TRAINING/WORKSHOP ON CHILD LABOUR & TRAFFICKING
One Day Training/Workshop on Child Labour and Trafficking
Organised by International Justice Mission and Awam Uthan Samiti
Basti, Uttar Pradesh
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A.N. Tripathi - Chief Guest
Secretary, Maharashtra State Commission for Protection of Child Rights

- Emphasized upon how necessary interventions under able leadership can turn a defunct department into a model department like the Maharashtra Lok Sewa Aayog under his leadership then, and now, Bal Aadhidkar Aayog in Maharashtra.
- Highlighted that in 2013, even an SP was unaware of POSCO, and now even an inspector knows of it; and due to necessary interventions made by Maharashtra State Commission for Protection of Child Rights, 20% to 22% of the cases result in convictions.
- Informed of changing legal landscape in Criminal Procedure and other substantial laws like IPC, JJA, and the consequent need thereof to adapt accordingly to have an effective criminal justice system.
- Emphasized upon linking-up of cases, for example, missing children to be taken as trafficked children and S.370 (substituted by Criminal Law Amendment Act 2013) of IPC to be applied.
- Urged participants to go back and do work in their own native place. In this context, he gave examples of many children being rescued from Mumbai who are originally from UP, and for whom rehabilitation has been of no consequence, and they have made way back to Mumbai via Delhi in absence of proper schools with regular teachers and better opportunities of livelihood.
- Also, emphasized upon inadequate co-ordination, co-operation and lack of efficiency resulting in most of the minor girls having to stay at JJB for over two years approximately.
- Underscored the need therefore of good organizations like IJM to train government officials in remote places like Basti to strengthen them in performing their duties.
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- Underscored the need therefore of good organizations like IJM to train government officials in remote places like Basti to strengthen them in performing their duties.

ANITA VERMA
Member Secretary, State Women’s Commission, Uttar Pradesh

- Reiterated that cases of kidnapping being registered in the region could be cases of trafficking, and initiatives to address it as trafficking is being taken.
DR. SHWETA SINGH
Member, State Women’s Commission, Uttar Pradesh

- Gave an account of State Women’s Commission work in UP that conducts ‘Mahila Chaupal’ and does counselling for settlement. Further informed that SWC takes calls from women of villages and responds to it by reporting the same to police and following it up thereafter.
- Further told that SWC of UP is monitoring human trafficking, and working towards preparing a report on it.
- Emphasis upon the need of awareness programs that leads to confidence building and self-policing.
Dr. Shweta Singh
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Suman Singh
Member, State Women's Commission, Uttar Pradesh

Opening Address

- Expressed pleasure in seeing everyone from Basti from CO to Mahila SO.
- Informed that SWC is doing awareness generation in the villages amidst women of their rights, and is also working on case of domestic violence.
- Narrated stories of Girl children from the nearby CMS School, and other places in Basti having disappeared, and not found despite cases of kidnapping registered.
- Informed of the lack of adequate response from the government when requests made for record of how many girls have been kidnapped and received no information till date.
- Expressed her deductions on the prevalent cases of kidnapping being registered by parents to being cases of trafficking, and requested the police to look at the problem from that angle.
- Emphasized that if the system is vigilant, no girls will be trafficked.
Amrit Kaur
IJM Mumbai

“Children in sex trafficking in public and private establishments and laws related to sex trafficking and use of trafficked children in criminal activities including illicit trade, drugs and narcotics.”

- Began with sharing how girls come into prostitution by deception, poverty and customs like devdasi systems leading into the trenches of commercial sexual exploitation.
- Spoke of an area which during the 1990s was known for being a red light area, however, post anti-trafficking work and through rebuilding lives in there, the place has transformed for better.
- Having shown the video of 10 girls rescued from brothel, shared how difficult it is to get girls out as agents hide them. Consequently, the need for strong investigation leading to sound FIRs, and charge-sheets, resulting in conviction of perpetrators to stop such criminal activities. So, shared that thorough study needs to be done before approaching the police.
- Emphasizing upon the need to create networks and improve upon the usage of technology to check CSE, said that traffickers operate through built-up networks which has been busted previously to some extent when trafficking was less mechanized. The new crime model suggests that crime has become private, invisible and organized because of technology and smartphones.
- Indicated to the ILO 2014 and CBI reports that all over the world CSE is 2.1 crore, out of which 12 lakhs are child victims from India. That CSE is a high profit business. Nevertheless, high conviction rates may be able to check the problem. The prevalence study 2015-16 shows less than 5% of minor girls in CSE now due to IJM’s intervention.
- Discussed the Abha Case, the Tantric Baba Case and the Kalyan Case that shows the compelling circumstances that pushed minor girls into trafficking, and the necessary interventions made to rescue and rehabilitate.
- Emphasized upon the need to have unity between states and the countries to address the problem.
- Also emphasized upon police’s proactive role in investigation, and simultaneously informed of penal provisions for inaction against police officers under POSCO. Therefore, the need to work closely with vigilant bodies; Follow-up on missing complaints; and awareness programs to reduce the number of such cases.
AMRIT KAUR  
IJM Mumbai  
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Rosanna Lyngdoh
Impulse NGO Network
Presented on “Children in Labour trafficking in households, and laws related to Labour trafficking in organized and unorganized sectors.”

- Addressed trafficking for labour in organized and unorganized sectors, and highlighted two elements that causes it (a) Debt Bondage, and (b) Forced Labour.
- Represented that Child Labour is a major concern in the world, and in households child labour is common and accepted.
- Highlighting the circumstances leading to Child Labour said, it arises on account of varying reasons like conflict with family, poverty, lack of education, armed conflicts, etc.
- Emphasizing upon the need to understand the many International and National Laws on Child Laws, highlighted a few like:

Under International treaties on Child Labour and trafficking:
(1) State is required to facilitate return and acceptance of child victims of cross border trafficking; prohibit the trafficking for purpose of exploitative labour practices; suspend the parental rights of parents who have trafficked children;
(2) ILO Convention defines all kinds of slavery under Article 3 which includes sale and trafficking of Children;
(3) Convention of Rights of Child in situations of Child Labour under Article 32 says that government should protect children from economic exploitation;

Questions: How do you support child and family after rescue?
Response: Negotiate with government to rehabilitate children; give seed money to family to start-up business, etc.
Under Laws in India:

1. Constitutional rights under Article 23, 24 and 45

- Then, underscored the loopholes existing, and the impending need to fix it.
- Gave information on the research done by Impulse NGO Network in 2002, 2004 called “Girl Child Labour in Shillong City” that revealed:
  - Children from urban/semi-urban areas brought by known people, friends, family and agents;
  - Rat hole mining in the coal mines of Jaintia Hills districts in 2010;
  - Young girls used as sex-workers in coal mines;
  - Child labourers in North-East India

- To check these violations, informed that the State has brought a questionable notification in 2015 that allows children below 14 years of age to work only in family enterprises or entertainment industry with certain conditions while completely banning their employment elsewhere.
- Therefore, to combat Anti-human trafficking, emphasized upon the need to collaborate with stakeholders.
- Shared 6 ‘P’s and 6 ‘R’s under Impulse Model to address the problem which are Prevention, Protection, Policing, Press, Prosecution, Partnership, Reporting, Rescue, Rehabilitation, Repatriation, Reintegration and Re-compensation.
- Also, shared about the ICIC software being used by the Impulse NGO Network to combat trafficking

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International and National Protocols, Treaties and Conventions on Child Labour & Trafficking:

- UDHR, 1948, under Art. 25(2) states that motherhood and childhood are entitled to special care and assistance, and Art. 26 calls for the right to education for all.
- Geneva Declaration, 1959, promoting child rights.
- Minimum Age Convention, 1973, (not ratified by India), urges countries to pursue national policies designed to ensure the effective abolition of child labor.
- UN Convention on the Rights of the Child, 1989, under Art. 1 defines who a child is, recognizing under Art. 32 that the rights of the child for being protected from economic exploitation, and under Art. 35 directs bi/multi-lateral measures to prevent the trafficking of children for any purpose. India has, barring the minimum age criteria of CRC, consented to it.
- Optional Protocols on Sex-trafficking, Armed Conflict adopted by UN to achieve the purpose of CRC.
- Worst Forms on Child Labour Convention, 1999, (not ratified by India) directs state parties to adopt measures to prevent CL, and provide direct assistance for rescue, rehabilitation and social integration.
- Trafficking Protocol supplementing UN Convention against transnational organized crimes.

On National context:

- Indian Constitutional provisions and the statutory laws like Child Labour (Prohibition and Regulation) Act, IPC provisions, Juvenile Justice Act, Bonded Labour System Abolition Act, Prevention of Atrocities Act, etc.
- National Protocol of MOLE on prevention, rescue, repatriation and rehabilitation of trafficked and migrant child labor.
- Emphasized that schemes can be made but unless the attitude is not correct, the problem cannot be checked.

Questions:

- Red light area in Basti, and people have not been rescued. Therefore, would like to know more about raid and rescue.
- How can the state help when poor have no other means of supporting their family, and therefore send them for domestic work?

Responses:

- As the first question was asked during the course of presentation, it was answered through examples and stories of rescue operations done by IJM Mumbai Office.
- Raise voices to avail many schemes the State provides for the poor.
**SHARAF ABBAS**  
Chief Executive, Social Consultancy Services  
“International and National Protocols, Treaties and Conventions on Child Labour Trafficking”

- Began with sharing on Global Context of treaties and protocols:  
- UDHR, 1948, under Art. 25(2) which states, motherhood and childhood are entitled to special care and assistance, and Art. 26 calls for the right to education for all.  
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Dr. Alok Mishra, Chairman
Brain Behaviour Research Foundation of India,
“Follow up actions on International and National Protocols for rescue, rehabilitation and repatriation of trafficked children.”

- Highlighted the global perception to stop CL worldwide as children are easily impressionable and are cost effective, therefore, necessary to have follow-up actions on International and National protocols for rescue and rehabilitation and repatriation of trafficked children.
- Highlighted Rights of Child as per International Norms like CRC, ILO, etc.
- Also shared about the case with International Criminal Court of Mr. Thomas Lubanga for using children to participate in violent activities.
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Training Workshop on Child Labour & Trafficking

Capt. S. K. Dwivedi
Retired I.A.S.
“Strengthening co-ordinate response mechanism within government, law enforcement agencies and judiciary to combat child trafficking.”

- Underscored the age old nature of the problem of child trafficking, and said that every geographical region has its own specificity that must be addressed accordingly.
- Emphasised that sensitization of people is the first step towards addressing the problem. Then, address the circumstances that lead to the problem of CL, and also address the problem of ineffective rehabilitation that pushes the rescued survivors back.
- Highlighted the gap between the promise and reality of traffickers that leads to exploitation of children. Therefore, it’s important to have “human approach” in the rehabilitation measure to prevent relapse. Further, rehabilitation measures has to consider ways of relinking trafficked children to mainstream.
- Further emphasized that prevention measure is important especially for girl children as they can be trapped easily into worst forms of slavery.
- Expressed that CL in Basti is different, and therefore needs to be treated differently. Told about one Mr. Tiwari who operates mobile school for children of construction workers in constructions areas. Similar approach may be adopted.
- Appealed to the officials to send a representation to Government for a shelter home and also to NHRC narrating absence of it, and he would facilitate in getting that passed in 3 months.
SHRI. A.N TRIPATHI
Secretary, Maharashtra Child Rights Commission
“Use of girl child in sex trade on pretext of marriages as well as forced and bogus marriages and role of family and institutions”

- Emphasised on the many powers accorded to official under RTE Act, JJ Act, etc. to provide education to rescued child labour, make use of ICPS funds for rehabilitation. Nevertheless, none gets implemented on account of lack of awareness, and absence of political will.
- Appealed to the police to operate in a reformatory way as it is their responsibility to enforce the law and rescue and rehabilitate in collaboration with other designated agencies.

VOTE OF THANKS GIVEN BY SHRI. PHOOL CHANDRA TIWARI, CHAIRMAN, AWAM UTTAN SAMITI, AND YESUDAS NAIDU OF IJM MUMBAI OFFICE.
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Vote of Thanks given by Shri. Phool Chandra Tiwari, Chairman, Awam Uttan Samiti, and Yesudas Naidu of IJM Mumbai Office.

Hon. Secretary MSCPCR Shri. A.N. Tripathi, District Collector Basti Shri. Anil Kumar Damala, SP Basti Shri. Shiv Hari Meena
Shri. A.N. Tripathi, Smt. Anita Verma, Smt. Amrit Kaur and Smt. Suman Singh

IJM Manager/Police Liaison Smt. Amrit Kaur and SP Basti Shri. Shiv Hari Meena