

## Human Trafficking: New Challenge to Humanity

Kirti Vardhan Singh<sup>1</sup>, Abhishek Kumar Varshney<sup>2\*</sup>, R. N. Tandon<sup>3</sup>

<sup>1</sup>PG Resident, <sup>2\*</sup>Assistant Professor, <sup>3</sup>Professor,  
Department of Forensic Medicine and Toxicology, TMMC & RC, Moradabad, Uttar Pradesh, India.

### ABSTRACT

This paper addresses the situation of human trafficking in India. It argues that the focus on trafficking either as an issue of illegal migration or prostitution still dominates the discourse of trafficking, which prioritizes state security over human security and does not adequately address the root causes of trafficking and the insecurity of trafficked individuals. The root causes or vulnerability factors of trafficking such as structural inequality, culturally sanctioned practices, poverty or economic insecurity, organ trade, bonded labor, gender violence, which are further exacerbated by corruption, have remained unrecognized in academic and policy areas. This paper argues that emphasis needs to be given to such underlying root causes and modes and also crimes related to human trafficking, that threatens human security of the trafficked persons in India. Accordingly, it provides some preventive measures to address and deal with the problem.

**Keywords:** Trafficking, Human Trafficking, Causes And Modes, Preventive Measures.

### \*Correspondence to:

**Dr. Abhishek Kumar Varshney,**  
Assistant Professor,  
Department of Forensic Medicine and Toxicology,  
TMMC & RC, Moradabad, Uttar Pradesh, India.

### Article History:

Received: 24-10-2018, Revised: 21-11-2018, Accepted: 12-12-2018

### Access this article online

Website: <a href="http://www.ijmrp.com">www.ijmrp.com</a>	Quick Response code 
DOI: 10.21276/ijmrp.2019.5.1.032	

### INTRODUCTION

Nothing drives the passion and stirs the emotion more than the horrendous stories of modern-day human slavery. Whether sexual, domestic, or labor, the terror and horror that human trafficking victims have endured defies the scope of our sensitivities. Most who work in human service fields have heard many stories of these survivors. We have heard of the dedication of the practitioners and law enforcement officers who are involved in the apprehending, and prosecution of offenders, and advocate for victims in these very complex cases. Therefore, it is not surprising that when presented with these stories, we responded as a nation via our legislators.

However, the most recent data suggests that there tens of thousands fewer victims than originally cited. While no one would argue that any victim in INDIA worth the support of various systems, the danger of loss of credibility for those persons rises when there is a substantial gap between the cited numbers of cases and those that have been exposed. The purpose of this presentation is to examine those gaps, the language commonly used that may undermine credibility related to victims, and suggestions for action that would strengthen future arguments for federal funds to serve victims of human trafficking.

### OBJECTIVES

1. To examine the causes and modes of human trafficking in India.
2. To analyze the crimes related to human trafficking from 2016-2017.
3. To suggest Preventive measures regarding human trafficking in India.

### METHODOLOGY

The present paper is mainly based on secondary data, which has been taken from District Census Handbook, Statistical Abstract State wise and National Crime Record Bureau (NCRB). For the present paper census and crime data have been analyzed. The systematic approach has been adopted for analysis. Both qualitative and quantitative methods have been applied for the data analysis.

### Human Trafficking and Forensic Nursing

A Framework for Discussing the Problem The fight against human trafficking has been hampered by the lack of a common vocabulary and framework for discussing the problem.

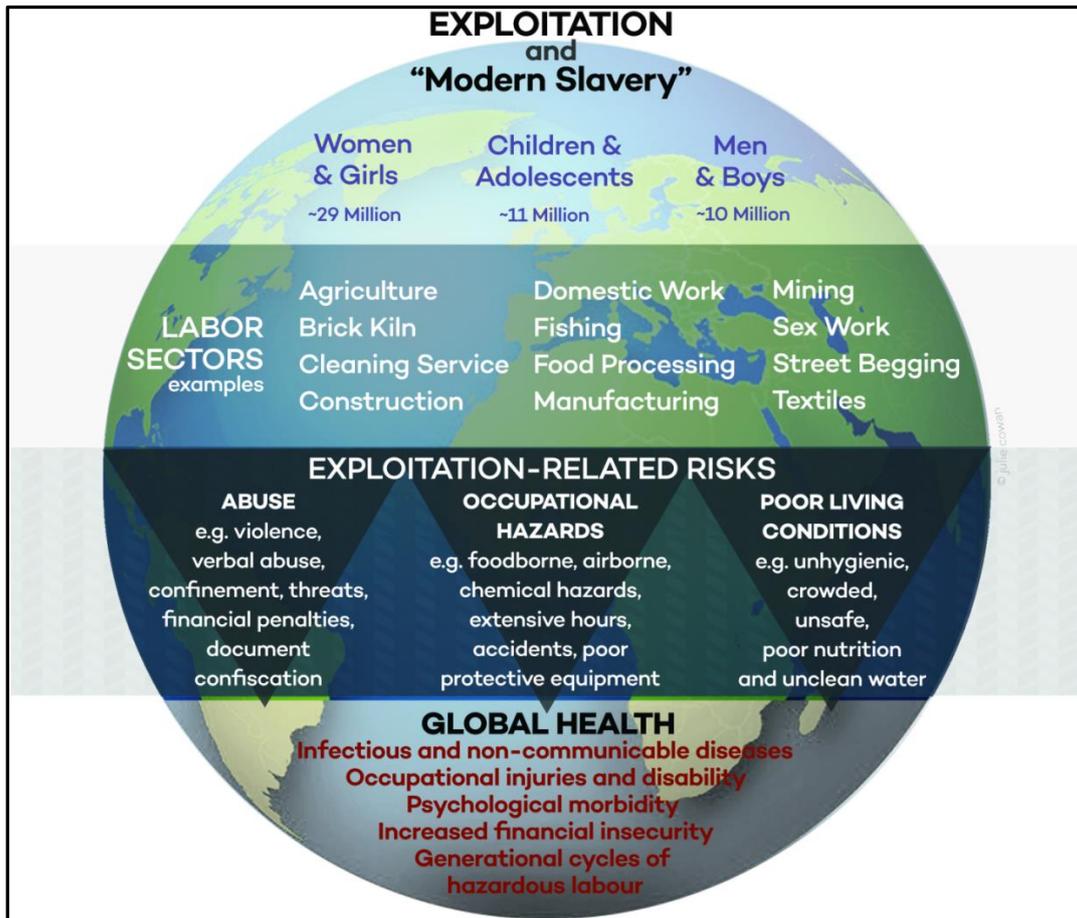


Fig 1 A: The dimensions of human trafficking and global health implications

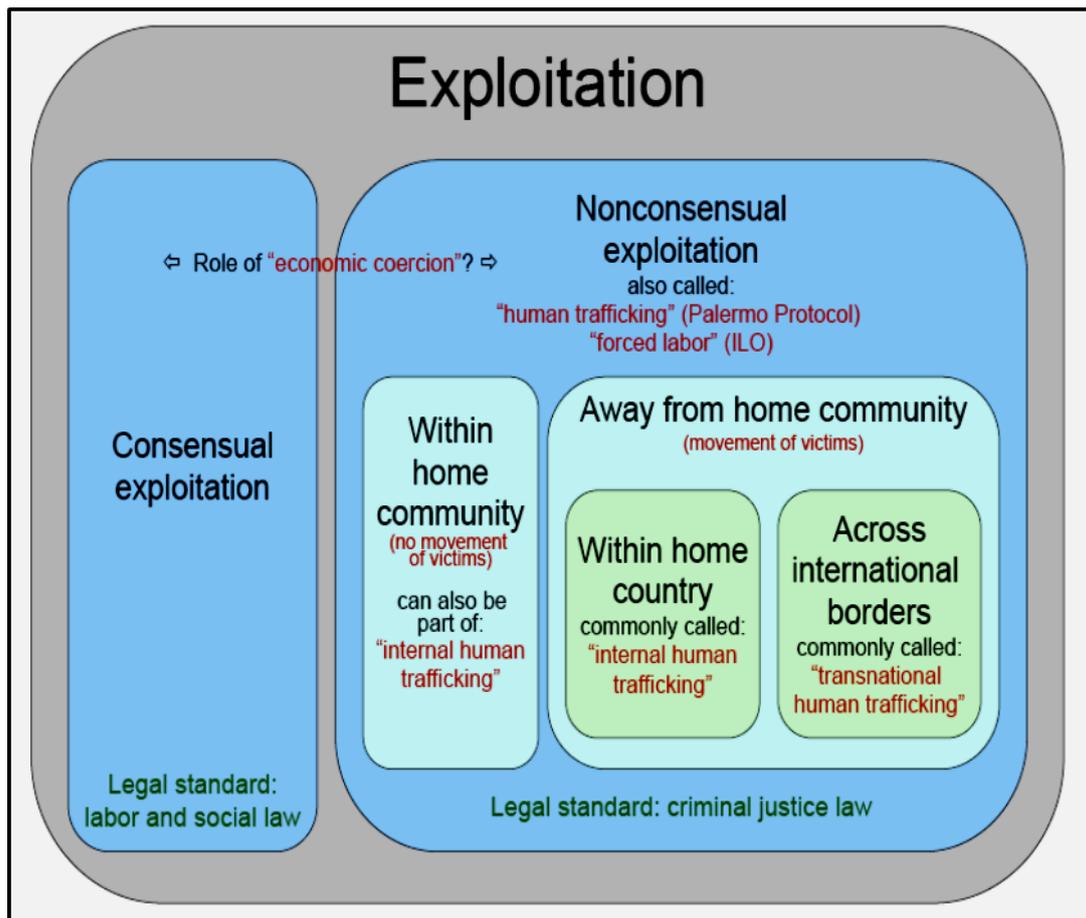


Fig 1 B: The dimensions of human trafficking and global health implications

In this paper, the term exploitation is used as the overarching theme that subsumes all forms of human trafficking, slavery, forced labor, bonded labor, child labor, forced prostitution, economic exploitation, and so on. Conceptually, exploitation can take two different forms, nonconsensual and consensual. Nonconsensual forms of exploitation involve an element of coercion, fraud, or deception, whereas consensual exploitation typically results from a lack of other economic opportunities and leads to the unfair treatment of the exploited.

Figure 1: Terminology and conceptual relations of exploitation, human trafficking, and forced labor This paper uses the term human trafficking as it is defined by international law, namely as any form of nonconsensual exploitation, independent of where it takes place – in the victim's home community, home country, or outside of it.

This definition of human trafficking is different from the public perception of human trafficking, which is related to transnational movement of victims. Even governments and international organization sometimes use the term differently. A good example is the ILO, which uses the term "forced labor" for nonconsensual 5 exploitation/human trafficking. Adding to the confusion about terminology is the fact that in practice it is often hard to distinguish between nonconsensual and consensual exploitation. In the latter case, economic necessity and a lack of viable alternative income opportunities might "coerce" victims into accepting exploitative work arrangements.

Also, economic theory does not distinguish between consensual and nonconsensual exploitation. Legal standards have to be applied to make this distinction, with nonconsensual exploitation being a matter of criminal justice law, while consensual exploitation is by and large a matter of labor and social law. Figure 1 above illustrates the diverse terminology and conceptual relations of exploitation, human trafficking, and forced labor, and the following subsections elaborate.

This Bureau is collecting data under the following heads of crime which are related to human trafficking.

#### IPC Crimes

- I. Procurement of minor girls (section 366-A IPC)
- II. Importation of girls from foreign country ((Sec. 366-B IPC)
- III. Selling of girls for prostitution (Section-372 IPC)
- IV. Buying of girls for prostitution (Section -373 IPC) SLL Crimes
- V. Immoral Trafficking (Prevention) Act 1956
- VI. Prohibition of Child Marriage Act, 2006. Cases under following legislations also form part of offences under human trafficking but NCRB is not collecting data specifically relating to these acts.
- VII. Bonded Labour System (Abolition) Act 1976
- VIII. Juvenile Justice (Care and Protection of Children) Act 2000
- IX. Child Labour (Prohibition and Regulation) Act 1986
- X. Transplantation of Human Organs Act 1994.

#### A NCRB data reveals surge in human trafficking cases

In 2016, a total of 8,137 cases of human trafficking were reported from across the country, a jump of 18 per cent over the 6,877 cases reported in 2015 as per data released recently by the

National Crime Records Bureau (NCRB). The motive behind over 7,670 cases were sexual exploitation and prostitution, while 162 cases were for child pornography.

With 3,579 cases, West Bengal had a share of over 44.01 per cent of the total cases, followed by Rajasthan which accounted for 17.49 per cent with 1,422 reported cases. Gujarat, Maharashtra, and Tamil Nadu were next in line with 548, 517, 434, cases, respectively.

West Bengal had reported 1,255 (18.2 per cent) cases in 2015, when it ranked second to Assam, which saw a huge dip in the number of such cases with barely 91 cases (1.12 per cent). In 2015, with 1,494 cases, Assam accounted for 21.7 per cent cases.

Women accounted for over 65 per cent of the victims, with 10,150 of the total 15,379 victims being women, and 5,229 men. Over 9,034 victims in 2016 were below 18 years, with female victims (4,911) outnumbering men (4,123).

Around 23,117 victims, including 182 foreigners, were rescued during the year from across the country. Of these, 55 per cent (12,780) of those rescued were women. In all, 10,815 people were arrested in human trafficking cases in 2016.

#### NCRB DATA - 2016

8,000 cases of human trafficking reported in 2016. 23,000 victims rescued during the year. 182 foreigners among 9,034 were below 18 years of age.

#### SUMMARY

Human Trafficking is a major violation of basic human rights seen in escalating numbers within the INDIA Forensic nurses are a powerful group and can make a difference by joining their professional organization, the International Association of Forensic Nurses, which provides an avenue for promoting health policies and nursing practice.

Forensic nurses must take the lead in terms of addressing this egregious human rights violation and network with other professionals to develop a coordinated response to Human trafficking Forensic and psychiatric nurses can take a leadership role through developing community workshops, multidisciplinary training, and resource development. Nurses bring a holistic approach to the victims of Human Trafficking that will provide social, psychological, physical, and emotional care in a safe environment.

The complexities of Human Trafficking provide a challenging opportunity for nurses to use a foundation based on forensic education and experience in addressing the severity of the mental health issues to provide a comprehensive solution to this international issue. Knowledge of the skills needed to address this sensitive subject will serve to motivate individual action and begin the process of rescuing Human Trafficking victims.

#### REFERENCES

1. Government of India. India country report 2017 statistical appraisal. Central statistics office, Ministry of Statistics and programme implementation; 2017, 98. Available from: [http://mospi.nic.in/mospi\\_new/upload/SAARC\\_Development\\_Goals\\_India\\_Country\\_Report\\_29aug17.pdf](http://mospi.nic.in/mospi_new/upload/SAARC_Development_Goals_India_Country_Report_29aug17.pdf).
2. Human Trafficking the Fact, Global Initiative to Fight Human Trafficking, 2008, 1-2.

3. "India". Trafficking in Persons Report 2008. U.S. Department of State, 2008.
4. "Launching of Web Portal on Anti Human Trafficking" (Press release). PIB. 20 February 2014. Retrieved 21, 2014.
5. National Crime Records Bureau Data from 2012, 2013, 2014.2015 2016 2017
6. Shamim I. State of Trafficking in Women and Children and their Sexual Exploitation in Bangladesh. Dhaka: Centre for Women and Children Studies (CWCS), 2010.
7. "TIP Protocol Ratified status. UN.
8. Timesofindia.indiatimes.com dated 8-12-2016
9. Walk Free Foundation Global Slavery Index 2017
10. [www.newindianexpress.com/nation/2018/jul/02/7190-cases-of-stalking-recorded-in-india-ncrb-data-1836676.html](http://www.newindianexpress.com/nation/2018/jul/02/7190-cases-of-stalking-recorded-in-india-ncrb-data-1836676.html)

**Source of Support:** Nil. **Conflict of Interest:** None Declared.

**Copyright:** © the author(s) and publisher. IJMRP is an official publication of Ibn Sina Academy of Medieval Medicine & Sciences, registered in 2001 under Indian Trusts Act, 1882. This is an open access article distributed under the terms of the Creative Commons Attribution Non-commercial License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

**Cite this article as:** Kirti Vardhan Singh, Abhishek Kumar Varshney, R. N. Tandon. Human Trafficking: New Challenge to Humanity. Int J Med Res Prof. 2019 Jan; 5(1):148-51. DOI:10.21276/ijmrp.2019.5.1.032