

Northern India hotspot

SEPT 2017

Progress Report: January – June 2017

Operating context

Several factors have affected the context in which the hotspot program is operating in Bihar and Uttar Pradesh (UP): **At the national level**, efforts were made by the government to tackle bonded labour and trafficking. For instance, in 2016, the government had updated the Central Sector Scheme that provides rehabilitation assistance under the Bonded Labour System Abolition Act 1976, with the intention of increasing the amount of compensation provided to survivors. In June 2017, the Ministry of Labour and Employment (MoLE) issued a circular¹ that highlighted various challenges related to the implementation of this scheme. The document called attention to the fact that the government had allocated funds to support bonded labourers, but these funds have not been distributed at the local level. As a result, the hotspot partners' network (Human Liberty Network (HLN)) is working closely with the Ministry to resolve challenges that have emerged.

Government regulations affected the program. For instance, early in 2017, the demonetisation policy carried out by the government in 2016 continued to limit partner organisations' and community members' ability to access the cash needed to conduct activities, causing some delays.

In Uttar Pradesh, in February 2017, elections resulted in a change of government. The new Chief Minister, Yogi Adityanath, made statements committing to protecting women and children, including the intention to create child labour-free zones and the requirement for officials to provide immediate relief for bonded labourers². Since these announcements, at the request of UP officials, the Human Liberty Network (HLN) has been providing assistance to the Labour Department related to the scheme for bonded labourers and is supporting the creation of action plans by six districts to end child labour.



In a community prone to traffickers, community members gain land rights, to support their livelihoods and strengthen their resistance.

In Bihar, the Labour Department demonstrated increased efforts to address child labour, and HLN supported the administration of the Child Labour Tracking System (CLTS)³ and drafting a new state Child Labour Action Plan.

¹ [http://labour.gov.in/sites/default/files/Modifications in the Central sector Scheme for the rehabilitation of bonded labour, 2016.pdf](http://labour.gov.in/sites/default/files/Modifications%20in%20the%20Central%20Sector%20Scheme%20for%20the%20rehabilitation%20of%20bonded%20labour,%202016.pdf)

² <http://www.hindustantimes.com/lucknow/now-government-crackdown-on-bonded-labour-in-kilns/story-4BkIXZp8V9JcRFAJVRnLiL.html>

³ <http://www.thehindu.com/news/national/other-states/Nitish-announces-Rs.-25000-for-every-rescued-child-labour/article14418514.ece>

Progress Report

Hotspot Objective 1: Reducing prevalence of human trafficking and bonded labour

The hotspot aims to reduce the prevalence of bonded labour and trafficking in partner organisations' working areas through direct prevention, protection, and prosecution interventions. In Q1 and Q2 2017, partner organisations actively pursued this goal through building community awareness about safer migration, enhancing inter-state referral networks, providing alternative sources of income, empowering children and adolescents from marginalised communities, and increasing deterrence through the successful conviction of perpetrators.

- **Building community awareness of safer migration.** Several partner organisations continued to expand their provision of information about safer migration to community members in 2017. These organisations incorporated learnings from an exposure visit to Aajeevika (in Rajasthan) by adopting a standard migration register that is maintained by community members, adding an increased layer of protection at the local level. One partner, NIRDESH, also helped to facilitate a Migrant Workers Network in its project area, which includes 100 migrant labourers working across four blocks.
- **Enhancing inter-state referral networks.** Partner organisations connected with organisations in key source and destination areas. Intentional networking meetings with organisations from Jharkhand and West Bengal resulted in an expanded referral network. In February 2017, 26 partner representatives met with 17 members of the Jharkhand Anti-Trafficking Network (JATN). This meeting included site visits to our partner TSN's working areas. Participants discussed best practices in addressing trafficking, and legal assistance provider, Justice Ventures International (JVI), introduced the HLN legal toolkit and Standard Operating Procedures. Participants now coordinate more closely on liberation and repatriation and share information and community education materials.



Members of HLN met with Jharkhand Anti-Trafficking Network in February 2017

Similarly, in May 2017, a consultation in Kolkata built rapport between HLN Bihar partner organisations and NGOs in West Bengal who address trafficking into dancing “orchestras”.⁴ Participants discussed the relationship between sex trafficking and orchestras in the two states. The group created a stakeholder map, noting current challenges in repatriation and follow-up services. They committed to further collaboration between HLN and West Bengal NGOs to ensure a continuum of services for survivors in source and destination areas. A WhatsApp group was created amongst the participants to enable timely sharing of information and action.

- **Identifying alternative sources of income.** Lack of access to sustainable sources of income remains a root cause of bonded labour in Bihar and UP. With this in mind, partners expanded the livelihood alternatives and trainings provided to project participants. For example, through a partnership with The

⁴ <http://timesofindia.indiatimes.com/city/kolkata/how-orchestras-are-duping-trafficked-minors-from-bengal/articleshow/57645238.cms>

Goat Trust⁵, 30 female community members from four partners' working areas were trained in small livestock management in Q1 and Q2.



Community members in MSEMVS' working areas participated in duck farming.

MSEMVS helped 10 self-help groups learn how to raise ducks and start duck farming businesses. These 10 groups have since started group businesses. In addition, 115 individuals in IDEA's areas engaged in livelihood training, such as poultry, goat, and dairy farming. These individuals were also trained in cash flow management, marketing strategies, obtaining low-cost raw materials, and caring for the animals.

Partners who supported sustainable income generating opportunities reported that project

participants had an increased sense of hope for a better future. In the first half of the year, a total of 1,065 individuals earned a new income or started a micro-enterprise.

- **Empowering children and adolescents.** Throughout the hotspot, partners facilitated adolescent groups and child clubs and provided opportunities for young people to speak on their own behalf, and take collective action in their target communities.

For example, Aangan Trust worked with Girl Safety Networks to create safety maps of their communities, and then present these maps to police and local officials to request specific changes to promote safety in their community.

Child groups facilitated by NIRDESH were provided with information about human trafficking and child rights and they visited the organisation's legal aid centres. As a result, child club participants identified other children that were not attending school. Child club members and teachers visited the homes of out-of-school children and discussed the importance of education with these children and their parents. In 2017, over 1,400 youth participated in child or adolescent clubs across the hotspot program.



Women and girls from Aangan group explaining their safety map to local police

- **Establishing deterrence through legal cases and successful convictions.** In Q1 and Q2 2017, partners prioritised legal cases and pursued the conviction of perpetrators of human trafficking. For example, Guria, succeeded in its pursuit of a conviction of a trafficker who had abducted a 14 year-old girl in 2013. In January 2017, this individual was sentenced to five years imprisonment. Similarly, TSN successfully achieved convictions in two cases against five traffickers with the traffickers sentenced to seven years imprisonment. In addition to actively pursuing convictions, partners also operated legal aid

⁵ The Goat Trust is a charitable trust promoting sustainable livelihood by providing training and technical support related to small livestock (Goat/sheep/ Backyard birds rearing) rearing - <http://www.thegoatrust.org>

centres at the community level, providing basic legal aid to project participants. Across the hotspot, 756 on-going legal cases were supported during the reporting period.

Hotspot Objective 2: Widening the enabling environment for freedom

This objective is pursued through partner collaboration, to improve the effectiveness of government anti-trafficking structures. During Q1 and Q2, partner organisations provided feedback on draft legislation, and were requested to provide technical assistance and support to various government departments.

- **Providing information for the Niti Aayog.** The mandate of the Niti Aayog is to help design strategic long-term policies and programs for the government of India.⁶ As a result of information provided by Prayas to Niti Aayog regarding the importance of including civil society in its activities, in March 2017, Niti Aayog hosted a meeting with representatives of civil society to gather community-level feedback about social policies and schemes. Prayas and MSEMVS attended the meeting and the Niti Aayog CEO committed to further interaction with civil society organisations. This increases the likelihood that the revision of government policies will be informed by civil society and community feedback.
- **Providing feedback on child labour rules.** In 2016, the Child Labour and Adolescent Regulation Act was amended⁷ and, in 2017, rules were issued for the implementation of the Act. In May, at the government's request, Prayas hosted a consultation in Delhi to review the rules. Participants included partner organisations from northern and southern India hotspots as well as representatives from Save the Children, UNICEF, Tata Institute of Social Sciences, V.V. Giri Institute, Indian Law Institute, and the Niti Ayog. During the consultation, Prayas collected suggestions for updates on the rules. Some of the significant recommendations made by HLN members to the Ministry were incorporated into the final version. These changes included: more clearly defined definition of family relationships with children who are allowed to help with family work; incorporating education officials in district task forces; expanding the locations where the rules are displayed; and using unusual absences of children from school as a monitoring mechanism for child labour⁸. The inclusion of HLN partners' suggestions into the amended version of the rules helps to increase protection of children and adolescents.
- **Expanding the list of hazardous industries and occupations.** Also linked to the Child and Adolescent Labour Act: The Act had reduced the categories of hazardous industries in which under 18 year olds were prohibited to work, down to just three: 1) mines; 2) inflammable substances or explosives; and 3) hazardous processes (limited only to those listed in the Factories Act). This potentially reduces their protection. Prayas and other civil society organisations submitted suggestions to the government's technical advisory committee, and continued to follow-up with the ministry. As a result, a clearer list of hazardous industries/processes was included, though further work is needed to ensure children and adolescents are protected from various other types of hazardous work.
- **Participating in a national-level information network.** Several HLN members participated in a national network of NGOs to provide information and support to key officials about the Trafficking in Persons Bill, 2016, when requested. In the first half of 2017, this group met twice in Kolkata. These meetings provided an opportunity for participating organisations to liaise with groups from other states, expand their referral network, and provide feedback to government based on local experiences as well as input from survivors.
- **Participating in inter-state event for a Child Labour Free Jaipur.** In April 2017, a workshop was held in Jaipur to bring together the governments of Rajasthan and Bihar, and representatives from business and civil society, with the collective goal of a "child labour-free Jaipur." Recognising the high prevalence of children trafficked from Bihar into Rajasthan, the workshop created a space for participants to reflect on the challenges and offer potential solutions.

⁶ <http://niti.gov.in/content/overview>

⁷ http://labour.gov.in/sites/default/files/THE_CHILD_LABOUR_%28PROHIBITION_AND_REGULATION%29_AMENDMENT_ACT,_2016.pdf

⁸ http://labour.gov.in/sites/default/files/The_Child_Labour_%28Prohibition_and_Regulation%29_Amendment_Rules,_2017_1.pdf

Trafficked children staying at a local shelter prepared a 4 minute video highlighting their issues and hopes which was presented to the conference.⁹



Prayas, Centre DIRECT and NIRDESH participated actively in preparing the consultation and providing community-level input. This inter-state event initiated closer collaboration to ensure that the repatriation of children in Rajasthan is well-coordinated, timely, and rights-based.

Senior officials light the lamp at an inter-state event towards a Child Labour Free Jaipur

- **Supporting government departments with guidance and capacity building.** In May 2017, the Labour Department of Uttar Pradesh requested that HLN develop a plan of action for districts, to reduce child labour. Our partner, CHETNA, worked alongside HLN members to develop a draft, outlining a comprehensive approach for addressing child labour. The document included best practices and standard operating procedures for prevention, protection, and prosecution efforts - as well as a description of the role of government departments in addressing child labour. A draft has been provided to the Labour Department and will be finalised in Q3. UP partner organisations MSEMVS and PGS have been requested by the UP government to lead in establishing child labour-free zones in 6 of their working districts.

Additionally, in April 2017, partner organisation, ROSA, worked with CHETNA to provide a training program for the Anti-Human Trafficking Unit in Azamgarh district. There were several action steps arising from the training, and it marked the first time that ROSA provided training to a district government unit.

In March 2017, Justice Ventures International (JVI), with Adithi and Regions Beyond Medical Union Society, conducted two one-day training programs for District Legal Services Authority (DLSA) lawyers and other officials in two Districts of Bihar.¹⁰ The training sessions aimed to improve the legal assistance offered through the DLSAs, and each event targeted 60 representatives of DLSA, border officials, Railway Police Force, anti-trafficking units, judiciary, Child Welfare Committee, and journalists. Participants are now more aware of their role in addressing human trafficking and how legal aid schemes should be provided.



Justice Ventures International and Regions Beyond Medical Union Society provided training for Legal Services Authority officials and lawyers in Motihari District.

Hotspot Objective 3: Increasing civil society's capacity for sustained and effective action

In Q1 and Q2, partners increased their understanding of effective programmatic and organisational practices through using the Freedom Fund's Organisational Capacity Analysis Tool (OCAT), as well as through specialist trainings and technical assistance projects.

⁹ <https://vimeo.com/215204988>

¹⁰ DLSAs are located in each district of India and are tasked with providing free legal aid and support to marginalised communities, ensuring equal opportunity for the resolution and mediation of legal cases.

- **Enhancing organisational capacity.** Several trainings addressed gaps in each organisation's operations. For example, we conducted a hotspot-wide training on sexual harassment policies as well as trainings for several organisations on improving the application of child protection policies. Three partner organisations used the Freedom Fund's Organisational Capacity Analysis Tool and are now implementing action plans based on the findings.
- **Building income generation skills.** Four partners continued a training program with Access Livelihood Consulting (ALC). The organisations are gaining a better understanding of how to analyse local market trends in order to identify viable alternative livelihood opportunities for project participants, including trafficking survivors. ALC conducted site visits to each participating NGO and facilitated a training workshop on business plan development, credit linkages, resource assessment, and marketing. In addition, these partners took part in an exposure visit to ALC's project area in Andhra Pradesh to observe a functional cooperative. Partners also developed action plans for enterprise development in their working areas.

- **Learning about health and sanitation.** Challenges related to health and debt continue to be a root cause of bonded labour and trafficking. In response to this, partner organisations are seeking to help community members avoid situations of unnecessary medical debt by building health literacy. For example, partner organisations ROSA and TSN participated in a pilot project led by Healing Fields Foundation. This project promotes basic community awareness of vital health and sanitation practices as well as local health resources available for community members. Five master trainers and 71 community health mobilisers (mostly female freedom group leaders) were trained to disseminate health information in their communities.



A Community Health Mobilizer provides information to community members about common illnesses

- **Training legal associates.** A conference for lawyers working with the hotspot from UP and Bihar was organised in May. Participants shared best practices and challenges related to supporting the legal cases of survivors. They also gave concrete suggestions for improving the rules for the Child Labour and Adolescent Regulation Act 2016, which were shared with the Ministry of Labour and Employment. For the first time, this conference offered lawyers from across the hotspot the opportunity to gather and learn from one another. Participants expressed that the event helped motivate their continued efforts and commitment, especially as most legal cases take many years to move through the system.

Hotspot Objective 4: Supporting rigorous research and evaluation in the hotspot

Throughout Q1 and Q2, partners supported academic research, they conducted research to inform programming, and provided assistance for government-sponsored studies.

- **Prioritising action research groups.** With support from the Institute for Development Studies (IDS) and Praxis, partner organisations continued to organise group meetings through which community members gather village level data and propose solutions to identified challenges related to ending bonded labour and trafficking. IDS and Praxis provided on-site support to help groups learn how to develop theories of change for particular issues – for example, group members connected better access to health workers with the reduction of health risks and, therefore, a reduced likelihood of needing to take loans from money lenders. Partner organisations increasingly found action research to be useful for guiding problem solving at the community level. For example, action research group

members in NIRDESH's working area identified the exclusion of dalit children from schools as a risk factor for trafficking. As a result, group members held meetings with parents, teachers, and the Block Education Officer, to discuss the need for all children to have access to education as well as the particular challenges of children from marginalised communities. The retention in school of children from the dalit community has increased in this village.



Action research group members collecting data on TB cases and the link with bonded labour in Allahabad district, UP

- **Conducting a rapid assessment of shelter homes in Jaipur.** Partner organisation, Prayas, conducted an assessment of shelter homes in Jaipur, Rajasthan to find out the number of children trafficked from Bihar who had been rescued and placed in Rajasthan shelter homes. The study concluded that from 2014-2016, 1,582 children were liberated in Jaipur, and out of those children, 1,200 (75%) were from Bihar. In addition, 210 legal cases that were filed after these liberations are still pending in the Rajasthan court system. This data clearly demonstrates the need for solution-oriented action and collaboration between officials and NGOs in Bihar and Rajasthan. Such collaboration will ensure proper support to survivors and the resolution of related legal cases. Prayas is continuing to work alongside the government of Rajasthan to assist in the return of children from Bihar who are still located in Jaipur and is following up on cases that are pending. The research feeds into a planned new Freedom Fund hotspot, to support a child labour free Jaipur.
- **Participating in government-sponsored research.** The V.V.Giri National Labour Institute¹¹, an autonomous body of the Ministry of Labour and Employment, started a labour survey in select districts of India, including UP and Bihar. While planning the survey, the Institute approached HLN to participate in data collection. In Q3, V.V.Giri will organise a meeting with partners focused on addressing child labour and planning a way forward for the labour survey.
- **Understanding orchestras in Bihar.** In Bihar, particularly in East and West Champaran Districts, cultural performance orchestras are a significant mode of trafficking of adolescent girls from both India and Nepal. These orchestras are musical and dance troupes that travel and perform, and often result in exploitative situations for the performers, including the sexual exploitation of children.¹² Partner organisation, Fakirana Sisters' Society (FSS), is working in West Champaran District and is addressing trafficking through orchestras. FSS researched the recruitment process, exploitative conditions, and patterns in re-trafficking for the performers. They found that adolescent girls were being recruited from specific districts of West Bengal and Uttar Pradesh as well as southeastern Nepal. It also found that 95% of the Nepali girls are exploited in orchestras that perform far from the Nepali border, to reduce the likelihood that the girls can return home. The research findings provide FSS and other partners an increased understanding of how best to assist those who are recruited to perform in the orchestras.
- **Supporting the Bihar prevalence study.** The hotspot program advisors and partner organisation, PGS, provided assistance to the San Diego University/Praxis prevalence study in Bihar. For example, they assisted by providing information about shelter homes and urban areas of Bihar where the research could be carried out. Results of the study will be prepared during the rest of 2017.

¹¹ <http://www.vvgnli.gov.in/>

¹² <http://timesofindia.indiatimes.com/city/kolkata/how-orchestras-are-duping-trafficked-minors-from-bengal/articleshow/57645238.cms>