

# India's Government Policy Toward Human Trafficking Issue

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## **Abstract**

*The primary aim of this research is to analyze the India's policy in dealing with the human trafficking issues. In recent decades, human trafficking becomes a new form of transnational crime, which involve many actors. By involving many nations, either as countries of origin, destination, and transit country, shape this issues become an increasingly complex. South Asia is the region that has an increase of human trafficking, which is India as a country of both origin and destination of human trafficking activities. The research method used was qualitative with descriptive analysis. This research use theory of political system by David Easton. Therefore, India made serious efforts to overcome this issue through collaboration with various elements of both state actor and non-state actor.*

**Keywords:** Human Trafficking, Transnational Crime, India

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## **INTRODUCTION**

Human trafficking is a new form of transnational crime which often happen but it difficult to detect. Crime in this form is common in developing countries that have a large number of population with the differences in gender, females and males were not balanced. In addition, the main reason is the economic gap in the society. The reason why almost every country involved in human trafficking is because a state become a country of origin, a country of destination, and a transit country. This issue becomes more complex due to politically transnational (John Winterdyk, 2010). Transnational crime is a borderless crime or a crime with no national boundaries (Shelley & Lee, 2007).

The United Nations Palermo Protocol defines trafficking in persons as the recruitment, transportation, transfer, harboring 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 (Protocol to Prevent, Suppress, and Punish Trafficking Ni Persons, Especially Woman and Children, Suplementing The UN Convention Against Transnational Organized Crime, 2000). The main points of the definition associated with the issue of slavery are human exploitation efforts for a particular purpose. Although most of the cases of human trafficking are crimes that cross borders between countries, but also did not rule out the possibility of this crime occurs within a country.

There are so many root causes that have been identified for the existence of human trafficking. They include lack of employment opportunities, poverty, economic imbalances, corruption, decline of border controls, gender and ethnic discrimination, and also political instability and conflict. These push factors are contrasted with the pull factors of demand for

workers, the possibilities of higher standards of living, and the perceptions of many in poor communities that better opportunities exist in larger cities or abroad (Aronowitz, 2009). These factors tend to exert pressures on victims that “push” them into migration and hence into the control of traffickers, but other factors that tend to “pull” potential victims can also be significant. As we know that the issue of human trafficking is the implication of the phenomenon of poverty.

In South Asia, India is the country of origin, destination, and transit for labour and sex trafficking (U.S Dept. of State, 2009). India also known as one of the most popular trafficking destinations in South Asia. However, the overall number of cases of human trafficking in India 90% is internal cases where the victims of human trafficking have been exploited in their home country; which is India and the rest are the victims of exploitation that comes from most other countries of Nepal and Bangladesh (Hameed, 2010). Usually, people from the poorer countries are at risk of exploitation and are trafficked to the neighboring country like India. India serves as a destination for persons trafficked from neighboring countries such as Nepal and Bangladesh, and as a transit country for individuals being trafficked to the Middle East and other parts of the world. In addition, India is a source country for individuals trafficked to Europe, the Middle East and North America.

The number of persons trafficked for either labour or sex is difficult to estimate, given the inherently clandestine nature of this criminal enterprise. The United States Department of State's 2013 Trafficking in Persons Report estimates the number of persons trafficked for forced labour in India within the range of 20 to 65 million (Supra note 22). However, the actual number of labour trafficking victims is often difficult, if not impossible, to calculate. The primary difficulty lies in distinguishing between migrant labourers who move into or around India voluntarily in search of employment and labourers who have been lured into exploitative labour through the means of trafficking outlined in the UN Trafficking Protocol. Furthermore, many migrant workers may begin their journey voluntarily but then become vulnerable to trafficking when they are unable to secure adequate employment or the work for which they originally migrated terminates.

More than one million children, the majority of whom are female, are forced into prostitution every year. An assessment study on sexually exploited children and youth by the Economic and Social Commission for Asia and Pacific (ESCAP) shows that in South Asia young girls from certain rural areas of India are trafficked for marriage and then sold into prostitution (Shamin, 2010). Hundreds of thousands of young women and girl children are believed to end up in brothels or as cheap commodities in the hands of their exploiters. It is estimated that around 150,000 women and children are trafficked annually from South Asia, mostly to India. The combined estimates for Nepal and Bangladesh ranges from 500 to 10,000 girls are trafficked to

India every year, other estimates put the figure of more than 200,000. The human trafficking conditions in South Asia, especially in India are very worrying. The situation of law enforcement and the role of government is indispensable in solving the problem of trafficking in human beings that flourish in India.

## **THEORETICAL FRAMEWORK**

### **Political System**

David Easton's attempt to build an empirically-oriented political concept is done through several stages as can be seen in his books. First, his book *The Political System* (1953) presents a problem of general concepts in political science. Second, his book *A Framework for Political Analysis* (1965) provides important concepts for the development of such a common concept. Third, his book on a systems analysis of political life (1965) seeks to explain these concepts in the hope that they can be empirically applied. (Varma, 1992). David Easton's Political System Theory is based on several assumptions, which according to Easton attributes of the political system include: (1) identification behavior in the form of units and borders, (2) input and output, (3) differentiation in the system, and (4) integration within the system (Chilcote, 1994).

There are two types of inputs in the political system, namely inputs in the form of demands and inputs in the form of support. These two types of inputs will provide material for processing within the political system, and are also the energy needed for the survival of the political system. Without these two types of inputs, the political system will not be able to perform its functions. Both types of inputs in the form of demands and support comes from the environment of the political system, namely the internal environment and the external environment (Mas'ood & MacAndrews, 1987).

## **RESEARCH METHODOLOGY**

The type of research used in this research is descriptive type research. Meanwhile, the data needed in this study is secondary data, which is sources of data in this research are obtained from documents, books, scientific journals, archives or news in newspapers and the internet. Data collection techniques in this study using content of analysis techniques. The results of this study are qualitative. Data obtained from this research will be arranged in a systematic and logical, then analyzed descriptively qualitative.

## **CONTENT**

India is a country of origin, transit, and destination for human trafficking. Women and children are trafficked from neighboring countries such as Bangladesh and Nepal with India as the destination country. In many cases, they are traded to countries in the Persian Gulf region, the

Middle East, and also Europe (United Nations Office On Drugs And Crime, 2007). 90% of human trafficking in India is internal trade ie trade that occurs in India's Domestic region and the rest is intra-regional trade from neighboring countries that are still in one region with India. The phenomenon that occurs in India with a high number of cases and the position of India as a country of origin, transit, and destination, led India to the issue of human trafficking is quite complicated and difficult to overcome, so that human trafficking becomes one of the threats to India.

### **Level of Human Trafficking in India**

In 2000, the United States Congress established a special law for human trafficking victims. This law is intended for the protection of victims that trapped in human trafficking circles. This law is called Trafficking Victims Protection Act (TVPA) and signed by the President who served at that time, Geoge W Bush. TVPA shares each country with levels in human trafficking.

The levels of human trafficking or called Tier is divided into four (Tier Placement by US Departement State, 2000), which are:

1. Tier 1 is the level of a State according to TVPA where it has a government that adheres fully to the minimum standards set by TVPA and uses the standards made by TVPA in preventing human trafficking.
2. Tier 2 is the level of the country where the government is not fully obedient to the minimum standards set by TVPA but has other ways of dealing with human trafficking cases in the country.
3. Tier 2 Watch List is the level of State where the government is not fully adhered to the minimum standards set by TVPA but has significant ways to cope with human trafficking cases, but the few that distinguish with Tier 2 are:
  - a. The number of human trafficking victims is very high or has increased significantly.
  - b. Failure to reduce the level of human trafficking in the country through the efforts that have been done.
  - c. The State made significant efforts when viewed from the efforts made in achieving the minimum standards of TVPA and State planning in taking steps to reduce the level of human trafficking in the country
4. Tier 3 is a state level whose government disobeyes your standard set at TVPA and does not make significant efforts in that regard.

Based on TVPA report 2017, India is included in Tier 2 in the level of human trafficking. In 2002-2011 which is the range of India ratified the Palermo Protocol, India has fluctuated in the level of human trafficking.



## Factors of Human Trafficking In India

There are several causes of human trafficking. The root causes are political, economic, socio-cultural and technological in nature. Although the causes of human trafficking are many and may vary from region to region and from country to country, there are factors that have been observed to be present in many regions and countries where human trafficking is widespread. The root causes of human trafficking have been discussed in the context of “push” and “pull” factors (The Migration-Trafficking Nexus, 2003). Push factors intensify vulnerability to trafficking, pull factors facilitate the demand for trafficked victims in destination countries (The Migration-Trafficking Nexus, 2003). There are three factors that become the main factors that cause human trafficking in India:

### 1. Geography

India is a country in South Asia region. India is also a country bordering with many countries. The countries directly bordering India are Nepal, Bhutan, China, Bangladesh, Myanmar, Pakistan and Sri Lanka. India's geographical position is also one of the factors of high level of human trafficking in India. This is due to the weak guarding on every Indian border that makes it easy to get in and out of the mafia involved in human trafficking cases. This is evidenced by the high sales of children who are exploited as unskilled laborers between India-Bangladesh and India-Nepal. As a Transit Country, India often gets shipments of women or children from Bangladesh and Nepal who will be sold to the Middle East region. The geographical presence of India, which is affected by the weakness of the government and security officers in guarding the border, has led to an increasing number of human trafficking victims.

### 2. Economy

India is one of the highest per capita income countries. But at the same time, India is designated as a country with a fairly high poverty of people or people who have incomes far below normal, defeating *msikarakat msikin* in the Sahara Desert Africa. In 2002 - 2006 India was categorized as a Low-Income country, and in 2007-2011 increased to a country with low middle income. But this is slightly contrary to the increasingly poor condition of the poor. This is due to the unevenly distributed economy of people in India. Many Indians are below the

poverty line, but many Indians have high economic levels. The economic inequality that occurred in India was the trigger for the increasing number of trafficking in India. People who are below the poverty line can not afford to support their families because of little or no employment. This causes the public to prefer to enter the human trafficking in India and prefer to trade in order to meet the economic needs and provide for their families.

### 3. Culture

India is a country that has not recognized the emancipation of women, so the position of women is still lower than men. This also causes an imbalance for women and men in terms of rights and obligations. In Indian culture and customs, men are more predominant and women are always the last priority. The effect of this is how women end up experiencing discrimination in health. The existence of the State of India which is one of the countries that embrace the caste system to make the women should not fight or rebel against orders from family or her husband. This causes anything commanded by the family, so women should not refuse or rebel. The discrimination adopted through this caste system also led to an increase in human trafficking in India.

One culture that until now can not be released in Indian society and that bring a negative impact so that the increasing number of trafficking in India is devadation. Devadation is a culture where the lowest-caste daughters (dalits), who are past puberty, will be married to Hindu priests and will be sexually exploited at the Temple by men with the highest caste. The devadation system is created for certain purposes. The purpose is one of them on the basis of religion. Devadasi performed on women with the lowest caste with the intention that God bless the woman's life as well as her family, so given the abundance of sustenance. Devadation is also considered as a way to raise family level by marrying Gods and Priests at the Temples. There is another purpose for the devaluation system, namely to eliminate the caste system in India by eliminating the lowest caste system so that it is no longer suppressed and exploited. This devadation system was actively supported by the Pastor with the assumption that marrying God is one of the investments to enter heaven.

In addition to devadation, in India there is also a culture that increasingly discriminates against women. This culture is called "Dowry". Dowry is a culture where women's parties give dowries to men's parties. This maha is either in the form of money, valuables or electronic equipment and furniture. This cultural practice is still practiced in several cities in India. Dowry is called a culture that discriminates women, because the process of giving dowry is not only done before or at the time of marriage, but also after marriage. Dowry culture is still prevalent in several cities in India, and very threatening the position of women in the State of India. Cultural practices that undertaken in India such as Dowry and Devadation are practices

that lead to tremendous human trafficking in India and further eroding human rights in India that cause women to be increasingly perceived as weak and unable to rebel against men.

### **India's Government Policy Toward Human Trafficking Issue**

The high number of human trafficking in India with the position of India as the country of origin, transit, and destination to trigger the birth of civil society awareness to combat human trafficking. This concern has resulted in a demand for the India's Government to be more assertive in addressing human trafficking cases.

#### **1. Ratification of the UN Trafficking Protocol (Palermo Protocol)**

The UN Trafficking Protocol or known as Palermo Protocol was formed because of the increasing concerns of the world's countries on human trafficking crimes and the difficulty of states in reducing the number of casualties and preventing the increasing crimes of human trafficking. This Protocol was created because there is no universal international instrument that can solve the case of international trade in all aspects.

This Protocol was adopted on 15 November 2000 and enacted as of December 25, 2003. The establishment of this Protocol was preceded by the General Assembly of the United Nations Meeting held in 1998, the Commission on Crime Prevention and Criminal Justice Meeting. At the time of the meeting, Argentina proposed a draft containing the establishment of a convention to address crimes against trafficking in children. The draft submitted by Argentina was also responded by all Member States present at the time with the expansion of the Convention, which refers to trafficking, but since 1998, trafficking in women and children was the highest, so the convention only directed to trafficking women and children. Discussions and negotiations on the draft of this Convention continued and were completed in October 2000 and on 15 November 2000 the UN General Assembly resolved the Conventions.

The formation of the Palermo Protocol has resulted in the protocol becoming the world-wide benchmark of the concept of human trafficking and everything else in it. This Protocol is the reference of a State in observing a case of human trafficking, as well as in the face of everyone who is victimized in this protocol. In accordance with the Palermo Protocol Chapter I Article 2, as for the purposes of this Protocol are:

1. To prevent and combat trafficking in persons, and to pay special attention to women and children
2. To protect and assist victims of trafficking in persons, full of their human rights.
3. To enhance cooperation among Member States in order to meet these objectives.

As for the steps or ways taken to prevent or reduce the number of human trafficking in the world are:

1. Member States that have ratified the Palermo Protocol must have clear steps in preventing and protecting human trafficking victims by including cooperation with organizations and NGOs, even through bilateral or multilateral relations with foreign countries. But the most important thing is that each State must strengthen its steps through education to the community, and even provide a good teaching on the social and cultural conditions that support the occurrence of human trafficking.
2. Each state must have a legal firmness in this case, particularly in the immigration authorities and the parties in the government directly related to the case of human trafficking. In this case, the government should carefully look at the types of documents that used in and out of the state as well as detect any incoming transport within the state.
3. The members of the Palermo Protocol should conduct special training for law enforcement officers, persons working in immigration offices and other officials in direct contact with the case such as the police and border guards.
4. Each State shall strengthen its oversight within the border area through the examination of personal documents as well as inspections of transport that may facilitate human trafficking cases. In this case, there should be strong cooperation for the regulatory bodies at each border.
5. National laws that have been established by the state may be enacted in the event of a violation of human trafficking and should consider the revocation of visas to persons involved in human trafficking mafias.
6. Each state shall enhance its security by making immigration documents issued the best quality that is difficult to duplicate and in the process of making it must be accompanied by complete and precise data.

It echoes the strategy commonly known as the three P's: Protection, Prevention and Prosecution. State efforts are examined and measured through this strategic lens in the United States' annual Trafficking in Persons Report. Protection is victim-focused and concerned with providing a viable post-trafficking transition back to some sense of normalcy. NGOs that run shelters or provide post-trauma counseling all fall into the classification of protective activities. While, prevention relates to activities geared towards economic empowerment and education and awareness building, with the goal that would-be victims will not be as vulnerable to traffickers. And the last one is prosecution, which is prosecution regards activities focused on the criminalization of trafficking, implementation of anti-trafficking legislation, and the prosecution of offenders. The Palermo Protocol emphasizes prevention through measures in article 9 via a focus on alleviating socio-economic and other "push" or "pull" factors, measures in article 11 for the improvement of border controls to



identify and interception of trafficking and measures in article 12 that address the need for security of documents issued by the state party.

India is one of the countries that joined the Palermo Protocol. India signed the Protocol on 12 December 2002 but ratified it on May 5, 2011. India took about 9 years to ratify the protocol, although in fact India is the highest center of human trafficking in Asia, especially children and women which is increasing every year. In the span of 9 years, India experienced a significant dynamics in reducing the level of human trafficking in India. one of the factors that led India to ratify the Palermo protocol was the government's inability to reduce the number of human trafficking in India. Based on the Trafficking in Person (TIP) Report within the period of 9 years which is 2002-2011, India is very weak in enforcing the law of procuration. The Government of India through law enforcers is not strict in carrying out the existing legal process. Witnesses and sentences given to perpetrators are not consistent with the sanctions set out in the rules of the law applicable to Indian law. As mentioned above, India has laws that are particularly concerned with human trafficking especially in trafficking of women, commonly called Indian Penal Code (IPC). This law was issued as a form of effort by the Indian government to deal with trafficking cases.

The law that has been made by the Indian government if implemented properly will result in a significant decline in the number of human trafficking. But it can not be implemented well because of the two big reasons behind it, namely the existence of gratifications perpetrated by the perpetrators that cause the perpetrators to be directly protected by law enforcers, and the implementation of the law in India that is often disobedient to the law. It is also a factor that led the Indian government to immediately ratify the UN Trafficking protocol.

In addition to the weak law enforcement of human trafficking cases in India, as for external factors that also affect. External factors are factors that originate from outside the Indian state that are urging the Indian government to ratify the Palermo protocol. The one external factor that causes India to ratify the Palermo protocol is the Trafficking in Person (TIP) report annually issued by the United States. TIP annually conducts research and data collection on human trafficking cases in every country. This research is derived from data directly taken in each country. In the period of 9 years ie 2002-2011, India experienced dynamics in human trafficking, due to the grouping of tier conducted by TIP, India in 2002 was set in Tier 2 but in 2004 classified in tier 2 WL up to 6 years in the future, but in year 2011 India is placed in Tier 2. In 2011, India is threatened to enter the Tier 3 in the human trafficking level. When a state is classified in Tier 3 it means that the state is unable to cope with human trafficking in its own country and does not even have a significant effort on the

human trafficking case. A State if it is classified in Tier 2 then the State will be sanctioned unilaterally, meaning the sanction is imposed by the United States unilaterally in connection with cooperation between the two parties. The unilateral sanctions committed by the United States is a dismissal of aid either trade or humanitarian aid and will be punished in the form of economic sanctions. In addition to these sanctions, India will be punished with termination of assistance through the International Monetary Fund (IMF) also the World Bank and even the United States will unilaterally prohibit other countries if they want to exchange or even cooperation in social and educational.

The sanctions established by the United States was also made the Indian government pressed to make concrete steps on human trafficking cases faced by India. The steps taken are through India's ratification of the Palermo Protocol as a sign that India is unable to reduce the number of human trafficking in the country. India ratified the Palermo Protocol on 5 May 2011 and submitted each of the ratification documents on May 9, 2011. The Indian ratifying ruling of the Palermo Protocol was fruitful as it was able to raise India from Tier 2WL to Tier 2. This is due to the position of the United States which is one of the countries that holding the UN Veto rights. When India ratified the Palermo Protocol means that India also approved the steps that undertaken by the United Nations in reducing the number of human trafficking.

## **2. India's Amendment Act 2013**

India's government policy not only by ratifying the UN Trafficking Protocol in response to human trafficking cases but the Indian government is also amending the amendment of the law can be seen in the Amendment of the Criminal Law (Amendment) Act 2013. The Criminal Law (Amendment) Act, 2013, is an Indian legislation passed by the Lok Sabha on 19 March 2013, and by the Rajya Sabha on 21 March 2013, provides for amendment of Indian Penal Code, Indian Evidence Act, and Code of Criminal Procedure, 1973 on laws related to sexual offenses. The Bill received Presidential assent on 2 April 2013 and deemed to come into force from 3 February 2013. It was originally an Ordinance promulgated by the President of India, Pranab Mukherjee, on 3 February 2013, in light of the protests in the 2012 Delhi gang-rape case.

This incident generated huge international coverage and was condemned by the United Nations Entity for Gender Equality and the Empowerment of Women, who called up the Government of India and Delhi "to do everything in their power to take up radical reforms and the like to make women's lives safer and secure". There had been a widespread demand by the public as well as various human rights groups and women's organizations

to change or amend the existing law relating to sexual offenses. A graver punishment for the accused was demanded for committing such a heinous crime.

Based on the demands made by the community, NGO, and PPB on the Delhi gang-rape case, the government of India is amending the Criminal Law Act 2013 with the provisions of a special article, namely article 370 and article 370 A with the provisions of the special article chapter 370 and section 370 A (Apne Aap Women Worldwide, 2013). This statement states that human trafficking as a direct crime and for the first time entered into the Indian Penal Code (IPC). Section 370 of Indian Penal Code (IPC) has been substituted with new sections, 370 and 370A which deals with trafficking of person for exploitation. If a person (a) recruits, (b) transports, (c) harbours, (d) transfers, or (e) receives, a person, by using threats, or force, or coercion, or abduction, or fraud, or deception, or by abuse of power, or inducement for exploitation including prostitution, slavery, forced organ removal, etc. will be punished with imprisonment ranging from at least 7 years to imprisonment for the remainder of that person's natural life depending on the number or category of persons trafficked. Employment of a trafficked person will attract penal provision as well.

### **3. India's Government Schemes and Programmes**

The Government of India is implementing a large number of programmes to protect vulnerable persons, especially women and children from trafficking, and provide them economic and social empowerment. Some of these schemes are given below:

#### **a. Ujjawala**

The Ujjawala is a Comprehensive Scheme for Prevention of Trafficking and Rescue, Rehabilitation and ReIntegration of Victims of Trafficking for Commercial Sexual Exploitation, under the Ministry for Women and Child Development, attempts to provide rehabilitation services both immediate and long-term to the victims by providing basic amenities/needs such as shelter, food, clothing, medical treatment including counseling, legal aid and guidance and vocational training. The Ujjawala Scheme provides victims with funding to meet the travel costs incurred en route to being restored with their families, as well as "seed money" of 5,000 INR (roughly \$83) to each victim.

The scheme comprises 5 components:

- Prevention, which consists of the formation of community vigilance groups/adolescents' groups, awareness and sensitization of key functionaries.
- Rescue, safe withdrawal of the victim from the place of exploitation.

- Rehabilitation, which includes providing safe shelter for victims with basic inputs of food, clothing, counseling, medical care, legal aid, vocational training and income generation activities etc.
- Reintegration, which includes restoring the victim into the family/community (if she so desires).
- Repatriation, to cross-border victims for their safe repatriation to their country of origin.

**b. Swadhar Greh: A Scheme for Women In Difficult Circumstances**

Swadhar Greh: A Scheme for Women in Difficult Circumstances, also under the Ministry of Women and Child Development, represents another such programme (Mohan, 2017). The Swadhar Greh Scheme is meant to provide temporary accommodation, maintenance and rehabilitative services to women and girls rendered homeless due to family discord, crime, violence, mental stress, social ostracism or who are being forced into prostitution and are in moral danger. Beneficiaries of the Swadhar Greh Scheme include trafficked women/girls rescued or runaway from brothels or other places where they face exploitation. Both schemes, however, only apply to persons trafficked for the purposes of sexual exploitation.

**c. National Child Labour Project Scheme (NCLP)**

The Ministry of Labour and Employment is implementing the NCLP, which is a project-based action programme. Working children are withdrawn from work and put into special schools for a period of maximum three years. In these special schools, they are provided with accelerated bridging education, pre-vocational training, stipend, mid-day meal, and health care facilities etc. A Central Monitoring Committee has been set up for the overall supervision, monitoring and evaluation of the National Child Labour Projects.

Respective State Governments have also been advised to set up State level monitoring committees similar to the Central Monitoring Committee. The Government is presently implementing the NCLP Scheme in 250 districts of the country and it is proposing to expand it to 600 districts in the Eleventh Plan. It has been observed that the social and economic status of the marginalized groups, especially those living in areas vulnerable to trafficking, needs to be ameliorated so that they are no longer prey to traffickers. The Government is implementing a number of schemes for poverty alleviation and economic empowerment, which will go a long way in reducing the incidence of trafficking in the country. Some of these include special schemes for the protection of the girl child – the most vulnerable of all groups.

**d. Integrated Child Protection Scheme (ICPS)**

The Ministry for Women and Child Development has formulated an umbrella scheme called Integrated Child Protection Scheme (ICPS) with a view to provide a safe and secure environment for the overall development of children who are in need of care and protection as well as children in conflict with law, including children in difficult circumstances. The Scheme aims to improve access to and enhancement in quality of child protection services. The proposed scheme is submitted for approval from competent authorities. The objectives of the scheme is to improve the well being of children in difficult circumstances, as well as to reduce the vulnerabilities that lead to abuse, neglect, exploitation, abandonment and separation of children from parents.

**e. Anti-Human Trafficking Units (AHTUs)**

Anti-Human Trafficking Unit (AHTU) is the result of the formation of the government in cooperation with UNODC, a project undertaken by the government with the aim to reduce the number of human trafficking in India. IAHTU is a unit consisting of law enforcers, namely Police and Prosecutors. The government spent US \$18 million through the Ministry of Home Affairs concerning establishing 297 AHTUs in different places in 2008 until 2009.

The project has made remarkable progress and so far 290 training programmes have been carried out and 10,194 police officials and prosecutors have been trained. Integrated Anti-Human Trafficking Units (AHTUs) involving Government officials and NGOs have been set up and are functioning in the states of Goa, West Bengal, Andhra Pradesh and Bihar. A comprehensive scheme has been developed by the Ministry of Home Affairs to strengthen the law enforcement response to trafficking through “Training of Trainers” (ToT) programmes and by establishing AHTU.

**CONCLUSION**

Human trafficking or known as human trafficking is a new form of transnational crime that is increasingly prevalent but difficult to detect. Crime in this form is common in developing countries with large populations with disparate differences in the population of women and men. In addition, the biggest thing behind the occurrence of crime in this form is the economic gap with many demands for cheap labor needs that usually come from abroad.

India is the country with the highest level of human trafficking, and is categorized as the country of origin and destination of human trafficking. This is caused by the economic condition and also the wrong culture so there is a sex slave for religious officials. Human trafficking in India is recruited through fake contracts that promise good work. Of all the

victims, the most are women and children and the majority are employed as slaves with undeserved wages as well as sexual slaves.

In addition to the weakness of law enforcement in India on human trafficking cases, as for external factors which are factors that originate from outside the Indian state that urge the Indian government to ratify the Palermo protocol. The TIP (Trafficking in Person) report annually issued by the United States is one of the external factors that led India to ratify the Palermo protocol. In the period of 9 years ie 2002-2011, India experienced dynamics in human trafficking, due to the grouping of tier conducted by TIP, India in 2002 was set in Tier 2 but in 2004 classified in tier 2 WL up to 6 years in the future, but in year 2011 India is placed in Tier 2. A State if it is classified in Tier 2 then the State will be sanctioned unilaterally, meaning the sanction is imposed by the United States unilaterally in connection with cooperation between the two parties. Sanctions in the form of dismissal of aid either trade or humanitarian aid and will be punished in the form of economic sanctions. In addition to these sanctions, India will be punished in the form of termination of assistance through the IMF (International Monetary Fund) and also the World Bank and even the United States will unilaterally prohibit other countries if they want to exchange or even cooperation in social and educational. This is a form of demand from Out of India so India immediately takes a firm stance in handling human trafficking cases by ratifying the palermo protocol. India's government also made changes to the criminal act. It can be seen in the Amendment of the Criminal Act called the Criminal Law (Amendment) Act 2013, with the provisions of the special article namely article 370 and article 370 A.

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