HUMAN TRAFFICKING: CAUSES AND IMPLICATIONS

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INTRODUCTION

After the drug trade and the arms trade, human trafficking is the third biggest organized crime around the world. "Trafficking" is defined by the United Nations as "any activity that leads to the recruitment, transportation, sheltering, or receiving of people through the use of force, the threat of force, or a position of vulnerability." Around the world, 20% of human trafficking is carried out for forced labor and nearly 80% is done for sexual exploitation. Asia's epicenter of this crime is allegedly India. One child disappears in our nation every eight minutes, according to government statistics. In 2011, more over 11,000 of the 35,000 missing children reported were from West Bengal. Additionally, only 30% of all cases are believed to be documented. This indicates that the actual figure is probably quite high.

One of India's biggest problems is that people are sold for money. So far, there hasn't been a real study done to find out how many kids are kidnapped in India. Human trafficking is a significant issue in India, particularly in the state of Jharkhand, according to a recent article in The New York Times. The most common locations for human trafficking are South Indian states. Each of the four south Indian states has more than 300 cases like this every year. West Bengal and Bihar, on the other hand, have about 100 cases of this every year. Based on the numbers, more than half of the cases of people being trafficked come from these states.[1]

The number is really high, and only West Bengal (549) has more people. According to figures from the Home Ministry, there have been 1,379 cases of human trafficking in Karnataka over the past four years. In Tamil Nadu, there have been 2,244, and in Andhra Pradesh, there have been 2,157. Recently, 300 people who were being forced to work in Bangalore were freed. An story in Firstpost says that "Delhi is the center of the human trafficking trade in India and that half of the

slaves in the world live there." Delhi is the place where most young girls are sold illegally to do housework, get married against their will, or become prostitutes. Delhi is also a place where people are moved from one place to another.

The trafficking of children, particularly young girls and women from the Northeast region of India, is a prevalent issue in the country. These individuals are often taken from their homes and transported to distant states for the purposes of sexual exploitation and bonded labor. Agents who entice parents with promises of education, improved living conditions, and monetary compensation for their children are typically responsible for this illicit activity. The present study reveals that children are not being sent to school by agents, but rather are being sold into various forms of labor such as brick kilns, carpentry units, domestic service, and begging. It has been observed that girls are subjected to trafficking with the primary objective of sexual exploitation. In certain regions where the female to male sex ratio is highly disturbed, girls are compelled to enter into marriage against their will. This phenomenon has been documented in various studies and is a cause for concern among researchers and policymakers. The practice of forced marriage has serious implications for the physical and mental health of girls, as well as their social and economic well-being. Therefore, it is imperative that measures be taken to address this issue and protect the rights of girls in affected regions.[2]

The vulnerability of children to human trafficking has been a growing concern in recent years. Among the various factors that contribute to this risk, the location of the child's residence has been identified as a significant determinant. Specifically, children from tribal areas have been found to be at a greater risk of human trafficking compared to their counterparts from non-tribal areas. This observation has been supported by several studies that have investigated the prevalence and determinants of human trafficking in different regions. The reasons for this disparity are multifaceted and may include factors such as poverty, lack of education, social exclusion, and limited access to basic services.[3]

Addressing these underlying factors is crucial for developing effective strategies to prevent and combat human trafficking among children from tribal areas. The present study reports on cases of human trafficking that have occurred in the Tamenglong district of Manipur, India.

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[2]Sarkar, S. "Rethinking human trafficking in India: Nature, extent and identification of survivors." *The Round Table*, *103*(5)
[3] ibid

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Specifically, the study focuses on the trafficking of children from the Kuki tribe, which has been identified as a particularly vulnerable group. The impetus behind this phenomenon can be attributed to the prevalence of tribal conflicts, which have created an environment conducive to the proliferation of human trafficking. The Northeast region of India witnessed a period of conflict between the Kukis and Nagas tribes from 1992 to 1997, resulting in a significant number of children being rendered homeless. The children in question were transported by agents to various regions within the country.

WHAT IS HUMAN TRAFFICKING?

Human trafficking, often known as "trafficking in persons", is a crime that "involves compelling someone to engage in sexual activity in exchange for money, labor, or other benefits."Coercion can be psychological or physical, overt or covert. Regardless of whether pressure, deceit, or force was used, using a minor for commercial purposes is still considered human trafficking.[4]

Human trafficking refers to the act of illegally transporting people from one country or region to another for the intention of exploiting them sexually or for their forced labor.

A major crime and serious violation of human rights is people trafficking. The worst crime against children in any nation is the sexual exploitation of youngsters. According to Article 51A (e) of the Constitution, "It shall be the duty of every citizen of India, to renounce practices derogatory to the dignity of women," every Indian citizen has a responsibility to do this.[5] The approach, however, does not actually capture the essence of the Indian Constitution.

ELEMENTS OF HUMAN TRAFFICKING

The elements of human trafficking typically include three key components:

1. The Act: This relates to the solicitation, conveyance, transfer, harboring, or receipt of individuals.

2. The Means: When someone is being controlled, force, fraud, coercion, deception, abuse of power, or vulnerability are used.

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[4]Vidushy, V. "Human trafficking In India: An analysis." *International Journal of Applied Research*, *2*(6).
[5] Article 51A (e), Indian Constitution

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3. The Purpose: This refers to the abuse of a person, which can occur in a number of ways, including forced labor, sexual exploitation, forced marriage, or organ harvesting.

A human trafficking act requires the presence of these three conditions. It's important to note that victims of human trafficking can be of any age, gender, or nationality, and it can happen both domestically and abroad.[6]

CAUSES OF TRAFFICKING

The complicated phenomenon of human trafficking is brought about by a number of social, economic, and political causes. The following are some typical reasons for trafficking:

1. Poverty: Human trafficking is frequently mostly fueled by poverty and economic uncertainty. Because they have fewer possibilities to make money, people who live in poverty can be more susceptible to trafficking.

2. Lack of education: People who lack education may be less aware of the risks and less able to spot and thwart attempts at trafficking, making them more susceptible to it.

3. Political instability: Political instability, social unrest, and conflict can foster an environment that increases the likelihood of human trafficking. In these circumstances, the danger of trafficking may be higher for displaced individuals, refugees, and other vulnerable populations.

4. Gender-based violence: Women and girls may become more susceptible to trafficking as a result of gender-based violence, such as domestic abuse and sexual assault.

5. Discrimination: Discrimination based on a person's color, gender, ethnicity, religion, or other characteristics can make them more susceptible to being a victim of trafficking.

6. Demand for cheap labor and sexual services: A key driver of human trafficking is the demand for inexpensive labor and sex services. As a result of the need for these services and the traffickers' desire to make money by abusing helpless people, a market for trafficking is created.

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[6] Naik, A. B. "Impacts, causes and consequences of women trafficking in India from human rights perspective." *Social Sciences*, 7(2).

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7. Organized crime: The recruitment, transportation, and exploitation of victims are made easier by the networks and resources that organized criminal organizations have access to.

Since these elements can interact in intricate ways, it might be challenging to solve human trafficking with straightforward fixes. To successfully combat this widespread issue, a comprehensive strategy that takes fundamental causes of trafficking into account is required.[7]

IMPLICATIONS OF LAWS RELATING TO HUMAN TRAFFICKING

Human trafficking laws have substantial ramifications for victims, offenders, and society at large. The following are some effects of human trafficking regulations:

1. Protection for victims: By giving victims of human trafficking legal status, access to services and assistance, and protection from prosecution for any crimes they may have committed as a result of being trafficked, laws connected to this crime can afford them protection.

2. Punishment for perpetrators: Human trafficking laws may impose penalties on violators, acting as a deterrent and aiding in the prevention of further trafficking.

3. Awareness and prevention: By addressing the core causes of trafficking, such as poverty, prejudice, and the desire for cheap labor and sexual services, laws pertaining to human trafficking can increase awareness of the issue and aid in its prevention.

4. International cooperation: As nations collaborate to combat trafficking, pursue offenders, and protect victims, laws pertaining to human trafficking can enable international cooperation in the fight against trafficking.

5. Enforcement challenges: Human trafficking laws can be difficult to implement, especially when victims are reluctant to report their crimes or when traffickers operate in several different countries.

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[7]Dutta, M. "Cultural dimensions of human trafficking in India." *International Journal of Arts & Sciences*

6. Stigmatization: Laws against human trafficking may also cause victims to become stigmatized, particularly when those victims are charged with crimes they didn't commit but did as a result of being trafficked.

Overall, laws against human trafficking are crucial in the battle against it, but their implementation must be sensitive and effective to avoid unintentionally harming victims or sustaining stigma.[8]

SUGGESTIONS TO COMBAT HUMAN TRAFFICKING

To stop human trafficking, a variety of intervention techniques can be used. It must focus on bringing attention to the issue and educating both the general public and those who are most at risk of falling victim to human trafficking.

Role ofState

There should be possibilities for earning revenue, high-quality education requirements, and employment.

- Promote the creation of excellent teacher preparation programs in public schools.

- Preventive measures implemented by different nations should be exchanged in order to assist both countries in combating trafficking.

Role ofMedia

Due to its widespread viewing, the media plays a crucial role.

- Sending the victim the right message to let them know they are not alone and have a backup plan.

- A campaign to educate the public about institutions and locations where they can go for assistance if they are victimized.

- Raising awareness of human trafficking's illegality, inappropriateness, and detrimental effects.[9]

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[8]Budiani-Saberi, D. A., Raja, K. R., Findley, K. C., Kerketta, P., & Anand, V. "Human trafficking for organ removal in India: a victim-centered, evidence-based report." *Transplantation*, *97*(4)

CONCLUSION

India is both a source and a destination for human trafficking, making it a serious issue in the nation. Forced labor and sexual exploitation are the two most prevalent types of trafficking in India, with women and children being especially at risk.

The basic reasons of trafficking in India are complicated and multidimensional, and they include poverty, illiteracy, prejudice, and violence against women. The Indian government has taken action to combat trafficking by passing legislation and launching anti-trafficking initiatives, but there are still many issues that must be resolved, such as the requirement for efficient law enforcement, enhanced victim support and rehabilitation, and raised public awareness.

The commercial sector, NGOs, and civil society organizations have all made significant contributions to the fight against human trafficking in India. These initiatives, which have centered on prevention, protection, and prosecution, have aided in bringing attention to the problem and offering assistance to victims.

In conclusion, despite some success, there is still much to be done to combat human trafficking in India. To tackle this problem and guarantee that everyone may live without exploitation and abuse, it will be essential to address the underlying causes of trafficking and ensure that laws and initiatives are implemented effectively.

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[4] Article 51A (e), Indian Constitution
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