Mondira Dutta [ID]*

*Centre for Inner Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi, India
(E-mail: mondiradutta@gmail.com)*

Mitigating Child Exploitation and Abuse during Disasters: History, Preparedness and Policy Framework in India

India has lost an estimated total of 79,732 people with 108 crores displaced as a result of 321 separate natural disasters between 2000–2019. Together with China, this accounts for approximately 70 % of the global loss during disasters. As the second-most-affected nation in the world, India suffers maximum from floods. Every year, almost 34.5 billion people in India are impacted due to an average of almost 17 floods that hit the region every year. Vulnerability of children in such situations, exacerbates their weaknesses significantly. This makes them an easy prey for abuse and exploitation. More girls than boys seem to mysteriously disappear, according to official statistics. A girl child is coerced into prostitution or domestic servitude which is more difficult to track down than in the case of missing boys. To safeguard the well-being and rights of children during such challenging times, the development and implementation of effective strategies and policies become of significance. The present paper attempts to highlight the link between disasters and exploitation of children while assessing the vulnerabilities that prevail in child exploitation during such a situation. The paper is mainly based on secondary sources of information. It would review and analyse the existing protection and policy framework in India from a child's perspective. The study attempts to focus on available local organizations and the role of stakeholders concerned in the implementation of the laws and policy framework. An in-depth analysis will be attempted on the collaboration between government bodies, international organizations, non-governmental entities, and local communities. The main objective is to spell out the mitigating factors that impact children during a disaster and developing a framework that creates a safe environment to build back better.

Keywords: Child Exploitation, Trafficking of Children, Disaster Risk Reduction, Policy and Preparedness, Protection Policies for Child Abuse, Build Back Better.

Introduction

Natural disasters, armed conflicts, or any humanitarian crises create an ideal ground for exploitation of children, placing them at heightened risk of abuse, neglect, trafficking, and forced labour. To safeguard the well-being and rights of children during the challenging times, the development and implementation of effective strategies and policies become of significance. Vulnerability of children in such situations, exacerbates their weaknesses significantly. This makes them an easy prey for abuse and exploitation. Addressing these unique vulnerabilities especially for children during a disaster will usher in the essential protective measures, support, and prevention against child abuse. In this context, a comprehensive approach to develop a strategy and policy framework becomes imperative. This needs to focus on the collaboration between government bodies, international organizations, non-governmental entities, and local communities. Such an initiative will help in mitigating the impact of disasters on children and create a safer environment to build back better. Children are the most vulnerable during times of crisis such as disaster, ethnic cleansing or political upheaval. Vacuums of exploitation and slavery automatically get created during such a crisis that target children in particular. When children are orphaned or separated from their parents, they become gullible and fall prey to trafficking for abusive purposes like child labour, sexual abuse, organ trade, forced labour, debt bondage, domestic servitude, child soldiers and camel jockeying. They even are subjected to physical injury by their abusers for gaining sympathy in activities like begging, illicit adoption and becoming a victim of forced marriages as well. They get trapped in being sold off for commercial sexual exploitation, child sex tourism or as victims of paedophilia and much more newer trends of child abuse. Disaster oriented ground situations compound the pre-existing vulnerabilities demanding people-centric attention by the officials. The situation gets worser during displacement with children getting separated from their parents or orphaned. This makes it an ideal situation for the traffickers. With prevailing deficit in reserve resources and governance, the officials get mostly engaged in supplying humanitarian needs like food, water and safety. Survival itself becomes an ordeal while government machinery gets weaker and thinner. In fact little children become substitutes for

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* Corresponding author's e-mail: *mondiradutta@gmail.com*

their injured or deceased family members. When human beings are running helter-skelter during a natural disaster in search of livelihood options or to protect their young ones, the situation becomes just ideal for the exploiters and traffickers to make hay while the sun shines! Sometimes traffickers act as NGOs who pretend to be the rescuers themselves. Thus this becomes an opportune moment for the traffickers to "strike the iron while it is hot".

Most displacements in the world are caused by disasters. According to the '"Internal Displacement Monitoring Centre" in Geneva, natural disasters, particularly severe floods, and cyclones, have resulted in internal displacement. In 2022, India alone had a figure to the tune of approximately 2.5 million. This is despite the fact, that the report takes into account only the large-scale or medium threats for South Asian countries like Bangladesh, India, Nepal, and Pakistan. The lesser disasters although it might have had larger displacement, go undocumented. In the year 2021, China recorded 6 million, Philippines 5.7 million and India 4.9 million displaced persons. The greatest number of displaced people was due to natural disasters implying vulnerability had a major role to play. Natural disasters do not restrict itself to any administrative boundaries or to a particular community. It hits those who are extremely vulnerable. The degree of vulnerability varies from person to person. The greater the vulnerability the greater the chances of exploitation. People belonging to lower socio-economic strata always tend to get left behind. Moreover, it is usually a child particularly a girl child who is found to be more vulnerable than an adult during any disaster. Such studies therefore need to be studied with a multi-pronged approach.

There are innumerable examples of such child exploitation and child abuse all over the world. To quote a few, there are instances of how boats carrying 100 infants were being trafficked away from Aceh Province in Sumatra following the 2004 Indian Ocean Tsunami [1]. The 2010 Haiti Earthquake which was of 7.0 magnitude displayed how "survivors continued to experience high levels of sexual assault and limited access to durable shelter". Cases emerged when hundreds of children were being illegally sold for international adoption. Families remained unaware about their children. Their loved ones just disappeared, and the cases remained hanging in the absence of details [2]. The then Prime Minister of Haiti Jean-Max Bellerive, observed that orphaned children were trafficked for the purposes of organ trafficking. In 2013 the Typhoon Haiyan or Yolanda in Philippines had 2.6 million workers who had been engaged in vulnerable employment. Following the disaster several hundred lost their lives including many UN officials. In 2015, evidence shows as per the International Labour Organization (ILO) & International Organization for Migration (IOM), children who worked in the rural areas got trafficked to Manila for sexual and labour exploitation. There was a tremendous increase of child trafficking during that period. Children as young as nine years of age got engaged as labourers in sugar plantations, under treacherous conditions. In India the issue of child trafficking has been a grave problem despite national and international efforts. Its quite common to come across reports stating thousands of youngsters trapped in domestic servitude and forced labour in the country's urban slums. Kidnapping and selling of children are unfortunately found to be on the rise.

Materials and methods of research

Besides a detailed literature review based on secondary sources of information, the methodology includes a series of field visits undertaken in November, 2018, 2019 and March 2020. The primary survey, throws light on the magnitude and interlinks between disaster and human trafficking, the policies and protocols, the international MoUs and the crucial role played by community and institutions. The field survey was undertaken along the Indo-Bangladesh border to identify the laws and protocols adopted on either side of the borders. Additionally the city of Kolkata in West Bengal was mainly selected based on secondary sources of information from 'the National Crime Record Bureau' (NCRB). The state of West Bengal recorded the highest trafficked victims and also the highest rescuers besides being disaster prone in India.

The field study included meetings with the State Commission for Protection of Child Rights, West Bengal (SCPCR), Director – West Bengal Task Force, 60 Trafficked Women Victims, 22 second generation victims, Additional District Magistrate, 24 South Parganas, West Bengal State Legal Services (SLS), West Bengal Anti-Human Trafficking Units (AHTU), and District Magistrate, 24 South Parganas, West Bengal. The Information collected from the stakeholders was authenticated through triangulation and validation of data. The focused group discussion held among the trafficked victims with the help of NGOs clearly revealed why and how the instruments of disaster mitigation are not in sync with the activities undertaken by the help of Civil Society Organization and NGOs. It was important to observe the institutional mechanisms in operation in the state for rescuing the trafficked victims. A majority of the concerned stakeholders from the government and non-government organizations were interviewed directly or through focused group discussion.

Discussion

The Indian Perspective

India's border with over seven countries is porous in nature. It is thus very easy to enter India from various sides of the border. The support from the border police on either side at times facilitates traffickers in moving across the borders. Undoubtedly Political uncertainty and financial pressures force the young girls from South Asian borders like Nepal, Bangladesh, Myanmar to get trafficked and exploited as minors. There have been cases as far as Uzbekistan who have been trafficked to India. At the micro level, studies do confirm trafficking cases that has taken place during and after a disaster. Huge number of men from Bangladesh, India and Sri Lanka had been trafficked to Maldives following the Tsunami, with promises of livelihood options. Some of these men claimed to have been cheated by the agent both in India and in Maldives. Dutta's study [3] reveals how the men from Rajasthan had sold off all their assets to come to Maldives for earning a livelihood. They had been shuffled into a "cage like accommodation" without proper food, rest or wages. Their job skills were ignored and were put to all kinds of labour. They starved for days on end until some of them managed to be back in India with the help of the Indian High Commission. Yet another study revealed [4], how women in the age group of 10–24 left their villages in search of livelihood options during the annual floods that inundates Murshidabad area. Some of these had been trafficked to the brothel for commercial sexual exploitation.

In terms of natural disaster, India is among the top three nations that have suffered immense damage in the recent years. The Office of United Nations for Disaster Risk Reduction estimates that between 2000 and 2019, approximately 280 crore people in India and China, were affected by disasters, which account for approximately 70 % of the global total. During the same period of time, it is estimated that a total of 79,732 people lost their lives and 108 crore people were displaced as a result of 321 separate natural disasters for India alone. According to the Minister of Earth Sciences, "Extreme climatic events or disaster, due to climate change have increased significantly across India in the 21st century". According to him, natural calamities such as heavy rainfall, flooding, drought, cyclones, heat and cold waves, have all been on the rise around the world, and this trend has also been witnessed in India. As the second-most-affected nation in the world, India suffers maximum from floods. Almost 34.5 billion people in India are impacted by a total of 17 floods on an average that occur every year [5].

The issue of child trafficking in the Indian context has been a grave problem despite national and international efforts. It's quite common to come across reports stating thousands of youngsters trapped in domestic servitude and forced labour in the country's urban slums. According to the National Crime Records Bureau (NCRB), majority of cases reported under "Crime Against Children" belongs to the category of "Kidnapping & abduction" (56.6 %) and "Protection of Children from Sexual Offences Act, 2012" (30.8 %). In 2021, the total number of missing children was 77535 out of which girls were 59544 (75 %) in number while, boys were 17977. Another 14 children belonged to the transgender community. Nonetheless, it is believed that this is just the tip of the iceberg, and the government agencies were unable to assess the scope of the problem, and their estimates remained significantly lower than those quoted by scholars and activists. The country's legal framework is poorly placed to deal with this transnational organised crime. There is a serious concern among the social workers that the law enforcement officials are not serious about such a situation. More girls than boys seem to mysteriously disappear, according to official statistics. A girl child coerced into prostitution or domestic servitude is more difficult to track down than boys. Unfortunately there is no well-defined legal framework in India for dealing with human trafficking. In this day of globalisation, it is clear that caution is required when attempting to explain and resolve trafficking. Official organisations rarely make any connections between kidnapping, forced labour, child labour, or child marriage and child trafficking. Moreover, most perpetrators are not adequately punished by the legal system. In terms of disposal of cases that were arrested under human trafficking in 2021, the situation looks even more bleak. Data from NCRB clearly show that a total number of 5755 people were arrested out of which 4120 were charge sheeted and only 64 were convicted. There were 520 cases which were discharged. The modern ways of child trafficking in the digital era, have completely been overlooked by anti-trafficking laws, which mainly focus on sexual exploitation, domestic servitude, commercial, industrial, or bonded work; tourism; and various forms of exploitation such as organ selling, adoption, begging, criminal activity, and camel jockeying.

As per Census of India, 2011, the total child population in India in the age group (5–14) years is 259.6 million. Of these, 10.1 million (3.9 % of total child population) are working, either as "main worker" or as "marginal worker". In addition, more than 42.7 million children in India are out of school. There are still

12.66 million children working in India, even though it is illegal to do so. Child trafficking has been related to cases of labour migration. Although the Prohibition of Child Marriage Act of 2006 was passed in an attempt to curb this widespread social scourge, the practise of forcing minors into marriage continues secretly even today. The annual estimate to the tune of around one million children that get trafficked in India every year is mind-boggling. It's time for some serious consideration.

Data Deficit in Child Trafficking during & Post Disaster

The inadequate data documentation diminishes the importance of such phenomena making the whole issue questionable. Therefore, the significance of the subject has not yet been fully exploited. Additionally, the clandestine nature of the problem mostly leads to collection of information that is mostly ethnographic and qualitative in nature. Unfortunately data on child trafficking is not available in an organised manner. Researchers are now getting more and more apprehensive and are interrogating on this continuous media reporting about the link between human trafficking and disaster leading to missing children. This has particularly gained momentum post tsunami on the Indian Ocean in 2004. Experts [6] feel that since there is a lack of empirical data, such a threat may be just an exaggeration. They argue that while the aftershock of a natural disaster is "considered by many to be prime environments for trafficking in persons … the evidence for this is thin" as there is a total lack of empirical figures. Despite several research and documentation showing an increase in the trafficking cases during and following the 2004 Tsunami on the Indian Ocean, there are others who feel it is only an inflated trend hyped up by the western media [6]. Yet there are others [7] that have confirmed the trafficking cases post 2004 tsunami. Several other cases had also been confirmed by the Centre for Child Protection and Study. This is a local Acehnese organization in Indonesia. Further it has been attested post tsunami by the Indonesian government agencies themselves that several hundreds of children were taken away to orphanages located outside Aceh. So much so that the government had put a ban to taking any children out of the country without proper verification. No investigations were undertaken for those cases of trafficking which existed although unconfirmed. This was mainly due to investigation difficulties and lack of capable and skilled officers. Hence these were often very cumbersome to prove as to whether the adoption was genuine or fake.

While it is a fact that there is a dearth of data but at the same time micro level studies across India has shown how disaster plays an important role in exacerbating the problem of child trafficking [8]. Other studies undertaken by the civil society organizations and NGOs based on field based case studies cannot simply be washed away. It is possible that the poorer the country is, disaster is expected to exacerbate human trafficking significantly. A major problem facing the researchers was the deficit in empirical data gathering. Such information was not available either prior or post disaster. The absence of the exact magnitude of human trafficking cases posed a hurdle in the thorough analysis of concerned legal issues and policy strategies. A U.N. Environmental Program had suggested on the basis of data obtained from organizations that worked on anti-trafficking issues, that trafficking possibly has enhanced to the tune of 20 to 30 percent at the time of disasters. Nevertheless such arguments were brushed aside saying the "uncertainty regarding the possible elevated levels of exploitation that existed even during political conflicts or climate-related disasters" [9].

Policies and Protocols

Indicative of larger societal issues plaguing India, the prevalence of child trafficking goes well beyond the reach of the law. The diverse nature of these issues calls for an equally complicated approach to solving them. Because human trafficking frequently occurs with the victim's and their family's tacit knowledge, it is notoriously difficult to both detect and prevent. Therefore, a comprehensive strategy to counteract the crime is required. A plan to safeguard victims' access to their human rights must include actions at the governmental and community levels, as well as coordination among stakeholders. There are steps that the government, businesses, and individuals can take to make the world a safer place for children especially girls. The adoption of the Palermo Protocol in 2000, did set the ball rolling when the world community got active. More legislation criminalizing all forms of human trafficking, collaboration efforts among the civil society and human trafficking survivors have been introduced ever since. Despite the best efforts, traffickers around the world leave no stone unturned to exploit millions of victims particularly the vulnerable for forced labour and sex trafficking. Although governments continue to bear the primary responsibility for addressing human trafficking, support comes pouring in from the civil society and international organizations who have no doubt significantly contributed towards evolving a more holistic and effective anti-trafficking solution. Not only community participation but enhancing the community preparedness programs can be introduced at regular

intervals as an advance capacity of a community to respond to the consequences of an adverse event so that people know what to do and where to go if a warning is issued or when a hazard is ensuing. The role of Community Participation and Institutions are significant in connecting the top to the bottom. The NGOs, CSOs and government officials need to work in conformity to get the message home! Community based preventive measures forms an integral part of any strategy for eliminating trafficking in women and girls and go a long way in addressing the gendered dynamics of demand at the destinations. Preventive measures highlight the socio-economic and cultural background that makes men, women and children vulnerable in the absence of disaster risk mitigation strategy to being trafficked in the first place. These measures provide a platform for the target group to access the rights based redressal mechanisms. At the global level some of the international protocols such as the Palermo Protocol on trafficking and the MDGs both evolved in the same year in 2000, but these seem to be divergent and apart from each other. The factor of Gender Equality and empowerment of women have been emphasized in the third goal of MDG and continues to be a focus area under the SDG. The fifth goal under SDG states "Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation".

The UNISDR has also expressed concern over vulnerable children especially during a disaster. When children get separated from their families and are left on their own they become extremely vulnerable. It elaborates about the chaotic environment that gets created in the absence of a humanitarian aid. The system of emergency that follow a disaster can be easily exploited by criminal elements. The sale of children was also noted by the U.N. Special Rapporteur. It stated that "the collapse or absence of a state system during and after an emergency will result in a protection vacuum for children who may become separated from their families" [7]. On the other hand, women's potential contributions to the disaster risk reduction are often ignored. Building community resilience to disasters under the female head is frequently disregarded. Several organizations (UNDP, IUCN and UNISDR) have now come together to synergize their effort towards this regard. The World Health Organization (WHO) too expressed apprehension over the vulnerabilities that children face during a disaster. Not only the children but even men and women become vulnerable when livelihood options begin to deplete post-disaster. This creates an ideal situation for traffickers to prey upon. In fact, a "protection vacuum" gets created particularly for the children (Samuels, 2015). The World Health Organization noted that when women's options for a livelihood gets restrained like in the case following a disaster they would do anything to feed their young ones. Therefore, sexual exploitation and trafficking is bound to increase [10].

Tracing back the history of disaster policies and protocols, the disaster relief Act was the first step adopted in 1974 by the United States. This established the Presidential Disaster declaration processes based on the series of annual disasters that hit the country. Following this many conferences have been held on "disasters" and "Climate Risk Management". Notable among them is the "Yokohama Strategy and Plan of Action for a Safer World" held in May 1994. This was held in Yokohama (Japan). The main outcome was the "International Decade of Natural Disaster Reduction (IDNDR)" which focused on a set of ten principles. Based on this, the strategy, plan of action, and the follow up was carried out. The ten principles were based mainly on the risk appraisals, disaster deterrence and readiness, capacity building measure, early warnings and preventive and protective measures. The subsequent major conferences were coordinated by the "United Nations International Strategy for Disaster Relief (UNISDR)" which is now referred to as the "United Nations Office for Disaster Risk Reduction (UNDRR)".

Subsequently the "Hyogo Framework for Action (HFA)" was held at Kobe in Japan in 2005 in the month of January. A total of 168 governments participated at the world conference. The conference on disaster reduction adopted a 10-year plan aiming for a better and safer world free from natural hazards. It was here that the International Early Warning Programme got further recognition after it was first introduced in 2003 at Bonn in Germany. The concept became of crucial importance following the 2004 Indian Ocean Tsunami. This disaster had claimed 200,000 lives besides injuring more than half a million people. This programme besides other tools also included a quick data sharing and educating communities at risk. The major aim was to significantly reduce disaster losses by the year 2015 in terms of lives and assets.

From Yokohama to Sendai, in the two decades there has been an enormous continuous effort put in by international organizations for a paradigm shift towards disaster management policy framework. The shift has been from "response and relief centric" to "mitigation and preparedness". The approach is now multi-dimensional, multi-sectoral, multi-tier. The emphasis is to incorporate risk reduction measures in development planning. Today the disaster risk reduction and disaster mitigation measures are being implemented in the country on a war footing.

The government of India has come forward with comprehensive laws, covering trafficking offences, together with a range of protection measures and support services for victims/survivors, including establishing a special police, anti-human trafficking Units and/or other prosecution units. The training programme, materials on human trafficking, guidelines for investigation and prosecution, are being provided to police and the prosecutors with the help of partner organizations. Subsequently after five years, in 2005 the Disaster Management Act and the Hyogo Framework of Action was also formulated, followed by the Sendai Framework of Action in 2015 to 2030. It is important that these protocols be developed in a manner such that there is a connect among them and can strengthen from the synergy of each other. Individual Protocols and Framework of Action have their own strength but the synergy of all these become stronger in addressing the overlapping areas. It becomes a need-based strategy which is area and context specific as well. Unless these protocols supplement each other, the main issue remain unanswered. The Sustainable Development Goals (SDG) on the other hand, has emerged as the linking factor among many of the protocols and goals. In fact, the SDG 16, that is, "Peace, Justice and Strong Institutions" is an important goal which seemed to have been an omission during the MDGs, like that of governance, inclusion, participation, rights and security. SDG 16 seems to be both an end in itself and a crucial part of delivering sustainable development in all countries. It would not be incorrect to state, that SDG 16 is the transformational goal and key to ensuring accomplishment of the agenda.

India's "Disaster Management Act" popularly referred to as the DMA was set up on 23 December 2005, soon after the Hyogo Framework of Action. It provided efficient running of disaster mitigation and all connected matters. The National Executive Committee (NEC) under the Central Government comprises of Secretary level officers from various ministries under the government of India with the Home Secretary served as the Chairperson. The NEC is the authority responsible for preparedness of the National Disaster Management Plan. It ensures to regularly review and get updated. Way back in 1999, a high-powered committee (HPC) was set up with a National Committee after Gujarat was hit by an earthquake. It recommended the preparation of Disaster Management plans and suggested disaster mitigation through effective mechanisms. Finally the act was enacted. The Prime Minister, headed the National Disaster Management Authority (NDMA), the State Disaster Management Authorities (SDMAs) were headed by respective Chief Ministers. The committees were to lead and implement the all-inclusive integrated approach of Disaster Management in India. The State Disaster Management Authority (SDMA) has the states Chief Minister as the Chairperson. Members (a maximum number of 8) are appointed by the Chief Minister. The State disaster management plan is prepared by the State Executive Committee who is also responsible for the national plan's implementing. The SDMA makes sure that all the state departments are on a common platform and design the disaster management plan according to requirement specified by the National and State Authorities.

Building a safe and disaster-resilient India was incorporated into the National Policy framework by NDMA. It was prepared after a thorough discussion and deliberation on developing an all-inclusive, practical, multi-disaster and technology-oriented plan for Disaster Management. This framework is nevertheless in agreement with international strategies such as "the International Strategy for Disaster Reduction", "the Rio Declaration", "the Millennium Development Goals" and the "Hyogo Framework 2005–2015".

Similarly the District Magistrate/Collector/ Deputy Commissioner is the Chairperson of the District Disaster Management Authority (DDMA). Members of the DDMA are the elected representatives. The act empowers the Central Government to appoint a Director General by establishing a "National Disaster Response" for handling situations of disaster threat. The National Disaster Response Force (NDRF) played a significant role during the 2014 Kashmir floods. It rescued several people including many tourists. They were awarded for their heroic contribution by the government of India. The act also addresses the creation of the "National Institute of Disaster Management (NIDM)". The NIDM further mandates funds at various levels to mitigate disasters.

The act nevertheless has not been forthright In Its Implementation. It has been criticized for overlooking the importance of the roles of NGOs, elected legislatures, local groups and municipal group. It is criticised for adopting a top-down approach, nurturing a graded ranking of administrative Officers' authoritative control. Such an approach gives undue advantage by transferring sweeping powers to the authorities at the central, state, and district levels. It is assumed that this act has "become a law almost at the will of the bureaucrats who framed it". The DMA has been modified in 2016 in order to make it in sync with the Sendai Framework for Disaster Risk Reduction and Community Resilience. Its act envisages punishments for creating impediments, wrongful demands and embezzlement. There is no favouritism in providing compensation and relief on the basis of caste, community, gender and colour.

Without a Disaster Management strategy in place, no development policy can be complete. The inbuilt component of Disaster Management is a must in all the segments and departments of Development planning. Disaster mitigation and sustainable development are interconnected and necessarily people oriented. A lack of disaster mitigation will result in imbalanced development involving "horizontal inequalities" which will remain short in achieving the 2030 development agenda.

There are many complex factors like poverty, gender discrimination, lack of awareness, foreclosure of livelihood options, which operate to make people vulnerable to trafficking. In the Indian context, other causes besides the social, economic are the cultural factors that play an important role. Factors such as disparities of wealth, persisting and unescapable inequality as a result of class, caste and most importantly gender biases make the people extremely vulnerable. The gradual breakdown of the traditional family systems and values throughout the region also contribute to the factor of vulnerability. Other sinful social conventions, lack of transparency in regulations governing labour migration (domestic and cross border) and weak implementation of the enforcement mechanisms of internationally agreed-upon human rights standards contribute profusely towards a flourishing business of the exploiters. The enormous profits earned in the trafficking business only guarantees the traffickers further of their share of the profits.

There are officials from UNICEF and Save the Children as well who attempt to reunite children that are separated from their families. The process involves identifying, registering, and provide the separated children with interim care. Several aid organizations have recognized the fact that the main urgency during the post-disaster situation is to make sure that children are quickly able to resume normal activities. Especially activities like returning back to schools, at the earliest instance. Availability of safe spaces in the absence of schools which may have been destroyed in the disaster becomes particularly important. Several of the buildings may be in need of urgent repairs so that they may be converted into emergency evacuation centers. Debris clearance becomes important from the view point of physical safety hazards. The children may be at risk. Since the Tsunami of the Indian Ocean tsunami in 2004, awareness has enhanced about the role human trafficking plays after the disaster.

Conclusion

Despite the deficit in data, there is a general agreement that the root cause that lead human trafficking to succeed are instability and poverty. These are often exacerbated in the aftermath of a disaster. Studies show that the future of natural disaster is even more fearsome and treacherous. They will be more frequent and more severe. This makes the work of organizations even more tough. India has come a long way in terms of addressing climate change and the factor of Disaster Risk Reduction.

The following are some of the important initiatives taken:

- Criminalization of Survivor Victims (invoking section 8 and 20 of the ITP Act). This makes it more Victim Centric

- Amendments to existing ITP Act — this is in tune with the international commitments. It adopted new trafficking definition and decriminalizing the victims, ensuring that proving innocence is the responsibility of traffickers and customers

- Book cases against traffickers under Section 374 of the lPC on forced and compulsory labour

- Sections 372 and 373 of the IPC was invoked (non-bailable, non-compoundable and triable). Provides stringent punishment for selling and buying minors for purposes of prostitution extending to imprisonment for 10 years and a fine/penalty

- India has adopted an Integrated National Plan of Action to Prevent and Combat Trafficking in human beings especially Women and Children. Under the plan issues of prevention, protection, prosecution and rehabilitation are addressed.

- The Central Advisory Committee of the Ministry of Women and Child Development was constituted in 2012, to discuss major issues and strategies for preventing and combating trafficking of women and children. The advisory committee included members from NGOs and UN agencies like UNICEF and UN Women. Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, July 26, 2018 is a reality now which proposes a punishment of 10 years in jail to life term for trafficking humans.

- The Anti-terror probe agency National Investigating Agency (NIA) is empowered to investigate cases of human trafficking. The move will also require amending the law that gave birth to the counter-terrorism agency — the National Investigation Act, of 2008

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Мондира Дутта

Табиғи апаттар кезінде балаларды қанау мен қорлауды азайту: тарихы және саяси негізі

Мәліметтерге сәйкес, табиғи апаттар кезінде Үндістанда барлығы 79 732 адам қайтыс болды деп есептелген, оның 108 миллионы 2000-2019 жылдар аралығында 321 табиғи апат салдарынан басқа жаққа қоныс аударды. Қытаймен бірге бұл табиғи апаттар кезіндегі әлемдік шығындардың шамамен 70 %-ын құрайды. Әлемдегі екінші ең көп зардап шеккен ел ретінде Үндістан су тасқынынан ең көп жапа шегеді. Үндістанда орта есеппен аймақта жыл сайын болатын 17-ге жуық су тасқынынан шамамен 34,5 миллиард адам зардап шегеді Мұндай жағдайларда балалардың осалдығы және олардың әлсіздігін едәуір күшейтеді. Бұл оларды қатыгездік пен қанау үшін оңай олжа етеді. Ресми статистикаға сәйкес, ұлдарға қарағанда қыздар жұмбақ түрде жоғалады. Қыздар жезөкшелікпен айналысуға немесе үй қызметшісі ретінде жұмыс істеуге мәжбүр, бұларды жоғалған ұлдарға қарағанда қадағалау қиынырақ. Осындай қиын кезеңдерде балалардың әл-ауқаты мен құқықтарын қорғау үшін тиімді стратегиялар мен саясатты әзірлеу және жүзеге асыру маңызды болады. Мақалада осындай жағдайда балаларды қанауда басым болатын осалдықтарды бағалай отырып, апаттар мен балаларды қанау арасындағы байланыс зерттелген және қосымша ақпарат көздеріне негізделген. Яғни Үндістандағы қорғаныс пен саясаттың құрылымын бала тұрғысынан қарастырады және талдайды. Зерттеу қолданыстағы жергілікті ұйымдарға және заңдар мен саясатты жүзеге асыруға мүдделі тараптардың рөліне назар аударуға тырысады. Мемлекеттік органдар, халықаралық ұйымдар, үкіметтік емес ұйымдар мен жергілікті қоғамдастықтар арасындағы ынтымақтастықты терең талдауға әрекет жасалды. Негізгі мақсаты — апат кезінде балаларға әсер ететін жеңілдететін факторларды анықтау және «бұрынғыдан да жақсы» қағидаты бойынша қауіпсіз ортаны қалпына келтіру мүмкіндіктерін қарастыру.

Кілт сөздер: балаларды қанау, бала саудасы, апат қаупін азайту, саясат және дайындық, балаларға қатысты зорлық-зомбылықтан қорғау саясаты, «бұрынғыдан да жақсы» қағидатын қалпына келтіру.

Мондира Дутта

Смягчение эксплуатации и жестокого обращения с детьми во время стихийных бедствий: история и политическая основа в Индии

По последним сведениям, в Индии погибло в общей сложности 79 732 человека, из которых 108 млн были перемещены в результате 321 стихийного бедствия в период с 2000 по 2019 год. Параллельно с Китаем это составляет примерно 70 % мировых потерь во время стихийных бедствий. Будучи второй

по степени пострадавшей страной в мире, Индия больше всего страдает от наводнений. Ежегодно почти 34,5 млрд человек в Индии страдают из-за в среднем почти 17 наводнений, которые происходят в регионе каждый год. Уязвимость детей в таких ситуациях значительно высока. Это делает их легкой добычей для жестокого обращения и эксплуатации. Согласно официальной статистике, больше девочек, чем мальчиков, таинственно исчезают. Девочек принуждают заниматься проституцией или работать в качестве домашней прислуги, что усложняет этапы слежения, по сравнению с пропавшими мальчиками. Для защиты благополучия и прав детей в такие сложные времена разработка и реализация эффективных стратегий и политик становятся очень важными. В настоящей статье предпринята попытка подчеркнуть связь между бедствиями и эксплуатацией детей, с учетом уязвимости, которая преобладает в эксплуатации детей в такой ситуации. Работа полностью основана на вторичных источниках информации. Автор статьи рассматривает, анализирует существующую в Индии структуру защиты и политики с точки зрения ребенка и пытается сосредоточиться на имеющихся местных организациях и роли заинтересованных сторон, причастных к реализации законов и политики. Со стороны автора приложены усилия и по углубленному анализу сотрудничества между государственными органами, международными организациями, неправительственными организациями и местными сообществами. Основная цель — изложить смягчающие факторы, которые оказывают влияние на детей во время бедствия, и разработать структуру, которая создаст безопасную среду для восстановления по принципу «лучше, чем было».

Ключевые слова: эксплуатация детей, торговля детьми, снижение риска бедствий, политика и готовность, политика защиты от жестокого обращения с детьми, восстановление по принципу «лучше, чем было».

Information about the author

Dutta Mondira — Professor and Founder Chairperson, Centre for Inner Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi, India; https://orcid.org/0000-0001-6670-1326