
UNIT 10 INDICATORS OF PREVENTION

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10.1 INTRODUCTION

Indicators are the yardsticks of measurement of any phenomenon. Even in the case of human trafficking, certain parameters and indicators of prevention has been identified. Aggressive law enforcement, stringent punishment and effective disruption of the offenders are some of the strategies in the prevention of human trafficking.

10.2 OBJECTIVES

After going through this unit, you should be able to:

- 1 discuss the developing indicators of prevention; and
- 1 analyse the challenges in developing such indicators.

10.3 CHALLENGES IN DEVELOPING INDICATORS OF PREVENTION

Whereas there can be tangible indicators to measure or fathom prosecution of offenders and rehabilitation of victims, it is not so in the case of prevention. Any functional field level police officer would ensure that while on the one side crimes are being reported, on the other several crimes were prevented. However, the data exists only for the former and not the latter. Even civil society also recognizes only reported crimes and not unreported or prevented crimes. Such initiatives always remain unsung, unheard, unreported and, therefore, unrecognized.

Surprising it may be, but true, that the data which is publicized and advertised is only about the offences which the perpetrators have been able to commit but only those which the responders have been able to prevent. If come by any change, an agency ventures to undertake a comprehensive analysis and creation of data base on the offences prevented by the law enforcement agencies and society; it would present a very positive, vibrant and eloquent picture. Unfortunately this system is not in existence in our country and, may be elsewhere. Therefore there is a need to venture into this area.

10.4 DEVELOPING INDICATORS OF PREVENTION

Indicators are the yardsticks of measurement of any phenomenon. And so is the case with social parameters too. However indicators are to obvious and available in the world of science and technology but may not be so in the case of social systems and social problems. Nevertheless the tools of sociological researches have been able to deliver appropriate indicators in measuring social issues and problems . The methodology is different from what one perceive in the field of technology as the parameters may not be on a precision path as in the case of technology. In short, though the indicators of prevention may not be direct or tangible, there are many ways to determine or reckon the steps taken in prevention and the impact thereon. In the world of human trafficking, based on the research, though very few in number, certain parameters and indicators of prevention have been identified and are listed below:

10.4.1 The Number of Traffickers under Incarceration

If the traffickers are in jail, as a corollary, it means that they are bound down and therefore prevented from human trafficking. There may be exceptions where the convicted trafficker may, by dubious means, operate the racket even from jail, yet the number of real-time traffickers in detention is an indicator of prevention of trafficking.

The NHRC study (refer bibliography) shows that a traffickers who has continuously exploiting woman and children by trafficking them from Nepal to India was arrested by the police, even though he continue his nefarious activities for almost ten years.

Accordingly his own admission, he has trafficked not less than 300 woman every year under the garb of providing the employment when he was detained, investigated into, prosecuted and convicted, there was a sigh of relief. Thereafter he is in jail for almost ten years. No doubt, had he not been incarcerated, he would have continued with his nefarious activities and would have trafficked at least 3000 more woman and children. This could be prevented only because he is behind the bars. This case study shows that aggressive law enforcement, stringent punishment and effective disruption of the offenders are one of the best strategy in the prevention of human trafficking.

<p>Activity</p> <p>1) Develop a profile of a trafficker, either based on interview or based on secondary data. Bring out the salient features.</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

10.4.2 The Period for which Traffickers are in Jail

The longer the period of imprisonment, the better it is for the victims who would have been trafficked. Graver punishment means better prevention. The law on sex trafficking in India (ITPA) desk provide stringent provisions against the traffickers. After the empowerment process was commenced, Andhra Pradesh Police responded the situation effectively. Today they have, to their credit 100 of convictions of offenders who are in carcerated in jail for decades. No doubt the concerned investigator has done his best and in fact, commendable performance, yet the fact that the triggered started from empowering these police officers by certain public spirited and committed persons from elsewhere, can not be under rated. No doubt the longer the traffickers are incarcerated, the lesser are the number violation by them.

10.4.3 Number of Exploitative Places Evicted/Closed down

For example, under S.18 ITPA the traffickers can move to new places. Nevertheless eviction of a hotel/establishment where exploitation was taking place is a stringent act against trafficking and therefore is an indicator of prevention too. A case of Goa is worth mention here; A Sub Divisional Magistrate who was a part of an empowerment/ capacity building/ training programme organized by UNODC in a project supported by the Ministry of Home Affairs, Govt of India, was charged with the commitment to deliver. This young magistrate released the power and authority entrusted to him by the law of country (specially Section 18 (1) and (3) of ITPA) and, accordingly closed down a hostel building where exploitation of woman and children used to take place for years under the grab of some services. The Magistrate in his presentation lamented that the certain police officials did not cooperate for reasons best know to them and yet he went ahead with the implementation of law under power conferred upon him. The law says that the Magistrate can act upon a report by the police or any other source. He relied upon the second part and relied upon a report by his own source. The matter were settled when the Magistrate closed down the place exploitation under Section 18 (1) of ITPA. No challenge came forward because law is clear under Section 18(3) ITPA.

<p>Self Assessment Question</p> <p>1) What is Sec 18 of ITPA?</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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10.4.4 Number of Cancellation of Licence of Hotels when CSE used to take place (u/s 7 ITPA)

Section 7 of ITPA empowers the agency to suspend and cancel licence of hotel. This is a special legislation and therefore, sways over other normal legislations.

10.4.5 Number of Closure/Cancellation of Licence of Industrial Houses which Employed Forced Labour (under labour laws)

The labour laws of the country has stringent provision in this regard. Implementation, if done properly, will be effective deterrent against trafficking for labour. The available data may be not representative of the problem at hand, nevertheless the data does reveal.

10.4.6 Number of Missing Persons Rescued/Recovered

The research by National Human Rights Commission (see reference) shows that in one year an average of 44000 children are reported missing. The number of children missing, but not reported, may be much more. However among those who are reported missing, an average of 11000 are not traced back. There is a back log of 11000 children untraced and missing every year. Where are they ? The case study by NHRC (See bibliography) shows that several untraced children are languishing in places of exploitation like massage parlour, exploitative labour etc.

10.4.7 Number of Instances where Suspected Spotters/ Recruiters were Located Prevented from Indulging in Trafficking

In a case study from Sanouli in Gorakhpur district of UP (referred to earlier), in a span of few months several traffickers were identified while they were in the process of trafficking young women and, interestingly, under the garb of migration. The case study presented the trends of international trafficking.

10.4.8 Number of Instances where Preventive Detention was taken against the Suspected Offenders

It is a wonderful provision of law in India.

10.4.9 Number of Public Awareness Programmes held at Vulnerable Areas

Because of this the public, who would have fallen pray to the lure/deceit of traffickers, could be saved from becoming prey to them. A case of NGO efforts in Kishanganj on the border of Bihar with Nepal proves the point due to concerted efforts by the NGO, several public awareness programmes were held and there upon human trafficking was prevented. In this context, the services rendered by NGO like Apne Aap International, ATSEC, Rahat, BhoomikaVihar etc on the international border are commendable.

Self Assessment Question

2) How public awareness programme help in preventing trafficking?

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Activity

2) The student may visit the site, if not the spot where the NGO mentioned above works and develop a pen picture of the concerned NGO in this field, in brief.

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10.4.10 Number of Specific Instances of Preventive Checks/ Visits/Verifications undertaken by Law Enforcement Agencies

Which may or may not have led to punitive action against anybody, nevertheless had alerted all concerned against HT.

10.4.11 Advertisements regarding Sexual Services (either openly advertised or under the façade of massage services/transit services etc.)

These verified and alertness maintained against exploitation (even if the verification has not led to any criminal action).

10.4.12 Number of Man-days Spent in Preventive Steps in all or any of the Items Listed above or any other Activity which could lead to Prevention

The man-days would include the time spent by law enforcement agencies and other responders including NGOs.

10.4.13 Number of Reports, Intelligence, and Information Received from the Whistle-blowers

This is an indicator of public participation in anti-human trafficking and a great step prevention. Number of AHTUs which are operational in an area in prevention.

10.4.14 The Data of Achievements by the AHTU

Especially the comparative data of impact of the activities undertaken during the current period with corresponding earlier periods, will be another indication to show how far the steps have impacted in preventing human trafficking. The performance of AHTU was required to be documented in a format and a social audit of their performance was to be undertaken on a regular basis. (For details, see details on AHTU at the website unodc.org/India).

10.4.15 The Feedback from the Survivor/Rescued Person

Feedback as to how many valuable persons were saved from trafficking due to the actions initiated against the traffickers and exploiters involved in trafficking the person.

10.4.16 The Data on the Number of Survivors

Data of these who have been rehabilitated and are employed in sustainable livelihood options is another indicator, especially on prevention of re-trafficking.

10.4.17 Decrease in the Rate

The percentage decrease in the rate and actual numbers of crimes and human rights violations against women and children.

10.4.18 Overall Improvement in the Security Perception by the Vulnerable Sections of Society

For example, when the situation improved, women and girls residing in a village on the Indo-Nepal border started visiting markets/bazaars at the border, even during late evenings, whereas earlier they used to rush back home due to the threat of traffickers. The steps taken by the responders to control human trafficking was evident from the changed perception of safety and security by the public. Public perception of security is indeed the best yardstick of safety and security of individuals in any society.

Activity
3) Evaluate an AHTU after seeing its performance on ground.
4) Develop yardsticks for the assessment of the crimes prevented.

- 5) Associate with an NGO and see if you could interview a rescued person (after taking her informed consent) and bring out the salient features which can be utilized for prevention of human trafficking.

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10.5 SUMMARY

Though the indicators of prevention may not be direct or tangible, there are many ways to determine the steps taken in prevention and the impact thereon. Certain parameters and indicators of prevention can be identified. graver punishment, closure down of exploitative places, cancellation of license of hotels, record of missing persons, feedback of survivors etc. are several parameters.

10.6 TERMINAL QUESTION

- 1) Discuss the various parameters of prevention.

10.7 ANSWERS AND HINTS

Self Assessment Questions

- 1) Refer to Sub-section 10.4.3
- 2) Refer to Sub-section 10.4.9

Terminal Question

- 1) Refer to Section 10.4

10.8 REFERENCES AND SUGGESTED READINGS

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