



Antecedents and Reintegration of Sex Trafficked Victims in India: A Conceptual Framework

Sonal Pandey,¹ Hare Ram Tewari,² & Pradip Kumar Bhowmick³

Indian Institute of Technology Kharagpur, India

Abstract

Sex trafficking has assumed serious proportions in India. Although India was the first country to adopt anti-trafficking interventions in its constitution (Suppression of Immoral Trafficking Act, 1950) and in spite of the fact that the country is a signatory to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000, yet, the problem persists and thousands of females are trafficked every year. There is a serious lack of studies on antecedents of sex trafficking, as well as lack of interception model for prevention. In this paper, a model representing the dynamics of rescue/rehabilitation and re trafficking has been put forward. The distinct feature of this model is that it is grounded in the contextual realities of trafficking. It advocates for the creation of more personalized schemes to suit the individual needs for the rehabilitation, and reintegration. It espouses tailor made programs for rehabilitation, as 'one size' does not fit to all. The scope of the model is not limited to the Indian context; it could be generalized to other contexts also.

Keywords: India, sex trafficking, rescue, rehabilitation, reintegration, re trafficking.

Introduction

Sexual exploitation and trafficking in females is an alarming global problem. It has emerged as one of the most profitable illegal venture next to trade in arms and narcotics. The licit and illusive nature of trafficking makes it impossible to identify the exact number of people involved; nevertheless 58 percent of all trafficking cases globally are believed to be for sex trafficking (ST) (Global Report on Trafficking in Persons, 2012). Histories of ST are not new or unique. The trafficking of females for the purposes of sex work has been in practice for decades. Known colloquially as the "world's oldest profession," 'sex work' has a long and lucrative history in and around the world (Aleinikoff, 2009, p. 433). However, ST received international attention only in the latter half of the nineteenth

¹ Senior Research Fellow, Department of Humanities and Social Sciences, Indian Institute of Technology Kharagpur, Kharagpur - 721302, West Bengal, India. Email: sonal.pandey@hss.iitkgp.ernet.in

² Professor, Department of Humanities and Social Sciences, Indian Institute of Technology Kharagpur, Kharagpur - 721302, West Bengal, India. Email: hrt@hss.iitkgp.ernet.in

³ Associate Professor, Rural Development Centre, Indian Institute of Technology Kharagpur, Kharagpur - 721302, West Bengal, India. Email: pradipb@hijli.iitkgp.ernet.in

century primarily because of the associated human rights violations and its presumed role in the spread of HIV/AIDS virus (Kaufman & Crawford, 2011). ST is increasingly recognized as an important phenomenon with immense implications for global security and societal cohesion (Okonofua, Ogbomwan, Alutu, Kufre, & Eghosa, 2004).

Akin to the rest of the world, ST is on rise in India also, where large numbers of females of all ages are being increasingly victimized into the labyrinthine nexus of trafficking. Trafficking for purposes of sexual exploitation, marriage, bonded labour, domestic servitude, brothel based prostitution, and sex tourism, is widespread. In addition, India has emerged as a major source, transit, and destination country for ST. An increasing number of females from Nepal and Bangladesh, and of late, even from Uzbekistan, Ukraine, and Russia, are trafficked and brought to the country to involve into ST. Regrettably, intrastate trafficking far outweighs interstate ST i.e. more females are victimized for ST within the country than for international markets. The estimates of ST in India, however, are mere approximations and show a high degree of discrepancy without revealing the real picture (Pandey, Tewari & Bhowmick, 2013).

As per the Ministry of Women and Child Development estimates, there are about three million females in forced prostitution in the country (Karandikar, Gezinski, & Meshelemiah, 2011). A recent report of the National Commission for Women (NCW) postulated that more than half of the 612 districts in the country are affected by trafficking of females for ST and there are 1,794 identified places of origin from where females are trafficked and 1,016 areas where ST activities take place (Human Trafficking: India in Focus, 2009). At any given time, 20000 females are being transported from one part of the country to another for the purpose of the ST (Sen & Nair, 2004).

In India, public debate on the issue of trafficking of females for ST emerged in the 1990s after the landmark decisions of the Supreme Court in the cases of Vishal Jeet vs. Union of India (1990) and Gaurav Jain vs. Union of India (1997), in which the Supreme Court issued directions to the Union and State Governments to study trafficking in depth and prepare a national plan to address the problem (Judicial Handbook on Combating Trafficking on Women and Children for Commercial Sexual Exploitation, 2006). Later, in the year 1998, the Government of India (GoI) formulated *the National Plan of Action to Combat Trafficking and Sexual Exploitation of Women and Children* which prescribed an exhaustive set of guidelines to Central and State Governments, covering the entire spectrum of prevention, law enforcement, awareness generation and social mobilisation, health care, education, child care services, housing, shelter and civic amenities, economic empowerment, legal reform, and rescue and rehabilitation. Unfortunately, all efforts culminated in vain and trafficking still continues unabated until today, highlighting an upward trend instead of decline.

Terms and definition

For the purpose of current research all kinds of sex work is referred to as trafficking as per the recent United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000 (hereafter referred to as Palermo Protocol). The definition of the trafficking as enshrined in Article 3 (a) is:

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, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, 2000).

Adherence to the above framework offers inside track over enigmatic subject of trafficking. The basic challenge confronting anti-trafficking praxis was lack of uniform definition. For example, Indian constitution defines trafficking for brothel-based prostitution however, trafficking for other relevant acts such as sex tourism, pornography has not been adequately addressed so far. According to the Immoral Trafficking in Persons Prevention Act (1956), prostitution is the sexual exploitation or abuse of persons for commercial purposes. This rigid exposition posed further defiance in cross border trafficking interrupted by regional stance on sex work and prostitution. Thirdly, earlier frameworks paid overriding concern to the element of 'exploitation' extending the defensive provisions only after the victimization took place. No safeguard existed for the intended sexploitation. The merit of the Palermo protocol lies in professing 'intention' into the threshold of trafficking. Moreover, the protocol does not limit its focus to exploitation taking place because of the more obvious forms of coercion, such as threats or the use of force, but also includes "abuse of power or of a position of vulnerability" (Bjerkkan, Drylid, Ristanovic, & Patric, 2005, p. 11). Besides, there is no reference to geographical space. It does not specify that trafficking requires movement across national borders (Kelly, 2004). It supplied a comprehensive definition of trafficking covering its various aspects. In addition, this definition is widely accepted and universally followed amongst several nations and all international texts pay lip service to it. While "victim" denotes someone who has been the victim of ST, it does not refer to the person's agency or any other characteristics (Brunovskis & Surtees, 2012a).

Anti-trafficking laws and legislations in India

The Constitution of India explicitly prohibits trafficking of human beings and considers it a serious criminal offense. It provides for the punishment of the perpetrator through a wide range of laws such as antitrafficking acts including the Indian Penal Code (IPC) etc. The IPC criminalized the sale or procure of females under 18 years for the purpose of prostitution or unlawful or immoral purposes and stipulates imprisonment to the perpetrator up to ten years. The IPC also penalized cross-border trafficking into prostitution (Regmi, 2006). Article 23 (1) of the constitution declares, "Traffic in human beings and *beggar* and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offense punishable in accordance with law". The right to be free from exploitation is also guaranteed to any person living in India by the Constitution of India.

The Suppression of Immoral Traffic in Women and Girls (SITA), 1956 is the principal law addressing trafficking and prostitution which was later amended to the Immoral Traffic in Persons Prevention Act (ITPPA) in the year 1986. ITPPA is the main legislative tool to prevent and combat trafficking for ST. Its prime objective is to inhibit/abolish traffic in women and girls for the purpose of prostitution as an organized means of living. The Act defines the terms 'brothel', 'child', 'corrective institution',

‘prostitution’, ‘protective home’, ‘public place’, ‘special police officer’, and ‘trafficking officer’. The principle objective of the ITPPA is to curb the commercial exploitation of females for trafficking throughout the country. The ITPPA also provides for the setting up of special courts by the state governments, as well as by the Government of India.

However, ITPPA is narrow in scope, does not offer adequate security and protection to the victims, and has often been used against the victims instead of the perpetrators. Resultantly, the number of arrests under it is negligible. Victims are often booked (under the Section 8) instead of the traffickers, and that is the major loophole of the ITPPA. Seduction or solicitation for the purpose of prostitution in any public place or within the sight of a public place or in such a manner as to be seen or heard from any public place is an offence. This provision is most often used by the police to harass the victims and extract money and sexual favours from them (Mohan, 2005). The following table reflects the number of arrests under ITPPA during the last decade:

Table 1 All India Patterns of Arrests under the ITPPA by Sex, 1997-2006

Year	Males arrested	Females arrested	Total arrested	Percentage of females in total arrested
1997	1302	10069	11731	88.55
1998	1260	11605	12856	90.26
1999	1570	13195	14765	89.37
2000	1779	12073	13852	87.16
2001	2560	10263	12823	80.04
2002*	2390	9666	12056	80.18
2003	3003	8098	11101	72.95
2004	3145	8283	11428	72.48
2005	3547	9118	12665	71.99
2006	4228	7555	11783	64.12

Source: (Ghosh, 2009)

*The figures for 2002 were revised by NCRB in 2003 following corrections in the data supplied by Chhattisgarh.

The ITPPA has no specific measures for the confiscation of assets amassed by the traffickers, nor there exist amenities for victims’ protection. Further, ITPPA does not suggest mandatory welfare services for the victims. The health care of the victims has not been adequately dealt with under rehabilitation services. Similarly, there is no mention of compulsory provisions regarding the role of the NGOs and the integration of rehabilitation with rescue.

The other pertinent acts which address the issue of trafficking in India are the Karnataka *Devdasi* (Prohibition of Dedication) Act (1982), Child Labour (Prohibition and

Regulation) Act (1986), Andhra Pradesh *Devdasi* (Prohibiting Dedication) Act (1989), Information Technology Act (2000), the Goa Children's Act (2003), and the Juvenile Justice (Care and Protection of Children) Amendment Act (2006), and so on. Besides, there are also certain other collateral laws having relevance to trafficking such as the Indian Evidence Act (1872), Child Marriage Restraint Act (1929), Young Persons (Harmful Publications) Act (1956), Probation of Offenders Act (1958), Criminal Procedure Code (1973), Bonded Labour System (Abolition) Act (1976), Indecent Representation of Women (Prohibition) Act (1986), and the Transplantation of Human Organs Act (1994), etc.

Anti-trafficking interventions: policies and praxis

In India, the earliest anti-trafficking mandate dates back to the 1860s with the promulgation of several sections prohibiting sexual trafficking in the IPC (Regmi, 2006), yet it persist and studies suggest that thousands of girls and women are trafficked for ST under various pretexts (Pandey, et al., 2013). IPC prohibited trafficking of females into coercive prostitution in India and prescribed harsh punishment for offenders. Post independence, IPC was integrated into the Constitution of India and trafficking was prohibited under article 23. It also endorsed several international treaties as a part of its perpetual commitment against trafficking in any form. India was also one of the earliest signatories to the *Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others* (1949) (hereafter referred to as 1951 Convention), and claims to have implemented this treaty within its domestic legal system through the *Suppression of Immoral Traffic in Women and Girls Act (SITA) of 1956*, subsequently amended and renamed the *Immoral Traffic in Persons (Prevention) Act (ITPPA) of 1986*.

Notably, neither SITA, nor ITPPA, prohibits prostitution, nor does either aim at the abolition of prostitution or make it *per se* a criminal offense (Wad & Jadhav 2008; Regmi, 2006; Mohan 2005). The SITA was enacted to provide coherence to the constitutional provisions along with the 1951 Convention. The hallmark of this convention is that it strongly upheld that prostitutes cannot be punished as they are on the receiving end of exploitation. At the same time, it affirmed that the brothel owners, pimps, etc. actually accrue the benefits of exploitation and thus must be penalized in order to rectify the problem effectively. The preamble of the 1951 Convention, as the gateway to the legislation, referred to the law as "[a]n Act to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950, for the prevention of immoral traffic" in women and girls, enacted by Parliament in Seventh Year of the Republic of India (Regmi, 2006, p. 380). However, several provisions of SITA discriminated against victims of prostitution and punished the victims instead of perpetrators in direct contravention of the 1951 Convention. Firstly, it criminalized solicitation in public places and stipulated imprisonment of up to three months for any woman or girl engaging in prostitution within a distance of two hundred yards of any public places. Moreover, under this law a female charged for soliciting could face imprisonment up to one year, whereas for the same offense, a pimp could be imprisoned only up to three months. Another major hitch in SITA was that it addressed only street prostitution while brothel prostitution was not adequately dealt with. Further, provisions for the protection of the rights of the victims were missing. This omission had catastrophic repercussion consequently, brothels continued to flourish unbridled. In addition, minimal punishments were prescribed for the pimps, traffickers, and brothel owners.

The SITA was amended and renamed ITPPA in the year 1986. The ITPPA was intended to be more comprehensive than SITA and extended its protective framework even to the male prostitutes, hijaras, koti sex workers etc. besides the females. In addition, pimpism and other relevant activities were penalized (Wad & Jadhav, 2008). It was an exemplary stroke as earlier atrocities on the above-mentioned cohort were not acknowledged and given legal redress (Wad & Jadhav, 2008). Moreover, sub-section (4) of section 6 accorded full protection to females and upheld that no suit or legal proceeding shall be brought against a victim caught under Section 6. The ulterior motive was to protect the identity of the female in the wake of stigmatization associated with prostitution in the country. However, prostitution was not criminalized per se.

Breakthrough in this direction was the result of activism in the form of public interest litigation (PIL). In its monumental judgment *the Vishal Jeet vs. the Union of India* (1990), the Supreme Court judgment directed the government to ensure care, protection, development, treatment and rehabilitation of the victims of commercial sexual exploitation and setting up of a central advisory committee for the protection of the victims (Regmi, 2006). Later, in *the Gaurav Jain vs. the Union of India*, the Supreme Court ruled the prostitutes to be rehabilitated through self-employment schemes, and their children be endowed with adequate safety, protection and rehabilitation in the juvenile homes manned by qualified trained social workers or homes run by NGOs with the aid and financial assistance given by Government of India or State Government. Subsequently, the *Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children* was introduced by the *Department of Women and Child Development*, by the government in the year 1998 as an essential policy statement to determine the nature, scope, and direction of future programs in the fight against trafficking in persons. The plan provides to government ministries and departments, both at the centre and in the states, an action agenda covering legal and regulatory reforms, law enforcement, prevention through public awareness, rescue and shelter of victims, their medical care and rehabilitation, their return to normal family and educational structures and their economic empowerment and reintegration into the labour market (NHRC's Plan of Action to Prevent and End Trafficking in Women and Children in India, 2010).

Rescue, rehabilitation, and reintegration of the victims

Legal responses to the trafficking typically adopt a three-prong framework focusing on the "three P's"-prosecution, protection, and prevention-prosecuting traffickers, protecting trafficked persons, and preventing trafficking. In practice, however, these responses focus on the prosecution of traffickers and, to a lesser extent, protect their victims. Of late, the legal jurisprudence approach has given way to a victim-centred approach to trafficking (now the "three R's"-rescue, rehabilitation, and reintegration) (Regmi, 2006). The current intervention practices comprise of rescue, rehabilitation, and reintegration of the ST victims.

'Rescue' is removal of a victim from trafficking situation (Williams et al., 2010). It implies a safe withdrawal of victims from the place of exploitation. In literary parlance, 'rehabilitation' refers to the concept of restoration to a former state. In the context of trafficking, rehabilitation imply enabling the victim to be free from the physical, psychological and social impact that she has been subjected to as a result of abuse and exploitation (Sanlaap & Terre Des Hommes, 2009, p. 11). Broadly, rehabilitation is a psychological, economic, physical, as well as socio-cultural goal. This is the phase that

covers the period of physical and psychological recovery, and social reintegration (Zimmerman, et al., 2003). This time is difficult for trafficked persons who have returned and want to be meaningful and accepted members of the society, hence, the role of support network and individual's coping mechanisms becomes crucial during this period. During rehabilitation phase, care should focus on to address the long-term health needs and reintegration of the victims. Victims should be provided with health care, which is tailored to their individual needs and circumstances. Psychosocial counselling plays a critical role in building trust, identifying needs of the victim, gaining consent for delivery of health care, engaging the person in setting out recovery goals, and assisting in long-term rehabilitation and empowerment (Budapest Declaration on Public Health and Trafficking in Human Beings, 2003). Therapeutic (psychiatric) intervention can play a positive role during this period and facilitate the victims of ST overcome the memories of the episode(s).

In migration theory, 'reintegration' is often referred to as the 'return' stage (Gushulak, 2000, cited in Zimmerman, Hossain, & Watts, 2011). For the purpose of the current study, the definition of reintegration has been adapted from the European Council on Refugees and Exiles (ECRE) note on integration. Integration [and reintegration] implies 'long-term and multi-dimensional stages of either integrating into a host country [or reintegrating into a home country setting], which are not achieved until the individual becomes an active member of the economic, cultural, civil and political life of a country and perceives that he or she has oriented and is accepted'. There are important similarities between 'integration' and 'reintegration', such as stigma, risk of re-trafficking, enduring psychological sequel and difficulty accessing services (Zimmerman et al., 2011).

Reintegration of victims of ST is more than a geographic movement of a victim back home or to any other selected places (Rehabilitation of Victims of Trafficking in Group Residential Facilities in Foreign Countries, 2007; Derks, 1998). Derks (1998) suggests that reintegration refers to renewed reunion or incorporation with a social unity. In case of reintegration of victims of trafficking, it aims at assuring some minimum social acceptance and protection against discriminatory social treatment ensuring victims would have access and control over resources as other members of the respective society (Brunovskis & Surtees, 2012a; Derks, 1998). Reintegration assistance broadly includes direct assistance such as support in form of legal representation, health care, social, medical and psychological care and material assistance to the victims of trafficking (Harrison, 2006). Reintegration services are essential and involve a complex array of services: psychological counselling to address trauma and economic and social skills for economic support (Hook et al., 2006). She would get social respect and dignity as she had before she was trafficked. Notably, encouraging former victims to help other victims through the rescue and rehabilitation process may facilitate the empowerment of both the former as well as the new victims (Hameeda, Hlatshwayo, Tanner, Turker, & Yang, 2010). Lack of effective empowerment provisions for victims during rehabilitation process may disrupt the reintegration process and incite many victims to retreat to their exploitative situations. Encouraging formerly sex trafficked victims to share their experiences in community groups, schools or clubs may promote community sensitization towards ST and help reduce social stigma and discrimination towards trafficked victim (Hennink & Simkhada, 2004).

Rehabilitation and reintegration of rescued victims being a long-term process, efforts should be made to consider the specific short and long-term needs of each individual

victim based on their age, education, skills, etc. Efforts as far as possible should be non-punitive and designed to protect their rights (NHRC's Plan of Action to Prevent and End Trafficking in Women and Children in India, 2010). Reintegration activities must aim at building protective mechanisms in the social interaction of the individual victim in such a way that the chances of revictimization of the victim are minimized. Minimum provisions must be made for treatment of trauma as well as alternative educational and vocational opportunities to the individuals. An effective rehabilitation and reintegration framework must ensure, in general terms, safety and wellbeing of victims and their community whilst simultaneously resecuring human rights and safeguarding against their revictimization, reprisal or retaliation (Loong, 2010).

Gaps in current praxis and re trafficking

For the purpose of this paper, re trafficking is defined as the return of victims of ST to the trafficking situation after being rescued from the exploitative situation. It has been found that the former victims of trafficking do not generally display enthusiasm for either return or reintegration (Adelson, 2005). Several reports suggest that victims of trafficking who managed to get out of their situations of coercive sex work either through police raids or payment of debts chose to return to the business (Crawford & Kaufman, 2008; McDonald, 2004). It has been observed that females after being intercepted and returned to their communities do not stay in their communities for longer (Jackson, 2006; Truong & Angeles, 2005). Alternatively, some of the victims of trafficking may re-enter prostitution voluntarily as a consequence of economic necessity combined with the lowered inhibitions toward sex work (Dewey, 2008, cited in Locke, 2010). Most of the victims generally return to their former sanctuaries within a year or two (Chaulagai, 2009). The instances of voluntary re trafficking are very rampant among the survivors of the sex trafficking. Among the assisted victims, re trafficking is widespread, with rates ranging from three to thirty-four percent in 2003 and 2004 respectively (Surtees, 2005).

Economic stability and sustainability options are the major determinants of the return and reintegration of an individual in a community (Brunovskis & Surtees, 2012a; Chaulagai, 2009; Priti & Pravin, 2007; Rehabilitation of Victims of Trafficking in Group Residential Facilities in Foreign Countries, 2007; Ruben, 2006; Derks, 1998). The poor economic situation that often contributes to trafficking in the first place, further disposes an individual to re trafficking when these economic risk factors are still in place (Williams et al., 2010; Ray, 2006). When victims return home and are faced with the same dire economic and social conditions that led them to be trafficked in the first place, then many victims find themselves in precarious situation where return to ST may be an issue of survival compelled under the dire economic impoverishment. On the other hand, reintegration might be facilitated in cases, where victims of trafficking bring back considerable amount of money to support the family (Chaulagai, 2009; Derks, 1998). Research indicates that without viable economic alternatives, sex trafficked victims often return to sex work and face continued stigma and social exclusion (Hennink & Simkhada, 2004). Thus, a comprehensive approach must target the cycle of poverty that precipitates trafficking in persons, as financial independence is important for sustaining survivors' social reintegration and psychological well-being (Ruben, 2006; Tzvetkova, 2002).

Social and cultural setting pose further barrier to the success of rehabilitation and reintegration of the victims of ST. The social and cultural morality based code of conduct for women defined by patriarchal norms often prevents safe reintegration and

rehabilitation of the female victims (Hennink & Simkhada, 2004; Ruhi, 2003). Traditional and religious beliefs and practices are equally significant in reintegration processes for victims of trafficking (Derks, 1998). Social trust is another important factor for reintegration (Brunovskis & Surtees, 2012b; Bhattacharjea, 2003). The mainstream open society too with its strong biases against the victims comes in the way to the rehabilitation process by depriving them the opportunity to live life away from prostitution in place of accepting them in the community (Priti & Pravin, 2007).

Stigma attached to trafficking, and particularly to any association with prostitution, is significant for individuals, families, and communities and can have severe consequences, seriously impeding their reintegration and recovery (Brunovskis & Surtees, 2012a; Brunovskis & Surtees, 2012b; Brunovskis & Surtees, 2012c; Chaulagai, 2009; Torgoley, 2006; Pearson, 2004; Sen & Nair, 2004; Bhattacharjea, 2003; Derks, 1998). Sex work is looked down universally and individuals (sex workers) are invariably stigmatized and considered loose and deviant not worthy of social presence. The trafficked victims are considered as spoilt and families are often reluctant to their reunification treating them as social outcast. It actually creates more vulnerability to the trafficked persons. Besides, fear and shame often lead many victims to remain silent about their experiences of abuse and thus they fail to warn others who might be vulnerable (Brunovskis & Surtees, 2012c; Hoque, 2010; Derks, 1998). The involvement of family or community member in the recruitment process or being deceived into the ST does not mitigate this stigma; the victims continue to be labelled as prostitutes or of being loose (character) and thereby impeding the reintegration process (Alvarez & Alessi, 2012; Bohl, 2010; Harrison 2006). Sometime, it is not only the girl/woman who is disgraced upon her return, but also the family and even the entire community (Brunovskis & Surtees, 2012b; Crawford & Kaufman, 2008). This ostracization also may heighten their risk for being re trafficked or for otherwise reengaging in prostitution or other risky sexual behaviours (Hoque 2010; Crawford & Kaufman, 2008; Silverman, Decker, Gupta, Maheshwari, Willis, & Raj, 2007; Torgoley, 2006).

From the viewpoint of the individual victims, reintegration is influenced by their feelings of shame and low self-esteem, dissatisfaction with life and unfulfilled responsibilities (Derks, 1998). There is also a great deal of self-stigmatization among the victims of sex trafficking (Bohl, 2010). In several south Asian countries such as India, Nepal, Bangladesh etc. sex is quite a taboo for an unmarried female. Sex before marriage is unacceptable and may cause moral outrage and social ostracization of the female as well as the family. Hence, engagement in sexual activities of any kind or physical intimacy with known or unknown person immediately instills emotional breakdown sometimes even giving rise to mental trauma in some cases. The individual conformity to the popular norms instigates a sense of guilt and shame in the victim and impedes reintegration into the mainstream society. Many undergo torture (both physical and psychological) and need rehabilitation services. Victims often find it difficult to forgive and overcome the shame involved. Unfortunately, some victims find it too difficult to return to a normal life and retreat to the places from where they came. Shockingly, although they suffer from extreme trauma, some recruit or trick other victims into the vicious cycle of trafficking (Fowler, Che, & Fowler, 2010; Chakraborty, 2006). The media has been found to be inflaming the stigmatization by sensationalizing the issue and exposing the identities of the victims (Sen & Nair, 2004). Media representations influence not only how society

conceptualizes trafficking victims, but also how victims perceive themselves and their identity within society (Srikantiah, 2007).

There exists limited literature on the role of 'families' as a thrust into trafficking at the initial stage and in rehabilitation and reintegration, post trafficking (Pandey, Tewari, & Bhowmick, in press). Family is often described as a part of a general pattern of vulnerability for e.g., poverty, domestic violence, child abuse, alcohol abuse, single motherhood, etc. as a trigger and a contributor to trafficking (Brunovskis & Surtees, 2012c). Family is the basic building block of the society and plays very important role in socialization of an individual. The basic protective mechanism of the family is very crucial after return, in reintegration of the individual. It has two-fold functions: minimizing the vulnerability in the first place, and providing support mechanism post trafficking. Reintegration is largely dependent on relations among family members as well as the larger social environment that is able to support and help cope with adverse experience of ST (Derks, 1998).

Research shows that trafficked persons, who have a family and friends, on return, generally choose to seek assistance from their own network (Nicola & Ruspini, 2009). The lack of supportive family environment may jeopardize the reintegration. If a victim comes back to the family and perceives that, nobody is waiting for her, or if s/he feels lonesome, or finds nobody taking care of her/him, it is much more difficult to carry out rehabilitation and reintegration, which is at the same time very time consuming (Fomina, 2006). Instances where one's own family member was complicit in the trafficking process, reintegration may further aggravate the chances of re-trafficking (Ray, 2006; Roby, 2005; Derks, 1998).

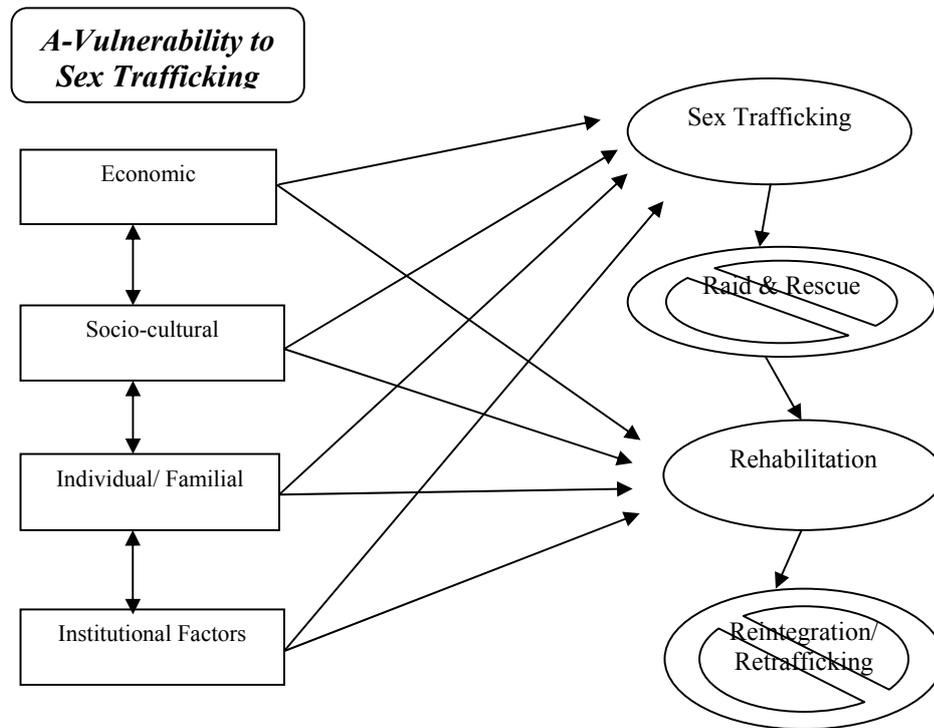
The proposed conceptual framework

The Protective Homes were established by the Government under section 21 of the ITPPA exclusively for females detained under ITPPA and for those seeking protection from being forced into ST. These homes are supposed to provide custodial care and protection in addition to providing education and vocational training for rehabilitation of the inmates. A number of voluntary agencies are also independently involved in the care and rehabilitation of victims and advocacy of their problems. However, certain shortcomings have been identified in these programmes. There exists limited research on the therapy, rehabilitation and reintegration of the former victims. There is a particular lack of models of recovery, repatriation, and reintegration based on the needs of the victims. The current model (figure 1) presents the framework for the rehabilitation and reintegration of the ST victims.

Although each trafficking case is unique, nevertheless, there appear to be a few common risk factors that make some females prone to ST than others. For the purpose of this paper, factors assumedly considered to perpetuate ST are encompassed under the four heads viz, economic, physical, individual and family, and institutional factors. Poverty/impoverishment, lack of livelihood opportunities, and restrictive access to resources are economic elements that make one vulnerable to ST. Physical factors include illiteracy, and consequent lack of skills which limits one opportunities to secure job in formal market disposing females to various forms of exploitation. Vulnerability caused by marital infidelity, alcoholism, domestic violence, desertion by husband and divorce (Sen & Nair, 2004), desertion by one or the other parent, uncared for or abandoned children are common individual and familial factors creating susceptibility to ST. In addition, certain

religious (*devdasi*) and cultural practices (existence of prostitution markets) has also driven victims to ST.

Figure 1: Proposed framework to address rehabilitation and reintegration of the victims of the sex trafficking



It has been found that the removal of the victims via raid and rescue is not an effective intercepting strategy. Instances of re-trafficking among the victims are familiar. As per the current intervention practices, often in the guise of ‘reunification within the family’, victims are placed in their families, where they are re-exposed to the same range of risk factors which led to their trafficking in the first instance. The determinants of ST are positively correlated to rehabilitation/reintegration i.e. the elements, which instigate ST (economic or monetary assistance, physical, individual and family, and institutional factors), are also responsible for re-trafficking at later stages.

Poverty has been found to be increasingly linked to vulnerability to trafficking, thus economic rehabilitation may be an important precursor to successful reintegration. Because for many victims, economic desperation was responsible for their victimization, thus elements propelling re-trafficking persist if the victims return home without any vocational skill training. For some of the victim, economic rehabilitation may be an issue of survival. Thus even after reintegration into their home or community, the probability of their re-trafficking is likely. Given that most victims have worked solely in the sex industry, they need life skills and job skills training to secure and sustain employment. Job skills and life skills training are important for a victim’s ability to secure financial independence and care for herself or himself (Macy & Johns, 2011). Economic rehabilitation is not only conducive for means of sustenance rather it helps bolster the self-

esteem of the victims, which has a positive implication for the rehabilitation and reintegration of the victims (Macy & Johns, 2011; Zimmerman, et al., 2003; Derks, 1998).

Further, the role of families in the process of rehabilitation or reintegration is paramount (Pandey, Tewari & Bhowmick, in press). Family can play a crucial role in the successful reintegration of the victims, but may also prove to be a constraint, in the absence of hormonal relationship amongst its members. It must be given adequate attention in the schemes and policies. Undermining the role of family in reintegration interventions may jeopardise the reunification process. High level of stigma is attached to sex work and the individuals engaged in this trade are considered 'loose' and 'deviant' unworthy of social presence. Sometimes, even families are found to decline the reunification of their survivor-members, under the influence of the community outrage.

In a study on sex slaves in South Asia, Brown (2006) discovered that the trafficked victims are perceived as the destroyer of social prestige and identity (cited in Chaulagai, 2009). Counselling can be an effective intervention strategy in this attempt. It has been found that in the absence of the knowledge of 'what has happened' or whereabouts of the victims at the place of destination, victims' stressed behaviours are confusing and hurtful and lead to additional problems and tensions (Brunovskis & Surtees, 2012c). The victims' parents must also be counselled about the needs of the victims through these programmes. Besides, victims born out of individual or familial factors such as 'dysfunctional or broken family' or related reasons, families may fail to offer appropriate assistance to the victims interrupting with the normal reunification process. In this context, such victims are probable to be caught in the trap of those who exploit such vulnerability.

Notably, encouraging former victims to help other victims in the rescue and rehabilitation process may facilitate the empowerment of both the former as well as the new victims (Hameeda et al., 2010). Lack of effective empowerment provisions for the victims during the rehabilitation phase may disrupt the process and incite many victims to retreat to their exploitative situations. Encouraging former ST victims to share their experiences in community groups, schools or clubs may promote community sensitization towards ST and help reduce social stigma and discrimination towards them (Hennink & Simkhada, 2004).

The problem with the current intervention programs is that they are based on the principle of uniformity i.e. identical programs for all. The governmental or nongovernmental organizations offering aftercare support service to the victims of ST have provisions of vocational training, which are not economically viable. Vocational training is limited to stitching, painting, or other minor vocations that are not economically viable. Besides, the agencies providing these services often have a uniform education pattern for all the inmates, which may not be conducive to the victims who are dropouts due to some or other reasons. India, where each state has its own language, medium of instruction becomes another issue. For example, a victim from Karnataka who has been taught (if she has received some education) in the native language in her state is expected to read Hindi/English when placed in any shelter home in Delhi.

It is notable that each ST case is unique with different elements involved behind each movement. The needs of the each victim are exclusive and the rehabilitation programs must focus on individual interests and situations. Immediately, after the rescue of victims, a draft report containing her case history, including her testimonies about future aspirations should be prepared to figure out the suitable program for her. To achieve the above objective, the government agencies, may work in tandem with the IGOs and NGOs to

cater to the needs of the group of victims from diverse backgrounds with varied needs and requirements.

Conclusion

The given framework intends to target trafficking by hitting at the root causes to prevent re-trafficking. The distinct feature of this model is that it is grounded in the contextual realities of trafficking in the society. It suggests that rehabilitation and reintegration can never exist in a vacuum and can be accomplished only when the factors propelling ST are addressed in the first place. The basic axiom of this model is that the antecedents of ST should be addressed during the stage of rehabilitation to facilitate the reintegration otherwise; the probability of re-trafficking is likely. Its penultimate goal is to enucleate the issues giving rise to the phenomenon. Hence, it directs all interventions to address the potential vulnerable elements causing ST in the first place and later re-trafficking. Moreover, it recommends tailor made programs to suit the individual needs for the rehabilitation and reintegration. As 'one size' does not fit to all victims.

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