We the people of India had given to ourselves the Constitution of India, promising to secure to all its citizens Justice – Social, Economic and political, equality of status and of opportunity. However, some of the poor and the marginalized sections of the society have not enjoyed the fundamental freedoms enshrined in the Constitution of India. Poverty, illiteracy and ignorance have driven them into a vicious cycle of events, leading to human trafficking, including bonded labour.

It is well known that human trafficking and bonded labour have been in existence for a long time. The problems relating to human trafficking and bonded labour are, no doubt, complex in nature. There are no easy solutions to wipe out the malady. However, serious attempts should be made to give voice to the voiceless millions who are suffering in silence. It should be done today, for tomorrow may be too late.

Deterrence is a crucial strategy in eradicating the crime of trafficking. When an offender is convicted for a crime it sends a clear message to other potential offenders that the crime will be punished, in accordance with relevant provisions of law. The recent efforts of the various stakeholders – the government, the police, the quasi governmental bodies like the AHTU, the various organizations of the civil society and the non-governmental bodies like the International Justice Mission, have brought the hidden crime out into the open. The recent amendments made in Section 370 of the Indian Penal Code, with regard to the crime of Bonded Labour, have been a game changer as it emphasizes the gravity of the crime.

International Justice Mission – India, with its team of dedicated and highly motivated officers, staff and volunteers, has been committed to the cause of identifying, rescuing and rehabilitating the victims of such human rights violations, working alongside the government, the police and various other legal mechanisms that are available to Indian citizens. It has been carrying on its mission, efficiently, without being dissuaded by the hurdles that have come in its way. It has been lending a helping hand to the poor and the needy, against all odds. International Justice Mission has grown from strength to strength, over the past few years, in its determined effort to bring smiles on the faces of those who are in the darkest corners of the society.

All the stakeholders, who are involved in bringing about a change in the lives of the marginalized sections of the society, ought to get together to succeed in the mission. The growing community of stakeholders that are dedicated to the issue of eradicating human trafficking, will go a long way in helping the cause of putting an end to such human rights violations.

I am sure that International Justice Mission will act as a catalyst, by giving substance to the lives of millions of persons who have not been able to realize the dreams of the makers of the Constitution of India.

(Justice M. Jaichandren)

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8th April, 2017
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In order to protect the identity of certain victims, the photos used here and on pages 2, 4, 6 and 12 are only representational. The featured people are not victims of human trafficking.
IJM India is a Section 8 Company incorporated under the Companies Act 2013.

Who We Are

IJM’s Vision
To rescue thousands, protect millions and prove that justice for the poor is possible.

About IJM
International Justice Mission (IJM) is a global organisation that helps protect the most vulnerable from violence and oppression irrespective of their gender, community, caste, race and ethnicity.

IJM India works with the Central and State Government on two forms of human trafficking: bonded labour and sex trafficking of minors. We work alongside government officials and grassroot organisations to rescue and rehabilitate victims and prosecute offenders. We also train public justice officials upon request.
Human Trafficking is the fastest growing crime and the second largest illegal trade in the world. Indian law is judiciously moulded to protect its vulnerable population from trafficking, exploitation and abuse. Article 23 of The Constitution of India prohibits trafficking of human beings and forced labour. India has also ratified several international laws that protect vulnerable citizens against trafficking.

In March 2013, India passed the Criminal Law (Amendment) Act of 2013. This Act amended Section 370 of the Indian Penal Code and includes India's first definition of human trafficking.

According to this definition, human trafficking occurs when one person (the trafficker) uses force, fraud or coercion to induce, recruit, harbour or transport another person (the victim) for the purpose of any exploitation. It also states that exploitation shall include "any act of physical exploitation or any form of sexual exploitation, slavery or practices similar to slavery, servitude, or the forced removal of organs." The Act also clarifies the types of offenses that are criminalised as trafficking violations and institutes heightened sentences for offenders.
Bonded labour is an oppressive form of forced labour where, due to a debt or other obligation (customary, caste-based, economic consideration), the labourer forfeits certain basic rights and freedoms that are guaranteed by the Indian Constitution like freedom of movement, right to move freely, right to receive the legal minimum wage and the right to sell goods and services at market value. Besides these restrictions, bonded labourers often experience physical violence, brute force, verbal abuse and sexual violence.

Bonded labour was outlawed by the Indian Government in 1976 through The Bonded Labour System (Abolition) Act. It has also been criminalised under several sections of the Indian Penal Code (IPC). Despite the growing efforts of government and civil society bodies to eradicate the crimes of bonded labour and labour trafficking, they continue to thrive, as offenders find the practices extremely profitable.
Sex trafficking is a form of ‘rape for profit’ where victims face violence on a daily basis. Children and young girls are kidnapped, coerced, deceived, transported or detained for the purpose of being sexually exploited for commercial gains. Though sex trafficking clearly violates international human rights conventions, the crime brings in significant profits for offenders and thus continues to be a growing industry.

Sex trafficking is a criminal offence under Article 23 of The Constitution of India, The Immoral Traffic (Prevention) Act, 1956, and the Indian Penal Code (IPC), regardless of the consent of the victim. If the victims are minors, perpetrators can also be tried under the Protection of Children from Sexual Offences (POCSO) Act, 2012.
IJM works with governments and civil society organisations across India to bring freedom to victims of two forms of human trafficking: bonded labour and sex trafficking. The map displays the areas where IJM has its presence, either directly through IJM staff, or indirectly through partner organisations.
BRINGING RESCUE

The first step in combating human trafficking is to rescue victims through police and government interventions. Such rescue operations demonstrate that traffickers can no longer operate with impunity. IJM collaborates with State and District government officials and police units like the Anti-Human Trafficking Unit (AHTU) to rescue victims of bonded labour and sex trafficking in India.
The girls were sent to a shelter home where it was discovered that the 13-year-old was three months pregnant. On 28 December 2016, she delivered a healthy baby boy. The case will soon be on trial in the Sessions Court in Mumbai. IJM continues to provide rehabilitative assistance to the three girls as they navigate life free from exploitation and abuse.

Shalini Newbigging, Training and Development Manager with IJM, lauded the lengths to which the police were willing to go to help the victims. She recalls that the police were very sensitive towards the needs of the girls. “Their amazing response was proof of what we tell survivors every day,” she said, “that there are good people out there in the world who are passionate about helping them, not hurting them.”

The success of the Social Service Branch in conducting this effective rescue operation is crucial in ending impunity. While this was one of many rescue operations conducted in 2016, it is a reminder of the difference strong police action made not only in the lives of the three victims but the baby as well.
Creating Deterrence

When human traffickers are held accountable for their offences, other potential offenders are deterred from engaging in this crime. Firm sentences and quick convictions demonstrate the strength of Indian trafficking laws.
All eight traffickers were sentenced to life imprisonment in the December 2016 verdict—the longest sentence bonded labour offenders have ever received in India.

“Conviction under Section 370 requires a minimum sentence of seven years jail, whereas these labour contractors were given ten years jail and a fine under this section, with the total sentence resulting in life imprisonment. This shows that trafficking for labour will not be tolerated under the law.”

The labour contractors (traffickers) received a sentence of ten years imprisonment under the amended Section 370 of 2013, the highest sentence received till date for the crime of human trafficking. They also received further terms of imprisonment under various other sections, leading to a total term of life imprisonment.

Creating deterrence is essential to ending the pernicious crime of human trafficking. The conviction of eight labour contractors on 24 December 2016, ended a three-year long trial in one of the most violent cases of human trafficking that IJM has encountered. The brutality of what became known as the ‘hand-chopping case’ shocked the nation. Judge Ananth Chandra Behra termed the incident a “heinous crime committed against society” and the Supreme Court sent a directive to Odisha—where the crimes occurred—to urgently improve its response to human trafficking.

In December 2013, traffickers attempted to trap 14 labourers in a brick kiln in Andhra Pradesh. Midway, most of the labourers realised what was happening and escaped, but two men—Dialu and Nilambar—were recaptured, forced to work, starved and had their right hands cut at the wrist as punishment. Incredibly, the two men escaped and walked several hours to get medical care. Local non-profits and media soon heard their shocking story, and one organisation contacted IJM for help.

Since that time, IJM had supported the public prosecutors in the legal case and provided crucial aftercare for Dialu and Nilambar, including urgent medical care and a long-term rehabilitation programme to help restore their families. Sadly, Nilambar passed away suddenly from an undiagnosed medical condition on 20 September 2016, just a few weeks before the sentence was passed.

IJM lauds Dialu and Nilambar for their strength and perseverance as they waited for justice. While Nilambar could not experience justice in his lifetime, his fight has not been in vain. Forceful convictions like this one will deter potential traffickers and protect vulnerable citizens from similar abuse.
In order to eradicate human trafficking, it is essential that existing law enforcement agencies are consistently strengthened. To this end, IJM collaborates with the government to equip power actors with innovative tools to outdo the ever-evolving trafficking network.
Smartphone app helps to fight child abuse

As trafficking and abuse of children take on new forms, so must the methods used to combat them. Capitalising on smartphone technology, the Maharashtra State Commission for Protection of Child Rights (MSCPCR) has partnered with IJM to pioneer an innovative means through which individuals can report cases of child abuse: the CHIRAG (Child Helpline for Information on their Rights and to Address their Grievances) smartphone application.

Empowering anyone with a smartphone to report crimes against children, the CHIRAG application was launched by Ms. Pankaja Munde, Maharashtra’s Women and Child Development Minister on 9 November 2016. The first of its kind, it is currently available on Google’s Play store. An iOS version will be available soon.

At the launch, Ms. Pankaja Munde told reporters, “Nowadays, every other person uses a smartphone and downloads applications. CHIRAG will enable people to reach out to the commission and save children from abuse.”

The application functions as an easily accessible forum for adults, children and organisations to directly connect, complain and access MSCPCR’s orders. CHIRAG provides direct access to, and communication with, the Mumbai-based MSCPCR.

As of March 2017, the CHIRAG application had 1000 downloads and the MSCPCR had received an average of six to eight complaints a week through the application. Feedback on the application since the launch has been overwhelmingly positive. Gaining a 4.7 rating out of 5 on Google’s Play store, users have publicly commented that the app was “very easy to follow,” “user friendly” and “very helpful.”

“The CHIRAG mobile application not only provides a forum for addressing grievances, but tools to build awareness on the law. This is a stepping stone through which the government and citizens can work together to protect the rights of the most vulnerable in our society,” Sanjay Macwan, IJM’s Regional Director said.

“MSCPCR and Department of Women and Child Development have done a commendable job to promote this application, and IJM India is pleased to support this endeavour that will empower children in Maharashtra.”
EMPOWERING COMMUNITIES

Community plays a significant role in ending human trafficking. By being vigilant and identifying instances of trafficking, and by supporting rehabilitative and reintegration programmes, communities provide vital support to victims and survivors alike. IJM partners with grassroot NGOs and community-based organisations to empower vulnerable communities and educate them on their rights, the government provisions and the legal recourse that is available to them.
Bonded labour survivor Muthu joined the Released Bonded Labour Association in her district of Tamil Nadu in early April, 2017.

Dr. Arun Thamburaj, Sub Collector of Kancheepuram described how on 17 September 2016, the Kancheepuram RBLA had played an instrumental role in rescuing eight people— including four young children— from a rice mill. The RBLA had received information about the abuse in May 2016 and then worked with Dr. Thamburaj, along with the Tahsildar and other local officials to investigate the case and conduct the rescue.

In addition to bringing the families to safety, the RBLA and local authorities coordinated all of the crucial next steps these families would need to thrive: urgent medical care, warm meals, release certificates, rehabilitation funds and safe transport back to their home village. Government officials also filed charges against the rice mill owner and formally arrested him on 19 September 2016.

“I place on record my heartfelt thanks and gratitude to the RBLAs for the eyes and ears of the civil society in bringing to light such cases of bonded labour,” said Dr. Thamburaj. “We look forward to such satisfying engagements with the RBLAs in creating a bonded labour-free society.”

The rescued become the rescuers

With two successful rescue operations under their belt in 2016, the five Released Bonded Labourers Associations (RBLAs) of Tamil Nadu have come a long way since their inception in 2014. The members that make up the RBLAs are networks of local leaders and change makers who are dedicated to fighting the crime of bonded labour, and most of them were once in bondage themselves.

C. Gopi, President of the Kancheepuram RBLA said that the Association gives him an identity. “When we go to government offices to seek entitlements for survivors, the RBLA ID card helps officials understand our purpose and the reason for our asks,” C. Gopi said. “The RBLAs protect the rights of survivors and provide them with safety, security and unity.”

The RBLA groups are influential in advocating for the rights of their community, and are beginning to see success in freeing others from the bondage they once endured.
RESTORING SURVIVORS

Rescue is merely the first step on a long road towards restoration for survivors. IJM collaborates with government and other civil society partners to support survivors with the necessary tools to rebuild their lives in freedom.
Reunited, trafficked sisters look forward to a new beginning

With dreams of becoming a nurse, 17 year old Anahita* and her 15 year old sister Tania* might seem like regular teenagers with big dreams for the future. However, less than two years ago, the sisters were sold into sex trade by their mother.

Rescued in 2015 and 2016 respectively, the girls are no longer trapped in a system of abuse and exploitation. Residing in a safe and loving shelter home, they have now been joyfully reunited.

B. Chiru, Associate Director of Casework for IJM said, “The emotion expressed in the eyes of the sisters when they were reunited was felt deeply by everyone involved. This called for lots of celebration both from the Kolkata Police and IJM.”

Yet, the girls’ rescues alone do not guarantee them a successful future. To flourish in freedom, they will need the support of their home and commitment from their social workers.

Sandra Merces, Anahita’s caseworker, acknowledges that the journey forward for the girls may be filled with challenges; she is confident however that Anahita and Tania will continue to thrive into the future.

“Anahita’s heart to serve others is reflected through her friendships at the shelter home,” said Sandra. “Be it the other girls or staff of the home, she loves to help and serve, even in trivial matters. She is compassionate and this quality resonates in her behaviour in terms of how she deals with any challenging situations she comes across.”

Sunemiy Nanda, Tania’s caseworker said that Tania has been showing a marked change as well. She now mingles and connects with other girls in the shelter home, a big step on the journey towards restoration.

The two girls are looking forward to pursuing their education. Anahita loves English Literature classes and has revealed a creative streak through her interest in crafts. Tania, a little more reserved, is fascinated by history.

Surrounded by supportive social workers and shelter home staff, along with access to counselling and education, IJM social workers are confident that Anahita and Tania will flourish in life, free from abuse and exploitation.

“The road towards restoration will be long for Tania and Anahita, but the support of their caseworkers and the aftercare home will ensure that the sisters have the opportunity to rebuild their lives in freedom.

“Anahita is a depiction of a mighty warrior who boldly testified and stood for what is right. She is nothing less than a champion,” Sandra said. “She has won my admiration with her kindness and gratitude. I have seen her grow from a fearful to a fearless young woman.”

*Pseudonyms have been used for the protection of these survivors
Champions Against Human Trafficking

As survivors of human trafficking participate in rehabilitation programmes, some individuals emerge as strong leaders in their communities. Paving the way for other victims of exploitation, these survivors, along with proactive government officials and partners, stand as successful role models in the fight against trafficking.

Rescued from seven years of bondage in Punjab, Gurjant now makes a living training horses.
Renu Devi—from bonded labourer to Panchayat leader

Renu Devi’s story took a historic turn in 2016, two years after she was rescued with 163 others from Sarfarazbhiga village in Kespa, Bihar. She contested the Panchayat elections in Sarfarazbhiga and won against the high caste owner’s candidate by seven votes.

“I know it is unusual for women in my village to be leaders. I am thankful and proud to start a new thing. I believe that the future will be different for my village,” said Renu Devi confidently.

The families of Renu Devi and her husband Raj Kumar were rescued from the kamyah system of customary agricultural bondage by IJM’s partner organisation, Justice Ventures International (JVI). They had worked for the “high caste” landowners for three generations. It was long hours of back-breaking work, for which the entire family received only 2 kg of rice per day. The frequent verbal and physical abuse meted out to them had become “normal”. Their children were forced to work in the fields as well.

With support from JVI’s rehabilitation staff, Renu Devi and Raj Kumar have had opportunities to grow and rise from poverty and exploitation. Some of the compensation they received from the Labour and Schedule Caste/Schedule Tribe departments was invested in a bank deposit, while some of it was used to buy buffaloes, goats and pigs. They decided to educate their oldest son Rahul at a residential English medium school. Raj Kumar has taken up contracting work for road-laying in the village and provides employment opportunities to 45 other rescued bonded labourers.

The main accused in this case was arrested and detained in Kespa, Bihar on 27 July 2016 after a bail rejection. This was the first-ever arrest under Section 370 of the Indian Penal Code in a case of agricultural bondage.

Roopa raises her voice

Bonded labour survivor Roopa understands the power of her voice. After years of silent oppression under the hands of an abusive brick kiln owner, she now speaks up to protect her community members from the exploitative practice.

“Nobody should suffer as I have suffered,” Roopa said as she recounted her story of bondage to an audience of over 600 people. This event was just one of the three major speaking opportunities that Roopa had accepted in the last one year since her rescue.

Sold into bondage as a young child, Roopa endured years of abuse with no hope of a different life. However, it was when she had her own child, a little boy named Vijay that she decided to escape the kiln with her husband Banaiah. The couple lived in the jungle for nearly six months until Vijay became very sick. While taking Vijay to a medical centre, they were captured by the owner’s henchmen.

Roopa was locked up, beaten and starved. Banaiah however managed to escape and, through a chain of events, IJM heard of the abduction. Two days later, the Bangalore Anti Human Trafficking Unit (AHTU), with support from IJM, rescued Roopa and her little boy.

K. Venugopal, who oversees Roopa’s rehabilitation programme says that despite the many challenges they faced after their rescue, the family is doing well. Banaiah has a steady job at a small manufacturing plant and Roopa cares for Vijay, now a lively two-year-old. The couple is expecting their second child.

Of Roopa’s multiple speaking opportunities over the past year, Venugopal noted, “Although recounting her story is a painful reminder of the abuse that she once suffered, she is a gifted speaker who has influenced many people with her story. People learn from her that bonded labour is a crime that needs to be stopped.”

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Members of Parliament (MPs) represent their constituents’ interests, including those of the poor and vulnerable, before the Central Government. They have the power to highlight and amplify local concerns such as bonded labour and human trafficking in their region. They help the government hear the distant voices of those they have a responsibility to serve.

IJM, along with five survivors, and nine NGOs from six states – Bihar, Delhi, Jharkhand, Odisha, Rajasthan and Uttar Pradesh came together in Delhi to interact with Members of Parliament from their states. The MPs listened as NGOs spoke with one voice, drawing attention to various facets of the issue.

“Members of Parliament continue to remain responsive to the issue and many were intentional about giving time to hear the stories from survivors themselves. This is a huge boost to the confidence of those involved and gives us hope as we look to the government to end this crime,” said Shamira Manwar, Director at IJM.

As survivors bravely shared their stories, two Members of Parliament who were particularly stirred by hearing survivors’ stories moved to address the crime of bonded labour. One MP expressed great concern about the cruelty against victims of bonded labour and has since taken up the issue of deplorable conditions in brick kilns. He spoke of the issue in Parliament, drawing attention to the vulnerability of released bonded labourers and the need for effective rehabilitation. His awareness-building efforts went beyond the Parliament into the digital space: he highlighted the issue on his Facebook page, raising awareness among lakhs of his followers.

MPs have taken a genuine interest in the new Central Sector Rehabilitation Scheme for Bonded Labourers launched by the Ministry of Labour & Employment in May 2016. The scheme increases the compensation a bonded labour survivor receives; however, it also ties the release of funds to the conviction of the offender. If there is no conviction, the survivor receives no rehabilitation funds. Owing to the complexities of the Indian legal system, it may become almost impossible for vulnerable communities to get the rehabilitation money necessary to rebuild their lives.

In a particular instance, an MP spent considerable time understanding the complexities of the scheme. He drew attention to the linkage in Parliament, asking for it to be removed. He spoke with the Minister of Skill Development to discuss existing schemes and also advocated for automatic inclusion of bonded labourers in poverty alleviation programmes, National Food Security Scheme, housing and social security schemes.

“We were encouraged to meet our MPs and discuss bonded labour in their state. It is good to know that there are leaders who we can lean on in our fight against this crime in our country,” said Hemraj Nehru, Justice Ventures International.