



Report of the

**Consultation on Tackling Newer Emerging Vulnerabilities
Leading to Trafficking in Children and Women in Bihar**



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Inaugural Session:

The session started with a Biblical Reflection by the Rt. Rev. P. P. Marandih and an inaugural worship led by The Rev. Enos Pradhan, General Secretary, Church of North India. Mr. Sudipta Singh, Director, Programmes, CNI while welcoming the participants from different parts of Bihar, different States of India and the international participants, representing different countries introduced the subject under discussion and requested all stakeholders to take active part in discussing the context of human trafficking in Bihar and how it could be prevented and combated by developing a multi-stakeholder action plan.

Rev. Dr. Enos Pradhan, in his welcome address, said that this august gathering is here to respond to the call of God for doing something that is valuable to the human kind. He urged to the participants to be open in their discussions about the situation of women and children in Bihar and what could be done to prevent human trafficking. He said that this gathering represents various concerned stakeholders and he expressed his deep desire that the two day long consultation will be able to provide an action plan that is agreeable among the stakeholders to implement in its fullest strength.

The Consultation on “Tackling newer emerging vulnerabilities leading to trafficking in children and women in Bihar” was organized by Diocese of Patna, Church of North India 11th -12th January, 2008 in Patna, Bihar. It was inaugurated by the Dy. Chief Minister Mr. Sushil Modi, the Hon'ble Speaker of the Bihar Assembly, Mr. U N Chowdhury, Dr. P. M. Nair, Co-ordinator Anti- Trafficking Unit, UNODC ROSA, Rev. Dr. Enos Das Pradhan and Rev. Dn. Adrian Watkins, Manager xxxxxx, Church Mission Society by lighting the Lamp. The Hon'ble Dy. Chief Minister and the Hon'ble Speaker (Bihar legislative Assembly) released Hindi and Nepali posters jointly produced by UNODC, CNI and Government of India that highlights the mode and consequences of human trafficking for generating public awareness and sensitizing different stakeholders to bring about an attitudinal change.

Hon'ble Dy. CM, in his address welcomed the august gathering and congratulated CNI for organizing such a consultation in Patna. Highlighting the need to intervene in the areas of social concerns primarily on women's empowerment and child rights, he mentioned that Government of Bihar is sensitive and committed to issues of violence against women and children. He attributed these atrocities against women as fallout of the societal deprivation that women face in their own families and the negative attitude that girls are confronted within their daily lives as most parents believe that girls are a burden. He mentioned about several schemes that Government of Bihar has introduced for the empowerment of women and to sustain the interest of education among girls in rural areas.





He also highlighted the Government's initiative to formulate a State Plan of Action to combat human trafficking in Bihar. He ended his address by stating that the Government of Bihar would be committed to integrate the action plan of this consultation along with the State action plan to combat trafficking in women and children in Bihar.

Mr. U. N. Chowdhury, Hon'ble Speaker, Bihar Legislative Assembly, also echoed similar concerns raised by the Hon'ble Dy. Chief Minister. He stated that gender discrimination is the primary cause for violence against women and girl children in Bihar. He mentioned poverty in Bihar as one of the main reasons that pushes women and girl children into a vulnerable situation that leads to exploitation. He also emphasized the commitment of Government of Bihar to take the discussions of this consultation forward.

The inaugural session ended with the greetings from the representatives of UNODC, CMS, ERD, PCUSA and ATSEC. The representatives congratulated CNI for organizing such consultation in Patna and to provide a platform for multi-stakeholder interaction to develop a plan of action for combating human trafficking.

Mr. Regi George, Principal, Christ Church School, gave the vote of thanks to Hon'ble guests of the inaugural session for their presence and valuable inputs in the mission to combat trafficking of women and children in Bihar.

Session I: Trafficking in Women and Children in the context of Globalisation and CNI's response

The speakers of the panel, Mr. Sudipta Singh and Ms. Sanjana Das provided a conceptual understanding of trafficking in Women and Children in the context of globalisation.

Ms. Sanjana Das, former co-ordinator, CNI presented a situational analysis on trafficking in women and children in South Asia in general and the in the State of Bihar in particular. She presented the different definitions related to trafficking in women and children to bring about a conceptual understanding on the issue. The presentation stated that it is impossible to know and statistics are difficult to obtain because trafficking is an underground activity. A US Government report published in 2004





estimates that 600,000-800,000 people worldwide are trafficked across borders each year. This figure does not include those who are trafficked internally. According to an ILO estimate, 15% of the country's estimated 2.3 million prostitutes are children. The traffic is controlled largely by organised crime. (US Dept of State, Country Reports on Human Rights Practices - 2000, February 2001. Speaking about how human trafficking has taken the form of modern day slavery; she shared the cause and consequences of trafficking in the Indian context. At the end she narrated the Church of North India's intervention in combating human trafficking in the eastern Himalayan area where the closure of tea gardens has made the children and women vulnerable to trafficking. She informed the gathering about how CNI is making use of its local resources in terms of women, youth and pastors to reach out to the larger community. CNI also involves different stakeholders such as the media, police, administration, NGOs and civil society to tackle this problem in the region. The presentation ended with the response of CNI in combating trafficking in women and Children. The presentation stated that CNI has an intensive base with the community in source areas and has been able to intervene through CNI's resource pool of institutes, organizations and community based groups by integration of awareness on trafficking in the existing programmes.

Speaking on globalization and women in India, Mr. Sudipta Singh, Director Programs, Church of North India explained how globalisation and femisation of poverty has increased the vulnerabilities of women to trafficking and has lowered the status of women in Indian society by further pushing them to the periphery. He shared how globalisation has affected the production of life, with gendered consequences, in terms of access to health, access to water and fuel, education: food and nutrition, consumerism and homogenisation of cultures and other aspects of social development. He further explained how globalisation has affected production of livelihoods, with gendered consequences. He mentioned about endowments and production possibilities with liberalization of land legislation under the tenth five-year plan (2002-2007), agricultural land can be used for industrial purposes in India. Several small and marginal farmers are being lured and at times even forced to sell their land. As more women are employed in agriculture than men these developments affect women more than men.

Globalisation has led to privatisation of commons. This can be seen especially with regard to water resources, having more adverse consequences for women. Production possibilities out of land have decreased with soil and ground water erosion.





Panel II: Anti-Trafficking activities and multi-stakeholder approach in the region
The panelist, Mr. C. K. Mishra, UNAIDS while highlighting the need for multi-stakeholder intervention to combat human trafficking of women and children in Bihar mentioned the link between human trafficking and HIV/AIDS and the role of UNAIDS in terms of prevention. Ms. Priti Srivastava, Consultant UNICEF and Govt. of Bihar highlighted the programme of Department of Women and Children, Bihar. Welcoming this initiative by the Diocese of Patna, CNI, she suggested the recommendations from this Consultation could feed into the State Plan of Action. She also highlighted the multi Stakeholders Approach of UNICEF and the State Government by involving CID, NGOs, Labour Department and UN agencies in combating human trafficking in Bihar.

Session II: Human Trafficking and Law Enforcement responses: Dr. P M Nair
Dr. P. M Nair, Co-ordinator, Anti Trafficking Unit, UNODC ROSA, made the gathering aware of the different legal provisions as applied in India to prevent trafficking, protect victims and prosecute traffickers and de-criminalise women in prostitution. He referred to Article 23 of the Constitution of India that specifically prohibits traffic in human beings including begging and other forms of forced labour and stated that any contravention of this provision is an offence punishable in accordance with law. He further mentioned that Article 39 (f) of the Directive Principles of State Policy states that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. He further elaborated on the different legal provisions such as Immoral Traffic Prevention Act 1956, Juvenile Justice Act 2000, Indian Penal Code 1860, Procedural Laws, Special Laws and Supreme Court and High Court Rulings. While highlighting the effective law implementation mechanisms by punishing traffickers, confiscation of assets and expediting actions, Dr. Nair mentioned about the issues and problems in implementation. He then spoke about the missing children's link to trafficking and shared briefly his experience of the NGOs work while doing the Action Research of Trafficking in Children and Women.

Panel II: Role of stakeholders in Implementing Anti-Trafficking programmes:

Chair: Dr. P. M. Nair

This session highlighted the need for multi-stakeholder response. Mr. Jaishankar Gupta spoke on the Role of Media and emphasised the need for responsible sensitive reporting in print and electronic media. He firmly





stated that the role of media is to act as a pressure group to raise public awareness and government accountability for upholding the rights of every citizen, and most importantly, women and children, those are violated of their rights. Mr. Amitava Bhattacharya highlighted the role of alternative media. He emphasized on theatre as an alternative form of communication which has an extensive reach specially in rural areas. Mr. Vijay Prakash spoke about the schemes of the Government of Bihar and highlighted on the need for multi-stakeholder interventions and shared about the different schemes of government to empower women and girls of Bihar.

Ms. Chitralli Bhattarcharya provided a detail role of NGO's in combating trafficking of women and children in Bihar. She mentioned the role of NGO's as complementary to Government programmes. She highlighted a definite role for NGO's in: Raising awareness at local levels, facilitating community based preventive mechanisms in trafficking prone areas, identifying most vulnerable families in areas, building awareness on government welfare schemes and facilitating its availability to the most vulnerable ones, providing quality care and services to the victims/survivors of trafficking and most importantly facilitating reintegration and rehabilitation process to prevent re-trafficking.

Mr. A K Gupta stated that police priority is to stabilize the law and order situation. It works towards reducing the incidence of crime in any given jurisdiction. In combating human trafficking, police plays a role of crime controller and tries to arrest the offender, collect adequate and appropriate evidences and prosecution of the offender, if found guilty. He also emphasized the role of police in rescue operation and the post rescue care as the confidence building process with the rescued person, is an important step to ensure prosecution of the offenders.

Session III: Restoring the Dignity of women and children: An Interfaith Perspective:
Chair person: Rev. Dr. Enos Das Pradhan, General Secretary, CNI. This session focused on the religious scriptures to highlight that all religion has bestowed respect on women and stated to always help the vulnerable to uphold their rights and dignity. While Maulana Nawajis Ali focused on the Quran to state that during the Friday Namaaz, he talks about the mode and consequences of human trafficking to his constituency, Pandit Rajkumar explained the process that he follows while conducting puja (rites) in any household. They both stated that they play a significant role in preventing child marriages as trafficking in





northern part of Bihar, happens in the guise of marriage. They both said that they have stopped pronouncing Nikah/ Vivah (marriage) of girls below 18 years and have started a register that records the details about the groom and his family and relatives.

The Sikh religious leader highlighted the erosion in values and morals among the human kind and emphasized that if we re-instill the faith among the young people and teach them to believe in one spirit, this heinous crime could be combated. He said that Sikh scriptures have always preached its devotees to be respectful of each-other and to help each-other in restoring their dignity and respect. But today, the faith in religion is almost eroding and thus society is in crisis. He emphasized the need for all religion to come together to fight this social menace human trafficking.

Sister Angelina echoed the same spirit based on the Bible adding that Jesus had always emphasized on establishing justice for the excluded, marginalized, oppressed and those in need. She said that she goes from door to door to tell people the about the mode of trafficking and its consequences. She said that she believes that alternative livelihood options along with appropriate awareness on human trafficking issues could combat human trafficking.

This session ended with the note that religion and religious leaders are close to people and human beings are generally religious people. Thus this interfaith forum that exists in Bihar needs to be replicated in other states and could play an important role in combating human trafficking. Rev. Dr. Pradhan concluded the panel by inviting leaders and followers of all religion and different stakeholders to join hands in taking this mission forward and to make Bihar a “Human Trafficking Free Zone”.

Day II: 13th January 2008

Panel III: Good practices: Sharing of experiences: Chair Person: Jaishankar Gupta
This panel highlighted the need for right based anti-trafficking initiatives. The Panelists Mr. Rishi Kant, Mr. Y. K. Gautam and Ms. Suman Lal mentioned about the Minimum standard of quality care and services, prepared by the Ministry of Women and Child and its adoption to each and every homes that cater to the rescued women and children.

Panel IV: Addressing Trafficking Concerns: Justice and Legal Aspect
The speakers Ms. Carmeline Christopher and Mr. Manabendra Mandal highlighted the existing legal framework that exists in India





to combat human trafficking. Both the panelists focused on the nuances of trafficking and the sections of ITPA (Immoral Trafficking Prevention Act) and IPC (Indian Penal Code) that can be applied to book offenders and to provide justice to the Victims of trafficking.

Group Work

After one and half day long discussions on various issues, concerning trafficking and the means to prevent and combat the same, the participants were divided into three teams to work on: Prevention, Protection and Prosecution.

The team worked on the following issues:

- | Identifying the context of Trafficking in Bihar
- | Interventions that could be planned (including time lines)
- | Available resources

The plan of action is attached to the summary report. A declaration was also prepared as Bihar Declaration and was read out to the participants for mutual agreement on implementing the stated actions. Participants accepted the declaration and agreed to work jointly in implementing the same.

The two-day long consultation ended with a valedictory session with the presence of the Chief Guest. H. E. R. S. Gavai, Hon'ble Governor, Bihar and Guest of Honour: Mr. A. R. Sinha, DGP, Bihar.

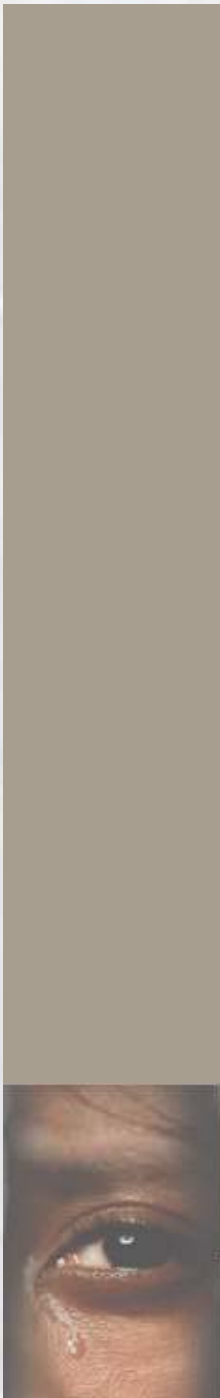
The valedictory session started by singing of the National Anthem and by welcoming the H.E. the Governor with a floral bouquet and shawl by Sudipta Singh.

Ms. Sanjana Das read out the declaration to the august guests for their commitment in implementing the action points mentioned in the declaration.

H. E. the Governor in his speech welcomed CNI for organizing the consultation on this important issue of human trafficking and said that he is committed to this cause. He asked the organizers to forward the declaration to his good office for further discussion and reaffirmed that his good office would provide all sorts of help and support to the Diocese of Patna, CNI in their mission to combat human trafficking in Bihar.

Mr. G. R. George provided the vote of thanks.

The National Anthem marked the end of the valedictory session and a new start to combat human trafficking in Bihar.



THE PATNA DECLARATION TO COMBAT HUMAN TRAFFICKING

We, the participants of the Consultation on 'Tackling Newer Emerging Vulnerabilities leading to Trafficking in Children and Women in Bihar' came together to deliberate on the issue of Human Trafficking to develop a strategic plan of action for the Church of North India along with the relevant stakeholders for combating cross border and internal trafficking and to restore the dignity of children and women from 12th 13th January 2008 in Patna, Bihar, India.

The consultation was represented by a cross section of people, Government officials, Political leaders, Police, Representatives from the UN, Donor agencies, International agencies, Corporate, NGOs, Media, Religious leaders, Church leaders and workers, to:

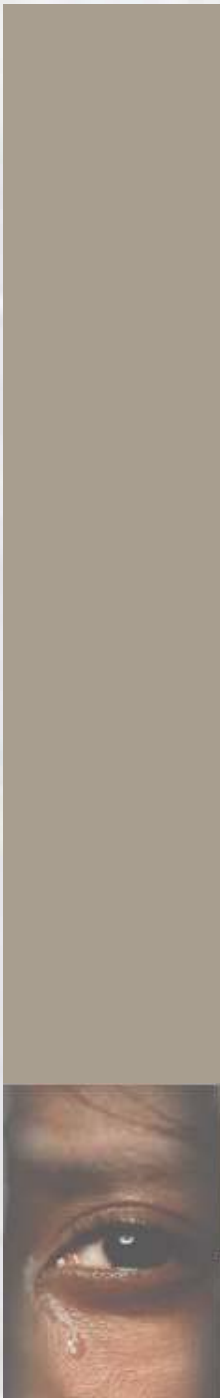
- facilitate and deepen reflection on, and understanding of, the issue of trafficking in women and children in the area from different perspectives
- deliberate upon the underlying factors for Trafficking through the lens of human development
- build linkages between stakeholders to address the vulnerabilities of women and children that makes them vulnerable to trafficking.
- be a part of the movement on anti-trafficking of children and women and to create and/ strengthen a wider network.
- evolve and share strategies and a plan of the Church of North India to combat cross border and internal human trafficking to restore the dignity of children and women.
- co-construct a strategic plan of action for joint interventions with different stakeholders and integration of Anti- trafficking initiatives within the existing programmes.

We have listened about the situation of children and women in Bihar and the vulnerabilities that pushes them to be trafficked and put in inhuman conditions of exploitation and abuse, in situations of powerlessness and being used as commodities that profit the exploiters and the perpetrators of violence.

We re-looked into the Scriptures and were reminded of the call to us to do justice, love kindness and walk humbly with God with the hope of being agents of peace and seeking justice in establishing the reign of God.

We are concerned that a growing number of children, are being deprived of their right to grow up in a healthy, safe and supportive family and community environment which results in growing numbers of children at risk of





social exclusion, in significant increases in morbidity, stunting of growth and child development delay as a consequence of poor quality of care as well as in reduced numbers of children participating in basic education programmes and increased rates of juvenile delinquency, accidents and suicides.

We are challenged to be biased for the affected and not be neutral while restoring their dignity and creating a space for them in the mainstream society.

We gained deeper understanding at this consultation of the context of the vulnerable population in Bihar. We have together analysed the root causes for that put them at risk and have worked out suggestions for strategic interventions to address these issues within the Diocese of Patna, Church of North India together with all stakeholders in Bihar. In the light of our deliberations we make solemn affirmations and propose concrete actions:

We solemnly affirm that the stakeholders present here:

- must break the culture of silence and bear its prophetic ministry by being the voice of the voiceless
- must and should work towards affirming life in its fullness of the vulnerable and the affected
- must protect the dignity of children and women at all cost.
- should share God's love in seeing broken lives healed and restored.
- oppose the “Spirit of times” of free market, consumerism, materialism and commodification.
- the vulnerable and the affected must be treated as human beings who need care and protection, whose rights should be protected and their dignity restored.
- should strategise to address these issues both at the micro and macro level
- should work through societal institutions including families, schools and





congregations and also with other stakeholders and agencies working on the issue.

- needs to understand the issue of violence against children and women and find alternative ways of affirming life and dignity for the vulnerable and the affected
- should understand and give space to the affected to be listened and to participate in the decisions concerning them

We therefore propose that:

- the Diocese of Patna, Church of North India and all stakeholders should take human trafficking as a grave violation of human rights and address this issue together.
- the Diocese should strengthen the hands of Government and the civil society through sharing resources
- the Church, in keeping with her prophetic ministry, must move from charity, going beyond development to transformative action
- the Church and other faith groups should re-read the Scriptures from the perspective of the exploited, taking their sides and not be neutral
- the Church should find alternate life affirming strategies for overcoming violence against children and women according to local contexts and protect them from being trafficked and also mainstream the survivors in the mainstream Church and Society.
- the Diocese of Patna, Church of North India should work with NGOs and other concerned organisations and stakeholders to lobby at governmental and international level for effective policy and implementation of the different laws and Conventions to protect the rights of the affected
- Diocese of Patna, Church of North India should provide assistance to the concerned stakeholders in terms of **Prevention, Protection, Rescue, Rehabilitation, Repatriation and Social re-integration** and also





to produce materials for information dissemination and advocacy on human trafficking and organise Capacity Building programmes, seminars, and consultations where appropriate.

- the Diocese of Patna, Church of North India should address this issue at local levels, equip its congregations, women's and youth groups, pastors and reach to the larger community with an inter-faith approach.

We urge to the Government of Bihar to integrate the plan of action of this consultation into the Draft State plan of action and to implement the plan with immediate effect to combat human trafficking by all means.

We recognise the importance of regular monitoring and review of progress as part of the accountability for results and propose that this Patna Declaration be brought to the attention of the stakeholders which will provide opportunity for a common position to be taken at the State level.

We pledge to work towards the implementation of this Declaration.



PLAN OF ACTION FOR COMBATING TRAFFICKING OF WOMEN AND CHILDREN IN BIHAR: A ONE YEAR ACTION PLAN:

Objective:

- ✓ To empower women and children to reduce their vulnerability of being trafficked by mobilising local resource.
- ✓ To strengthen and promote future sustainability of this program by providing capacity building, legal expertise and rehabilitation opportunity.
- ✓ To strengthen, communications, outreach and networks for effective advocacy to address issues related to trafficking and safe migration.

Project Beneficiaries:

Primary:

- ☐ At-risk communities, Women and girls in identified districts of Bihar
- ☐ Rescued trafficked survivors
- ☐ Children with no parental support

Secondary:

Religious institutions, Inter-faith religious leaders forum, Policy makers, Police border security personal, Law enforcement officials, Judiciary, Concerned government departments, Local self-governance bodies, NGOs, CBOs, media groups, women's organisations and other existing like-minded networks, working on human rights issues in the state of Bihar.

Activities:

Objective 1 : Prevention

Empowerment of women and children from selected communities and areas to reduce their vulnerability to being trafficked .

Activities:

- ✓ Creation of women groups in most of the villages for awareness generation along identified vulnerable districts.
- ✓ Skill building of women groups to develop them as vigilance committees.
- ✓ Organise initial consultations with





vigilance committees regarding role clarifications, implementation mechanisms.

- ✓ Identification and training of Community key persons to raise awareness on trafficking
- ✓ Activation and regular monitoring of vigilance committees.
- ✓ Establishing information booths in trafficking prone and transit areas for promoting safe mobility and health.
- ✓ Training a core of trainers from affected groups and stakeholders.

Establishment of local child support system at district level :

- ✓ Climate building initiative by visiting the communities and instrumentalising the network of Diocese and other religious institutions
- ✓ Preparing environment of children's participation in existing institutions.
- ✓ Interaction with children and government functionaries and civil society to identify and bridge the gap in service delivery system.
- ✓ Establish a channel of communication amongst stakeholders.
- ✓ Establishment of child support system in 8 identified districts.
- ✓ Formation of local level committee to monitor the activities with representatives from all concerned stakeholders, including children themselves.

Objective 2: Prevention

Activities:

To strengthen and promote future sustainability of this program by providing capacity building initiatives on issues related to trafficking and safe migration with Government level officials, Block level, panchayat level officials and other administrative members.

- ✓ Small advocacy meeting with the key stakeholders.
- ✓ Training of project implementation staff of different NGOs and faith-based institutions prior implementing the project.
- ✓ Meeting with the top level border security force officials of the both side of the border for prevention of trafficking.
- ✓ Legal orientation workshop for key stakeholders.
- ✓ Training of administrative officials ranging from level of block to districts.





- ✓ Advocacy program involving key stakeholders, law enforcement agencies, implementation partners.
- ✓ Joint cross border meeting involving key stake holders and NGO workers from the both side of the border.
- ✓ Network meeting of NGOs implementing the project along the Indo Nepal border.

Objective 3: Protection

Activities:

To strengthen, communications, outreach and networks for effective advocacy to address issues related to trafficking.

- ✓ Detailed Resource mapping of the area
- ✓ Resource mapping for making list of organisations, NGOs, institutions, capacity, area of work, expertise experience linkages etc
- ✓

Advocacy & Networking: Cross-cutting issues

Activity

- ✓ This outcome of the multi-stakeholders' meet pertaining to child provision will make the issue compulsory level reform.
- ✓ Media advocacy to bring to the notice of general masses and to put pressure on government for appropriate action.
- ✓ Effective workable horizontal networking with NGO and other group working at grass root level to ensure the enforcement of legal provisions.
- ✓ Partnering with State Government through interface with their counterpart like Department of Welfare, Police, Judiciary, Department of Labour, etc.
- ✓ Organizing focused consultation with different stakeholders including NGO head, Media, Police, Administration, Civil society, faith based groups etc.

