

Memories of Displacement, Trafficking and Global Concern for the Security of Women: India's Response

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Abstract

There is a close relationship between displacement and trafficking of human beings. Every year many people are being trafficked nationally and internationally. Traffickers always target the most vulnerable sections of the society. They always try to take advantage of social and political turmoils and displacement of people caused by natural disasters, economic crisis and armed conflict. Trafficking has become an issue of growing concern all over the world particularly in South Asia because of common cultural, traditional and historical reasons. This region especially India has become the center of operations for human trafficking. This paper, therefore, tries to examine the link between displacements and trafficking particularly of women and child trafficking and it aims to provide an overview of the condition of the displaced and trafficked women and their traumatised lives. Trafficking involves a gross violation of human rights. The survivors in most cases not only suffer from physical abuse but also they cannot forget the memory of emotional and psychological abuses by the traffickers. Images of their traumatic past affects their present. The whole International community including the Indian state is trying hard to reintegrate the trafficking survivors to the mainstream society because human trafficking is posing a serious threat to human security. Therefore, all the countries of the world are trying to combat everything including trafficking that challenges the true freedom of the human beings. But the task of reintegration and rehabilitation is not very easy. It is not possible for the survivors to erase the memories of their past life at one stroke even if they are physically rescued. Their memory is full of traumatic experiences and most often they suffer from memory loss also. There is a complex relationship between trauma and memory. No doubt, the effects of trauma on the memory of the survivors are not always identical and the healing process of the victims depends on how they recollect and reconstruct,

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remember or forget those memories of their dark past. Therefore, this article tries to analyse how the traumatised memory of the survivors affects their healing process and presents innovations that might be effective for ensuring human security by combating human trafficking and erasing the traumatised memories of the displaced persons and also proposes how the Indian state can handle this growing domestic and international human rights catastrophe and take active part in the rehabilitation of the deceased persons.

Keywords: *Displacement, Trafficking, Memory, Trauma, Human Security, Anti-Trafficking Initiatives.*

Memories are not just made up of ideas, and thoughts and storylines, they are also made up of physical pain and emotional pain and sadness and distress and despair and all of those things are part of memories.¹

Alison Miller

In the last 100 years or more the world has seen displacement of people on an unprecedented scale. Displacement and forced displacement of people have become a global phenomenon in today's world. According to the reports of United Nations High Commissioner for Refugees (UNHCR), 79.5 million people were forcibly displaced all over the world at the end of 2019.² Filippo Grandi, UN High Commissioner for Refugees, in his report highlighted the fact that more than 100 million people were forcibly displaced from their homes during the last 10 years. They have become refugees either within or outside the borders of their own country.³ In the words of Arundhati Roy 'The millions of displaced people do not exist anymore. When history is written they would not be in it, not even as statistics.'⁴ Globalisation has multiplied the number of displaced persons throughout the world. And now the world is witnessing an unprecedented disaster in the form of a pandemic called COVID-19 which, according to various reports, will worsen this situation to a great extent. The socio-economic, political as well as health consequences of this pandemic are having a negative impact on the lives of the forcibly displaced persons all over the world.

There is a close relationship between displacement and trafficking of human beings. According to the definition of the United Nations, Human

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trafficking is the recruitment and movement of people using means such as deception and coercion for the purposes of exploitation (United Nations, 2000). People including women and children are trafficked within and across the national borders for different reasons. Trafficked persons are mainly used in various sectors by their captors like forced sex work, domestic servitude, forced criminal acts etc. Apart from these they are also being used in a variety of industries, including agriculture, fishing and construction.⁵ The data in the UNODC Global report 2018 on trafficking in person clearly showed that mostly the victims of trafficking for sexual exploitation are women and girls whereas more than 50% of the trafficking victims for forced labour are men. According to the Reports of United Nations Office on Drugs and Crime, 'Every year, an estimated 800,000 people are trafficked across national borders, and millions more are sold within their own countries.' What is more shocking is that of these trafficked persons more than 20% are children.⁶ Traffickers always target those who are being displaced because of political, social and economic turmoil caused by natural calamities, economic crisis, partition and armed conflict. These displaced, impoverished, marginalised persons are always vulnerable to all kinds of exploitation and among them poor rural women and children are at maximum risk of trafficking. Unfortunately, these displaced women and girls suffer all kinds of discrimination and human rights abuses throughout their life. Displaced persons especially women and girls even face physical and sexual attacks, rape, sexual harassment and they are very much vulnerable to trafficking even in refugee and displaced persons camps due to the weakening or breakdown of community and family protection mechanisms.⁷ In human civilisation, trafficking is one of the most horrible transnational organised crimes against mankind. At the same time, it is one of the booming industries which generate huge profits annually and now globalisation has multiplied the profit from this trade.⁸ Trafficking affects both men and women but women and children are the worst sufferers of this heinous crime. Executive Director of the United Nations Office on Drugs and Crime (UNODC) Yury Fedotov, in the Global Report On Trafficking In Persons, released in January 2019, wrote 'Traffickers the world over continue to target women and girls.' Women and girls make up over 70% of annual trafficking victims.⁹ There have always been attempts to relegate and marginalise women in an overtly patriarchal culture. Therefore, as a

shameful manifestation of this patriarchal culture, different crimes against women and children including trafficking offences have emerged as one of the important international issues in recent times.

Most of the victims detected globally are trafficked for sexual exploitation and prostitution. Other forms of human trafficking include: girls forced into marriage, children for illegal adoption, forced criminality and organ removal.¹⁰ Human trafficking is a serious threat to human security and stability. Human trafficking involves degradation of the basic minimum rights of the trafficked people, disrupts stability of the community and diminishes social development. Trafficking displaces the victims from their roots, exploits them mercilessly. As a result of which, victims acquire adverse physical and psychological health conditions.¹¹

Displacement, Migration and Trafficking of Women and Children:

Trafficking is not an entirely new phenomenon. But it is very difficult to define and analyse the term Human Trafficking. According to the definition of United Nations Global Initiative to Fight Trafficking (UN.GIFT), human trafficking is a multidisciplinary and complex crime. It comprises of several criminal and dangerous activities such as forgery of documents, kidnapping, corruption, unlawful confinement, rape and sexual assault. Usually the traffickers use torture and even murder as their means to control the lives of the victims.¹² Trafficking is one of the grossest violations of human rights and at the same time, it is one of the most fruitful activities of organised crime. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime (Trafficking Protocol) was adopted in 2000 and the above-mentioned Protocol came into force in December 2003.¹³ It has actually tried to give a more or less working definition of trafficking at the international level.

Trafficking in persons “shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation,

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forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

-Article 3, paragraph (a) of the UN Trafficking in Persons Protocol¹⁴

This generally recognised definition of trafficking enlightens us about this problem. It is clear from the above definition that trafficking is basically exploitative in nature which separates it from other forms of migration.

Women and children are trafficked not only for forced prostitution but also for legal and illegal work, legal and illegal marriages, organ trade, camel racing and bonded labour.

-(DurgaGhimire, 2002)¹⁵

Trafficking has become one of the major problems all over the world and the region of south Asia including India has become a source, destination, and transit area for trafficking. According to the reports of National Crime Records Bureau of India, 38,503 persons were trafficked between 2011 and 2019¹⁶ with the highest number of victims recorded in West Bengal. Now, the state of West Bengal is not only undergoing the socio-economic effects of COVID-19 and lockdown but southern districts of this state also facing the devastating impact of a super cyclone called Amphan. This cyclone hit West Bengal claiming many lives and affecting over 10 million people. Traffickers are utilising this vulnerable situation to target the cyclone affected families and exploiting them. No doubt, COVID-19 is further worsening the already bad situation.

Remembering, Forgetting, and the Effects of Trauma on the Memory of Trafficking Survivors:

Human Trafficking involves a gross violation of human rights as the traffickers do not have any respect for human beings and their rights. The victims of trafficking are dehumanised and suffer grave physical and mental illness and often die at the hands of their captors and exploiters and those who survive this torture, in most cases, remain captive of the traumatic memories. Stuart L. Lustig in his article 'Symptoms of Trauma among Political Asylum Applicants: Don't Be Fooled' defined trauma as a common response to events perceived as life threatening, with associated neurobiological abnormalities.¹⁷

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Traffickers totally damage the physical and emotional wellbeing of the victims.¹⁸ In most cases the victims cannot forget the extreme forms of abuse and exploitation which are associated with trafficking even after many years. It has been found in many studies that memories for traumatic events are different in important ways from memories for non-traumatic events.¹⁹ Sheree L. Toth and Dante Cicchetti in their research argued that trauma affects brain structure which subsequently affects memory.²⁰

Therefore, the memory of emotional and psychological abuse by the traffickers can be particularly devastating to a victim. The victims of human trafficking in most cases have to endure post-traumatic stress disorder, flashbacks and suicidal thoughts. Very often they suffer from insomnia, detachment, depression and anxiety.²¹ Suicidal tendencies are also very common among trafficked persons. The survivor's memory may be full of nightmares and sometimes they suffer from irrational fears. To end this nightmare some of them even try to take the drastic step of ending their own lives. Not only their memory is full of traumatic experiences, most often they also suffer from memory loss. Sometimes the victims become indifferent towards others and remain absorbed in their own thought process (The Path to a Sustainable Recovery for Trafficking Survivors, 2018).²² Human trafficking has impact on multiple generations. The traumatic experiences of human trafficking not only directly affects the victims but it can also have a psychological effect on the second-generation or even third generation.²³ It is very normal that trafficked victims experience some form of psychological distress or disorder, specifically Post-Traumatic Stress Disorder (Henceforth, PTSD). But at the same time it has been found that the second-generation grows up with the side effects of living with a survivor of trauma.

The main problem with the victims of human trafficking is that they cannot at once eliminate all of their past traumatic experiences. They can be physically rescued but it is not easy to eliminate the traumatic memories of their past life at a single stroke. Stephany Powell, the Executive Director of Journey Out, a Los Angeles-based NGO, explains the notion of 'rescue' of the trafficking victims. Powell clearly states that it is easy to rescue a victim, easy to give her food and shelter but it is not easy to eliminate those thoughts and memories in her head that she deals with every night.²⁴ It is not possible to eliminate all those multiple victimisations that the victims have

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experienced. Years of healing is needed to exit the memories of past life.

Human Security and the Victims of Trafficking:

We must ask ourselves when the female half of the world is living with the daily threat of physical violence or mental violence, are we truly free?

- Dr. Brenda Gael Mcsweeney (UN Resident
Coordinator)

No doubt that global instability and insecurity have become the new normal during the period of globalisation and especially after the outbreak of COVID-19 pandemic.²⁵ According to many experts, the world after this pandemic is unlikely to return to the same world that was there before the outbreak of this virus. Here arises the need for a new concept called Human Security. As a concept Human security is one of the important indicators for understanding global vulnerabilities. According to the exponents of this concept, a people-centered view of security is necessary for national, regional and global stability. The concept of Human Security considers individuals more important than the state and gives emphasis on the protection of individuals. The main target of this concept is the holistic empowerment of individuals by enabling them to enjoy all types of rights and freedoms like basic human rights, political, socio-cultural, educational and economic rights etc. They must have access to proper health care facilities, good governance and equal opportunities in every respect.²⁶

Human security is incomplete without gender equality and security of women and children. But women are the most exploited section of the society. Therefore, without ensuring holistic empowerment of all the women of the world, it is not possible to achieve the goals of human security. Human Trafficking is a serious threat to a woman's existence as a free and independent person willing to live a dignified life. Therefore, the United Nations Development Programme's 1994 Human Development Report rightly considers that "freedom from want" and "freedom from fear" for all persons,²⁷ especially the vulnerable sections of the society, is the best way to address the problem of global insecurity and that cannot be ensured unless we make women secured.

Realising the need of women empowerment, International community

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have become concerned about women's issues especially since 1990s. Mazedahossain and others had done a research on the relation between the traumatic experiences and mental health among girls and women who were trafficked for sexual exploitation. It has been found by them that those who are in trafficking circumstances for longer periods may be exposed to a greater number of abusive episodes and they perhaps have more chances of having sustained feelings of entrapment, loss of control, alienation, humiliation, and hopelessness. The researchers have concluded that these mental conditions can be associated with mental health disorders.²⁸ Mazedahossain, Cathy Zimmerman, Melanie Abas, Miriam Light, Charlotte Watts, 'The Relationship of Trauma to Mental Disorders Among Trafficked and Sexually Exploited Girls and Women', *American Journal of Public Health* 100(12) (2010):2442–2449.

This key finding of their research clearly indicates that trafficking increases the risk of poor mental health and suggests that girls and women who are exposed to longer periods of trafficking may need considerable time for post-trafficking care. This paper on mental health also suggests that there seems to be no comparison between the abuses that the victims experienced prior to the trafficking situation (physical and sexual) and the trafficking related traumatic experiences as their research proves that the former situation had a smaller effect on the mental health of the victims than did the trafficking-related violence.

Therefore, it is clear that security of trafficking victims and their empowerment need special action at the government and legal level. Governments must annul discriminatory laws and pass new laws to make women at par with their male counterparts in every respect. Apart from that, the survivors of trafficking need extra care from the state and the civil society after they are rescued from the clutches of the traffickers so that they can forget their traumatic experiences and start to live a happy and secured life.

Rehabilitation and Reintegration of Trafficking Victims to the Mainstream Social Life:

To successfully counter and eradicate human trafficking, many countries and regional and international communities have enacted several

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conventions and instruments. However, it is not easy to successfully reintegrate the survivors of trafficking, particularly the survivors from sex trade into mainstream social life. It is not possible for them to forget the memories of their past lives easily. On the one hand, society finds it difficult to accept them because of the stigma associated with their early lives. On the other hand, trafficking survivors also forget their identities as human beings. They can only construct their own identities as sexual objects. Pranab Dahal, Sunil Kumar Joshi and Katarina Swahnberg in their research paper conclude that these two above mentioned reasons further increase the isolation and rejection of the survivors.²⁹ After facing various traumatic experiences the survivors of human trafficking lose their own selves, their dignity as normal human beings. The most unfortunate thing is that they become unable to perceive a life away from their occupation, which often creates a cheap and degraded self-image of themselves.³⁰

Therefore, rehabilitation should always be holistic – psychological, economic and social. Trafficking victims should be given mental health services because the survivors very often require the support to recover from the psychological impact of their experiences. Therefore, psychological well-being of the survivors can act as an important ingredient towards their healing process.³¹ Before starting the psychological counselling of the victims the concerned authority should understand the nature of memories for traumatic events. According to Victoria L. Banyard, many researches have shown that human memory is by nature imperfect, constructive, and subject to change over time. Therefore, the survivors should be given access to education and proper training so that they can forget their traumatic past and become self-sufficient.

India's Response to the Rehabilitation and Reintegration of Trafficking Victims:

South Asia as a region and all the countries of this region individually are trying to combat human trafficking in women and children. But this task of combatting trafficking has become tougher after the outbreak of COVID-19 pandemic. This pandemic is showing us unparalleled social and economic disruption which is giving rise to far-reaching psycho-social impacts. Because of this pandemic vulnerable people, especially women and children have become more prone to human trafficking, abuse and

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exploitation. Therefore, the governments have to be more cautious while dealing with these problems of displacement, migration and trafficking in the backdrop of COVID-19 pandemic. Normally, it has been found that the primary tool used by the governments in the South Asian Region to combat cross border trafficking is their own domestic legislations. But this fact does not underrate the importance of international laws or treaty obligations in combatting human trafficking and reintegrating the trafficking survivors to the mainstream social life. We have to realise that international cooperation is a basic condition for successfully responding to trafficking in persons and, therefore, bilateral, regional and global agreements are needed to combat this heinous crime globally.

India has become a nerve-centre of human trafficking from where victims are sent to Nepal, Bangladesh, and into a bigger trafficking circuit and vice-versa. If we look at India's initiative in combatting trafficking it is clear that Indian Constitution prohibits trafficking both directly and indirectly. Articles 23, 39(e) and 39(f) of Indian Constitution and Directive Principles of State Policy in Part IV, address the issues which are directly or indirectly related to human trafficking. Since independence Indian state has been trying to prohibit and control human trafficking for bonded and forced labour and commercial sexual exploitation and prostitution by passing a number of legislations like the Bonded Labour Abolition Act (1976), the Immoral Trafficking Prevention Act (ITPA), the Child Labour Act (1986) and the Juvenile Justice Act (2000) etc. All the state governments are also regularly undertaking various campaigns and programmes through their welfare departments along with police raids and Anti-Trafficking Committees to create mass consciousness against human trafficking and combat this heinous crime. Indian Police forces are actively participating in anti-trafficking activities and one such initiative taken by India's Central Bureau of Investigation is incorporation of anti-trafficking training into its standard curriculum.³²

To stop trafficking constitutional and legal steps are mandatory. But the victims of trafficking cannot be reintegrated into mainstream social life only by making laws. Trafficking of persons is a breach of human rights. It leaves victims with short and long-term physiological, psychological, and sociological issues.³³ Therefore, rehabilitation and treatment of the survivors should encompass all the aspects including individual's mental

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health needs, rather than focusing on a single issue.

Sometimes, it has been found that the rehabilitation of the survivors of the trafficking supported both by state sponsored institutions and NGOs is a bit incomplete, as it never ensures what will happen to the survivor once she/he is out of the rehabilitation and counselling centers and will face the real world. Even, these programmes are largely externally funded and when the money stops, there is no way to provide any support to the survivors. Therefore, the rehabilitation programmes should always focus on equipping the survivors with life skills so that they can stand on their own feet.³⁴

While delivering services to the survivors of trafficking in order to reintegrate them into the mainstream social life, one should always take a victim-centered approach as the physical and emotional impacts of trauma are different on the trafficking victims across the globe. Delivery of care should always be in a compassionate, culturally sensitive, linguistically appropriate, non-judgmental and caring manner.³⁵ According to the study undertaken by Tammy J. Toney-Butler and Olivia Mittel, a victim-centered approach ensures that a victim does not suffer re-victimisation or re-traumatisation.³⁶ They have in their book *Human Trafficking: Look Beneath the Surface Campaign* analysed the concept called 'trauma' and discussed why a trauma-informed approach is a must for rehabilitation of the trafficking victims. According to them, trauma is a series of events that the individual experiences as either emotionally or physically life-threatening and has lasting ramifications on social, physical, mental, and spiritual well-being. Without exploring traumatic memory of the victims, it will not be possible to rehabilitate them. Therefore, the healthcare provider should always involve a trauma-informed approach which recognises the scope of the impact of the trauma on an individual victim's life.³⁷ But it is very difficult to study traumatic memories as it involves profoundly upsetting emotional experiences that cannot be approximated in a laboratory setting.³⁸

Government of India is taking the help of new technologies to combat human trafficking because law enforcement can be aided by various software programmes that provide the government information about traffickers. The Ministry of Women and Child Development has worked with UNICEF to create a child protection data management system to keep

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track of trafficked children and traffickers. Even Microsoft has also helped the government in this respect.³⁹

Government of India has introduced various schemes to prevent human trafficking and rescue the victims. One such scheme is known as 'Ujjawala'. This comprehensive Scheme is for prevention of trafficking and also for rescue of victims of trafficking from commercial sexual exploitation and rehabilitation and re-integration of them into mainstream social life.

Another organisation which is working relentlessly on the issue of sex trafficking and sex crime is Prajwala. It was established in the year 1996 in South India. Over the years this anti-trafficking organisation achieved great success in preventing human trafficking and rehabilitating trafficking survivors. Its activities span not only India but several continents. Five principles of this organisation are Protection, Prevention, Rescue, Rehabilitation and Reintegration. Prajwala Scheme tries to provide holistic support to the victims so that they can be socially reintegrated and for the last few years it has become one of the most powerful voices nationally and globally for ensuring holistic services to the trafficking victims.⁴⁰

Indian state has started to take various steps to prevent and combat human trafficking in the backdrop of COVID-19. This pandemic has created such a situation which is very much convenient for the traffickers to exploit the vulnerable sections of the society. Many people have lost their job during this time. COVID-19 pandemic and its associated negative impacts have given rise to economic and social instabilities which in turn increase domestic violence and poor living conditions. These instabilities further escalate emotional or psychological abuse and other forms of trauma and violence within the families and societies which makes human beings especially women and children more exposed towards human trafficking. The Home Ministry of India has already issued a number of recommendations to the states and central security forces including Border Security Forces. Union Home Ministry has asked them to boost up surveillance among high risk and vulnerable groups and strengthen the already existing Anti Human Trafficking Units network and ordered to establish new anti-trafficking units, which are already sanctioned by the respective authorities, as soon as possible.⁴¹

Conclusion:

No effort of reintegration can be completed until the trafficking survivors are able to live a dignified life. But it is very unfortunate that they are not treated properly even after they are rescued from the clutches of the traffickers and come back home. In many cases they face social stigma and isolation. Nurjahan (name changed) of South 24 Parganas was abducted on her way to school in 2017. Then she was sold in the Red Light Area of G.B Road, Delhi. Later, she was rescued with the help of an NGO and the Police force and she returned to her parents in her village. But the shocking part of the story was that when she wanted to continue her studies to forget the trauma, pains and sufferings after having been rescued, she was not initially allowed to enter her school by the school authority. This incident certainly proves that revictimisation of a trafficking survivor is no less a crime than the trafficking itself. Later, with the help of one Delhi based NGO, district Police and State Child Rights Protection Committee she was able to restart her schooling. Simultaneously, she fought against the traffickers, went to Loni-Ghaziabad and Delhi and identified her captors and got them arrested by the Police. In spite of facing poverty and many social obstacles and fighting against the traffickers, she successfully passed Madhyamik examination. This will stand as an example of a courageous girl who is trying her best to forget the memories of pain and humiliation and setting herself as a winner in the battle of life with the initiative of state and non-state actors when a section of our society is still not ready to help her in her struggle of reintegration with the mainstream social life.⁴²

Therefore, an all-inclusive approach towards rehabilitation of the trafficking survivors is required. More gender responsive laws should be implemented. But the real problem lies in the enforcement of these legislations. It should be remembered that the survivors of the trafficking deserve an opportunity to start their lives afresh erasing their past memories. The Global Report on Trafficking in Persons, released by the United Nations Office on Drugs and Crime (UNODC) at UN headquarters in New York in January 2019, reveals an increase in the number of cases detected during 2016. But amidst such negative data, there is a silver lining also in the form of the largest recorded conviction rate of traffickers.⁴³

This 'modern-day slavery' should be banished from its root in order to ensure a safer trauma-free world to our future generations. In this globalised

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world, displacement and trafficking have become a global problem which should be tackled globally. And now the pandemic called COVID-19 is testing the limits of global co-operation. All the countries of the world should co-operate with each other to solve this crisis. But, till today, the efforts to combat the crime remain inadequate. There are several lacunae that must be filled by stakeholders at all levels in order to tackle sex trafficking and its root causes all over the world effectively. Millions of women and children are trafficked all over the world and they are exploited, brutalised and violated throughout their lives. No doubt, trafficking is a gross violation of human rights. Therefore, human rights of trafficked persons should be at the centre of all efforts to prevent and combat trafficking and to rescue the victims and rehabilitate and empower the survivors and assist and help them to start a new trauma-free life. The common people should be aware of these problems. The media, local bodies, women's organisations, experts and Self- Help Groups should be effectively involved in the campaign against any kind of human rights violation. Without active role and positive approach of the society, proper rehabilitation of the survivors is not all possible. The democratic processes and structures all over the world must also relentlessly work in favour of a meaningful political will for this mission of proper rehabilitation of displaced persons and combatting trafficking related crimes. Finally it can be said that fighting trafficking related crimes, reintegration of trafficking survivors and helping them to win over their traumatised memories require not only state intervention but a comprehensive and unceasing endeavour on the part of all concerned.

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