

Arise Foundation submission to the UN Special Rapporteur on trafficking in persons, especially women and child on the trafficking of persons in the agricultural sector

About

Arise is an anti-slavery and anti-human trafficking organisation working across the world to protect communities from exploitation, with a focus on long-term prevention work in source communities. We believe that local groups and their networks are a hugely powerful, but an often marginalised and underdeveloped, resource in the fight against slavery. As a result, we work with frontline organisations and their networks, through strategic grant giving, direct partnership, training and capacity building, amplifying their voices within the human rights and policy communities.

It is due to our belief in a person-centred and locally-led response, that our submission is built upon the experiences of our frontline network. We hope that by magnifying the insight of those fighting slavery on the ground, our contribution will shine a light on the strength and potential of better supported prevention in source communities.

Introduction

In order to adequately provide solutions to the increase in trafficking in the agricultural sector, it is important to understand the characteristics of agricultural work.

Agricultural work is often isolated and transient, and due to its nature, income can become irregular. The first most common element of trafficking in the agricultural sector is through the use of 'force' by the employer. This includes forced isolation in migrant camps, forced restricted ability to communicate with the outside world, and abuse, both physical and mental. The second most common element of trafficking is 'fraud'. This is the means by which the employer lures vulnerable victims in through making false promises about pay and the state of living; alternatively this also includes altering contracts and charging extortionate recruitment fees for jobs that pay low wages. The final most common element of trafficking in this sector is 'coercion'. Victims may experience but are not limited to threats of harm being made to them, their family or loved ones; threats of deportation; debt bondage due to extortionate fees for food, rent and transportation and the confiscation of documents.

Looking at each element in turn, it is evident that in order to reduce the occurrence of trafficking in the agricultural sector, solutions must be provided to mitigate the conditions inflicted upon the victims by each element. The impact of 'force' must be met with the means to counter isolation and restricted communication. The results of 'fraud' highlight the importance of ensuring workers, particularly those vulnerable to trafficking, are aware of their rights.

Please note that in this submission Arise is using 'employer' to mean anyone that is in a position of power over someone else working within the agricultural field, and might not, therefore, be the person who holds the contract but might be a direct manager. Arise is using 'labourer' to mean someone who is working within the agricultural sector as a day, or temporary, worker and is at risk of trafficking and exploitation.

What makes someone vulnerable to trafficking in the agricultural sector?

In addition to conditions inflicted upon the labourers by their employer, victims of trafficking in the agricultural sector may be vulnerable due to migration, seasonal or temporary work and isolation - all of which have been exacerbated by the Covid-19 pandemic (see Annex B).

Agricultural work is dependent on the harvesting seasons, and the impact of climate change, the weather has become increasingly unpredictable meaning that work is becoming increasingly precarious. The characteristics of such seasonal work often leads to employers relying on temporary work. As a result, labourers are left without regular work and the cycle of vulnerability to trafficking and abuse is perpetuated.

Occurring in rural and sparsely populated areas, agricultural labourers have little access beyond their immediate area, meaning that they become dependent on provisions provided by the employer, e.g. housing and food. Employers are known to take advantage of their isolation by exerting control over their labourers, with physical and emotional barriers to assistance preventing victims from accessing help. In the same way, isolation plays a key role for migrants, who often experience isolation in migrant camps.

A frontline focus on migration

Migration, as mentioned above, can be a source of vulnerability for potential victims of trafficking. The nature of seasonal and temporary workflow results in labourers not having the opportunity to spend enough time in each community they work in, limiting their accessibility to resources and support which would otherwise better help them to understand the local support networks, laws or services (see Annex A).

A case study from Arise's frontline network in India, focusing on three major areas, provides insight into the manifestations and impacts of migration, as well as into the role this plays in the wider scope of trafficking.

1. Seasonal migration

In one project a seasonal migration is frequent, with migration occurring to West Bengal for work on paddy plantations and harvesting crops. This migration often includes children who subsequently miss out on schooling opportunities. Even more concerning, there are reports of young girls who have gone missing. The migrants often have insufficient accommodation, with 2-3 families sharing a small room together. There is often a middleman who takes the contract of work from the landowner, and when the work is done, receives the payment. The middleman pays very little to those who do the work, while securing the majority of the profit. As workers are unskilled labourers, their due wages are not received, in addition to women being paid less than men despite doing the same work for the same number of hours (see annex A).

2. Youth & tea gardens

In a second project, young boys and girls travelled to Kerala to work in tea gardens, where their salary was manipulated and they were left without social security (see Annex A). Similar to seasonal migration, unskilled labourers are not paid according to the number of hours they have worked but rather according to the volume of work completed.

3. Family migration

Family migration has been observed as often occurring. This means that small children, are absent from schooling (see Annex A). Experiences of abuse in the workplace were noted, and the families who migrated were left without adequate food or medical facilities. Some cases were recorded of children, whose parents were suffering alcoholism, experiencing little to no support, resulting in worsening outcomes.

Promising practices & recommendations

1. *An approach focused on the continual empowerment of the frontline organisations and networks*

Arise's successful model of supporting those on the ground has demonstrated the power of amplifying frontline organisations. The unique insight of such organisations and networks mean that they have an unparalleled understanding of the challenges facing their local communities. Community-led mechanisms should be at the heart of any revised or new approach to combating trafficking in the agricultural sector. This includes the potential to coordinate village-level committees and groups to bolster the anti-trafficking strategy on a local level (see Annex B).

2. *Training must be provided to vulnerable groups, particularly youth and children, in order to provide them with the skills they need to look for alternative jobs.*

Socio-economic instability and a lack of adequate economic opportunities may increase the vulnerability of youth to trafficking. Offering skills-based training will provide youth with a range of skills that will enable them to seek employment in other sectors. Examples of skills that youth could be trained on include carpentry, motor mechanics, driving and tailoring (see Annex B and Annex C).

3. *Training must be provided to vulnerable groups, particularly youth and children, to raise awareness of their rights and entitlements.*

The temporary nature of agricultural work means that victims are not in one area long enough to begin to understand their rights or entitlements before they complete seasonal labour. In addition to this, the isolating characteristic of this work leaves victims cut off from any support, physically or otherwise, where they may have been able to better understand the laws and procedures in place. Equipping individuals with the knowledge of their entitlements would help mitigate such consequences of seasonal work (see Annex C).

4. *The creation and support of 'farmers groups' in areas of agriculture.*

'Farmers groups' are groups formed of workers who have joined to form 'farmers clubs'. Together, they collaborate on a range of activities, working to aid prevention of human trafficking by providing job opportunities to individuals in the community, strengthening their financial independence. This concept stems from the work of our frontline network, who have helped to create and support 'farmers groups' on the ground in India (see Annex A).

Activities undertaken by 'farmers groups' include:

- Developing their own agricultural land;
- Seeking assistance from the government for agricultural resources such as irrigation facilities, fertilisers and seeds for crops;
- Creating and sustaining a common emergency fund which may offer financial relief to those who contribute;
- Undergoing training activities on agricultural development e.g. various types of farming; how to monitor local weather conditions, soil and water

The benefits of forming 'farmers groups' include assisting the securing of a fixed rate for labourers by cutting out the middleman who in situations of trafficking makes a substantial profit, therefore reducing the income for workers. Acting as support groups, 'farmers groups' have the potential to empower individuals through periods of migration, isolation and seasonal work. This potential has been observed on the frontline by Arise's network.

5. *Awareness raising*

Awareness raising activities, including on the broader topics of human trafficking and livelihood, serve to increase knowledge and understanding of trafficking. Through recognition of the vulnerabilities that predispose individuals to trafficking, local communities will have the capacity to better identify situations of trafficking, building capacity on the ground (see Annex B). This capacity is not only available to those vulnerable to trafficking, but is extended to the wider local community.

Annexes

Annex A

Trafficking in Agricultural sector

We are working in Jharkhand state in India for Anti Human trafficking. Few points I would like share are the following.

1. In our project area there is lot of seasonal migration. Specially they migrate to West Bengal for paddy plantation as well as to harvest the crop, along with the children at times. There is a mediator or a middle man who takes the contract of the work from the land lord. When the work is done, payment is received by the middleman and he pays some amount to those worked, but they do not pay the real just wages, profit is taken by the middle man, since they are unskilled labourers, they do not get their due wages. Again, the women are paid less than the man though the work is same and number of hours is same. When people migrate, they do not have proper accommodation facility, 2-3 families stay together, no privacy, there is lot of abuse, during this time the young boys and girls go missing.
2. Few young boys and girls of the area travel to Kerala to work in tea gardens, Eliche garden, coconut farms etc once again there is lot of manipulations regarding the salary payment, no social security is paid. It's an unskilled job so you are paid not according to the number of hours but according to the volume of work completed.
3. When the family migrates with small children they are out of school for few months, they are abused in the work place, they do not have any proper food and medical facilities. If the parents drink or alcoholics then the condition of the children is still very pathetic.

Promising Practices: We work on prevention of migration by providing job opportunities in the project area. We have given importance to agriculture in developing their own land. They are formed into farmers clubs where they come together seek help from the government for irrigation facility, seeds, fertilisers. They collect amount as common fund for emergency to support each other. They have trainings together on various types farming keeping in mind the local weather conditions, soil and water.

Farmers groups works as support group even if the migrate for work, to fight together for their due wages, to fix a rate for work not depending on the middle man.

Youth are trained in various skills like carpentry, motor Mechanics, driving, tailoring for girls, leaf plate making etc. Educating the youth to look for the alternatives of jobs.

Annex B

Combating Human Trafficking in Assam is a project implemented in Assam. The project is implemented in fifteen villages. The fifteen villages are prone and vulnerable to trafficking as the communities are poor, illiterate and unaware. But for the last two years, there has been an improvement in their outlook and perspective toward life and human trafficking.

Through this project women group, youth group, children club, vigilance committee was formed to strengthen and make the community aware, active and alert of the situation around them. Now, these groups are now playing very important role in identifying and informing any issues relating to human trafficking. In the last two years apart from the awareness, we were also able to help and rescue and also to file FIRs for cases of molestation. Domestic violence, child marriage and human trafficking.

The pandemic have increased the vulnerability of the communities especially during last seven months (July to December 2021). During this time, incidents of human trafficking have been witnessed in our project area and there was despair and struggle as unemployment increased and many have to move out of the village for work. Then seeing the situation the local agents take advantage and take the victims out without any fear.

1. About project:

In the last seven months, through the project have been able to initiate and organised various programmes in the community, panchayats, block and district level. These programmes have helped to meet the project objectives and thus benefit the people in terms of understanding and gaining knowledge, improving the linkage and availing facilities provided by the government. Also strengthening in the efforts to network with government department and likeminded NGOs. It was a long gap due to the gap and the pandemic and so there was a need for revisit of the learning's and knowledge received and contemplation and discussion on the various activities that have taken place. The several activities conducted within groups like the women group, Village Vigilance Committees, youth groups and children group helped strengthened them and brought them in one platform where they could discuss problems, issues and also plan out together how they can tackle situations not only in their village but also in the block as well as district level. Thus, the acquired understanding and knowledge has empowered them to safeguard themselves, their families and the society. The interaction, trainings have changed their mentality and their attitude about life and how to develop, change and grow.

2. Achievement of project objectives

Following are the objective statements of the program and the results achieved in line with project objectives:

Objective 1: 45% child trafficking is prevented through the community led mechanisms in collaboration with VLCP, panchayats, CWC, local police, Child-line and local networks

Objective 2: Trafficked persons are rescued, restored and rehabilitated through the coordinated efforts by the concerned department and agencies.

Objective 3: Multi-stakeholder coordination developed and functioning to prevent human trafficking and unsafe migration in the states

3. Activities that helped in achieving the above results

1. Training on existing women group, VVC groups on functional literacy and livelihoods and Human Trafficking:

Training was conducted for the existing women group, VVC groups on Functional Literacy and Livelihood and human trafficking in four (04) target villages. During the program we gave awareness on human trafficking and its different trends that are taking place during these covid-19 situations, we also narrated stories from different cases how some traffickers lured the villagers youth by promising them with lucrative salary. The participants were also given chances to speak their views on human trafficking. The groups were also given knowledge on the different government schemes and livelihood steps government has taken for women groups. The groups were also given training on book keeping and cash and ledger maintenances.

2. Training the existing women groups in each village on functional literacy, Human trafficking, and livelihood:

Training for the existing women groups on child rights and human trafficking, functional literacy and livelihood. Inputs on child rights and human trafficking were given with example. In the training programme the participants gained knowledge on child rights and different form of human trafficking and were also made aware about the safety method of migrant's worker. The existing women groups were also given on functional literacy in where we provide them knowledge on different livelihood schemes of the government and also on the skill development training for the adolescent girls and boys.

3. Training for the existing youths and children groups on their rights, entitlements and skills:

Conducted training for the youth groups of eight (08) villages Where we discussed about the different work opportunity that are available in the village and nearby villages. We also motivated the youth to start setting of petty shops and other shops in the village to start income and also motivated the dropout continues studies ether through NIOS or other board. We also focus on the education system of the village and how we and how we can help the school going children. There were around one hundred and seventy (170) youths who participated in the training programme.

4. Coordination meeting among the village level committees/groups:

A coordination meeting was conducted for the village level committee and groups. Here we discussed on networking with police department and other department for human trafficking issues. We also discussed on filing FIR process and gave them some information on child rights and child marriage and human trafficking. Also the groups brought in the subject on livelihood as there is a lot of despair among the people. The leaders and the groups proposed that more SHGs should be formed and through this revolving fund could be availed for income generation activities and skills training. So the groups were asked to mobilise the interested individuals for the programmes they are interested.

5. Joint awareness creation through posters and rallies:

Joint awareness through posters and rallies was conducted in both the districts during world day against human trafficking and on world day against child labour. Rallies were organised with the block and the panchayats along with the local CBOs. There were around one hundred and fifty (150) participants who participated in the programme.

6. Mapping & linkage of govt Programs/Schemes:

Mapping and linkage of govt. Schemes have been an ongoing process in the last seven months. The team has disseminated information about all schemes and linked the govt. Twenty seven (27) women groups have availed grants from ASRLM. 19 SHGs received 25,000.00 each, Eight (08) SHGs received 100,000, and one (01) 600,000 for income generation. Linked **340 individuals** to MNREGA Scheme and also Linked **48 households** for PMAY and also availed PM Kissan scheme for 286 household.

7. Promotion of nutritional gardens and up scaling of existing agricultural practices in the project villages:

Through this initiative around one **hundred and fifteen (115)** individuals have benefited and for this season vegetables will be available for their families and even be able to sell some for earning and increasing income.

8. Formation of district level networks of Village Vigilance Committees:

In both the districts network of village vigilance committees were formed. Trainings and awareness were conducted in order to strengthened and empower the networks on their roles and responsibilities and how to network with each other on the issue of human trafficking. They were also made aware on how to network with the various government departments who are dealing with the same issue. In case there is any rescue work they should take the help of all stakeholders so that there is success in the attempted work.

9. Meeting with Government Units and NGOs: and responsibility:

Meeting with government units and NGOs in the district was held in December 2021 along with the village vigilance committees and representatives from the youth groups. In this meeting the representatives from the various departments and NGOs discuss the roles and responsibilities of each department and how to network with each other. There were 38 representatives from the VVC and youth group and (07) seven representatives from the district unit. Here it was decided that there will be another meeting organised if a network can be set up.

10. Regular meeting of survivors of human trafficking:

A total of eight (08) meetings were conducted with the survivors of human trafficking. The meetings were conducted to take stock of their situations and plan out how to help them out in enrolling in the NREGA scheme and also to motivate some of them to take up skill training provided by NRLM and other agencies in order they become skilled and are able to do something to earn their livelihood.

Sl. no	Activities	Number of participants
1	Training on existing women group, VVC groups on functional literacy and livelihoods and Human Trafficking:	175
2	Training the existing women groups in each village on functional literacy, Human trafficking, and livelihood:	447
3	Training for the existing youths and children groups on their rights, entitlements and skills:	386
4	Coordination meeting among village level committees	180
5	Joint awareness creation through posters and rallies	150
7	Mapping & linkage of govt Programs/Schemes:	
8	Promotion of nutritional gardens and up scaling of existing agricultural practices in the project villages:	115
9	Meeting with Government Units and NGOs: and responsibility:	30
10	Meeting with Government Units and NGOs: and responsibility:	45
11	Regular meeting of survivors of human trafficking	21

11. Celebration and Observation of World Day against Human Trafficking in Persons:

To mark and observe the world day against human trafficking 2021 we had organised a one week awareness campaign on human trafficking, starting from 26th June to 30th June 2021. During this week awareness programmes were held in the fifteen villages, also miking, distribution of leaflets and posterings was done in target villages and neighbouring villages. Apart from the awareness campaign, the women group also organised candle lit march which brought about more meaning and the message sent by the women was that they would unite and fight against human trafficking of any forms in their villages and areas. Drawing Competitions were also held for the children on the theme of human trafficking. This activity has created awareness among the children.

12. Linkages with Banks and NRLM:

In the last three months, SKS have linked 08 women SHGs to NRLM and also helped Six (06) SHGs to avail revolving fund of Rs. 25,000,00 each and one SHG have availed an amount of 2,00,000 for income generation programme.

13. Formation of Children Parliament:

Eight (08) children parliament were formed. The children were trained on the objectives of the children parliament, how to identify issues of the children have started to identify issues and find different strategies for solving issues. The children were also trained on the different rights of children and how to fight for themselves to attain certain rights which is very beneficial for their growth and development.

14. Relief and meeting with returnee migrants and families:

We organised a meeting with the returnee migrants and their families. In the meeting they shared about the problems they faced in the village and how, because of need, they had to go out and be cheated in the process. Also discussed about what the returnee migrants will do henceforth. It was also discussed that the returnee migrants will be linked to MNREGA whenever the scheme is opened. On the same day relief was also distributed to the families of the returnees migrants.

4. Lessons learned within the reporting period

- There are many cases of exploitation of migrant's worker who have left for work during this pandemic time. Due to covid and loss of livelihood many have opt for work in other states have been exploited which may need to be intervene
- Livelihood is a big issue in the working area and there is a sense of panic and pain among the people
- The student community are struggling to cope with their studies due to the online classes.
- In the process of filing FIR and handling the cases, the police were asking for money and their TA.
- If we motivate people to file FIR, than we have to continue to be with them and help them While rescuing, we should always take the written permission from the police department, not going alone and if there is women victims also women staff should also accompany.

5. Challenges

- The staff are not yet well versed with the process of rescuing, about the different laws related to human trafficking and child related issues.
- Some local leaders are also involved in labour supply to the traffickers, and since they are influencers in their area, it becomes an obstacle for smooth work.
- People very reluctant to file FIR, since they are afraid of expenditure
- While rescuing no proper place for keeping the child/victim as Child line not located in the area.

6. Additional activities

- One week campaign and Observation of World Day Against Human Trafficking.
- Protection and promotion of child rights campaign (one week campaign was conducted on the protection and promotion of child rights campaign was conducted and around nine hundred and fifty (950) participants participated in the programme.
- Family Visits of the victims of trafficking
- Meeting and relief to families of human trafficking (Apart from meetings conducted with the families and victims, and also on seeing the need of the people relief and medical camp was provided to the around twenty families.
- Awareness and mobilising communities for vaccination
- Celebration of children's Day (Around 1356 children participated in the programme)

7. Planning and monitoring process:

For the planning and monitoring process of the project, every month we conduct a monthly meeting at the headquarter level to discuss and update the progress of the activities on a monthly basis. Also every month the coordinator visits and monitors the villages and conducts monthly meetings with all the groups along with the field mobilizers.

8. Conclusions

The programmes and activities were very much beneficial and supportive to the communities as they need to revisit the programmes. In Spite of the various difficulties and challenges the Staff and the communities have faced, the programme both budgeted and non budgeted have been conducted and it has been very encouraging with the changes that have taken place among the communities.

Annex C

Case study:

21 individuals were promised jobs and taken to Himachal Pradesh. After work on the frontline and police involvement, the migrants were sent back home, however without any payment and with no money.

The success of the rescue was because of constant collaboration of the communities, the police department, activeness of the frontline and also guidance from Caritas India North East Region and Caritas Delhi. Now till date eighteen (18) migrants are rescued and three (03) are yet to return.

The returnee migrants expressed their gratitude and said "I never thought that I could be sold for a sum of money and he would never get a chance to return back to my home town: thanks to all who have helped us and made it possible."

Trainings and awareness:

For change to take place, it is necessary that one should avail knowledge and be well informed of present situations that affect their daily life. As trafficking is a serious concern in the district and therefore, awareness to the public on the issues of trafficking is the need of the hour. People are not much aware of how trafficking is done and people are easily taken in by the promise of giving jobs and good salary. To avoid such incidents and not easily dubbed by the traffickers, people in the local community are given awareness on trafficking and encouraged to be vigilant in their own community and villages. Target groups include- women group/ VVCs/ children and youth groups.

To mark the significant of World Day against Human Trafficking, a one week awareness campaign on human trafficking, was organised.

During the week, awareness programmes, distribution of leaflets and posters was done in all the project and neighbouring villages.

Apart from the awareness campaign, the women group organised candle lit march symbolising that they would unit together to fight against human trafficking of any forms in their villages and areas. Drawing Competitions were also held for the children on the theme of human trafficking. The activities enhanced the children to understand more on human trafficking.

Training on children parliament:

Training was organised and conducted for the children on children parliament in eight (08) target villages. The children were made aware of the importance of the platform of the children parliament, roles and responsibilities of children in the parliament.

In the training emphasis and focus was also given on the different rights of the children pertaining to education, health, games and sports, and the right to speak and voice their opinions.