

The Political, Social, and Health Implications of Trafficking of Women and Children in India

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Justice and Peace Studies
May, 2005

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Introduction

“All human beings are born equal in dignity and rights.”
--The Universal Declaration of Human Rights, Article 1¹

*“Everyone is entitled to all...rights...without distinction of any kind,
such as...sex... or social origin,...birth or other status.”*
--The Universal Declaration of Human Rights, Article 2²

Trafficking of women and children in India has become a crisis affecting millions of girls and women. Their innate rights to health, development, and freedom are violated in all aspects by this crime imposed upon them. Despite recent modernization efforts and ratifications of human rights treaties, the government of India has yet to recognize and accept this problem as its own.

Today, sex workers are organizing into groups to try to alleviate this problem themselves. International and Indian laws have dictated what should be the situation, yet local women are becoming the ones who truly attempt to help the unfortunate victims of trafficking. The difference between sex work and forced sex labor have become clearer in the past few years, as more and more women are fighting for the rights of trafficked persons. However, India has a long road ahead of herself in terms of health and social rehabilitation, especially in terms of HIV/AIDS.

Chapter 1: History and background of trafficking of women and children in India

¹ Universal Declaration of Human Rights (UDHR)
<<http://www.un.org/Overview/rights.html>>.

² *Ibid*

*“We sold the little jewelry that we had, then the farm and the bullock.
Now the only saleable things left with us are our daughters.”
--A villager³*

India is a country with a population of 1.05 billion people and is one of the ten fastest growing developing countries in the world,⁴ as well as the fastest growing democracy in the world. It is also now one of the biggest transport points in the world for human trafficking.⁵ The number of underage girls trafficked in India has increased by 45% in the past decade, and 89% of the total trafficked girls in the world are sold in India.⁶ There are an estimated 2.3 million women prostitutes in India, one-fourth of them minors, in more than 1,000 "red light districts" across the country.⁷ Trafficked prostitution is now a billion dollar industry, and the United Nations (UN) and the National Human Rights Committee (NHRC) in India have dubbed it the fastest growing criminal enterprise in the world.⁸ The section on violence against women in the Beijing Platform of Action clearly states that the use of women in international prostitution and trafficking networks has become a major activity in international organized crime, and the International Labor Organization has called for its recognition.⁹

³ Shevalee Vasudev, "Girls for Sale," India Today 23 Oct. 2003: 12.

⁴ United Nations Children's Fund (UNICEF), *At a Glance: India—The Big Picture* <<http://unicef.org/infobycountry/india.html>>.

⁵ Vasudev 12.

⁶ *Ibid*

⁷ Murthy, Laxmi, "Economy-Asia: The Globalization of Illegal Sex," *Global Information Network Interpress Service*, July 26, 1999.

⁸ *Ibid*

⁹ Skrobaneck, Siriporn, "Trafficking of Women And Women's Health," Voices of Thai Women, December 1999: 14+.

Traffickers are most typically men in their twenties or thirties or women in their thirties and forties, who usually work in groups of two or more, and who have traveled the cities several times and know the hotels in which to stay and the brokers to contact.¹⁰ Male and female traffickers are sometimes referred to as dalals and dalalis [commission agents], who are either employed by a brothel owner directly or operated independently.¹¹ Professional agents who recruit for bigger brothels can be paid up to Rs.6,000 (US\$200) per girl, but most traffickers are small-time, local recruiters who earn considerably less.¹² The peak trafficking months are between June and late August or early September when the traffickers return to the villages to participate in local festivals and to recruit girls to bring back to the cities.¹³ These months precede the harvest, when poverty is felt most acutely, making it easy to recruit.¹⁴ Closely-trusted individuals and male family members also act as trafficking agents.¹⁵ Of seven trafficking victims interviewed by Human Rights Watch in March 1994, six were trafficked to India with the help of close family friends or relatives, and each victim complained of deception.¹⁶ These male relatives or a prominent member of their communities will make periodic trips to the brothels to collect the girls' earnings and bring them back to the parents.¹⁷ For the women and girls, this means that not only are they under pressure to pay off

¹⁰ Human Rights Watch Global Report on Women's Human Rights, 1995: 239.

¹¹ *Ibid*

¹² *Ibid*

¹³ Human Rights Watch Global Report on Women's Human Rights, 1995: 240.

¹⁴ *Ibid*

¹⁵ *Ibid*

¹⁶ *Ibid*

¹⁷ *Ibid*

their debts to the brothel owners, but out of whatever meager earnings they do receive, primarily in tips, they are expected to help support their families.

There are many reasons as to why there is such a high rate of child trafficking in India. 26% of the population in India lives below the poverty line,¹⁸ and 42.8% of the population are illiterate.¹⁹ In rural areas and slums, girls are often unwanted when born and are faced with lack of respect and of opportunities as a result. Human trafficking and violence against women in prostitution are a result of this gender bias, economic inequality and moral prejudice, as well as an easy-accessible economic, however illegal, opportunity for the traffickers.

Child Marriage and Fraudulent Marriage Offers

Early marriage has been a common custom in India, as, prior to 1951, the average age of marriage for women was thirteen, and in 1991, it was nineteen.²⁰ Starving, desperate, and illiterate families in villages are easily persuaded by traffickers, disguised as city agents, matchmakers, or prospective grooms, to send their daughters to work as maids in the cities, in hope of the opportunity of income, marriage, or even education.²¹ Girls are often seen as a burden to their families in lesser-educated areas of India, and thus families feel that whatever they can do to rid themselves of another child is a relief to their

¹⁸ UNICEF <<http://unicef.org/infobycountry/india.html>>.

¹⁹ United States Agency for International Development (USAID), Asia & The Near East—India <http://usaid.gov/locations/asia_near_east/countries/india/india.html>.

²⁰ Sudeshna Bannerjee, “Rights-India: Hill Women Caught Between Poverty, HIV/AIDS,” Global Information Network, Interpress Service 18 Jul. 2002.

²¹ Seethalakshmi S., “Child maids from villages pushed to prostitution,” Times of India 9 Nov. 2003 <<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?msid=273977>>.

distress.²² Also, another common view is that the younger a girl is married off, the smaller dowry her family must pay, which has also contributed to the young age of girls given to the agents.²³ The younger the girl, the more money she will make for her pimp or madam, as older customers are willing to pay higher prices for virgins.²⁴ Girls between the ages of nine and sixteen can be bought from their parents for Rs 200-4,000 (about \$4-\$88) in villages and can be sold for up to Rs 50,000 (about \$1097-\$1098) to pimps in cities.²⁵ This purchase price, often times plus interest, becomes the "debt" that the girls and women are told they must work to pay off through prostitution.²⁶ However, most of these women never find out exactly how much they owe, and can spend a lifetime of sex work and never be able to repay the so-called debt.

Females historically have been the lesser-desired sex of children in India, and trafficking has proven to be a mode of riddance for very young girls, besides female infanticide. The annual growth rate in India is 1.6%, and the fertility rate is 3.06 births per woman,²⁷ yet the sex ratio of the child population (between 0-6 years of age) fell sharply from 945 females per 1,000 males in 1991 to 927 per 1,000 in 2001.²⁸ According to a study conducted by the Tata Institute of Social Sciences in Bombay, an estimated 5 million children have

²² "Emotion, identity, and the female subject: Tamil women's magazines in colonial India, 1890-1940," *Journal of Women's History* 14(4), Jan. 2003: 59.

²³ *Ibid*

²⁴ Singh, Mala, "Testimony of Mala Singh," *Quilt* March 2000: 77.

²⁵ Vasudev 13.

²⁶ Human Rights Watch Global Report on Women's Human Rights, 1995, 234.

²⁷ USAID <http://usaid.gov/locations/asia_near_east/countries/india/india.html>.

²⁸ UNICEF <<http://unicef.org/infobycountry/india.html>>.

been born to about 2 million prostitutes in 817 red-light areas in India.²⁹

Although the Government of India is fully aware of this data, and even with the practice of child marriage banned in 1929 and the Child Marriage Restraint Act passed in 1978, it has done little to implement change or enforce its standing laws.

The Devadasi System

Corrupt religious practices have made many young girls victims of trafficking through the Devadasi System. Devadasi, which means maidservant to God, has become a cult-like religious practice in which young girls are dedicated, or “married”, to an idol, a deity, an object of worship or a temple.³⁰ They usually have not yet reached puberty, often as young as five to ten years old, and they are never to marry after their dedication. The girls, who are most often from the lowest castes, must have patrons to sponsor them after they enter the temple life.³¹ These patrons are generally from the higher castes because those from the Devadasis' own castes are too poor to afford them.³² After the dedication, the patron has the privilege of spending the first night with the girl to deflower her.³³ The patron may later maintain a permanent relationship with the girl in exchange for money, or he can have a relationship

²⁹ Monteiro, Rita, “The Treatment of Violence Against Women in the Mass Media: A Survey of a Leading National Newspaper,” Lila-Asia Pacific Women's Studies Journal, 1994. ISSN: 0117-343X: 80.

³⁰ Basappa, Babamma, Jantharasena, Nee, and Manorama, Ruth, “In the Court of Women II-Asia Tribunal on Women's Human Rights in Tokyo” [Part 2 of 12], March 12, 1994: 12-14.

³¹ *Ibid*

³² *Ibid*

³³ Nidhi, Samajik Krutadnyuta, “Devadasi Nirmulan Project”, Manavi Newsletter, 6 (1), Spring 1994: 20.

with her for only a certain period of time, also in exchange for a certain amount of money.³⁴ He can choose to the relationship after the deflowering, but they usually keep as many as they can, as it is a sort of status symbol for them.³⁵

As one girl, Sita, said,

“It is an age-old tradition in our trade that each sex worker is retained by a babu who has the multiple role of a pimp, a husband, a caretaker and ultimately an extortionist. I was advised by an elderly woman to refrain from indulging in such relationships, for in the end he almost invariably turns into a parasite whom you just cannot shake off.”³⁶

The Devadasi system is in reality sacred prostitution where girls are attached to temples for pleasure of the gods and the privileged class. This system of patronage has obviously given way to commercial prostitution in big cities. Although the system is illegal by Indian law, still, young girls are seemingly married to the gods but are actually sold off to brothels. After its prohibition was passed by the Karnataka Government, the number of dedications in the state dropped to 30%, even as those in Maharashtra rose by 70%. Again, the Indian government has done little to curb such practices and violations.

Abductions, Improper Monitoring, and Official Complicity

Improper monitoring of state borders and activity is another factor.³⁷

Mumbai is the acknowledged capital of trafficking in India, and Delhi and

³⁴ *Ibid*

³⁵ Basappa, Jantharesena, and Manorama, 14.

³⁶ Guha, Nitasha, “A Sita Amidst Many Ravans,” *Manushi*, May 1998, 32.

³⁷ Revathy Menon, “Straight Answers,” *Times of India* 29 Nov. 2003

<<http://timesofindia.indiatimes.com/cms/dll/html/uncomp/articleshow?artic=329083>>.

Calcutta are other major urban hubs of this business.³⁸ Tourist spots, such as Baina in Goa, are emerging as marketplaces as well.³⁹ West Bengal is the largest supplier of girls (there are almost no more teenaged girls left in the village of Jamtala Daspara in South 24 Parganas, West Bengal⁴⁰), and Andhra Pradesh is the second largest supplier.⁴¹ National borders also are badly maintained, thus making trafficking to other countries easier. 80% of the girls intercepted at the border between India and Nepal, another country with a large trafficking problem, claim to be married to their traffickers.⁴² These girls are often coerced or brain-washed into thinking that their traffickers have fallen in love with them, and thus the girls are willing to marry them.⁴³ This makes their forced prostitution and migration of borders much easier. The Immoral Traffic (Prevention) Act of 1986 to check trafficking only penalizes the sex workers and has done nothing to stop the forced entry of thousands of girls and women into prostitution.⁴⁴ The highest concentration of Nepali prostitutes is in the Bombay neighborhood of Kamathipura.⁴⁵ The Bedia community of Uttar Pradesh sells girls to brothels and now gives them away to rich clients abroad.⁴⁶ Traffickers posing as Arab sheiks trick many parents into thinking that they are marrying

³⁸ Vasudev 13.

³⁹ *Ibid*

⁴⁰ *Ibid*

⁴¹ *Ibid*

⁴² Vasudev 12.

⁴³ *Ibid*

⁴⁴ Murthy, Laxmi, "Rights: Asian Meet Undecided on Legalizing Sex Work," Global Information Network Interpress Service, June 10, 1999.

⁴⁵ Human Rights Watch Global Report on Women's Human Rights, 1995: 233.

⁴⁶ Vasudev 12.

their daughters, a practice common in Hyderabad.⁴⁷ Prostitution as a form of illicit, underground sex tourism is promoted by the Germans, Singaporeans, Filipinos, and Saudi Arabians who frequent these brothels.⁴⁸ Still, the Government of India, as well as those internationally, have not attempted to remedy this major local, international, and inter-state problem.

The authorities themselves are also involved in trafficking. Local police stations received payoffs from brothel owners according to rank on a daily basis: a constable could expect Rs.25 (US\$0.83), a head constable receives about Rs.40 (US\$1.33), and an assistant sub-inspector (ASI) receives about Rs.80-Rs.100 (US\$2.66-US\$3.33); the station house officer (SHO) receives about Rs.500 (US\$16.66) per month, and that the district special branch police, which addresses special categories of crimes, can collect monthly payments of about Rs.300 (US\$10) per brothels of ten girls, and Rs.500 (US\$16.66) for larger ones.⁴⁹ Police also “register” the girls, whereby a madam of a brothel would notify the police of the arrival of a new victim in her establishment and pay a bribe for the police’s silence.⁵⁰ This “registration” document protects the brothel owner from being charged in future with the prostitution of a minor, if she is caught.⁵¹

General insensitivity to children’s exploitation and the government’s denial, ignorance, apathy, corruption, and even involvement have not helped

⁴⁷ *Ibid*

⁴⁸ Human Rights Watch Global Report on Women’s Human Rights, 1995, 235.

⁴⁹ *Ibid*

⁵⁰ *Ibid*

⁵¹ *Ibid*

this situation.⁵² The cheapest brothels are nothing more than dark, claustrophobic rooms with cloth dividers hung between the beds, known as "pillow houses," where most of the young girls are first taken, or where they end up when they are too old to attract enough business.⁵³ The girls, who are illiterate, destitute, and too innocent to resist force, are drugged with chloroform, narcotics, and tranquilizers, physically abused, and raped by their traffickers before being forced into prostitution.⁵⁴ In 2001, there were 900 reported cases of child abuse in Karnataka, up to six cases a week.⁵⁵ According to the National Crime Bureau, there were 26,000 reported kidnappings of girls and young women in 2002,⁵⁶ and 20,000 village girls were listed with unregistered agencies as potential domestic help in Delhi, yet local police and politicians have no knowledge of or connection to these gangs, and many even turn a blind eye to them.⁵⁷

Lack of Education

Lack of education has played a major role in this situation as well.⁵⁸ Although the net primary school enrollment/attendance rate is 76%, there is a vast shortage of schools available to many of these girls who live in villages and

⁵² Menon

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?artid=329083>>.

⁵³ Human Rights Watch Global Report on Women's Human Rights, 1995: 240.

⁵⁴ Vasudev 12.

⁵⁵ Seethalakshmi S.

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?msid=273977>>.

⁵⁶ Meenakshi Shedde, "I'm seeing remarkable change in my lifetime," Real Lives, International Planned Parenthood Jul. 2002. 1367-5486: 18+.

⁵⁷ Vasudev 16.

⁵⁸ Menon

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?artid=329083>>.

slums, and often times the education provided is not adequate.⁵⁹ Ignorance among the general population is also striking.⁶⁰ Many people believe the urban myth that virgins can cure venereal diseases and that pre-pubescent girls cannot carry HIV/AIDS.⁶¹ This misconception has become an important concern in the face of the HIV/AIDS explosion in India.

Chapter 2: Health and HIV/AIDS in India

“The AIDS epidemic...is no longer a disease, it is a human rights violation.”
--Nelson Mandela

There are four million people who are infected with HIV/AIDS in India.⁶² 12% of the five million people infected last year in the world were in this country.⁶³ In 2002, between 3.82 and 4.58 million people were infected with the disease, increasing the number of people infected in India by 610,000.⁶⁴ Given India's large population, a 0.1% increase in the number of HIV/AIDS cases

⁵⁹ UNICEF <<http://unicef.org/infobycountry/india.html>>.

⁶⁰ OneWorld South Asia <<http://southasia.oneworld.net/article/view/74050/1/>>.

⁶¹ Vasudev 15.

⁶² “OneWorld South Asia <<http://southasia.oneworld.net/article/view/74050/1/>>.<<http://www.newindpress.com/NewsItems.asp?ID=IEL20031114002445&Page=L&Title=B+R+E+A+K+I+N+G++++N+E+W+S&Topic=0&>>.

⁶³ *Ibid*

⁶⁴ *Ibid*

would mean infection of over half a million people.⁶⁵ India is second only to South Africa in number of HIV/AIDS cases in a single country, and India is currently in the situation Sub-Saharan Africa was in ten years ago.⁶⁶

More than 90% of prostituted women and girls in India have experienced sexually transmitted diseases and abortions.⁶⁷ Over 50% of prostitutes in India are HIV Positive.⁶⁸ The gynecological problems that they suffer from include chronic pelvic pain, pelvic inflammatory disease, unwanted pregnancy, miscarriages, high infertility rates, and increased risk of reproductive system cancers; the psychological problems they suffer from are suicidal feelings, clinical depression, dissociative disorders and post-traumatic stress disorder.⁶⁹ Only 1% of pregnant women getting pre-natal care are diagnosed with HIV/AIDS in India, a critical amount.⁷⁰ The maternal mortality rate in India accounts for 25% of the world's total childbirth-related deaths.⁷¹ The infant mortality rate is 61 per 1,000 births, and the under-five mortality rate is 87.7 per 1,000 live births.⁷² Many of the girls who are impregnated by their forced trafficking are impregnated at a very young age, some with HIV/AIDS, which was passed on to them through their situation. This has led to an increase in

⁶⁵ *Ibid*

⁶⁶ *newindpress.com*

<<http://www.newindpress.com/NewsItems.asp?ID=IEL20031114002445&Page=L&Title=B+R+E+A+K+I+N+G++++N+E+W+S&Topic=0&>>.

⁶⁷ Sinha, Indrani, "Rangini," *Quilt*, March 2000: 63.

⁶⁸ *Ibid*

⁶⁹ *Ibid*

⁷⁰ *newindpress.com*

<<http://www.newindpress.com/NewsItems.asp?ID=IEL20031114002445&Page=L&Title=B+R+E+A+K+I+N+G++++N+E+W+S&Topic=0&>>.

⁷¹ UNICEF <<http://unicef.org/infobycountry/india.html>>.

⁷² *Ibid*

the fertility rate, the maternal mortality rate, and the infant mortality rate, which are all factors of Lesser Developed Countries—something the Government of India should not want, considering its current status as a top-ten developing country.

Women are sometimes considered as transmitters of sexually related diseases, including HIV/AIDS. Often times they are not entitled to receive healthcare, and are rarely encouraged to protect themselves from pregnancy or STDs⁷³ Many are afraid of asking their customers to use a condom, as they might pay less or leave altogether, and then the girl most likely will be severely punished by her pimp.⁷⁴ Few people in the trafficking and forced sex work industry are worried about protecting the women in prostitution from sickness and disease. Many young prostitutes do not know that condoms can help to prevent HIV/AIDS, nor do they even know the symptoms of the disease.⁷⁵ Out of all of the South Asian countries, HIV/AIDS affects India the most.⁷⁶ The disease is most prevalent in Andhra Pradesh, Tamil Nadu, Karnataka, Maharashtra, Manipur, and Nagaland, many of which have large trafficking problems.⁷⁷ According to a United Nations report, 50% of sex workers in Tamil Nadu and Maharashtra and 60% to 75% of drug users in Manipur are infected

⁷³ Skrobanek, 14+.

⁷⁴ *Ibid*

⁷⁵ Human Rights Watch Global Report on Women's Human Rights, 1995: 236.

⁷⁶ newindpress.com

<<http://www.newindpress.com/NewsItems.asp?ID=IEL20031114002445&Page=L&Title=B+R+E+A+K+I+N+G++++N+E+W+S&Topic=0&>>.

⁷⁷ *Ibid*

with HIV/AIDS.⁷⁸ According to the World Health Organization, 51% of the prostitutes tested in Mumbai, India, in 1993 and 1994, were HIV positive.⁷⁹ The Government of India recognizes this problem as a great concern, but individual states' responses are varied, ranging from high to low concern.⁸⁰ Once again, education is a contributing factor to this problem. Many people in India do not know about HIV/AIDS and the causes of its transmission, and many are misinformed.⁸¹ In fact, three out of four women from three of the largest states in India, Bihar, Gujarat, and Uttar Pradesh, have not heard of HIV/AIDS.⁸²

Chapter 3: Legalization of Sex Work

*"There is no sense in earning our livelihood by paying the price with our lives."
--Mala Singh, founder of the Durbar Mahila
Samanway Committee Forum for Sex Workers⁸³*

Prostitution has evolved into a global business that may be an integral part of the economic, social and political life of India. The International Labor Organization reported that the "scale of prostitution has been enlarged to an extent where we can justifiably speak of a commercial sex sector."⁸⁴ For many prostitutes in India, legalization of the sex trade is their main concern. They would like to emphasize the difference between trafficked women, who are illegally forced into prostitution, and women who enter the field of their own free

⁷⁸ OneWorld South Asia <<http://southasia.oneworld.net/article/view/74050/1/>>.

⁷⁹ "Trafficking and HIV/AIDS," Gender Matters Quarterly, February 4, 1999.

⁸⁰ newindpress.com

<<http://www.newindpress.com/NewsItems.asp?ID=IEL20031114002445&Page=L&Title=B+R+E+A+K+I+N+G++++N+E+W+S&Topic=0&>>.

⁸¹ OneWorld South Asia <<http://southasia.oneworld.net/article/view/74050/1/>>.

⁸² *Ibid*

⁸³ Murthy, "Economy-Asia: The Globalization of Illegal Sex."

⁸⁴ *Ibid*

will.⁸⁵ For the latter, sex work is a form of labor for which they see fit to receive the same rights as other laborers, as they both work with their bodies. Nandita Bandopadhyaya, a sex work activist, said, "The issue is not whether prostitution is legal or not. The issue is that, like it or not, it is a business, and there must be rules."⁸⁶

The Indian law dealing with prostitution is ambiguous and conflictual. A commercial sex worker, as long as she is 18 or above and solicits peacefully and voluntarily and keeps her activity outside the vicinity of public places, is not punishable under the law.⁸⁷ However, running or abetting a brothel, living on the earnings of prostitution, procuring or inducing or taking persons for prostitution, carrying out prostitution in a public place, and soliciting for the purpose of prostitution are all criminal acts.⁸⁸ The law does not prohibit prostitution, yet it penalizes prostitutes who are caught soliciting customers, which can be punished with imprisonment and a fine.⁸⁹ People soliciting on behalf of a commercial sex worker in a public place can be similarly punished, and thus pimps and procurers can also be booked; however, this law is mostly used to harass sex workers. They can legally practice their work inside a house but cannot solicit clients on the streets, and if they are caught, they can

⁸⁵ Pujari, Durga, Kazi, Shabana, and Seshu, Meena Savaswati, "Of Women in Prostitution," *Asian Women*, 4 (1), August 1997: 5+.

⁸⁶ Bhattacharya, Saurabh, "Rights-India: Sex Workers Seek Protection From Pimps and Police." Global Information Network Interpress Service, December 15, 1997.

⁸⁷ Debrabata, Roma, "When Police Act as Pimps-Glimpses into Child Prostitution in India." *Manushi*, March 1998: 28.

⁸⁸ *Ibid*

⁸⁹ *Ibid*

be imprisoned for up to seven years.⁹⁰ This leaves sex workers vulnerable to extortion, marginalization, and violent abuse from the police who take bribes to let them do business and from the pimps who control the trade.⁹¹

“Globalization has taken prostitution out of the hands of women and made it a big business in the hands of men”, said Jyoti Sanghera of the Canada-based Global Alliance Against Traffic in Women (GAATW).⁹² The current situation in sex work lends almost all of the power to the primarily male pimps—a situation the sex workers wish to change, as women are the primary laborers in the field.

The sex workers are working to amend the legal and social systems to make them more conducive to a healthier lifestyle for the workers. A change will also ensure better working conditions and will give the sex worker the right to be able to say ‘no.’⁹³ Some of the rights the women are seeking include the following: the right to work; the right to safe conditions of work; the right to worker status; the right to health; the right to freedom of association among sex workers; the right to education for sex workers and their children; the right of freedom of movement and residence in the place of their choice; and the right to privacy.⁹⁴ Some of the women’s ideas for social changes include zoning mechanisms, licensing, and mandatory health check-ups for the sex workers.⁹⁵ They also focus on the link between legal, civil, and human rights of the

⁹⁰ *Ibid*

⁹¹ *Ibid*

⁹² Murthy, “Rights: Asia Meet Undecided on Legalizing Sex Workers.”

⁹³ Debrabata, 28.

⁹⁴ Memorandum on Reform of Laws Relating to Prostitution in India, the Center for Feminist Legal Research, January 1999: 17+.

⁹⁵ Kapur, Ratna, “Tricks and the Law: The Human Rights of Sex Workers in India.” *Quilt*, March 2000: 96.

workers, including the rights to liberty, custody of their children, minimum remuneration, social security in the form of a welfare fund, and to protection from police harassment, such as quarantine or isolation, forced medical examination, or denial of access to health care facilities.⁹⁶

The Durbar Mahila Samanway Committee Forum of Sex Workers

These women are forming organizations of sex workers. One such organization, the Durbar Mahila Samanway Committee Forum of Sex Workers, in the Sonagachi district of Calcutta—one of the largest red light districts in India—has enlisted the slogan, “Sex work is real work, we demand workers’ rights!”⁹⁷ Formed in 1995, in the interest of overall development of sex workers, the Committee now has 40,000 members.⁹⁸ The Committee organized the first conference in India held by sex workers, to highlight their problems and demand recognition as workers from the government.⁹⁹ There they discussed the need for rules and regulations and also drafted a manifesto.¹⁰⁰ “We don’t want any license for our profession,” says Amina Banerjee, president of the Durbar Mahila Samanway Committee; “We don’t want to be branded as prostitutes. What we want to do is to stop the extortion.”¹⁰¹ The Committee’s goals are the right to health, the right to information, the right to self-determination, the right to have a trade union and

⁹⁶ *Ibid*

⁹⁷ Bhattacharya.

⁹⁸ Singh, 80.

⁹⁹ Bhattacharya.

¹⁰⁰ *Ibid*

¹⁰¹ *Ibid*

self-regulation board, to decriminalization of adult prostitution, and to social recognition of sex work as a valid form of labor.¹⁰²

Crucial to this idea is the creation of an environment in which the women are informed of how to improve their living and working conditions. The Committee provides literacy and vocational education, as well as education about STDs and women's issues through discussions and cultural activities.¹⁰³ The Durbar Mahila Samanway Committee has created a co-operative society to help the economic security of the sex workers, Usha Multipurpose Co-operative Society Ltd.¹⁰⁴ The Committee hopes to include a member from the following groups to ensure a well-rounded perspective of the issues it deals with: The Labor Commission, the National Human Rights Commission, the Bar Association of India, the National Commission for Women, the Health and Family Welfare Ministry (Govt. of West Bengal), the Social Welfare Ministry, a renowned woman activist, a local counselor, a medical doctor practicing in that area, a representatives from State Commission of Women, a local lawyer, a representative from a women's organization working at the local level, a representative from Social Welfare Board (state level), and an NGO working in that area.¹⁰⁵

One of the main issues of the Durbar Mahila Samanway Committee's concern is fighting HIV/AIDS and spreading HIV/AIDS awareness.¹⁰⁶ To

¹⁰² Debrabata, 30.

¹⁰³ Debrabata, 28.

¹⁰⁴ Debrabata, 30.

¹⁰⁵ Debrabata, 32.

¹⁰⁶ Debrabata, 30.

ensure the effectiveness of their health intervention program, the Committee uses a comprehensive and holistic approach, rather than just medical intervention.¹⁰⁷ By empowering these women mentally about how to keep their health and bodies safe, the Committee will help these women gain better control over their bodies and be less vulnerable to disease. Armed with the slogan, “No condom, no sex,” the Committee initially began by handing out condoms among sex workers in Sonagachi and by speaking of how the use of condoms can decrease the chance of HIV/AIDS; today it has fifteen health and education centers in West Bengal and an STD/HIV intervention program in ten red light districts in Calcutta and Howrah.¹⁰⁸ They provide medical check-ups and blood tests for the sex workers, as well as psycho-social and medico-legal support for HIV positive women and their families through a Positive Hotline.¹⁰⁹ The World Health Organization (WHO) hailed the Sonagachi HIV/AIDS Program as a “best practice,” as it gave sex workers “the consciousness that they were complete persons with emotional and material needs.”¹¹⁰ This effectiveness has proven true in Sonagachi, where the rate of condom use has grown from 3% in 1992 to 90%, and only 5% of prostitutes in Sonagachi are infected with HIV, while, in comparison, over 50% of those in Bombay are infected.¹¹¹

¹⁰⁷ *Ibid*

¹⁰⁸ *Ibid*

¹⁰⁹ *Ibid*

¹¹⁰ Dhar, Sujoy, “Rights-India: Sex Workers Assert Rights.” Global Information Network Interpress Service, July 16, 1999.

¹¹¹ “Calcutta's Prostitutes Preach About Condoms” New York Times (National Edition), CXLVIII (51,392), January 4, 1999: A1+.

Other proponents of the legalization of the sex trade argue that with legal protection of sex workers, trafficking and child prostitution will wane.¹¹² The Durbar Mahila Samanway Committee wishes to emphasize the idea that “Trafficking should not be synonymous with prostitution as individuals or groups are trafficked for all kinds of reasons and not just for prostitution; trafficking has to be seen within its specific context, with its entire range of complexities and variations; [and] trafficking happens because of criminalization of sex trade, which opens up opportunities for traffickers.”¹¹³ The Committee’s approach to this is to, “Provide social and other support to the Victims; encourage active participation of sex workers community to combat trafficking in the sex trade; change national and international laws to protect human rights to sex workers; control the trafficking in the sex trade most effectively through their self-regulatory boards¹¹⁴; control exploitative practices within the sex trade; prevent entry of minors in sex trade and to control trafficking; regulate the rules and practices of the trade; [and] institute social welfare measure for sex workers and their children.”¹¹⁵ Minor girls are counseled, provided with a support

¹¹² Bhattacharya.

¹¹³ Debrabata, 30.

¹¹⁴ “These boards are responsible for ensuring that the industry abides by minimum guidelines to safeguard the interests of the sex workers and to prevent the forcible entry of unwilling women and minors into the profession. As in other professions, this body would stipulate some minimum qualifications for entry into sex work, the principal qualification being age. The members of DMSC contend that this will act as a much more efficient deterrent to trafficking and underage prostitution than state imposed laws and police action” (Debrarata, 31).

¹¹⁵ Debrabata, 31.

system, and sent back to their family so they can continue their education, or they are provided with vocational training by the Committee.¹¹⁶

Other unions of sex workers include the Bharatiya Patita Uddhar Sabha (BPUS) in Delhi, Veshya AIDS Muqabala Parishad, a Sangli-based sex workers' collective against AIDS, the Women's AIDS Action Development Society in South India, and VAMP in the Sangli District of Maharashtra.¹¹⁷

Chapter 4: Local Programs, Policies, Assistance, and Action

*"In the brothels we were told by the owner to tell the police we came by ourselves because we didn't have food. We were told to say we were twenty-five years old. If we didn't say that we would be beaten."
--Saanthi¹¹⁸*

Trafficking in human beings and the abuses associated with it are explicitly prohibited under many of India's domestic laws, including the Indian Constitution, specific anti-trafficking acts, the Indian Penal Code, and its state and local ordinances. The problem, therefore, lies not in absence of legal sanctions but in the lack of consistent enforcement.

The Indian Constitution specifically bans human trafficking. Article 23, in the Fundamental Rights section of the constitution, prohibits "traffic in human beings...and other similar forms of forced labor."¹¹⁹ Article 39 guarantees equal

¹¹⁶ *Ibid*

¹¹⁷ Debrabata, 30.

¹¹⁸ Human Rights Watch Global Report on Women's Human Rights, 47.

¹¹⁹ Human Rights Watch Global Report on Women's Human Rights, 1995: 244.

treatment of men and women and obligates the state to ensure "that the health and strength of workers, men and women...and children are not abused...and that children and youth are protected against exploitation."¹²⁰ Article 42 protects against inhumane working conditions.¹²¹ The Bonded Labor System (Abolition) Act of 1976 outlaws all forms of bonded and slave labor.¹²² It is also a crime to unlawfully compel any person to labor against his or her will, according to Article 374 of the Indian Penal Code.¹²³

The two principal Indian laws that address trafficking and prostitution in particular are the Suppression of Immoral Traffic in Women and Girls Act of 1956 (SITA) and the Immoral Traffic (Prevention) Act of 1986 (ITPA). Aside from lack of enforcement, SITA is problematic, in that the prescribed penalties discriminate on the basis of sex: a prostitute, who SITA defines as always a woman, who is arrested for soliciting could be imprisoned for up to a year, but a pimp faces only three months.¹²⁴ SITA allowed prosecution of persons other than the prostitutes only if the persons involved "knowingly" or "willingly" made women engage in prostitution; thus, pimps, brothel owners, madams, and procurers can pretend to be ignorant of the act and escape punishment.¹²⁵ The client, moreover, is not viewed as an offender and can only be arrested if they are violating indecent behavior and obscenity sections of local laws or the

¹²⁰ *Ibid*

¹²¹ *Ibid*

¹²² *Ibid*

¹²³ *Ibid*

¹²⁴ *Ibid*

¹²⁵ *Ibid*

Indian Penal Code.¹²⁶ In fact, clients are even sometimes called as witnesses against women accused of prostitution. Finally, SITA only addressed street prostitution; prostitution behind closed doors was left alone -- a loophole that has actually promoted the establishment of brothels, especially those filled with trafficked minors.¹²⁷ The Immoral Trafficking Prevention Act (ITPA) amended in 1986, is a sound document, yet it only takes consideration of cognizant victims of sexual exploitation, not other forms of trafficking mentioned in the United Nations protocol. This poses a problem, not only in that victims of sexual exploitation are being arrested rather than the traffickers and perpetrators themselves, but also that general sentiments towards the girls who are forced into this situation are considered “immoral.” In a country where morality and reputation are foundations of custom, this has brought little hope of help to those who need it.

Children in the world of trafficking and sex work must also become more protected by Indian law. As sex workers are often not considered citizens, or are considered criminals, they have few to no legal rights, and thus neither do their children.¹²⁸ Child Marriage Restraint Act, last amended in 1978, states that the legal marriage age for women in India is eighteen and older; however, “social customs are barely on speaking terms with the laws of the Indian Constitution.”¹²⁹ In 1997, the Supreme Court ordered a national plan of action for an in-depth study of and committee for prostitution, but nothing has been

¹²⁶ Human Rights Watch Global Report on Women’s Human Rights, 1995: 245.

¹²⁷ *Ibid*

¹²⁸ *Born Into Brothels*, Kaufman, Ross, and Briski, Zana. THINKFilm, 2004.

¹²⁹ Shedde 18+.

done yet.¹³⁰ NGOs should create health outreach programs, offer medical check-ups and treatment, and open women's shelters. NGOs also need financial, administrative, and legal support from the government, but the Indian government first must accept the problem of trafficking children as its own.¹³¹

There have been some steps taken towards reducing this crime, but little actual progress has been made. Andhra Pradesh, the second largest supplier of girls, is the only state in India with an anti-trafficking policy, and it is working on judicial provisions as well.¹³² The progress that has been initiated seems promising, however. Prajwala, a Hyderabad-based anti-trafficking organization, and Seva Beyond Border, a Gorakhpur-based NGO active along the Indo-Nepal border, have been watching for trafficking of children between states.¹³³

Women's rights activist groups in India have also increased in power and importance in India, such as the Women's India Association (WIA), which was established in 1917, and the All-India Women's Conference, held in 1927.¹³⁴

Mahila Mandals, or women's and girl's clubs, and the Family Planning Association of India's (FPAI) Women's Empowerment and Reproductive Health Initiatives Project have been essential to the rehabilitation and prevention process.¹³⁵ Open to girls ages thirteen and older, these centers proved education, literacy classes, and vocational courses; psychological, sexual,

¹³⁰ Vasudev 12.

¹³¹ Menon

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?artid=329083>>.

¹³² Vasudev 12.

¹³³ Vasudev 12.

¹³⁴ Journal of Women's History 59.

¹³⁵ Shedde 18+.

educational, and career counseling services; and health care and child care facilities.¹³⁶ They empower and enlighten the women and girls about the life choices, possibilities, and opportunities that are available to them, as opposed to early marriage and motherhood.¹³⁷ They develop income generation schemes and raise money to help the women; for example, they might raise enough money to buy sewing machines so the women can begin making money for themselves by taking up sewing jobs.¹³⁸ These 225 mandals, such as Prerana in Mumbai and Shakti Vahini in Faridabad, and counseling centers have already reached over 700,000 people in over 760 towns, villages, and cities, including Kolkata, Pune, Rajkot, Dharwad, Madurai, and Yamunagar.¹³⁹

¹³⁶ *Ibid*

¹³⁷ *Ibid*

¹³⁸ *Ibid*

¹³⁹ *Ibid*

Chapter 5: International Programs, Policies, Assistance, and Action

*"I was staying in a caged brothel in Bombay for three years. When there was no client, we were pushed into a cage and locked in."
--Vandana, abducted at the age of 9¹⁴⁰*

International aid also has played a large role in the rehabilitation and prevention implementation process. The total aggregate soft-loan assistance for HIV/AIDS amounts to \$382 million.¹⁴¹ The World Bank has created a Reproductive and Child Health Project in India, which will aid the existing Family Welfare Program established by the Government of India.¹⁴² The United Nations Special Rapporteur on Violence Against Women recently conducted a study in India about gender inequality and domestic violence, which will reach many people in the international community.¹⁴³ The United Nations Development Program (UNDP),¹⁴⁴ the United States Agency for International

¹⁴⁰ "In Their Own Words," Manushi, March 30, 1998.

¹⁴¹ newindpress.com

<<http://www.newindpress.com/NewsItems.asp?ID=IEL20031114002445&Page=L&Title=B+R+E+A+K+I+N+G++++N+E+W+S&Topic=0&>>.

¹⁴² World Bank Group, India

<<http://Inweb18.worldbank.org/sar/sa.nsf/India?OpenNavigator>>.

¹⁴³ Commission on the Status of Women (CSW), United Nations Division for the Advancement of Women <<http://www.un.org/womenwatch/daw/csw/>>.

¹⁴⁴ United Nations Development Programme (UNDP), India Human Development Goals <<http://www.undp.org.in>>.

Development (USAID)¹⁴⁵, and UNAIDS, the United Nations organization dedicated to fighting AIDS, have all contributed to helping India's situation as well. The NHRC of Delhi, the Delhi Institute of Social Sciences, eleven other state agencies, the United Nations Development Fund for Women (UNIFEM), and the Ministry of Human Resources Development have begun planning the Action Research on Trafficking in Women and Children.¹⁴⁶

The Karnatak government has collaborated with the United Nations Children's Fund (UNICEF) in implementing its three-step intervention program.¹⁴⁷ Stage 1 focuses on children under the age of three, reproductive and child health, child development and nutrition, child's environment (water supply, hygiene, sanitation), early learning and care, low birth rate, malnutrition, routine immunization, and safe motherhood interventions.¹⁴⁸ Stage 2 concentrates on school-age children, with special focus on girls in disadvantaged communities, especially for ensuring access to good quality basic education, emphasizing learning achievement, quality teaching-learning environments, and community involvement in schools.¹⁴⁹ Stage 3 is about adolescents, with special focus on girls who need protection, suffer from deprivations, are vulnerable to child labor, trafficking and sexual exploitation, and are at risk of HIV/AIDS.¹⁵⁰ This step will include education in

¹⁴⁵ USAID <http://usaid.gov/locations/asia_near_east/countries/india/india.html>.

¹⁴⁶ Vasudev 16.

¹⁴⁷ Seethalakshmi S.

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?msid=273977>>.

¹⁴⁸ UNICEF <<http://unicef.org/infobycountry/india.html>>.

¹⁴⁹ *Ibid*

¹⁵⁰ *Ibid*

environmental protection and life skills, support for the national mother-to-child prevention initiative, and advocacy for policy development and community-based actions in response to families and children infected with HIV/AIDS.¹⁵¹

Chapter 6: Human rights analysis of human trafficking

“My parents don’t want me. And now that I have become “dirty,” they will never take me back. I am scared. I want to die.”
--Susheela, age 14¹⁵²

Trafficking of women and children is a violation of many human rights conventions and treaties. Trafficking includes domestic work, agricultural and industrial labor, circus activities, organ trade, fake marriages, begging, adoption rings, and sex trade.¹⁵³ This violates Strategic Objective L.269 of the Beijing +5 Conference, which calls transmission of HIV/AIDS through forced sexual activity, “rape, sexual abuse, sexual exploitation, trafficking, possibly the sale of their organs and tissues, and forced labor,” women’s rights violations, as “girls are more vulnerable than boys” in these situations.¹⁵⁴ It also violates Article 34 of the Convention on the Rights of the Child, which says that a child has a right to be prevented from unlawful sexual coercion.¹⁵⁵ The UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, 1949 says that “traffic in persons for the purposes of prostitution [is]

¹⁵¹ *Ibid*

¹⁵² Vasudev 13.

¹⁵³ Vasudev 12.

¹⁵⁴ FWCW Platform for Action, The Girl-Child, “Implementation of Beijing”

< <http://www.un.org/womenwatch/daw/beijing/platform/human.htm> >

¹⁵⁵ Convention on the Rights of the Child (CRC),
<http://www.unhchr.ch/html/menu3/b/k2crc.htm>.

incompatible with the dignity and worth of the human person.”¹⁵⁶ Most of the girls are kidnapped or taken by force or manipulation, and they are raped, tortured, starved, mentally, physically, and sexually abused, and then sold and resold until they are given into slavery. This violates Article 4 of the Universal Declaration of Human Rights (UDHR), which states, “No one will be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.”¹⁵⁷ It also violates Article 5 of the UDHR, which states, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”¹⁵⁸ As they are oftentimes put to work, against their will, in harsh conditions,¹⁵⁹ they do not have the right “to free choice of employment” or “to just and favourable conditions of work,” as are stipulated by UDHR Article 23(1).¹⁶⁰ Trafficking inevitably violates UDHR Article 25(1): “Everyone has the right to a standard of living adequate for the health and well-being of himself...including food, clothing, housing and medical care and necessary social services...”¹⁶¹ These girls have little hope of rescue, rehabilitation, or of being taken back by their families.¹⁶² Their future economic and social prospects are minimal and grim.

As these girls are being taken at a young age, they are no longer able to finish their education, which is a violation of UDHR Article 26(1), which says,

¹⁵⁶ Kapur, 99.

¹⁵⁷ UDHR <<http://www.un.org/Overview/rights.html>>.

¹⁵⁸ *Ibid*

¹⁵⁹ Vasudev 12.

¹⁶⁰ *Ibid*

¹⁶¹ *Ibid*

¹⁶² Vasudev 14.

“Everyone has the right to education.”¹⁶³ Many of the schools that are available are not giving girls good quality basic education, nor do some of them teach about HIV/AIDS, which violates Strategic Obligations L.260-265¹⁶⁴ and UDHR Article 26(2): “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.”¹⁶⁵

Child marriage also may be classified as violence against women because teenage marriage exposes the young girl to the possibility of motherhood even when she is not yet physically nor psychologically prepared for the responsibility. In such instance, death from childbirth is highly possible, as the maternal and infant mortality rates among prepubescent girls is usually high.¹⁶⁶ However, their conditions do not lend to their needs or to the needs of their “children of the trade.”¹⁶⁷ This violates Strategic obligation L.268 of the Beijing Platform for Action¹⁶⁸ and UDHR Article 25(1), which says, “Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.”¹⁶⁹

¹⁶³ Vasudev 12.

¹⁶⁴ The Girl-Child, “Implementation of Beijing”.

¹⁶⁵ UDHR <www.un.org/Overview/rights.html>.

¹⁶⁶ Monteiro, 87.

¹⁶⁷ Vasudev 16.

¹⁶⁸ The Girl-Child, “Implementation of Beijing”.

¹⁶⁹ UDHR <www.un.org/Overview/rights.html>.

Chapter 7: Application of human rights and international law to India

*"I am illiterate, but I know what the world is all about."
--Manjeet Kaur, once sold, who
now runs a girl bazaar¹⁷⁰*

As India is a member of the United Nations, it has a duty to uphold, protect, promote, and respect the human rights of each of its citizens, as The World Conference on Human Rights affirmed.¹⁷¹ By ignoring the problem of trafficking of children, India is violating its UN membership and the UN Charter. India is also violating the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which India has signed and ratified. By ignoring its responsibilities to these conventions, and thus to other signatory nations and to its own citizens, India is leading itself into a dire situation where it little internal and external respect and friendship.

The act of trafficking of children also violates major international women's and children's conventions and treaties. India is in violation of the Convention on the Elimination of Discrimination Against Women (CEDAW), which it has also signed and ratified.¹⁷² India was in attendance at the Women's Conferences, such as Beijing +5, and by continuing to ignore these

¹⁷⁰ Vasudev 14.

¹⁷¹ FWCW Platform for Action, Human Rights of Women, "Implementation of Beijing"
< <http://www.un.org/womenwatch/daw/beijing/platform/human.htm> >.

¹⁷² Convention on the Elimination of Discrimination Against Women (CEDAW)
< <http://www.unhcr.ch/html/menu3/b/e1cedaw.htm>>.

crimes, India is in violation of the Conference's codes.¹⁷³ By ignoring the rights of its children, India is violating the Convention on the Rights of Children.¹⁷⁴

There are many internal non-governmental organizations in India that are working in accordance with these conventions, codes, and organizations, yet the government of India must initially attempt to regulate and pacify this problem for there to be any realization of humanitarian justice.

¹⁷³ FWCW Platform for Action, Human Rights of Women, "Implementation of Beijing"
< <http://www.un.org/womenwatch/daw/beijing/platform/human.htm> >.

¹⁷⁴ Convention on the Rights of the Child (CRC)
<<http://www.unhcr.ch/html/menu3/b/k2crc.htm>>

Chapter 8: Recommendations

“Seldom do criminal activities thrive on such a large, organized level unless they are done hand in glove with the police.”

--Officer A.S. Rai, on the ignorance and corruption of Indian police in their dealings with child trafficking¹⁷⁵

Due to the atrocities and human rights violations occurring from the growing problem of trafficking of children in India, the Government of India and the international community should take the following recommended steps in order to remedy the situation.

Local Recommendations

The Government of India must first and foremost rid itself of stereotypical responses and ideologies, become more sensitive to the children’s situations, and take responsibility for this atrocity as its own. It should train its police officers and politicians to also be more sensitive in dealing with the women and children once they are rescued, and to be more aggressive in apprehending the traffickers, as well as hire more female police officers. Government effort should be made to strengthen cross-border relationships between India and Nepal and Bangladesh. Income-generating projects should be created to help the women have more financial options and opportunities. Women’s groups should pressure the government to release statistical information to the public and to be more active in the campaign against trafficking. Anti-sex-trafficking slogans can be made to promote public awareness. More effective rehabilitation homes also need to be built, as some rescues are made, but

¹⁷⁵ Vasudev 16.

policemen do not know what to do with the girls afterwards, and oftentimes the wayward homes the girls are sent to are worse than prisons.¹⁷⁶ According to Shanta Sinha, a social worker and child rights activist from Andhra Pradesh, an enumeration system of girls ages six to fourteen in villages should be created, which would keep track of where the girls move.¹⁷⁷ This would monitor the girls' schooling, whether they are moving in and out of borders, and their activities.

Education is also a key component for prevention and rehabilitation. The government as well as internal and external non-governmental organizations should create more schools in rural areas and make education opportunities available to slum children. More women's centers should also be established as places where women and girls can go to for information, counseling, and health care. The Population Foundation and the National AIDS Control Organization of India (NACO) believe the best way to decrease HIV/AIDS in India is to educate all people, not must the sex workers and drug users, about the ways of preventing its spread.¹⁷⁸ By educating everyone at a foundational level, more girls and customers will be aware of the disease and its ways of transmission, and thus may be wary to continue their unsafe or unhealthy practices in the sex trade.¹⁷⁹ Also, the more educated the families and the girls, the less chance there will be of selling daughters as labor of various sorts.

¹⁷⁶ Vasudev 14.

¹⁷⁷ Menon

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?artid=329083>>

¹⁷⁸ NACO <<http://www.naco.nic.in>>.

¹⁷⁹ Seethalakshmi S.

<<http://timesofindia.indiatimes.com/cms.dll/html/uncomp/articleshow?msid=273977>>.

Even after girls have grown older and may not be in the sex trade themselves anymore, some do not know anything besides this trade and thus may run prostitution rings themselves.¹⁸⁰ If more educational and vocational opportunities were available to these destitute women, they might not remain involved in criminal activities.

International Recommendations

The international human rights community should address this problem as its own because it is being continued in countries all across the world. Treaty monitoring bodies should point out discrepancies in India's agreements, thus disallowing India from receiving international aid. The Special Rapporteur on Violence Against Women should make it his or her public mission to make other organizations and people well-informed about the violations at hand. The Committee on the Status of Women should also make it known publicly through publications what is occurring in the cities and villages in India. International women's NGOs should become involved as well, establishing education, healthcare, and counseling centers.

¹⁸⁰ Vasudev 15.

Conclusions

“...the protection of children is crucial to their survival, health, and well-being. Unfortunately, millions of children are exploited, millions are abused, millions are victims of violence. Every day, they are bought and sold, imported and exported like consumable things. Children are forced to be soldiers, prostitutes, sweatshop workers, servants... Only time reveals the consequences: children uneducated, unhealthy and impoverished... Everyone has a responsibility to see that children are safe. Healthy, nurturing surroundings allow children to resist abuse and avoid exploitation. Caring environments fortify children against harm in the same way that proper nutrition and good health care fortify them against disease.”
--UNICEF

India has the responsibility to take care of its citizens. Trafficking of children has become a looming and unfortunate fate for many unfortunate women and children in India, and the future health of the entire country can easily be altered by this problem. These women and children’s mental and physical health and well-being are of utter importance, and as such, and in accordance to the multiple international human rights treaties and conventions it has signed and ratified, India has the obligation and duty to remedy this situation as soon as possible. The sex workers who have aided the trafficked victims are the future leaders against this plight. Their work against HIV/AIDS has created an international model for preventative health systems. This shows how much impact a small group of people can have in fighting such an enormous problem, which is an example for all the world to notice.

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