, Peren 14%, Tuensang 6%, Mon 16%, Mokokchung 20%). However a large percentage of the respondents from all districts said that they couldn't say if their government was doing enough to fight the problem of human trafficking. This study reveals that the people have no confidence in the present measures that are being undertaken by the government to handle this menace.

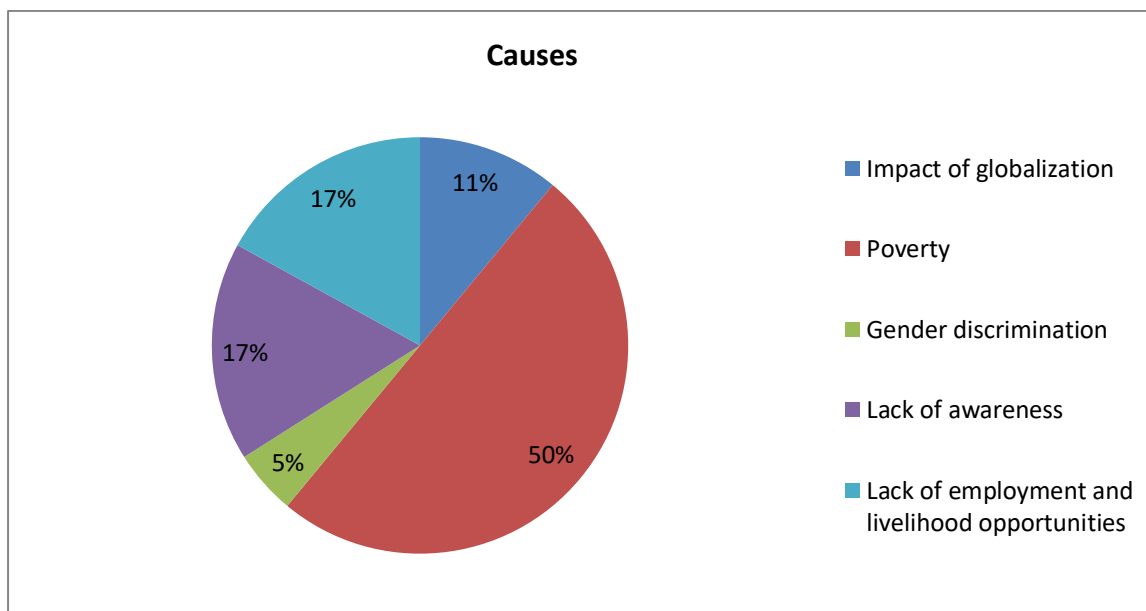
4.3 Police and Law Enforcing Agencies on Human Trafficking in Nagaland

The ultimate objective of any interview conducted in connection with law enforcement activities is to obtain an accurate account. In this respect, interviews were conducted with police personals and lawyers from all the sample districts who had come across and handled cases of human trafficking.

(i) Training

All the respondents have had some form of training on human trafficking which has proved helpful while tackling cases of human trafficking which were brought before them. They were also trained on how to identify and respond to human trafficking cases. However, investigative officers are hardly called for follow up training. They feel they need reorientation training periodically to re-familiarize themselves with the issue and to be equipped with new and enhanced methods to tackle the problem. On the bright side, the police training school in Chumukedima has incorporated human trafficking in their training syllabus since 2010. Officers are also encouraged to enroll themselves in human trafficking course from IGNOU.

Figure 4.12
Causes



When asked about the main causes of human trafficking in the state according to them, 50% of the respondents replied that it was poverty while 17% said that it was lack of awareness. Another 17% said that it was lack of employment and livelihood opportunities, 11% had the opinion that it is the impact of globalization, while only 5% attributed it to gender discrimination.

(ii) Pattern of Handling Human Trafficking Cases

Profiling is the recording and analysis of a person's psychological and behavioral characteristics, so as to assess or predict their capabilities in a certain sphere or to assist in identifying categories of people. Criminal profiling is a great way to try to understand suspects as people. It is necessary to learn who the individuals are in order to track and locate them before they can do real damage. This new development of investigating is helpful in obtaining fugitives quicker and preventing crimes from happening.

Keeping up with criminal minds is a great way to stay ahead of their criminal intentions. The interviewees when asked on how they go about dealing with the crime of human trafficking said that they usually make arrests and raids based on information received. There is no system in place to profile traffickers and prevent trafficking at the moment. However, the respondents feel that this will be addressed in the very near future. Some lawyers also felt that investigating agencies should keep in mind that they are dealing with organized crime and that it is not just a matter of raid, rescue and arrest.

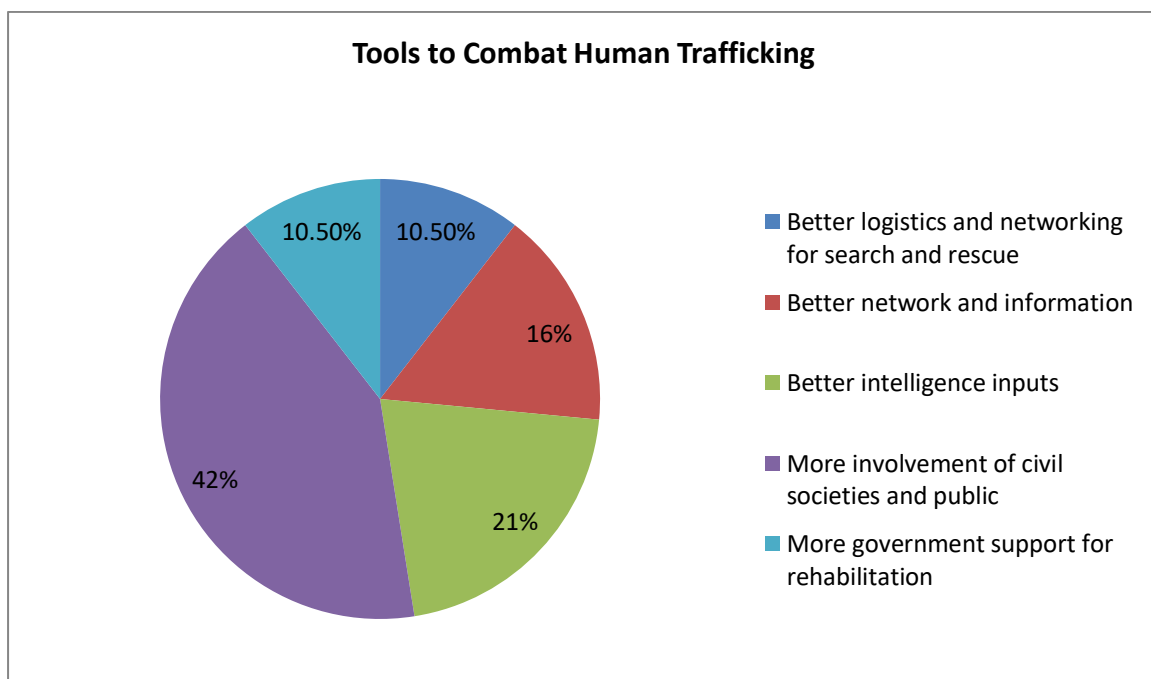
(iii) Role in Prevention and Rescue

The respondents during the interview were asked what their role in preventing human trafficking was. They said that though they knew that human trafficking was a serious crime they hardly chalk out any plan or action and were ill equipped to prevent it. There is also no stringent border surveillance to curb human trafficking and movements of traffickers are difficult to track. On the issue of rescue, the interviewees said that they found it difficult as it takes time to contact the nodal NGOs of other states, there is poor funding or budget for transportation of the rescuing team, there is lack of coordination between the investigating agency and different stake holders, receiving information late, there are difficulties in locating and shortage of manpower.

(iv) Opinion on the Current Legal Framework

A majority of the respondents were of the opinion that the current legal framework was sufficient to curb human trafficking if observed in the right spirit. However some felt that it needed some modifications like a separate act to deal with human trafficking and a complete independent unit to be set up with trained personals having certain powers vested in them.

Figure 4.13
Tools to Combat Human Trafficking



On the issue of what would be the most effective tool to combat human trafficking, the interviewees were asked to give their opinions. 42% said that more involvement of civil societies and public would be the best solution while 21% said that it would be better intelligence inputs. Better logistics and networking for search and rescue and more government support for rehabilitation, both had 10.50% of the interviewees apiece. Lastly 16% said that it was better network and information.

4.4. Role of NGO's

NGOs are often viewed as being the 'conscience of government', and representatives of civil society, and have traditionally stepped in where governments have failed to take the initiative. NGOs with their limited resources, funding, training, and access to information more often than not take the lead and play a crucial role in combating trafficking. Their anti-trafficking activities, objectives, and orientation are linked to the social and cultural background of their respective regions, and reflect local patterns of trafficking. NGOs have adopted various methods to tackle the menace of human trafficking. Their role differs from case to case. But they first decide on what type of assistance is required to the rescued victims, it may be medical help, counseling, psychological support, providing education or providing jobs based on their skills. For this present study, two NGOs (Miqlat Ministry and Prodigals' Home) who are active in the field of trafficking were selected and interviewed.

Facilities Provided:

Shelter home, counseling (psycho-social), vocational training and medical assistance are the facilities that the two NGOs provide to victims of trafficking. As Miqlat Ministry is a faith based organization, they also emphasize on spiritual development as well.

Role in Providing Support:

The shelters and support provided by the NGOs are essential for victims and the rehabilitation that they undergo in terms of physical as well as mental health are key to ease the process of repatriation. Due to the trauma suffered by the victims, the rehabilitation process is a slow, guided and gradual process after which they are given a choice to repatriate to their family or stay back and work at the centre.

Income Generation Activities:

After the rehabilitation is over, to help the victims' reentry into society, the two NGOs provide various income generation programmes. Some of these programmes are cutting and tailoring, baking, card making, basket making, weaving and bookmark making.

Co-ordination:

A very important factor in rescuing human trafficking victims is how co-ordination is set up between different agencies. When it comes to handling human trafficking cases, the two NGOs co-ordinate closely with state government agencies like legal officials and police authorities as well as other NGOs and both the NGOs said that they are satisfied with the support and co-ordination given by them. They also actively share information with police and prosecutors regarding traffickers as and when the need arises.

Obstacles Faced by the NGOs in Organizing Action against Trafficking:

For an NGO to function properly and be effective, different factors like socioeconomic and political conditions have to be congenial and when these conditions are not favorable, it makes achieving their tasks and goals a lot harder. From the information gathered from the two NGOs, it is clear that insufficient public awareness and support is the main barrier faced by them to execute their tasks. Insufficient funding and social and cultural orthodoxy are the other obstacles faced by them in organizing action against trafficking.

It is undeniable that much of the anti-trafficking work that addresses the needs of trafficked victims and those at risk is undertaken by NGOs. In a lot of instances, the government makes different policies on different issues. Yet when it comes to implementation, there is always a lot to be desired. We cannot deny that law enforcement agencies do make efforts to curb this menace. However, over the years, the contributions of NGOs in the field of human trafficking have proven more vital in combating human trafficking and its effects.

CHAPTER: 5

CONCLUSION & SUMMARY

Human Trafficking has become a viral threat to people, irrespective of creed, age, sex or color, worldwide. Reviews of different literature on the issue suggest that merely from just one aspect or dimension of human trafficking which is trafficking in women and girls for the purpose of sexual exploitation; the market is valued at US \$7 billion annually. From the physical abuse and torture of victims, to the psychological and emotional trauma it inflicts on its victims, all forms of human trafficking is inhumane and destructive. Furthermore, it deprives people of their basic human rights and is an indignity that affects millions of people every year on every continent and at all socioeconomic levels.

When we talk about human trafficking, we usually associate it with various forms of prostitution. But that is not the case. It encompasses a wider scheme of things which include forced labor, fake marriages, child labor, organ trade and so on. As the chapters above demonstrate, Nagaland is no different. This small state in India that is home to about 20 lakh proud ethnic Nagas, once felt that their land was landlocked and deemed issues like human trafficking, alien concepts and something that could never penetrate into their close knit society. The phenomenon has cast its web and today it has become a burning issue with potential to escalate even further if something drastic is not done to mitigate or stop it in its tracks. However, this can be achieved only if governmental and non-governmental organizations in the state, step up their efforts on a warpath like drive and awareness is spread to every nook and corner of the land especially to the identified vulnerable sections of the society who are at a higher risk to human traffickers.

As stated earlier, there is a much bigger and sinister underworld racket when it comes to human trafficking and its tentacles are spread worldwide. The truth is Nagaland is only now becoming aware of this social menace through incidences occurring that appear sporadically in local dailies. But the truth of the problem lies in the fact that many more cases go unreported or unregistered. This is largely due to the low level of awareness on the issue that the masses have. A number of cases that the people thought to be just missing persons' cases have turned out to be human trafficking cases. Another problem is the

crippling and chronic unemployment problem that the state has. A few of the trafficking cases have owed its roots to the promise of employment opportunities. These opportunities also have included working in massage parlours and salons which have managed to entice several females only for them to end up in the prostitution racket. When it comes to males that have been trafficked, they were offered lucrative jobs in multinational companies but ended up being forced laborers. What is surprising about most of these cases are that most of the victims were educated unemployed youths.

Traffickers have also used the education card especially in the rural areas where the quality of education is not up to mark and families are usually constrained financially to meet the requirements for better education and better quality of living for their children. Now based on all these gathered information, this research has tried to find out the root causes and nature of trafficking in the state, the types of trafficking prevalent, the level of awareness of its people on the issue, the effectiveness of organizations that are in place to handle human trafficking, the impact it has on the victims and laws and the legal framework that are available to protect the people against human trafficking.

5.1. Findings With Regard to Research Questions

(i) *Is globalization a key factor in rising causes of human trafficking in the state?*

A lot of researchers over the years have felt that globalization has been a key factor when it comes to the rising cause of human trafficking worldwide. In Nagaland also, through this research, it was found out that it is a factor. Globalization has opened up a lot of avenues to the people of the state in terms of trade, technology, tourism, etc. But along with the positives it has also provided tools to traffickers to lure and entice potential victims. (See figure 3.8)

(ii) *Which section of the society is more susceptible to human trafficking? Is background of the family related to trafficking?*

Another research question of the study was on the section of society that is more vulnerable to human trafficking. On this matter, it is clear that, like in most societies affected by human trafficking, so too in Nagaland, the rural and economically backward sections of its population are more susceptible. Poverty plays a key role in this and majority of the victims known to the respondents are from rural areas. (See figure 4.1)

(iii) *Is human trafficking a gender based phenomenon?*

On the above research question, human trafficking in Nagaland is not so much a gender based issue according to the respondents. If we look into the Naga society, though it is a patrilineal one, gender differentiation has never been an issue like in other states of India. The womenfolk are treated respect and are at par with their male counterparts except for some exceptions like inheritance. So the question of human trafficking being a gender based issue in Nagaland does not arise. However, women and children are more vulnerable than the males owing to demand factors. (See figure 3.4)

(iv) *Are trafficking victims given appropriate support and assistance?*

On the research question of whether trafficking victims were given appropriate support and assistance, the study revealed that they are sent for medical examination and aid, counseling, given vocational training and income generating activities to help them

become self sufficient. However there are no rehabilitation centers exclusively for trafficking victims. (See chapter 4, 4.5)

(v) What is the level of awareness and stance of the general populace of Nagaland on the issue of human trafficking?

Coming to the next research question on the overall level of awareness and stance of the general populace on the issue, the study found out that more than 50% of the respondents felt that it was low. This is a thought for serious concern and organizations and authorities that are in position to do so should look take up the matter seriously. (See figure 3.9)

(vi) Are international and inter-state boundaries and major transit points being properly manned?

The last research question was whether international and inter-state boundaries and major transit points were being properly manned. Nagaland shares its borders with the country of Myanmar and three Indian states. However there are no stringent border surveillance in place which often make it difficult to track the movement of traffickers and several cases of interstate cases of trafficking have been reported. (See chapter 4, 4.3(iii))

5.2 Suggestions and Recommendations:

The suggestions given here are not exhaustive. There is plenty of room for further additions. However, it is based on collection of data available at the moment and includes issues which have been identified as crucial and steps to address them are recommended as such. A part of the suggestions also reflect the opinions of enforcement agencies and judicial lawyers, and NGOs working in the field of human trafficking.

1. Awareness should be a priority. One of the main causes of human trafficking in the state is its peoples' lack of awareness on the issue. So to stem the tide of human trafficking in the state, it is paramount that its people should have at least a basic knowledge of it. There were times not so long ago, when missing persons reports, confounded even the crème de la crème of its population. They usually attributed it to abductions and runaways and were left confused on what could be the motive and purpose for it. Most of the rural populations, who are most vulnerable, are till date still dark and ignorant on the issue. That is why in most cases of trafficking in the state, victims are from poor and rural backgrounds. It is high time that people of authority, the churches, NGOs and the media fraternity think of disseminating awareness to every reach of the state. This can be achieved by giving seminars and workshops, having focus group discussions, including it as a social issue in the school curriculum, sensitizing people on the criminality of trafficking and the tragic fate of victims through media thereby generating resistance against exploitation, and poster campaigns. Doing all of these should go a long way in educating the masses on the issue of human trafficking.
2. Most of the human trafficking incidences occur to the vulnerable section of society. By vulnerable in this case, we mean people with poor economic backgrounds and unemployed youths. Keeping this view in mind, the state government should generate livelihood opportunities for its citizens.
3. At the moment there is no exclusive rehabilitation center for human trafficking and rescued trafficking victims are handled only by NGOs based in other fields. Basic

aid and care like medical examination and counselling are taken care of by them. But what has to be kept in mind is that most of these victims have faced trauma way beyond what even healthy adults can endure and have had all tenets of human dignity stripped away from them and for child victims, they have had their very childhood taken away from them. As such, the mental state of trafficking victims have to be taken into account as they need expert psychologists, counselors and people taking care of them who can ease their re-entry into normal social life. All of this can be possible only if exclusive rehabilitation centers for human trafficking are setup.

4. Anti- human trafficking unit have been set up in all districts of the state. The personals and staff of these units are trained. However they are hardly called for reorientation or follow up training. It must be kept in mind that human traffickers or criminals of any kind, are extremely shrewd and come up with new and ingenious ways to skirt authorities and keep their activities running. And when those left in charge to track and arrest these criminal activities and movements are not updated on the methods of these criminals, it becomes a lost cause and beats the very purpose of them being instituted in the first place. So updated and comprehensive training for AHTU personals must be conducted from time to time.
5. The study also discovered that the shortage in manpower hampers rescue operations. Therefore it is advisable to have more trained police personal in AHTUs since the police department is the most important government agency to ensure protection and safety of its citizens. So it is paramount that the department should be adequately equipped to handle the situation.
6. During data collection it became evident that profiling of traffickers and maintaining records on human trafficking incidences were nonexistent in the district AHTUs. This makes it all the more harder to track traffickers and the methods employed by them to carry out their design or to lure their victims. Therefore it is extremely important to maintain proper records and profile traffickers.

7. There is poor funding for transportation of rescuing teams. This hampers immediate rescue procedures and victims have to wait longer than necessary. Therefore the state government should release adequate and timely funding to expedite rescue projects.
8. There is poor co ordination between investigating agencies and stake holders when it comes to human trafficking cases. The study also found out that at times it is difficult to contact nodal NGOs from other states. Crimes like human trafficking offer only a slim window of opportunity to be accessed. When there is no co ordination between the above mentioned agencies, a lot of these crimes can slip by. Therefore proper co ordination and keeping all lines and information open between these agencies must be worked out.
9. Stringent border surveillance should be executed because most human trafficking cases occur across interstate borders. This is evident from interstate human trafficking incidences.
10. Knowledge is empowerment and when people are aware of their legal rights it will strengthen their resolve to counter abuse and exploitation. The legal aid department can educate the masses on legal rights that they have on issues related to human trafficking.
11. New policies on human trafficking should be devised and implemented in the state taking into account its relevancy to Nagaland. What may be of importance for one state may not be applicable to other. In other words, the new policy should reflect the current prevailing conditions of human trafficking in Nagaland.

5.3 Implication of the Research:

The research has attempted to study the extent of trade in humans in the Northeastern region of India with special emphasis on the state of Nagaland. Though cases of human trafficking is on the rise in Nagaland, research contributions to this social problem is very limited and at the same time no comprehensively visible work has been done in Nagaland. Therefore the findings of the study dwells on the causes and challenges of human trafficking in Nagaland and also comes up with suggestions and recommendations to curb this fast spreading menace.

This research has also added a critical study on how the police and other governmental agencies handle cases of human trafficking in the state by examining the capability and vigilance of the law enforcing agencies to manage the problem of human trafficking as well as the role of non governmental agencies. The data obtained through this research can play a pivotal role and provide valuable insights in the prevention, rescue and rehabilitation of the trafficking victims.

Understanding the intricacies of the problem and alertness among the public is known to have prevented many attempted instances of human trafficking. Therefore it is expected that the findings of this study not only provides reliable reference literature for scholars, academia, policy makers, NGO's, civil societies etc, but the materials of the research also endeavours to create awareness among community based organization(CBO's) and the general public.

5.4 Suggestions for Further Research:

1. The research was carried out only in five districts of the state. So future research on the topic can be carried out in the remaining districts.
2. An in-depth study on the victims of human trafficking in the state can also be carried out.
3. A research on migration and trafficking can be done to understand the influence of migration and its relation to human trafficking.
4. A study on missing persons and human trafficking to ascertain the link between human trafficking and missing persons.
5. A study on the psychological and physiological impact of human trafficking on its victims can be carried out to understand the mental and physical state of rescued victims.

Annexure 1

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Adopted and opened for signature, ratification and accession by General Assembly resolution 55/25 of 15 November 2000

Preamble

The States Parties to this Protocol,

Declaring that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights,

Taking into account the fact that, despite the existence of a variety of international instruments containing rules and practical measures to combat the exploitation of persons, especially women and children, there is no universal instrument that addresses all aspects of trafficking in persons,

Concerned that, in the absence of such an instrument, persons who are vulnerable to trafficking will not be sufficiently protected,

Recalling General Assembly resolution 53/111 of 9 December 1998, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration of, inter alia, an international instrument addressing trafficking in women and children,

Convinced that supplementing the United Nations Convention against Transnational Organized Crime with an international instrument for the prevention, suppression and punishment of trafficking in

Have agreed as follows:

I. General provisions

Article 1

Relation with the United Nations Convention against Transnational Organized Crime

1. This Protocol supplements the United Nations Convention against Transnational Organized Crime. It shall be interpreted together with the Convention.
2. The provisions of the Convention shall apply, *mutatis mutandis*, to this Protocol unless otherwise provided herein.
3. The offences established in accordance with article 5 of this Protocol shall be regarded as offences established in accordance with the Convention.

Article 2

Statement of purpose

The purposes of this Protocol are:

- (a) To prevent and combat trafficking in persons, paying particular attention to women and children;
- (b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
- (c) To promote cooperation among States Parties in order to meet those objectives.

Article 3

Use of terms

For the purposes of this Protocol:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of

abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) "Child" shall mean any person under eighteen years of age.

Article 4

Scope of application

This Protocol shall apply, except as otherwise stated herein, to the prevention, investigation and prosecution of the offences established in accordance with article 5 of this Protocol, where those offences are transnational in nature and involve an organized criminal group, as well as to the protection of victims of such offences.

Article 5

Criminalization

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the conduct set forth in article 3 of this Protocol, when committed intentionally.
2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences:

- (a) Subject to the basic concepts of its legal system, attempting to commit an offence established in accordance with paragraph 1 of this article;
- (b) Participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and
- (c) Organizing or directing other persons to commit an offence established in accordance with paragraph 1 of this article.

II. Protection of victims of trafficking in persons

Article 6

Assistance to and protection of victims of trafficking in persons

1. In appropriate cases and to the extent possible under its domestic law, each State Party shall protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential.
2. Each State Party shall ensure that its domestic legal or administrative system contains measures that provide to victims of trafficking in persons, in appropriate cases:
 - (a) Information on relevant court and administrative proceedings;
 - (b) Assistance to enable their views and concerns to be presented and considered at appropriate stages of criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence.
3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:
 - (a) Appropriate housing;
 - (b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;

(c) Medical, psychological and material assistance; and

(d) Employment, educational and training opportunities.

4. Each State Party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.

5. Each State Party shall endeavour to provide for the physical safety of victims of trafficking in persons while they are within its territory.

6. Each State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.

Article 7

Status of victims of trafficking in persons in receiving States

1. In addition to taking measures pursuant to article 6 of this Protocol, each State Party shall consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in its territory, temporarily or permanently, in appropriate cases.

2. In implementing the provision contained in paragraph 1 of this article, each State Party shall give appropriate consideration to humanitarian and compassionate factors.

Article 8

Repatriation of victims of trafficking in persons

1. The State Party of which a victim of trafficking in persons is a national or in which the person had the right of permanent residence at the time of entry into the territory of the receiving State Party shall facilitate and accept, with due regard for the safety of that person, the return of that person without undue or unreasonable delay.

2. When a State Party returns a victim of trafficking in persons to a State Party of which that person is a national or in which he or she had, at the time of entry into the territory of the receiving State Party, the right of permanent residence, such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary.

3. At the request of a receiving State Party, a requested State Party shall, without undue or unreasonable delay, verify whether a person who is a victim of trafficking in persons is its national or had the right of permanent residence in its territory at the time of entry into the territory of the receiving State Party.

4. In order to facilitate the return of a victim of trafficking in persons who is without proper documentation, the State Party of which that person is a national or in which he or she had the right of permanent residence at the time of entry into the territory of the receiving State Party shall agree to issue,

at the request of the receiving State Party, such travel documents or other authorization as may be necessary to enable the person to travel to and re-enter its territory.

5. This article shall be without prejudice to any right afforded to victims of trafficking in persons by any domestic law of the receiving State Party.

6. This article shall be without prejudice to any applicable bilateral or multilateral agreement or arrangement that governs, in whole or in part, the return of victims of trafficking in persons.

III. Prevention, cooperation and other measures

Article 9

Prevention of trafficking in persons

1. States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.

2. States Parties shall endeavour to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons.

3. Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

4. States Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.

5. States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

Article 10

Information exchange and training

1. Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information, in accordance with their domestic law, to enable them to determine:

(a) Whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons;

(b) The types of travel document that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons; and

(c) The means and methods used by organized criminal groups for the purpose of trafficking in persons, including the recruitment and transportation of victims, routes and links between and among individuals and groups engaged in such trafficking, and possible measures for detecting them.

2. States Parties shall provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of the victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society.

3. A State Party that receives information shall comply with any request by the State Party that transmitted the information that places restrictions on its use.

Article 11

Border measures

1. Without prejudice to international commitments in relation to the free movement of people, States Parties shall strengthen, to the extent possible, such border controls as may be necessary to prevent and detect trafficking in persons.

2. Each State Party shall adopt legislative or other appropriate measures to prevent, to the extent possible, means of transport operated by commercial carriers from being used in the commission of offences established in accordance with article 5 of this Protocol.

3. Where appropriate, and without prejudice to applicable international conventions, such measures shall include establishing the obligation of commercial carriers, including any transportation company or the owner or operator of any means of transport, to ascertain that all passengers are in possession of the travel documents required for entry into the receiving State.

4. Each State Party shall take the necessary measures, in accordance with its domestic law, to provide for sanctions in cases of violation of the obligation set forth in paragraph 3 of this article.

5. Each State Party shall consider taking measures that permit, in accordance with its domestic law, the denial of entry or revocation of visas of persons implicated in the commission of offences established in accordance with this Protocol.

6. Without prejudice to article 27 of the Convention, States Parties shall consider strengthening cooperation among border control agencies by, inter alia, establishing and maintaining direct channels of communication.

Article 12

Security and control of documents

Each State Party shall take such measures as may be necessary, within available means:

(a) To ensure that travel or identity documents issued by it are of such quality that they cannot easily be misused and cannot readily be falsified or unlawfully altered, replicated or issued; and

(b) To ensure the integrity and security of travel or identity documents issued by or on behalf of the State Party and to prevent their unlawful creation, issuance and use.

Article 13

Legitimacy and validity of documents

At the request of another State Party, a State Party shall, in accordance with its domestic law, verify within a reasonable time the legitimacy and validity of travel or identity documents issued or purported to have been issued in its name and suspected of being used for trafficking in persons.

IV. Final provisions

Article 14

Saving clause

1. Nothing in this Protocol shall affect the rights, obligations and responsibilities of States and individuals under international law, including international humanitarian law and international human rights law and, in particular, where applicable, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and the principle of non-refoulement as contained therein.

2. The measures set forth in this Protocol shall be interpreted and applied in a way that is not discriminatory to persons on the ground that they are victims of trafficking in persons. The interpretation and application of those measures shall be consistent with internationally recognized principles of non-discrimination.

Article 15

Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Protocol through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Protocol, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 16

Signature, ratification, acceptance, approval and accession

1. This Protocol shall be open to all States for signature from 12 to 15 December 2000 in Palermo, Italy, and thereafter at United Nations Headquarters in New York until 12 December 2002.

2. This Protocol shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Protocol in accordance with paragraph 1 of this article.

3. This Protocol is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Protocol. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 17

Entry into force

1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.

Article 18

Amendment

1. After the expiry of five years from the entry into force of this Protocol, a State Party to the Protocol may propose an amendment and file it with the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the Parties to the Convention for the purpose of considering and deciding on the proposal. The States Parties to this Protocol meeting at the Conference of the Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties to this Protocol present and voting at the meeting of the Conference of the Parties.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Protocol and any earlier amendments that they have ratified, accepted or approved.

Article 19

Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Protocol when all of its member States have denounced it.

Article 20

Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Protocol.

2. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

In witness whereof, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.

Annexure 2

THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

An Act to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950, for the prevention of immoral traffic. Be it enacted by Parliament in the Seventh Year of the Republic of India as follows:

1. Short title, extent and commencement.—(1) This Act may be called The Immoral Traffic (Prevention) Act, 1956.

(2) It extends to the whole of India.

(3) This section shall come into force at once; and the remaining provisions of this come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. Definitions.—In this Act. Unless the context otherwise requires—

(a) “brothel“ includes any house, room, conveyance or place, or any portion of any house, room, conveyance or place, which is used for purposes of sexual exploitation or abuse for the gain of another person or for the mutual gain of two or more prostitutes;

(aa) “child“ means a person who has not completed the age of eighteen years;

(b) “corrective institution“ means an institution, by whatever name called (being an institution established or licenced as such under Section 21), in which persons, who are in need of correction, may be detained under this Act, and includes a shelter where under trials may be kept in pursuance of this Act;

(c) “magistrate“ means a Magistrate specified in the second column of the Schedule as being competent to exercise the powers conferred by the section in which the expression occurs and which is specified in the first column of the Schedule;

(d) “prescribed“ means prescribed by rules made under this Act;

(e) [1] [* * * * *].

(f) “prostitution“ means the sexual exploitation or abuse of persons for commercial purposes or for consideration in money or in any other kind, and the expression “prostitute” shall be construed accordingly;

(g) “protective home“ means an institution, by whatever name called (being an institution established or licenced as such under Section 21), in which persons who are in need of care and protection, may be kept under this Act and where appropriate technically qualified persons, equipments and other facilities have been provided but does not include,—

(i) a shelter where undertrials may be kept in pursuance of this Act, or

(ii) a corrective institution;

(h) “public place“ means any place intended for use by, or accessible to, the public and includes any public conveyance;

(i) “special police officer” means a police officer appointed by or on behalf of the State Government to be in charge of police duties within a specified area for the purpose of this Act;

(j) “trafficking police officer“ means a police officer appointed by the Central Government under subsection (4) of Section 13.

2-A. Rule of construction regarding enactments not extending to Jammu and Kashmir .—Any reference in this Act to a law which is not in force in the State of Jammu and Kashmir shall in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

3. Punishment for keeping a brothel or allowing premises to be used as a brothel.— (1) Any person who keeps or manages, or acts or assists in the keeping or management of, a brothel shall be punishable on first conviction with rigorous imprisonment for a term of not less than two years and which may extend to three years and also with fine which may extend to ten thousand rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term which shall not be less than three years and which may extend to seven years and shall also be liable to fine which may extend to two lakh rupees

(2) a any person who,—

(a) being the tenant, lessee, occupier or person in charge of any premises, uses, or knowingly allows any other person to use, such premises or any part thereof as a brothel, or

(b) being the owner, lessor or landlord of any premises or the agent of such owner, lessor or landlord, lets the same or any part thereof with the knowledge that the same or any part thereof is intended to be used as a brothel, or is wilfully a party to the use of such premises or any part thereof as a brothel, shall be punishable on first conviction with imprisonment for a term which may extend to two years and with fine which fine which may extend to two thousand rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term which may extend to five years and also with fine.

(2-A) For the purposes of sub-section (2), it shall be presumed, until the contrary is proved, that any person referred to in clause (a) or clause (b) of that sub-section, is knowingly allowing the premises or any part thereof to be used as a brothel or, as the case may be, has knowledge that the premises or any part thereof are being used as a brothel, if,—

(a) a report is published in a newspaper having circulation in the area in which such person resides to the effect that the premises or any part thereof have been found to be used for prostitution as a result of a search made under this Act; or

(b) a copy of the list of all things found during the search referred to in clause (a) is given to such person.

(3) Notwithstanding any thing contained in any other law for the time being in force, on conviction of any person referred to in clause (a) or clause (d) of sub-section (2) of any offence under that sub-section in respect of any premises or any part thereof, any lease or agreement under which such premises have been leased out or held or occupied at the time of the commission of the offence, shall become void and inoperative with effect from the date of the said conviction.

4. Punishment for living on the earnings of prostitution .—(1) Any person over the age of eighteen years who knowingly lives, wholly or in part, on the earnings of the prostitution of any other person shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both, and where such earnings relate to the prostitution of a child, shall be punishable with imprisonment for a term of not less than seven years and not more than ten years.

(2) Where any person over the age of eighteen years is proved,—

(a) to be living with, or to be habitually in the company of, a prostitute; or

(b) to have exercised control, direction or influence over the movements of a prostitute in such a manner as to show that such person is aiding abetting or compelling her prostitution; or

(c) to be acting as a tout or pimp on behalf of a prostitute, it shall be presumed, until the contrary is proved, that such person is knowingly living on the earnings of prostitution of another person within the meaning of sub-section (1).

5. Procuring, inducing or taking person for the sake of prostitution .—(1) Any person who—

(a) procures or attempts to procure a person whether with or without his/her consent, for the purpose of prostitution; or

(b) induces a person to go from any place, with the intent that he/she may for the purpose of prostitution become the inmate of, or frequent, a brothel; or

(c) takes or attempts to take a person or causes a person to be taken, from one place to another with a view to his/her carrying on, or being brought up to carry on prostitution ; or

(d) causes or induces a person to carry on prostitution; shall be punishable on conviction with rigorous imprisonment for a term of not less than three years and not more than seven years and also with fine which may extend to two thousand rupees, and if any offence under this sub-section is committed against the will of any person, the punishment of imprisonment for a term of seven years shall extend to imprisonment for a term of fourteen years:

Provided that if the person in respect of whom an offence committed under this subsection, is a child, the punishment provided under this sub-section shall extend to rigorous imprisonment for a term of not less than seven years but may extend to life.

[2] (2) [**** **]

(3) An offence under this section shall be triable,—

(a) in the place from which a person is procured, induced to go, taken or caused to be taken or from which an attempt to procure or taken such persons made; or

(b) in the place to which she may have gone as a result of the inducement or to which he/she is taken or caused to be taken or an attempt to take him/her is made.

5A. Whoever recruits, transports, transfers, harbours, or receives a person for the purpose of prostitution by means of,—

(a) threat or use of force or coercion, abduction, fraud, deception; or

(b) abuse of power or a position of vulnerability; or

(c) giving or receiving of payments or benefits to achieve the consent of such person having control over another person,

commits the offence of trafficking in persons.

Explanation.—Where any person recruits, transports, transfers, harbours or receives a person for the purposes of prostitution, such person shall, until the contrary is proved, be presumed to have recruited, transported, transferred, harboured or received the person with the intent that the person shall be used for the purpose of prostitution.

5B. (1) Any person who commits trafficking in persons shall be punishable on first conviction with rigorous imprisonment for a term which shall not be less than seven years and in the event of a second or subsequent conviction with imprisonment for life.

(2) Any person who attempts to commit, or abets trafficking in persons shall also be deemed to have committed such trafficking in persons and shall be punishable with the punishment hereinbefore described.

5C. Any person who visits or is found in a brothel for the purpose of sexual exploitation of any victim of trafficking in persons shall on first conviction be punishable with imprisonment for a term which may extend to three months or with fine which may extend to twenty thousand rupees or with both and in the event of a second or subsequent conviction with imprisonment for a term which may extend to six months and shall also be liable to fine which may extend to fifty thousand rupees.

6. Detaining a person in premises where prostitution is carried on .—(1) Any person who detains any other person, whether with or without his consent,—

(a) in any brothel, or

(b) in or upon any premises with intent that such person may have sexual intercourse with a person who is not the spouse of such person,

shall be punishable on conviction, with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine which may extend to one lakh rupees:

Provided that the court may for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term which may be less than seven years.

(2) Where any person is found with a child in a brothel, it shall be presumed, unless the contrary is proved, that he has committed an offence under sub-section (1).

(2-A) Where a child found in a brothel, is, on medical examination, detected to have been sexually abused, it shall be presumed unless the contrary is proved, that the child has been detained for purposes of prostitution or, as the case may be, has been sexually exploited for commercial purposes.

(3) A person shall be presumed to detain a person in a brothel or in upon any premises for the purpose of sexual intercourse with a man other than her lawful husband, if such person, with intent to compel or induce her to remain there,—

(a) withholds from her any jewellery, wearing apparel, money or other property belonging to her, or

(b) threatens her with legal proceedings if she takes away with her any jewellery, wearing apparel, money or other property lent or supplied to her by or by the direction of such person.

(4) Notwithstanding any law to the contrary, no suit, prosecution or other legal proceeding shall lie against such woman or girl at the instance of the person by whom she has been detained, for the recovery of any jewellery, wearing apparel or other property alleged to have been lent or supplied to or for such woman or girl or to have been pledged by such woman or girl or for the recovery of any money alleged to be payable by such woman or girl.

7. Prostitution in or in the vicinity of public place .—(1) Any person who carries on prostitution and the person with whom such prostitution is carried on, in any premises:

(a) which are within the area or areas, notified under sub-section (3), or

(b) which are within a distance of two hundred meters of any place of public religious worship, educational institution, hotel, hospital, nursing home or such other public place of any kind as may be notified in this behalf by the Commissioner of Police or Magistrate in the manner prescribed,

shall be punishable with imprisonment for a term which may extend to three months.

(1-A) Where an offence committed under sub-section (1) is in respect of a child, the person committing the offence shall be punishable with imprisonment of either description for a term which not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine:

Provided that the Court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years.

(2) Any person who:

(a) being the keeper of any public place knowingly permits prostitutes for purposes of their trade to resort to or remain in such place; or

(b) being the tenant, lessee, occupier or person in charge of any premises referred to in sub-section (1) knowingly permits the same or any part thereof to be used for prostitution; or

(c) being the owner, lessor or landlord of any premises referred to in sub-section (1), or the agent of such owner, lessor or landlord, lets the same or any part thereof with the knowledge that the same or any part thereof may be used for prostitution, or is wilfully a party to such use.

shall be punishable on first conviction with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred rupees, or with both, and in the event of a second or subsequent conviction with imprisonment for a term which may extend to six months and also with fine, which may extend to two hundred rupees, and if the public place or premises happen to be a hotel, the licence for carrying on the business of such hotel under any law for the time being in force shall also be liable to be suspended for a period of not less than three months but which may extend to one year:

Provided that if an offence committed under this sub-section is in respect of a child in a hotel, such licence shall also be liable to be cancelled.

Explanation.—For the purposes of this sub-section, “hotel” shall have the meaning as in clause (6) of Section 2 of the Hotel-Receipts Tax Act, 1980 (54 of 1980).

(3) The State Government may, having regard to the kinds of persons frequenting any area or areas in the State, the nature and the density of population therein and other relevant considerations, by notification in the official Gazette, direct that the prostitution shall not be carried on in such area or areas as may be specified in the notification.

(4) Where the notification is issued under Sub-section (3) in respect of any area or areas, the State Government shall define the limits of such area or areas in the notification with reasonable certainty.

(5) No such notification shall be issued so as to have effect from a date earlier than the expiry of a period of ninety days after the date on which it is issued.

9. Seduction of a person in custody .—Any person who having the custody, charge or care of or in a position of authority over any person causes or aids or abets the seduction for prostitution of that shall be punishable on conviction with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine:

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years.

[3] [(2) *****]

[4] [10. *****]

10-A. Detention in a corrective institution .—(1) Where,—

(a) a female offender is found guilty of an offence under Section 7, and

(b) the character, state of health and mental condition of the offender and the other circumstances of the case are such that it is expedient that she should be subject to detention for such term and such instruction and discipline as are conducive to her correction,

it shall be lawful for the court to pass, in lieu of a sentence of imprisonment, an order for detention in a corrective institution for such term, not being less than two years and not being more than seven years, as the court thinks fit:

Provided that before passing such an order,—

(i) the court shall give an opportunity to the offender to be heard and shall also consider any representation which the offender may make to the court as to the suitability of the case for treatment in such an institution, as also the report of the Probation Officer appointed under the Probation of Offender Act, 1958; and

(ii) the court shall record that it is satisfied that the character, state of health and mental condition of the offender and the other circumstances of the case are such that the offender is likely to benefit by such instruction and discipline as aforesaid.

(2) Subject to the provisions of sub-section (3), the provisions of the Code of Criminal Procedure, 1973, relating to appeal, reference and revision, and of the Limitation Act, 1963 as to the period within which an appeal shall be filed, shall apply in relation to an order of detention under sub-section (1) as if the order had been a sentence of imprisonment for the same period as the period for which the detention was ordered.

(3) Subject to such rules as may be made in this behalf, the State Government or authority authorised in this behalf may, at any time after the expiration of six months from the date of an order for detention in a corrective institution, if it is satisfied that there is a reasonable probability that the offender will lead a useful and industrious life, discharge her from such an institution, without condition or with such conditions as may be considered fit, and grant her a written licence in such form as may be prescribed.

(4) The conditions on which an order is discharged under sub-section (3), may include requirements relating to residence of the offender and supervision over the offenders activities and movements.

11. Notification of address of previously convicted offenders .—(1) When any person having been convicted—

(a) by a court in India of an offence punishable under this Act or punishable under Section 363, Section 365, Section 366, Section 366-A, Section 366-B, Section 367, Section 368, Section 370, Section 371, Section 372 or Section 373 of the Indian Penal Code (45 of 1860), with imprisonment for a term of two years or up wards; or

(b) by a court or tribunal in any other country of an offence which would, if committed in India, have been punishable under this Act, or under any of the aforesaid sections with imprisonment for a like term,

is within a period of five years after release from prison, again convicted of any offence punishable under this Act or under any of those section with, imprisonment for a term of two years or upwards by a court, such court may, if it thinks fit, at the time of passing the sentence of imprisonment on such person, also order that his residence, and any change of, or absence from, such residence, after release, be notified according to rules made under Section 23 for a period not exceeding five years from the date of expiration of that sentence.

(2) If such conviction is set aside on appeal or otherwise, such order shall become void.

(3) An order under this section may also be made by an Appellate Court or by the High Court when exercising its powers of revision.

(4) Any person charged with a breach of any rule referred to in sub-section (1) may be tried by a Magistrate of competent jurisdiction in the District in which the place last notified as his residence is situated.

[5] [12.*****]

13. Special police officer and advisory body .—(1) There shall be for each area to be specified by the State Government in this behalf a special police officer appointed by or on behalf of that government for dealing with offences under this Act in that area.

(2) The special police officer shall not be below the rank of a sub-inspector of Police. (2-A) The District Magistrate may, if he considers it necessary or expedient so to do, confer upon any retired police or military officer all or any of the powers conferred by or under this Act on a special police officer, with respect to particular cases or classes of cases or to cases generally:

Provided that no such power shall be conferred on,—

(a) a retired police officer unless such officer, at the time of his retirement, was holding a post not below the rank of an inspector;

(b) a retired military officer unless such officer, at the time of his retirement, was holding a post not below the rank of a commissioned officer.

(3) For the efficient discharge of his functions in relation to offences under this Act,—

(a) the special police officer of an area shall be assisted by such number of subordinate police officers (including women police officers wherever practicable) as the State Government may think fit; and

(b) the State Government shall associate with the special police officer a non-official advisory body consisting of not more than five leading social welfare workers of that area (including women social welfare workers wherever practicable) to advise him on questions of general importance regarding the working of this Act.

(4) The Central Government may, for the purpose of investigating any offence under this Act or under any other law for the time being in force dealing with sexual exploitation of persons and committed in more than one State appoint such number of police officers as trafficking police officers and they shall exercise all the powers and discharge all the functions as are exercisable by special police officers under this Act with the modification that they shall exercise such powers and discharge such functions in relation to the whole of India.

13A. (1) The Central Government may constitute an Authority for the purposes of effectively preventing and combating the offence of trafficking in persons.

(2) The members of the Authority shall be appointed by the Central Government and shall be of such number and chosen in such manner as may be prescribed.

(3) The Chairperson of the Authority shall be one of the members appointed under sub-section (2) to be nominated by the Central Government.

(4) The term of office of the members of the Authority, the manner of filling vacancies among and the procedure to be followed in the discharge of their functions by the members shall be such as may be prescribed.

13B. (1) The State Government may constitute an Authority for the purposes of effectively preventing and combating the offence of trafficking in persons.

(2) The members of the Authority shall be appointed by the State Government and shall be of such number and chosen in such manner as may be prescribed.

(3) The Chairperson of the Authority shall be one of the members appointed under sub-section (2) to be nominated by the State Government.

(4) The term of office of the members of the Authority, the manner of filling vacancies among and the procedure to be followed in the discharge of their functions by the members shall be such as may be prescribed.

14. Offences to be cognizable .—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), an offence punishable under this Act shall be deemed to be a cognizable offence within the meaning of that Code:

Provided that, notwithstanding anything contained in that Code,—

(i) arrest without warrant may be made only by the special police officer or under his direction or guidance, or subject to his prior approval;

(ii) when the special police officer requires any officer subordinate to him to arrest without warrant otherwise than in his presence any person for an offence under this Act, he shall give that subordinate officer an order in writing, specifying the person to be arrested and the offence for which the arrest is being made; and the latter officer before arresting the person shall inform him of the substance of the order and, on being required by such person, show him the order;

(iii) any police officer not below the rank of sub-inspector specially authorised by the special police officer may, if he has reason to believe that on account of delay involved in obtaining the order of the special police officer, any valuable evidence relating to any offence under this Act is likely to be destroyed or concealed, or the person who has committed or is suspected to have committed the offence is likely to escape, or if the name and address of such a person is unknown or there is reason to suspect that a false name or address has been given, arrest the person concerned without such order, but in such a case he shall report, as soon as may be, to the special police officer the arrest and the circumstances in which the arrest was made.

15. Search without warrant .—(1) Notwithstanding anything contained in any other law for the time being in force, whenever the special police officer or the trafficking police officer as the case may be, has reasonable grounds for believing that an offence punishable under this Act has been or is being committed in respect of a person living in any premises, and that search of the premises with warrant cannot be made without undue delay, such officer may, after recording the grounds of his belief, enter and search such premises without a warrant.

(2) Before making a search under sub-section (1), the special police officer or the trafficking police officer, as the case may be shall call upon two or more respectable inhabitants (at least one of whom shall be a woman) of the locality in which the place to be searched is situate, to attend and witness the search and may issue an order in writing to them or any of them so to do:

Provided that the requirement as to the respectable inhabitants being from the locality in which the place to be searched is situate shall not apply to a woman required to attend and witness the search.

(3) Any person who, without reasonable cause, refuses or neglects, to attend and witness a search under this section, when called upon to do so by an order in writing delivered or tendered to him, shall be deemed to have committed an offence under Section 187 of the Indian Penal Code (45 of 1860).

(4) The special police officer or the trafficking police officer, as the case may be, entering any premises under sub-section (1) shall be entitled to remove therefrom all the persons found therein.

(5) The special police officer or the trafficking police officer, as the case may be, after removing person under sub-section (4) shall forthwith produce her before the appropriate Magistrate.

(5-A) Any person who is produced before a Magistrate under sub-section (5), shall be examined by a registered medical practitioner for the purposes of determination of the age of such person, or for the detection of any injuries as a result of sexual abuse or for the presence of any sexually transmitted diseases.

Explanation.—In this sub-section, “registered medical practitioner” has the same meaning as in the Indian Medical Council Act, 1956 (102 of 1956).

(6) The special police officer or the trafficking police officer, as the case may be, and other persons taking part in, or attending, and witnessing a search shall not be liable to any civil or criminal proceeding against them in respect of anything lawfully done in connection with, or for the purpose of, the search.

(6-A) The special police officer or the trafficking police officer, as the case may be, making a search under this section shall be accompanied by at least two women police officers, and where any woman or girl removed under sub-section (4) is required to be interrogated it shall be done by woman police officer and if no woman police officer is available, the interrogation shall be done only in the presence of a lady member of a recognised welfare institution or organization.

Explanation.—For the purposes of this sub-section and Section 17-A, “recognised welfare institution or organisation” means such institution or organisation as may be recognised in this behalf by the State Government.

(7) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far as may be, apply to any search under this section as they apply to any search made under the authority of a warrant issued under 94 of the said Code.

16. Rescue of person—(1) Where a Magistrate has reason to believe from information received from the police or from any other person authorised by State Government in this behalf or otherwise, that any person is living, or is carrying, or is being made to carry on, prostitution in a brothel, he may direct a police officer not below the rank of a sub-inspector to enter such brothel, and to remove therefrom such person and produce her before him.

(2) The police officer, after removing the person shall forthwith produce her before the Magistrate issuing the order.

17. Intermediate custody, of persons removed under Section 15 or rescued under Section 16 .—(1) When the special police officer removing a person under sub-section (4) of Section 15 or a police officer rescuing a person under sub-section (1) of Section 16, is for any reason unable to produce her before the appropriate Magistrate as required by sub-section (5) of Section 15, or before the Magistrate issuing the order under sub-section (2) of Section 16, he shall forthwith produce her before the nearest Magistrate of any class, who shall pass such orders as he deems proper for her safe custody until she is produced before the appropriate Magistrate, or, as the case may be, the Magistrate issuing the order:

Provided that no person shall be,

(i) detained in custody under this sub-section for a period exceeding ten days from the date of the order under this sub-section; or

(ii) restored to or placed in the custody of a person who may exercise a harmful influence over her.

(2) when the person is produced before the appropriate Magistrate under sub-section (5) of Section 15 or the Magistrate under sub-section (2) of Section 16, he shall, after giving her an opportunity of being heard, cause an inquiry to be made as to the correctness of the information received under sub-section (1) of Section 16, the age, character and antecedents of the person and the suitability of her parents, guardian or husband for taking charge of her and the nature of the influence which the conditions in her home are likely to have on her if she is sent home, and, for this purpose, he may direct a Probation Officer appointed under the Probation of Offenders Act, 1958, to inquire into the above circumstances and into the personality of the person and the prospects of her rehabilitation.

(3) The Magistrate may, while an inquiry is made into a case under sub-section (2), pass such orders as he deems proper for the safe custody of the person:

Provided that where a person rescued under Section 16 is a child, it shall be open to the magistrate to place such child in any institution established or recognised under any Children Act for the time being in force in any State for the safe custody of children:

Provided further that no person shall be kept in custody for this purpose for a period exceeding three weeks from the date of such an order, and no person shall be kept in the custody of a person likely to have a harmful influence over her.

(4) Where the Magistrate is satisfied, after making an inquiry as required under sub-section (2),—

(a) that the information received is correct; and

(b) that she is in need of care and protection,

he may, subject to the provisions of sub-section (5), make an order that such person be detained for such period, being not less than one year and not more than three, as may be specified in the order, in a protective home, or in such other custody, as he shall, for reasons to be recorded in writing, consider suitable:

Provided that such custody shall not be that of a person or body of persons of a religious persuasion different from that of the person, and that those entrusted with the custody of the person, including the persons in charge of a protective home; may be required to enter into a bond which may, where necessary and feasible contained undertaking based on directions relating to the proper care, guardianship, education, training and medical and psychiatric treatment of the person as well as supervision by a person appointed by the Court, which will be in force for a period not exceeding three years.

(5) In discharging his functions under sub-section (2), a Magistrate may summon a panel of five respectable persons, three of whom shall, wherever practicable, be women, to assist him; and may, for this purpose, keep a list of experienced social welfare workers, particularly women social welfare workers, in the field of suppression of immoral traffic in persons.

(6) An appeal against an order made under sub-section (4) shall lie to the Court of Session whose decision on such appeal shall be final.

17-A. Conditions to be observed before placing persons rescued under Section 16 to parents or guardians .— Notwithstanding anything contained in sub-section (2) of Section 17, the magistrate making an inquiry under Section 17, may, before passing an order for handing over any person rescued under Section 16 to the parents, guardian or husband,

satisfy himself about the capacity or genuineness of the parents, guardian or husband to keep such person by causing an investigation to be made by a recognised welfare institution or organisation.

18. Closure of brothel and eviction of offenders from the premises .—(1) A Magistrate may, on receipt of information from the police or otherwise, that any house, room, place or any portion thereof within a distance of two hundred metres of any public place referred to in sub-section (1) of Section 7 is being run or used as a brothel by any person, or is being used by prostitutes for carrying on their trade, issue notice on the owner, lessor or landlord or such house, room, place or portion or the agent of the owner, lessor or landlord or on the tenant, lessee, occupier of, or any other person in charge of such house, room, place, or portion, to show cause within seven days of the receipt of the notice why the same should not be attached for improper use thereof, and if, after hearing the person concerned, the Magistrate is satisfied that the house, room, place or portion is being used as a brothel or for carrying on prostitution, then the Magistrate may pass orders, —

(a) directing eviction of the occupier within seven days of the passing of the order from the house, room, place, or portion;

(b) directing that before letting it out during the period of one year or in a case where a child has been found in such house, room, place or portion during a search under Section 15, during the period of three years, immediately after the passing of the order, the owner, lessor or landlord or the agent of the owner, lessor or landlord shall obtain the previous approval of the Magistrate;

Provided that, if the Magistrate finds that the owner, lessor or landlord as well as the agent of the owner, lessor or landlord, was innocent of the improper user of the house, room, place, or portion, he may cause the same to be restored to the owner, lessor or landlord or the agent of the owner, lessor or landlord, with a direction that the house, room, place or portion shall not be leased out, or otherwise given possession of, to or for the benefit of the person who was allowing the improper use therein.

(2) A court convicting a person of any offence under Section 3 or Section 7 may pass orders under subsection (1), without further notice to such person to show cause as required in that sub-section.

(3) Orders passed by the Magistrate or court under sub-section (1) or sub-section (2), shall not be subject to appeal and shall not be stayed or set aside by the order of any court, civil or criminal, and the said orders shall cease to have validity after the expiry of one year or three years, as the case may be:

Provided that where a conviction under Section 3 or Section 7 is set aside on an appeal on the ground that such house, room, place, or any portion thereof is not being run or uses as a brothel or is not being used by prostitutes for carrying on their trade, any order passed by the trial court under sub-section (1) shall also be set aside.

(4) Notwithstanding anything contained in any other law for the time being in force, when a Magistrate passes an order under sub-section (1), or a Court passes an order under sub-section (2), any lease or a agreement under which the house, room, place or portion is occupied at the time shall become void and inoperative.

(5) When an owner, lessor or landlord, or the agent of such owner, lessor or landlord fails to comply with a direction given under clause (b) of sub-section (1) he shall be punishable with fine which may extend to five hundred rupees or when he fails to comply with a direction under the proviso to that sub-section, he shall be deemed to have committed an offence under clause (b) of sub-section (2), of Section 3 or clause (c) of sub-section (2) of Section 7, as the case may be, and punished accordingly.

19. Application for being kept in a protective home or provided care and protection by court .—(1) A person who is carrying on, or is being made to carry on prostitution, may make an application, to the Magistrate within the local limits of whose jurisdiction she is carrying on, or is being made to carry on prostitution, for an order that she may be—

(a) kept in a protective home, or

(b) provided care and protection by the court in the manner specified in sub-section (3).

(2) The Magistrate may pending inquiry under sub-section (3) direct that the person be kept in such custody as he may consider proper, having regard to the circumstances of the case.

(3) If the Magistrate after hearing the applicant and making such inquiry as he may consider necessary, including an inquiry by a Probation Officer appointed under the Probation of Offender Act, 1958, (20 of 1958) into the personality, conditions of home and prospects of rehabilitation of the applicant, is satisfied that an order should be made under this section, he shall for reasons to be recorded, make an order that the applicant to be kept:

(i) in a protective home, or

(ii) in a corrective institution, or

(iii) under the supervision of a person appointed by the Magistrate for such period as may be specified in the order.

21. Protective homes.— (1) The State Government may in its discretion establish as many protective homes and corrective institutions under this Act as it thinks fit and such homes and institutions when established shall be maintained in such manner as may be prescribed.

(2) No person or no authority other than the State government shall, after the commencement of this Act, establish or maintain any protective home or corrective institution except under and in accordance with the conditions of, a licence issued under this section by the State Government.

(3) The State Government may, on application made to it in this behalf by a person or authority, issue to such person or authority a licence in the prescribed form for establishing and maintaining or as the case may be, for maintaining a protective home or corrective institution and a licence so issued may contain such conditions as the State Government may think fit to impose in accordance with the rules made under this Act:

Provided that any such condition may require that the management of the protective home or corrective institution shall, wherever practicable, be entrusted to women:

Provided further that a person or authority maintaining any protective home at the commencement of this Act shall be allowed a period of six months from such commencement to make an application for such licence:

Provided also that a person or authority maintaining any corrective institution at the commencement of the Suppression of Immoral Traffic in Women and Girls (Amendment) Act, 1978, shall be allowed a period of six months from such commencement to make an application for such licence.

(4) Before issuing a licence, the State Government may require such officer or authority as it may appoint for this purpose, to make a full and complete investigation in respect of the application received in this behalf and report to it the result of

such investigation and in making any such investigation the officer or authority shall allow such procedure as may be prescribed.

(5) A licence, unless sooner revoked, shall remain in force for such period as may be specified in the licence and may, on application made in this behalf at least thirty days before the date of its expiration, be renewed for a like period.

(6) No licence issued or renewed under this Act shall be transferable.

(7) Where any person or authority to whom a licence has been granted under this Act or any agent or servant of such person or authority commits a breach of any of the conditions thereof or any of the provisions of this Act or of any of the rules made under this Act, or where the State Government is not satisfied with the conditions, management or superintendence or any protective home or corrective institution the State Government may, without prejudice to any other penalty which may have been incurred under this Act, for reasons to be recorded, revoke the licence by order in writing:

Provided that no such order shall be made until an opportunity is given to the holder of the licence to show cause why the licence shall not be revoked.

(8) Where a licence in respect of a protective home or corrective institution has been revoked under the foregoing sub-section such protective home or corrective institution shall cease to function from the date of, such revocation.

(9) Subject to any rule that may be made in this behalf, the State Government may also vary or amend any licence issued or renewed under this Act.

(9-A) The State Government or any authority authorised by it in this behalf may, subject to any rules that may be made in this behalf, transfer an inmate of a protective home to another protective home or to a corrective institution or an inmate of a corrective institution to another corrective institution or to a protective home, where such transfer is considered desirable having regard to the conduct of the person to be transferred, the kind of training to be imparted and other circumstances of the case:

Provided that,—

(i) no person who is transferred under this sub-section shall be required to stay in the home or institution to which she is transferred for a period longer than she was required to stay in the home or institution from which she was transferred;

(ii) reasons shall be recorded for every order of transfer under this sub-section.

(10) Whoever establishes or maintains a protective home or corrective institution except in accordance with the provisions of this section, shall be punishable in the case of a first offence with fine which may extend to one thousand rupees and in the case of second or subsequent offence with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

21-A. Production of records .—Every person or authority who is licensed under sub-section (3) of Section 21 to establish or maintain, or, as the case may be, for maintaining, a protective home or corrective institution shall whenever required by a Court, produce the records and other documents maintained by such home or institution before such court.

22. (1) Trials .—No Court, inferior to that of a Metropolitan Magistrate or a Judicial magistrate of the first class, shall try any offence under Section 3, Section 4, Section 5, Section 5B, Section 5C, Section 6 or Section 7.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the trial of the proceedings under this Act shall be conducted in camera.

22-A. Power to establish special Courts .—(1) If the State Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act in any district or metropolitan area, it may, by notification in the official Gazette and after consultation with the High Court, establish one or more Courts of Judicial Magistrates of the first class, or, as the case may be, Metropolitan Magistrate, in such district or metropolitan area.

(2) Unless otherwise directed by the High Court, a court established under sub-section (1) shall exercise jurisdiction only in respect of cases under this Act.

(3) Subject to the provisions of sub-section (2), the jurisdiction and powers of the presiding officer of a court established under sub-section (1) in any district or metropolitan area shall extend throughout the district or the metropolitan area, as the case may be.

(4) Subject to the foregoing provisions of this section, a Court established under sub-section (1) in any district or metropolitan area shall be deemed to be a court established under sub-section (1) of Section 11, or, as the case may be, sub-section (1) of Section 16 of the Code of Criminal Procedure, 1973 (2 of 1974) and provisions of the Code shall apply accordingly in relation to such courts.

Explanation.—In this section, “High Court” has the same meaning as in clause (e) of Section 2 of the Code of Criminal Procedure, 1973.

[6] [22-AA. Power of Central Government to establish special courts .—(1) If the Central Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act and committed in more than one State, it may, by notification in the official Gazette and after consultation with the High Court concerned, establish one or more courts of Judicial Magistrates of the first class or Metropolitan Magistrates for the trial of such offences.

(2) The provisions of Section 22-A, shall, so far as may be, apply to the courts established under subsection (1), as they apply to Courts established under that section.

22-B. Power of court to try cases summarily .—Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the State Government may, if it considers it necessary so to do, direct that offences under this Act shall be tried in a summary way by a Magistrate including the presiding officer of a court established under sub-section (1) of Section 22-A and the provisions of Section 262 to 265 (both inclusive) of the said Code, shall, as far as may be, apply to such trial:

Provided that in the case of any conviction in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year:

Provided further that when at the commencement of, or in the course of, a summary trial under this section, it appears to the Magistrate that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the Magistrate shall, after hearing

the parties record an order to that effect and thereafter recall any witness, who may have been examined and proceed to hear or re-hear the case in the manner provided by the said Code].

23. Power to make rules .—(1) The State Government may, by notification in the official Gazette, make rules for carrying on the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for :

(a) the notification of any place as a public place;

(b) the placing in custody of persons for whose safe custody orders have been passed under sub-section (1) of Section 17 and their maintenance;

(bb) the discharge of an offender under sub-section (3) of Section 10-A from a corrective institution and the form of licence to be granted to such offender;

(c) the detention and keeping in protective homes or, as the case may be, in corrective institutions or person under this Act and their maintenance;

(d) the carrying out of the provisions of Section 11 regarding notification of residence or change of or absence from residence by released convicts;

(e) the delegation of authority to appoint the special police officer under sub-section (1) of Section 13;

(f) the carrying into effect of the provisions of Section 18;

(g) (i) the establishment, maintenance, management and superintendence of protective homes and corrective institutions under Section 21 and the appointment, powers and duties of persons employed in such home or institution;

(ii) the form in which an application for a licence may be made and the particulars to be contained in such application;

(iii) the procedure for the issue or renewal of a licence, the time within which such licence shall be issued or renewed and the procedure to be followed in making a full and complete investigation in respect of an application for licence;

(iv) the form of a licence and the condition to be specified therein;

(v) the manner in which the accounts of a protective home and a corrective institution shall be maintained and audited;

(vi) the maintenance of registers and statements by a licensee and the form of such registers and statements;

(vii) the care, treatments, maintenance, training, instruction, control and discipline of the inmates of protective home and corrective institutions;

(viii) the visits to and communications with inmates;

(ix) the temporary detention of persons sentenced to detention in protective homes or in corrective institution until arrangements are made for sending them to such homes or institutions;

- (x) the transfer of an inmate from:
 - (a) protective home to another, or to a corrective institution,
 - (b) one corrective institution to another, or to a protective home, under sub-section (9-A) of Section 21;
 - (xi) the transfer in pursuance of an order of the Court from a protective home or a corrective institution to a prison of a person found to be incorrigible or exercising bad influence upon other inmates of the protective home or the corrective institution and the period of her detention in such prison;
 - (xii) the transfer to a protective home or corrective institution of persons sentenced under Section 7 and the period of their detention in such home or institution;
 - (xiii) the discharge of inmates from a protective home or corrective institution either absolutely or subject to conditions, and their arrest in the event of breach of such conditions;
 - (xiv) the grant of permission to inmates to absent themselves for short periods;
 - (xv) the inspection of protective homes and corrective institutions and other institutions in which a persons may be kept, detained and maintained;
 - (ga) number of the members of the Authority and the manner in which such members shall be chosen for appointment under sub-section (2) of section 13B;
 - (gb) the term of office of the members of the Authority and the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by, the members under sub-section (4) of section 13B;
 - (h) any other matter which has to be, or may be prescribed.
 - (3) In making any rule under clause (d) or clause (g) or sub-section (2), the State Government may provide that a breach thereof be punishable with fine which may extend to two hundred and fifty rupees.
 - (4) All rules made under this Act shall, as soon as may be after they are made, be laid before the State Legislature.
- 23A. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for,—
 - (a) the number of the members of the Authority and the manner in which such members shall be chosen for appointment under sub-section (2) of section 13A;
 - (b) the term of office of the members of the Authority, the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by the members under sub-section (4) of section 13A.
 - (3) Every rule made by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions

aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

24. Act not to be in derogation of certain other Acts .—Nothing in this Act shall be construed to be in derogation of the provisions of the Reformatory Schools Act, 1897 or any State Act enacted in modification of the said Act or otherwise, relating to juvenile offenders.

25. Repeal and savings .—(1) As from the date of the coming into force in any State of the provisions other than Section 1 of this Act, all State Acts relating to suppression of immoral traffic in persons or to the prevention of prostitution, in force in that State immediately before such date shall stand repealed.

(2) Notwithstanding the repeal by this Act, of any State Act referred to in sub-section (1), anything done or any action taken including any direction given in any register, rule or order made, any restriction imposed) under the provision of such State Act shall in so far as such thing or action is not inconsistent with the provisions of this Act be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

Explanation.—In this section, the expression `State Act `includes a `Provincial Act'.

THE SCHEDULE

[See Section 2(c)]

Section Magistrate competent to exercise the powers

7(1) District Magistrate.

11 (4) Metropolitan Magistrate of Judicial Magistrate of the first class.

12 (4) [7][* * * * *]

15(5) Metropolitan Magistrate, Judicial Magistrate of the first class, District Magistrate or Sub-divisional Magistrate.

16 Metropolitan Magistrate, Judicial Magistrate of the first class, District Magistrate or Sub-divisional Magistrate.

18 District Magistrate or Sub-divisional Magistrate.

19 Metropolitan Magistrate, Judicial Magistrate of the first class, District Magistrate or Sub-divisional Magistrate.

22-B Metropolitan Magistrate of Judicial Magistrate of the first class. =====

[1] Sub-section (e) omitted by Act No 46 of 1978.

[2] Sub-sec. (2) omitted by Act No. 44 of 1986.

[3] Sub-section (2) omitted by Act No. 44 of 1986.

[4] Sec. 10 omitted by Act No. 44 of 1986.

[5] Section 12 omitted by Act No. 44 of 1986.

[6] Ins. by Act No. 44 of 1986 (w.e.f. 26-1-1987).

[7] Figures and words omitted by Act No. 44 of 1986 (w.e.f. 2-6-1987).

Annexure 3

Newspaper Articles:



(Nagaland Post 10th May 2016)



(Eastern Mirror Dec 19th 2016)



(Eastern Mirror May 14th 2016)



(Nagaland Post 24th May 2007)



(Nagaland Post 25th September 2008)

8 trafficked children to be brought back

Spl. Correspondent

NEW DELHI, MAR 25 (NPN): State Social Welfare department has deputed one of its officials-a District Child Protection Officer (DCPO)- to bring back the eight(8) children(not seven as reported) who were rescued from Jaipur by Rajasthan Police on March 12.

The official, Peren DCPO, Samuel is expected to arrive Jaipur on March 26 after which he is expected to contact Rajasthan Police and authorities to organize taking back of the eight children from Nagaland.

Interestingly, it was also learnt that all the eight are from Peren district.

Following news carried in Nagaland Post, the state government verified the report and contacted parents of trafficked children.

After the procedures, the state welfare department then deputed the official to Jaipur to take the children home.

Speaking to this Correspondent, the Samuel also said disclosed that three Nagaland Police personnel will leave for Jaipur on Tuesday to escort the children back to Nagaland.

"Once all the formalities are completed, and after assurances are given to the Rajasthan government, we will be able to bring the kids back," he said.

The children, all from Peren district, were taken to Jaipur by a pastor from Manipur who coordinated the recruitment with Pastor Jacob John, the main accused.

The children used to keep in touch with the parents through telephone. Some of the parents said that they were shocked to learn about the news. They said, they had hope for a brighter future for the kids. The children included five girls (aged 10, 11, 12, 13 and 16) and three boys (aged 14 and two of them 17).

(Nagaland Post March 27th 2013)

Trafficked Naga girl's rape case in fast-track court

Pastor Jacob John re-arrested; Children expected to return within couple of days

Staff Reporter

DIMAPUR, APR 1 (NPN): Based on the confessions of one of the trafficked Naga girls-a 17-year-old- who accused pastor Jacob John of repeatedly raping her, the case has now been forwarded to a fast-track court in Jaipur.

Disclosing this to Nagaland Post, Programme Co-ordinator (Hq), FCB-India Suraksha, Sarya Prakash said the statement of the girl who accused Pastor Jacob of "repeatedly raping" her since the age of 11, was recorded before the magistrate on Monday in Jaipur.

According to Prakash, the girl in her statement had alleged she was assaulted and raped even after Pastor Jacob re-married.

Prakash said an FIR was lodged by the NGO and a case was registered under section 376 Indian Penal Code (IPC) and the same was forwarded to the fast-track court under non-bailable offence. He also disclosed that earlier Jacob was granted bail but was re-arrested Monday as the case was now with the fast-track court.

He also revealed that the FCB-India Suraksha team met the commissioner of police, Rajasthan Monday and apprised him of the case. He said the team demanded a high level detail enquiry into the case for which the commissioner has promised to consult with the Criminal Investigation Department (CID) on Tuesday.

Asked when the children were expected to reach Nagaland, Prakash said that there were some "technical problems" as official formalities were to be completed and documents had to be processed before taking the children back home to Nagaland.

He, however, said that after receiving the recorded statement of the girl, a team of Nagaland government officials who reached Jaipur Sunday was expected to take the children to Delhi by Tuesday.

Prakash said the children would halt in Delhi and after completing remaining formalities will leave for Nagaland in "couple of days".

He also informed that FCB-India Suraksha sought financial assistance for the children from the government of Rajasthan after which he said the government agreed to sponsor the air-fare of the children adding that the same was done for the children trafficked from Manipur who have already reached their home state.

It may be mentioned that on March 12, 51 trafficked children were rescued from 'Grace Home' and 'Fathers children home' out of which eight children were from Peren district.

(Nagaland Post April 3rd 2013)

Kidnapped Jalukie minors found in Delhi

EMN
DIMAPUR, MAY 9

Two minor girls from Jalukie in Peren district, who were said to have been kidnapped from said area, have been found in Delhi under circumstance that the police said could be linked to flesh trade. The Peren district police authorities issued a communiqué on Monday informing that the two girls, an 11-year-old and a 14-year-old, have been found. (We withhold their names for their being minors-Editor)

They went missing on April 28 from Mhaintamt village, under Jalukie of Peren district, the Superintendent of Police said in the note. Their father lodged a missing/abduction case with Jalukie police and subsequent investigation was undertaken by the authorities, the note said. The North East Cell of Delhi police was alerted following which the two minor girls were found and rescued by Delhi Police in the area of Hauz Khas Police Station on May 6, the Peren police said.

"It is suspected that kidnappers sold the two girls for flesh trade to the handlers in Delhi. No arrest has been made so far. A special team of Nagaland police is being dispatched to bring back the two rescued girls to Nagaland after which thorough investigation will be made to nab the culprits based on the statements of the two girls," it added.

(Eastern Mirror May 10th 2016)

14 Nagas rescued from iron ore mines in Goa

DIMAPUR, AUG 23 (NPN): North East Association of Goa (NEAG) Thursday said that it rescued 14 Nagas who came to the city after agents promised them jobs in a hotel. They were made to work in iron ore mines and confined to tents and portacabins with no amenities.

According to noted human rights lawyer Nandita Haksar, NEAG members got a call from one Lanumieren Jamir asking for help to rescue his brother who had been lured by some agents to go to Goa with promise of a good job in a hotel on a beach.

Nandita said that when NEAG members along with Wungchipem Pheirim, Sebastian Hongray and herself investigated into the matter, they with the help of Goa police rescued 14 young men from Nagaland all in the age group of 19 to 24.

The 14 young Naga men would be arriving Guwahati on Saturday and then proceed to Dimapur. The team which rescued the 14 also suggested that Nagaland police should go to Goa and arrest the agents who were involved in the trafficking of these young people.

Nandita also informed that they also rescued two Assamese men and that one of the Nagas and the two Assamese have decided to stay back and NEAG helped them get jobs.

(Nagaland Post August 24th 2012)

8 Naga youths duped in Chennai

DIMAPUR, MAY 28 (NPN): Eight youths from Wokha district who were cheated of their money and later abandoned in Chennai by two frauds, were rescued and sent back home by Naga Students' Union Chennai and Christian Fellowship Chennai (NCFC).

According to a press release issued by NSUC president Ezeke Mekrisoh and pastor, NCFC, Wapangtoshi, the two frauds identified as Vamphamo Huntsoe, son of Chomramo Huntsoe of Humtso village and Tato Mara, son of Tasu Mara from Arunachal Pradesh, had lured and brought the 8 youths to Chennai on May 19 after promising them lucrative jobs along with free food and lodging in Chennai.

Based on the confessions of the two accused who were apprehended by the victims themselves, the pair took Rs.7000 each from six youths and changed another Rs. 2500 from the two other youths.

But after reaching Chennai, four of the youths were put in a security camp located at Pallavaram, Chennai, while the other four were abandoned in a lodge.

However, suspecting foulplay, some parents of the 8 youths NCFC pastor and NSUC leaders, who immediately swung into action and rescued the youths on May 26. NCFC and NSUC also made prompt arrangement and sent the victims home that very night.

The 8 victims have been identified as 'Thungbemo Morhul, Echumbemo Mochu, Echumbemo Muzhui, Moythung Kikon, Wobenthung Murry, John Z Yanthan, Rhumchanching Ngullie and Shenheng Ngullie.

Meanwhile, both NCFC and NSUC said they have decided to keep watch on unscrupulous activities being carried out by selfish individuals by luring innocent unemployed youths promise of lucrative jobs.

The release also mentioned that this is the second incident in recent times in Chennai after one Keduwalhi Krome of Lasumi village cheated 32 Naga youth promising better salary, food and lodging.

(Nagaland Post 29th May 2008)



(Nagaland Page May 14th 2008)



(Nagaland Post August 7th 2008)

Annexure 4

Sl. no.....

QUESTIONNAIRE FOR GENERAL PUBLIC.

SECTION A

1. BASIC INFORMATION:

Age :

Gender: Male ☐ Female ☐

Tribe/Community:

Category:

Religion:

2. Educational qualification:

No Formal education	Below matriculation	Matriculation	Higher secondary	Graduate	Post Graduate	Post Graduate and above	Others (specify)

3. Occupation

Government employee (specify)	
Private(specify)	
Business	
Student	
Others(specify)	

4. Are you aware about human trafficking in our state?

a) Yes ☐ b) No ☐

5. From which medium have you first heard about human trafficking?

- a) TV ☐ b) Radio ☐ c) Newspapers ☐ d) Others (Specify)-

6. What forms of exploitation do you know about? (Tick as many as appropriate).

- a) Forced prostitution ☐
b) Labour in factories ☐
c) Fake marriages ☐
d) Domestic workers ☐
e) Others (specify) _____

7. In your opinion which type of trafficking is the most prevalent in our state? (Please put serial number in order of priority).

- a) Forced prostitution ☐
b) Labour in factories ☐
c) Fake marriages ☐
d) Domestic workers ☐
e) Others (specify) _____

8. Have you ever attended any seminar/workshop/symposium/conference/awareness program on human trafficking?

- a) Yes ☐ b) No ☐

9. What, in your opinion are the main causes of trafficking in our state? (Please put serial number in order of priority).

- a) Impact of globalisation ☐
b) Conflict/ political unrest ☐
c) Poverty ☐
d) Gender discriminations ☐
e) Lack of awareness ☐
f) Lack of employment and livelihood opportunities ☐
g) Others (Specify) _____.

10. Do you know any person who has been trafficked?

a) Yes ☐ b) No ☐

11. If yes, from which type of community was the person abducted?

a) Urban ☐ b) Rural ☐

12. Persons from which of these two communities is more susceptible to human trafficking?

a) Urban community ☐ b) Rural community ☐

13. Often trafficked victims are stigmatized when they try to rejoin society. What is your opinion about them?

- a) It was their own fault in the first place. ☐
- b) It was through ill luck and lack of awareness, and their plight should be sympathized with. ☐
- c) They can no longer be deemed decent and a part of society. ☐
- d) Others (Specify) _____.

14. In your opinion who are more vulnerable to human trafficking? (Please put serial number in order of vulnerability).

- a) Women ☐ b) Children ☐ c) People from rural areas ☐ d) People from poor families ☐ e) Educated Unemployed ☐
- h) Others(specify)_____

15. According to you, what will be the most effective measure that should be taken for combating human trafficking? (Please put serial number in order of effectiveness).

- a) Awareness programs should be given priority. ☐
- b) Proper security manning of interstate/international borders. ☐
- c) State government should take initiatives for income generation and livelihood for its citizens. ☐
- d) Government should set up/ strengthen a specific unit dealing with human trafficking. ☐

16. What do you think about the level of awareness in our state to tackle the problem of Human Trafficking?

a) High ☐ b) Medium ☐ c) Low ☐ d) Very low ☐

17. Which medium of mass media will be best suited to create awareness in our state?(Please give your opinion in terms of rank by putting 1, 2 etc)

a) Radio ☐ b) Newspapers ☐ c) TV ☐ d) Seminars and Focus group discussions. ☐ d) Others (Specify) _____.

18. Do you think that the state government is doing enough to fight this problem?

a) Yes ☐ b) No ☐ c) Can't say ☐

19. If no, what measures in your opinion, should the state government undertake to handle this issue in our state?

20. Should other organizations other than the state government be given more authority to address and tackle this problem?

a) Yes ☐ b) No ☐

21. If yes, what effective role should they take to address this problem?

22. In your opinion which organization will be best suited to curb human trafficking? (Please give your opinion in terms of rank by putting 1, 2, etc).

a) State government ☐
b) NGO'S ☐
c) Village/ Town councils. ☐
d) Churches/ church based organizations. ☐
e) Others (specify) _____

23. Do you think that the topic of Human Trafficking should be included in the school syllabus?

a. Yes ☐ b. No ☐

24. Nagaland is slowly becoming a tourist spot; do you think that the immensity of the problem will increase?

a. Yes ☐ b. No ☐

25. Do you think that globalization has a big role to play in the problem of human trafficking?

a) Yes ☐ b. No ☐

26. Are you aware of any existing laws in India dealing with trafficking and traffickers?

a. Yes ☐ b. No ☐

27. If yes, do you think that the existing law is sufficient to tackle the problem?

a. Yes ☐ b. No ☐

28. Do you think that, modern day slavery has penetrated our society due to the absence of effective legislation, policies and institutional structure in addressing the problem?

a. Yes ☐ b. No ☐

SECTION B

In this section there are some statements that people have made about sexual exploitation, child labour and human trafficking. Please tick your level of agreement with the following statements.

1. Females are more vulnerable to sexual exploitation than males.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

2. Sex tourism is responsible for the increase in forced prostitution.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

3. Girls are more vulnerable to child labor than boys.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

4. The main cause of trafficking for labour is poverty.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

5. Trafficking in humans is a process that always results in the exploitation of a person.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

6. Human trafficking is the same as slavery.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

7. Missing children have usually been trafficked.

a) Strongly Agree ☐ b) Agree ☐ c) Not Sure ☐ d) Disagree ☐ e) Strongly Disagree ☐

Signature:

Date:

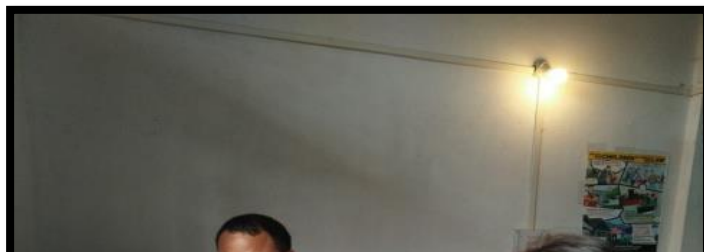
ILLUSTRATIONS:



The Researcher Interacting with the Addl SP (Mokokchung)



The Researcher at Open Shelter Home Dimapur



The Researcher interacting with the DCPO



The Researcher at Women Cell (Tuensang)



A View of District Police Headquarters Mon



**The Researcher at Child Protection Unit
Tuensang**



The Researcher during the Pre-Submission Seminar

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