

PROBLEM OF HUMAN TRAFFICKING: INDIAN WOMEN ASPECT

Modern migration development gives people opportunities to change their residence, the way and level of their lives. This enable criminal clans to use unprotected part of population in different criminal targets. One of the most urgent problems is human trafficking.

Human trafficking, also known as modern day slavery, is a severe violation of human rights. Two most common forms of human trafficking are concernd with labor and sexual slavery. This crime takes place when labor or commercial sex acts are induced by fraud, force or comercion for commercial profit.

The international experience reveals the problem of human trafficking for low development countries. 2016 U.S. State Department report on this problem demonstrates impressive figures for India.

Human trafficking in this country has reached a crisis level. This report estimates that up to 65 million people were trafficked into forced labor, both beyond and within India. More recently, research reveals that India has the highest number of people trapped in modern slavery, with over 18 million people enslaved. This is five times more than any other country in the world. Meanwhile, according to Indian government data, there were just 5,500 cases of human trafficking reported in India in 2014. This clearly reveals that, despite efforts by the government and civil society groups to gather data on trafficking, there is still no conclusive data available, either official or unofficial, that accurately captures and documents the extent to which human trafficking takes place in the region.

It's important to note that the most suffering part of population is women.

Many women in India are caught in a vicious cycle of poverty and sexual abuse, becoming prime targets for traffickers. Those who are at the greatest risk of being trafficked or exploited are:

Women forced to seek income through migration: in rural areas where there are few economic opportunities individuals are forced to leave their families and community to seek employment in urban areas where they are at high risk of being targeted by traffickers.

Women who have been sex trafficked in the past: due to the psychological consequences of being trafficked including learned helplessness, complex trauma or trauma bonds between perpetrator and victim, survivors of trafficking often believe they no longer have autonomy over their own lives. Women who have been trafficked in the past are at high risk of being trafficked again.

Women who have been exploited for other forms of labour: it is common for women who have been tricked or threatened into forced labor to eventually be sexually exploited by their trafficker.

Women who currently live in poverty: poverty greatly limits freedom of life choices and makes those in poverty vulnerable to various forms of extreme exploitation. Because economic opportunity provides access to education, services and protection, poverty forces families to take risks and make compromises in order to survive and often forces them apart, allowing children and dependents to be taken advantage of by traffickers and abusers.

Victims of domestic violence: those that experience violence in intimate relationships and at home experience abuse in repetitive patterns of behavior that allow the abuser to maintain power and control. These acts include physical harm, intimidation, social isolation, material deprivation, and emotional abuse. These patterns and the feeling of having no way to escape allow victims of domestic violence to be easily transitioned into sexual exploitation.

Women or children forced into marriage: forced or early marriage is common in cultures where social standarts marginalize the value and status of women. It takes place when marriage occurs without valid consent of one or both parties and in which physical or emotional trauma is a factor. This practice often leads to social isolation and domestic violence.

Religious and ethnic minorities: due to various religious caste systems and other systematic forms of discrimination, members of religious and ethnic minorities suffer higher levels of abuse and a lack of access to basic rights and protections, making them easy targets for traffickers.

In my opinion when the problem of Indian human trafficking has spread over the border of this country, it became the problem not only for India but for some developed countries in the world. For example, this problem was mentioned in the US Trafficking in Persons Report 2016. This report gives recommendations for combating with it.

That's why Indian government had to pay attention to it. The minister for women and children announced a draft of the first-ever comprehensive anti-human trafficking law. The draft "Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill 2016" has been generally well received by

practitioners and civil society working for decades on this issue. Prior to this draft, India's legal framework for addressing trafficking consisted of a myriad of various statutory laws and provisions applied in tandem, leaving a legal vacuum when it came to the investigation and prosecution of trafficking offences. This draft law is comprehensive and addresses the core issue, aiming to strengthen investigation and prosecution, while also taking into account a victim's needs and perspective, which are steps in the right direction.

Broadly, the draft law aims to address trafficking through prevention, protection, and rehabilitation of victims. It calls for the creation of anti-trafficking committees at the district, state, and central levels to oversee implementation of the law's provisions. The draft also proposes the creation of a special agency to investigate these crimes, and special courts and public prosecutors to expedite prosecution and hold perpetrators and traffickers accountable under the law. Civil society groups are hopeful that this new law would boost the number of prosecutions and convictions, and also promote inter-agency coordination at the state and district levels.

Focusing on the needs of the victim, the draft proposes harsher penalties for aggravated offences such as administering drugs and alcohol to victims, and also seeks to punish those who reveal a victim's identity. Considering the number of questionable placement agencies that often recruit or supply trafficked victims for labour purposes, the law calls for stringent fines if these agencies do not register themselves with the state government. There is also a provision that allows victims who were not paid wages during their time in servitude to recover back-pay and fines. It also proposes the creation of a rehabilitation fund to assist victims to reintegrate into society and make a life for themselves in the future.

I think India will be able to overcome human trafficking problem if its legislation corresponds to current demands and takes into account international experience.

Список використаних джерел

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2. Human Trafficking in India [Електронний ресурс], режим доступу: www.state.gov