Rehabilitation of Trafficked Survivors

Why in news?

- The rehabilitation and societal re-integration of human trafficked victims remains a dream due to a multitude of laws governing different forms of trafficking.

What are the protections regarding rehabilitation of trafficking victims?

- Human trafficking traumatises innocent lives regardless of gender and age.
- People from marginalised communities are enslaved for commercial gains and often face violence and abuse in the hands of their captivators.
- The Immoral Traffic (Prevention) Act, 1956 (ITPA) and IPC Section 370, mention rehabilitation of trafficked women and children in institutional care as a response to a victim support system.
- But government schemes governing bonded labour only provide monetary compensation without any healthcare or counselling services.
- Also, it is unfortunate that the current response to the rehabilitation of trafficked persons adheres to a linear process followed by institutional care and reunification with the family.
- Aftercare or reintegration services in communities are not prioritised by the system.

What is the rehab definition?

- The draft of Trafficking in Persons (Prevention, Care and Rehabilitation) Bill 2021, defines rehabilitation to include all processes of restoring the physical, psychological, and social well-being of a victim.
- It includes protection, access to education, skill development, healthcare, psychological and physiological support, medical services, economic empowerment, legal aid and assistance, safe and secure accommodation.
- Further, the Bill mentions that these services will be available in protection and rehabilitation homes built to provide immediate rehabilitation of trafficked victims (women and children only) for a defined period post rescue.
- This is a welcome change from the last Trafficking Of Persons (TOP) Bill 2018 that had prescribed no definite timeline for the duration that a survivor could be kept in protection homes.
- But several issues need to be addressed in the draft Bill.

To know more about the Draft Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021, click here.

What are the issues with the draft 2021 Bill?

- **Definition of rehabilitation** - The definition of rehabilitation is open to

interpretation.

- The Bill states these services would be provided under rehabilitation.
- But, it seems that the provision of such services would be largely restricted to institutional-based protection and rehabilitation homes, which can make survivors vulnerable to discrimination.
- The Bill does not address support services and mental healthcare for the survivors, or training designed for skill development.
- **Definition of reintegration** - Secondly, the term 'reintegration' is not defined, resulting in ambiguity.
- Neglect by the social welfare agencies is evident as they are not held accountable by the law agencies to monitor and support the reintegration of survivors.
- There is an urgency for the TIP Bill to ensure that the survivors' right of rehabilitation is fulfilled by defining 'reintegration' and bringing the scope of victim-centric services within its ambit.

What is needed?

- The provisions of non-institutional care based on Community based Rehabilitation (CBR) approach has been outlined in
    1. The Protection of Women from Domestic Violence Act, 2005 and
    2. The Juvenile Justice (Care and Protection of Children) Act, 2015
- As per the 2019 study on community-based rehabilitation interventions run by NGOs across 10 states, CBR is cost-efficient, effective, and decentralized and hence it is more impactful.
- It helps in the psychological recovery of survivors from PTSD, depression, and anxiety much more effectively than counselling services in shelter homes.
- Lastly, survivors should be able to speak up about their own rehabilitation demands like the Indian Leadership Forum Against Trafficking (ILFAT).
- It is, thus, crucial to ensure a legislation that addresses rehabilitation of the survivors in an integrated manner.

Reference

The Hindu Business Line | Holistic rehabilitation for trafficked survivors

SHANKAR IAS PARLIAMENT
Information is Empowering