

Final Draft

THE COUNTER TRAFFICKING FRAMEWORK REPORT:
BANGLADESH PERSPECTIVE

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The foundation of knowledge and experience for this CTFR built upon the work and dedication of many - the CPCCT team and partners, members of the Bangladesh Thematic Group and many other individuals and organizations working to combat trafficking. Important contributions were also made by all members of the Review Team, In November 2003 their insights were also shared at the Expert Panel workshop with a broader group of stakeholders, that included several UN agencies, multilateral and bi-lateral agencies such as ADB, CIDA, DANIDA, Embassy of Netherlands, ILO, UNICEF and USAID. The extra time and effort provided by participants at this workshop illustrates the strong commitment all stakeholders have to come together to address this heinous crime. This is an inspiration to us all.

I appreciate the commitment of all the Review Team Members, including my colleagues in the government and the staff and consultants from the IOM Dhaka office, who have worked relentlessly to keep the complex process of this multi-agency review on track.

There remains much work to be done to comprehensively address all aspects of human trafficking and to limit the harm caused to so many in our country. This task will be greatly assisted by the outputs from this Report as the government seeks to identify effective and practical counter trafficking measures to undertake in the future. We invite all to unite and fight this heinous crime; it is only with our combined resources, we will eventually combat trafficking in persons effectively and comprehensively.

On behalf of the Review Team

Ferdous Ara Begum
Joint Secretary, Planning and Development, MWCA
& the Chair of the CPCCT Review Team

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LIST OF ACRONYMS

ACD	Association for Community Development
ADB	Asian Development Bank
ARISE	Appropriate Resources for Improving Street Children's Environment
ATSEC	Action against Trafficking and Sexual Exploitation of Children
AUSAID	Australian Agency for International Development
AWHRC	Asian Women's Human Rights Council
BAIRA	Bangladesh Association of International Recruiting Agencies
BDR	Bangladesh Rifles
BIDS	Bangladesh Institute of Development Studies
BJMS	Bangladesh Jatiya Mahila Sangstha
BMET	Bureau of Manpower Employment and Training
BNWLA	Bangladesh National Women Lawyers Association
BPFA	Beijing Platform for Action
BSAF	Bangladesh Shishu Adhikar Forum
BWMA	Bangladesh Women Migrant Association
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CID	Criminal Investigation Division
CPCCT	Coordinated Program for Combating Child Trafficking
CRC	Convention on the Rights of the Child
CSW	Commercial Sex Work
CTFR	Counter Trafficking Framework Report
CTPS	Counter Trafficking Program Strategy
CWCS	Centre for Women and Children Studies
DAM	Dhaka Ahsania Mission
DFID	Department for International Development (UK Government)
DSS	Department of Social Services
DWA	Department of Women Affairs
ERD	Economic Relations Division
EWOE	Expatriates' Welfare and Overseas Employment
FWA	Family Welfare Assistance
FWV	Family Welfare Visitors
IEC	Information Education Communication
ILO	International Labour Organization
ILO/IPEC	ILO International Programme on the Elimination of Child Labour (IPEC)
INGOs	International Non-Government Organizations
IOM	International Organization for Migration
I-PRSP	Interim Poverty Reduction Strategy and Program
IRWID-IOA	Institutional Review of Women in Development – Institutional and Organizational Assessment
LCG WAGE	Local Consultative Group on Women's Advancement and Gender Equality
LGD	Local Government Division
MDGs	Millennium Development Goals
MWCA	Ministry of Women and Children Affairs
NASP	National AIDS/STD Program

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NGOs	Non Government Organizations
NORAD	Norwegian Agency for Development Cooperation
NPA	National Plan of Action
PLAU	Policy Leadership and Advocacy Unit
RETA	Regional Technical Assistance
RMMRU	Refugee Migratory Movement and Research Unit
SAARC	South Asian Association for Regional Cooperation
SAECT	Sexual Abuse and Exploitation of Children, including Trafficking
SFAHT	South Asia Federation Against Human Trafficking
TA	Technical Assistance
TOT	Training of Trainers
UN	United Nations
UNAIDS	United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nation Children's Fund
UNIFEM	United Nations International Development Fund for Women
UP	Union Parishad
USAID	United States Agency for International Development
USDOL	United States Department of Labour
VAW	Violence Against Women
VDP	Village Defence Party
VGD	Vulnerable Groups Development
WARBE	Welfare Association of Repatriated Bangladesh Employees
WHO	World Health Organization

EXECUTIVE SUMMARY

In 2000 the Government of Bangladesh took a ground breaking step initiating a 3 year project to combat trafficking in children (extended to be completed by June 2004). This pilot project, the “Coordinated Program for Combating Child Trafficking” (CPCCT), was implemented by Ministry of Women and Children Affairs (MWCA) with support from the Norwegian Government through NORAD. In 2003 it was agreed that a review of the project be carried out with two objectives: i) to assess the learning from this pilot initiative (contained in the CPCCT Review Report); and ii) to draw upon the CPCCT findings and other experiences and debates concerning combating human trafficking to develop a framework to guide the government’s future counter trafficking programming. This *Counter Trafficking Framework Report* meets the second objective of the Review.

A universally adopted definition for human trafficking has yet to be established. But several have been incorporated into UN declarations and other internationally adopted conventions. The Bangladesh Counter Trafficking Thematic Group - lead by the MWCA - sought to develop a working definition specific to Bangladesh that could be adopted by all stakeholders. This definition of human trafficking is “a situation where a person no longer has control over some elements of their life for a given period of time. These elements include the type of work they do, the environment and conditions in which this work is carried out and the person’s freedom of movement in the context of this work situation. This lack of control is the actual harm of a trafficking experience.”

The term human trafficking should be applied to cover a range of actions and outcomes that involves several stages rather than a single act. These stages are influenced by a range of factors associated with: the originated circumstances (personal or general environment) that generates a supply of people vulnerable to exploitation and harm; the process of movement; and the demand for services or labor from the trafficked person.

Many “players” are involved in and are affected by human trafficking; i) **trafficked persons** who may be anyone – children or adult, male or female. Once a person has been trafficked the impacts affect social, economic and health aspects of each individual; ii) **traffickers**, who include family members, friends, neighbors, community representatives, employers, gang members or strangers; iii) the **employer of trafficked persons** including factory owners, household owners and brothel owners; and iv) **consumers** of goods or services that have used trafficked labor.

Some of the major push factors of trafficking that provide insights into who is trafficked and why (the **supply side** of trafficking) include; poverty and economic vulnerabilities leaving people so desperate that decisions are taken they would not otherwise consider, such as accepting an offer of work in a strange place or handing over a child to a distant relative on the promise of a better life. Social and cultural attitudes, governance, natural disaster, armed conflict and globalization are further factors influencing the supply side of the trafficking cycle.

An area of particular confusion lies in understanding the conceptual and practical links between **migration and trafficking**. Generally migration can be seen as a broad range of actions, with trafficking as a sub-set. The implications of the lack of clarity between

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these concepts are many, as, for example the fear of negative outcomes from trafficking has lead to limitations on the potentially positive outcomes from migration. Despite these conceptual confusions, it is important that policy and programming options to curb human trafficking take into account the role migration plays - in its positive and negative forms. In Bangladesh, with an increasingly mobile population safe migration is an important contribution to development.

The **demand for trafficked labor** shapes the “pull” dimension of the trafficking cycle. Demand generally stems from unregulated or illegal sectors (commercial sex work, domestic work) or in industries seeking low-cost labor working under hazardous or unreasonable conditions (fishing or ship breaking). Demand is also influenced by macro level conditions related to such things as globalization, international labor markets.

The Government of Bangladesh has considerably increased its commitment to addressing trafficking of women and children in recent years. Efforts are also being made to reduce vulnerabilities through policies associated with poverty reduction, women’s empowerment and greater respect for and protection of children rights. The government has also sought to strengthen this legal framework, which along with a more effective policy environment, can contribute to combating trafficking.

Bangladesh is a party to several international instruments that can be used to combat human trafficking including: CEDAW, CRC, Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography and most recently the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002). These international commitments are all consistent with a number of core provisions of the Bangladesh Constitution including the fundamental rights of equality and equal protection (Article 27); right to be free from discrimination on the basis of religion, race, caste, sex or place of birth (Article 28); right to protection of the law (Article 31); prohibition against forced labor (Article 34), torture and cruel, inhuman or degrading treatment (Article 35); and freedom of movement (Article 36).

At the national level, the international commitments are also reflected in various national plans, the National Policy and National Action Plan for Women’s Advancement, the National Child Policy and National Action Plan for Children, and the recently developed National Plan of Action on Commercial Sexual Exploitation of Children, including Trafficking. The National Strategy for Economic Growth, Poverty Reduction and Social Development adopted in March 2003 by the government, also identifies the weakening of governance and deteriorating law and order situation as a serious hindrance on poverty reduction. In its statement of goals/targets to be achieved over the medium term, reduction of poverty is clearly a primary target that will serve to limit vulnerability to trafficking. There are many limitations on the implementation of these National Plans of Action that include lack of clarity on structural means to foster collaboration between government agencies or areas such as trafficking and limited allocation of resources for specific activities.

Several laws have existed that can be used to combat trafficking since the colonial period, however, these have not be effective in curbing these activities and several revisions and new Acts have been put in place, culminating in the passing of the *Women and Children Repression Prevention Act of 2000*. The *2000 Act* establishes extremely severe penalties (including the death penalty) for a number of offenses against women

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and children and was amended in 2003 to facilitate the reporting of crimes involving gender-based violence.

In its report regarding the implementation of CEDAW in 1997, the government recognized the severe constraints faced in enforcing existing legislation and regulations to combat all forms of gender-based violence, including trafficking. It also recognized the poor record regarding the speedy and humane repatriation of trafficked women and children from other countries. Legal professionals and NGOs have corroborated these statements based on their practical experiences. Therefore it is evident that the strengthening of the legal framework will have to be accompanied by other mechanisms to provide support, if enforcement is to be effective.

Initiatives to address human trafficking and its effects was initially undertaken by NGOs, but now stakeholders implementing or funding various types of counter trafficking programming including Government, many NGOs, research organizations and some INGOs, multilateral and bilateral donor agencies. These activities can be broadly categorized as: prevention, interception, rescue, repatriation, recovery and integration.

Experiences drawn from an assessment of current counter trafficking initiatives including the following points: **Poverty** is identified as a leading cause of trafficking, driving people to seek alternative means of survival, but addressing economic issues alone and excluding **social issues** is not sufficient to combat trafficking. Factors that lead to social marginalization, gender gaps, and family and community disintegration also need to be addressed. Awareness raising, education, and programming to increase the status of women and children help build collective efforts to combat trafficking.

Legal awareness is also important among those most at risk so they may understand their entitlements to protection from criminal acts. **Communities and local government** must also take active steps to protect the most vulnerable in their communities and limit the activities of trafficker operating in their midst. Safe migration messages and provision of basic food and shelter in destination areas, are also important measures to assist newly arrived migrants in a community who are most at risk of being trafficked. Governments, in cooperation with NGOs, can build on the lessons learned from CPCCT and other programming to provide mass **information campaigns** to prevent human trafficking. Campaigns could provide information about how the community and civil society can play much more constructive roles in combating trafficking.

An **enabling policy environment** is also a pre requisite for collaborative interdepartmental and multi-sectoral cooperation to mainstream trafficking concerns into poverty reduction programs. Prevention activities can be considerably strengthened if the demand for trafficked labor is reduced.

Trafficking is driven by a complex set of dynamics, but there are approaches to addressing various characteristics of trafficking that can be identified and/or have to be taken into account when planning counter-trafficking programming. The following are key operational issues that have to be considered in future programming:

- holistic and participatory planning
- flexibility and adaptation of models
- involvement of the wide range of stakeholders
- mapping and assessment of existing projects

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- ownership at the community level

MWCA plays a vital role in the following two key areas that requires sufficient staff positions and resources to build capacities identified and to maintain expertise within the Ministry:

- As **oversight agency** providing leadership to build commitment from the wide range of stakeholders involved - particularly across government ministries - and to monitor counter trafficking programs. This requires specific capacities, including a strong understanding of the dynamics of trafficking and skills to foster collaborative approaches to tackle this extremely challenging problem.
- As **implementer** only of those specific initiatives that fall directly within their mandate. This role requires not only strong understanding of the technical fields associated with these specific areas, but also appropriate capacities for project planning, implementation and monitoring.

There is increasing interest from development partners in Bangladesh to support counter trafficking activities. Care has to be taken, however, that the many modes of delivering this support do not detract from the need to work collaboratively across government agencies and with a wide range of stakeholders to have a sustained effect on stemming trafficking activities.

Priority is emerging for MWCA to identify a clear operational framework to guide programming that can be shared among the wide range of partners. It is proposed, therefore that a **Counter Trafficking Program Strategy (CTPS)** be developed that focuses on **how** programming can be planned, implemented and monitored, **who / which agency** is responsible for different aspects and provides a **timeframe** against which concrete progress can be measured.

The CTPS should be based on the following principles:

- Issue areas to be addressed are set within parameters for programming that includes: anticipated results and monitoring indicators and are time bound with responsibilities and operational mechanisms for collaboration among partners clearly identified.
- Adequate capacities and resources within MWCA are allocated / available to respond to complexities of issues (especially technical capacities of individual officers), to take up the challenges of leadership across government for counter trafficking, to articulate and "sell" the need for increased commitment from all partners and to monitor programming as it is implemented.
- A coordinated approach is taken by development partners to fund appropriate activities/initiatives based on the CTPS.

Commitment has already been given from development partners to support the development of a CTPS - or similar planning tool - and therefore this exercise can be undertaken in early 2004 immediately following the completion of this Review.

PART I - INTRODUCTION

1.1 Background

In 2000 the Government of Bangladesh took an exemplary step by initiating a three-year project to combat trafficking in children. This pilot project, funded by the Norwegian Government through NORAD, “Coordinated Program for Combating Child Trafficking” (CPCCT), remains today the flagship project for counter-trafficking for the Government. In 2003, the Ministry of Women and Children Affairs (MWCA) and the funding agency, NORAD, agreed to carry out a review with an 11 member team lead by the MWCA Joint Secretary for Development and Planning. The primary objective of the review was to assess the learning from this pilot initiative as the government prepares for future counter trafficking programming.

A second objective of the review was to develop a Counter Trafficking Framework report that would assess the trafficking situation from a macro perspective and, drawing from the findings of the review of CPCCT pilot project and other counter trafficking initiatives in Bangladesh, establish a basis for discussions and planning for MWCA and other stakeholders. This report: *The Counter Trafficking Framework Report: Bangladesh Perspective* (hereafter referred to as the CTRF) will serve as a foundation document for the preparation of vision of how the Ministry of Women and Children Affairs (MWCA) can comprehensively take leadership in addressing the many facets of trafficking of women and children.

To carry out the review, an 11-member team was set up and International Organization for Migration (IOM) contracted as the coordinating partner for the assignment. The Review Team comprised of representatives from the Government (MWCA, IMED, ERD, Planning Commission), NORAD and IOM (team lead by IOM Resident Representative, and including the IOM National Program Officer, additional national consultants and an international consultant).

Trafficking is a serious crime and embodies many facets of human rights abuses. Thousands of women and children are caught up in these criminal activities every year, causing them great harm. Over recent years much has been written about the dynamics of trafficking, and many ambitious and well-intentioned statements of commitment to combat trafficking have been made in international fora. It is not the intention of the Review Team to produce yet another document with good intentions, but rather to set out some clear guidelines for concrete steps that can be taken in the short term - as well as longer term. It is a clearly stated intention of the Honourable Minister of Women and Children that the current government to make a difference to the lives of women and children vulnerable to trafficking, and this CTRF is intended to set the stage for these concrete actions.

The MWCA’s commitment to grapple with the complexities of trafficking and to develop an atmosphere of collaboration and cooperation among the vast range of stakeholders - including a wide range of government agencies - is demonstrated through the prepare the Counter Trafficking Framework Report (CTFR) and commitment to follow up with the development of a guiding vision and strategic program to address these complex issues. Through the leadership of the MWCA several types of issues of concern have already

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been identified including causal factors, existing mechanisms to address these factors and facilitation of discussion of these issues by a broad range of stakeholders at the Bangladesh Thematic Group sessions from 2001 to now.

The CTFR therefore will provide a framework based on these recent discussions among stakeholders, as well as consultations with an Expert Panel in Dhaka on November 6 and 7, 2003. It will present definitions of key concepts to guide an understanding of issues to be addressed, establish linkages with other interrelated issues and areas of government policy and programming, identify appropriate roles for stakeholders addressing the issues and to elaborate upon lessons learned and good practices from existing programming. This will then provide a basis for discussions and common understandings as stakeholders prepared to commit to their respective roles and responsibilities and actions are planned over the short, medium and longer term.

This CTFR is therefore a contribution to a “work in progress”, lead by the MWCA. The CTFR is based on a review of the literature and interviews with some, but not all, stakeholders. It also incorporates issues raised and discussed at the Expert Panel workshop on November 6 and 7, 2003. A lot of ground has already been covered and the purpose of this report is not intended to provide a comprehensive overview of all experiences in countering trafficking of women and children in Bangladesh, but rather to provide a basis for future discussions and draw out lessons learned that will guide future actions.

1.2 Structure of this report

The report sets out an overview of the current situation in Bangladesh in Part II, including some internationally accepted definitions of trafficking to provide a basis for a shared understanding of a complex set of inter-linked issues. Part II also provides an overview of the trafficking and migration nexus, the supply and demand factors influencing trafficking dynamics and some of the impacts of this heinous criminal activity on individuals and communities. Part III provides an overview of existing policies and legal frameworks and the constraints on their implementation and enforcement. Part IV provides an overview of programming that has been undertaken by all stakeholders and analysis of lessons learned that are relevant to future programming options. In conclusion Part V presents an overview of a suggested operational approach for implementing a series of counter trafficking programs, based on a “Program Approach” around which all stakeholders - including development partners - might plan in a comprehensive and coordinated manner.

PART II - OVERVIEW OF CURRENT SITUATION IN BANGLADESH

2.1 Definition, Types and Outcome of Trafficking

Trafficking of women and children is understood as many things to different people. While recognition of its persistence and impact on society has increased over recent years, it is not a new phenomenon, but it remains a set of activities and effects that is difficult to quantify or tie down. As a criminal act, that often takes place across international borders, it is necessary for perpetrators to change *modus operandi* in response to challenges from the law, making it hard to generalize about where or how trafficking is taking place. Human trafficking also responds to economic factors that are constantly changing, and is set in contexts of exploitation that shift in nature depending upon also constantly changing social practices. Furthermore, the demand for trafficked labor is derived from certain sectors of economic activity that generate visceral reactions - such as the commercial sex industry - making the formulation of public policy highly political. These, among many factors, make it important for stakeholders and partners addressing the many forms of trafficking of women and children to share a common definition of what is meant by “trafficking” and to develop a framework that assists in understanding its dynamics and potential impacts. Clarity is necessary if effective action is to be taken involving all of the many stakeholders.

The foundation definitions of human trafficking used by activists and stakeholders are those identified in United Nations (UN) conventions, protocols or other multi-lateral instruments that seek to establish norms upon which national and bilateral legislation, agreements, policies and programming can be set. These definitions have evolved over recent years as the need has emerged to sharpen a common understanding of the process and economy of trafficking.¹

Trafficking was first addressed in a major human rights instrument in the 1949 *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*. This Convention however failed to provide a clear definition of the phenomenon and was focused on the prevention of prostitution. The issue of trafficking was addressed again in 1994 in a UN General Assembly Resolution. Trafficking was defined as:

“The illicit and clandestine movements of persons across national borders, largely from developing countries and some countries with economics in transition, with the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations for profit of recruiters, traffickers and crime syndicates as well as other illegal activities related to trafficking, such as forced domestic labor, false marriages, clandestine employment and false adoption.”

This broader definition includes many other exploitative and oppressive work situations apart from prostitution, including forced labor of any kind. However internal trafficking (which some argue is also on the increase) was not taken into consideration as the focus remained on cross-border movements of people.

¹ ADB, *Combating Trafficking in Women and Children in South Asia: Country Paper Bangladesh*, 2002

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The most recent UN definition is found in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000), which supplements the UN Convention Against Transnational Organized Crime (2000). It is also currently the most widely accepted definition of trafficking in the international community. This Protocol defines trafficking as follows:

“Trafficking in persons’ shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, if the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs”.

In October and November 2000, the UN Special Rapporteur on Violence Against Women, Radhika Coomaraswamy, traveled to Bangladesh, Nepal and India and prepared a report to the Commission on Human Rights on the issue of trafficking of women and girls. In this report she used a definition of human trafficking that is both simple and clear while covering the most basic characteristics of human trafficking from which a more complex analysis can be drawn.²

“Trafficking in persons means:

(i) The recruitment, transportation, purchase, sale, transfer, harboring or receipt of persons: by threat or use of violence, abduction, force, fraud, deception or coercion (including the abuse of authority), or debt bondage,

For the purpose of:

(ii) Placing or holding such person(s), whether for pay or not, in forced labor or slavery-like practices, in a community other than the one in which such person lived at the time of the original act described in (i) above.”

On a South Asian regional level, trafficking has also been defined in the. This convention, to which Bangladesh is also a signatory, is limited by only focusing on prostitution, ignoring several sources of oppression and harm from trafficking. The Convention states:

“Trafficking’ means the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person subjected to trafficking”.³

² Report on the Mission to Bangladesh, Nepal and India on the issues trafficking of women and girls, of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, February 2001.

³ SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002)

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These differing definitions have given rise to some disputes that concern⁴:

- **Clarity on different forms of mobility:** Focusing broadly on movement, the definitions fail to clearly define trafficking in the context of migration. Migration is a livelihood issue and many men women and children can benefit from safe migration. Though there is an element of migration in all cases of trafficking, the two should not be confused (see discussion in Section 2.2 below). It is important to draw a distinction between trafficking and safe migration trafficking definitions.
- **Distinction between women and children:** Apart from being vulnerable to trafficking, women and children have very different experiences of trafficking; starting from the cause of vulnerability leading to a trafficked situation to their needs during social integration following repatriation. This “lumping together” of women and children causes more confusion than clarity for several reasons, including: it disregards women’s rights as fully fledged individual adults, implying that women are unable to make any choices for themselves and are dependent on others for their life decisions; it does disservice to children who have distinct needs for the protection of their rights; it disregards the many elements of trafficking harm that vary widely according to age.
- **Disproportionate emphasis on the commercial sex industry:** The link between trafficking and prostitution has evolved over the years and this has led to two misconceptions. All trafficked persons are not involved in prostitution and all prostitutes have not been trafficked into the situation. This emphasis on the sex trade as an outcome of trafficking has undermined the need to address other exploitative situations resulting from trafficking.

However some common elements have emerged from the different definitions. They have all focused on:

- The movement and trade/sale of a person;
- The techniques used to bring about a condition for this movement i.e. deception, fraud, violence, etc; and
- A listing that relates to the “purpose” for the above-mentioned actions (e.g. forced labor, prostitution, slave-like practices, etc.).

Nevertheless the aspect that almost all the definitions seem to overlook is the actual outcome of the phenomenon. Therefore most trafficking definitions focus on clarifying the recruitment, movement and transport of people “**into something**” without actually clarifying what that “**something**” is.

Trafficking results in a situation where a person no longer has control over some elements of their life for a given period of time. These elements include the type of work they do, the environment and conditions in which this work is carried out and the person’s freedom of movement in the context of this work situation. This lack of control is the actual harm of a trafficking experience.⁵

⁴ Bangladesh Counter Trafficking Thematic Group, *Revisiting the Human Trafficking Paradigm: the Bangladesh Experience*, 2003

⁵ Bangladesh Counter Trafficking Thematic Group, *Revisiting the Human Trafficking Paradigm: the Bangladesh Experience*, 2003

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With the debate over the definition of trafficking in persons continuing, it is easier to look at trafficking as an umbrella term to cover a range of actions and outcomes, rather than a single, unitary act leading to one specific outcome. Viewed as a process or cycle, trafficking can be said to entail several phases. Rather than combining all the phases in one long sentence it makes more sense to list the distinct characteristics or factors associated with trafficking in persons and the harm that is the ultimate outcome.⁶

1. **Loss of Control:** losing control over one's life is one of the basic defining elements of the trafficking harm. It refers to a trafficked person's inability to leave a situation due to a binding factor such as threats, or debt.
2. **Third party involvement:** trafficking will always lead to the benefit of a third party including: transporters, smugglers, border police, pimps, madams, employers etc. These individuals benefit and/or participate in placing and maintaining a person in the exploitative situation.
3. **Commercial benefit:** the exploitation of the trafficking harm will always lead to some form of commercial or financial gain by third parties.
4. **Element of time:** the human trafficking experience has a beginning point and an end point. For many who are trafficked the situation that they find themselves in changes from being initially highly exploitative to less so as time passes. Many exit the situation without outside assistance (but still carrying the scars of the experience) and take up a different life or may return to harmful circumstances later. Therefore the trafficking experience for many becomes a transition, after which life is never the same.
5. **Violation of human rights and civil laws:** the elements of trafficking that contribute to placing and maintaining a person in an exploitative situation has an underlying criminal element. They are violations of many aspects of a person's basic human rights and dignity.
6. **Mobility:** trafficking always involves the movement of people both within and across borders. Usually some part of this movement is a result of coercion, deception, fraud and, in some cases force.

Care also has to be taken when using the term **trafficking** as it covers such a wide range of situations. Some have categorized the phenomenon based on the purpose of trafficking while others base their categories on the method of recruitment. It is vital therefore during policy formulation, program planning or monitoring activities to ensure all stakeholders share the same understanding of trafficking and how the term is being applied.

In any debate on the issue, all the opinions expressed may be valid and justifiable from the standpoint of the debater. Because the concept of human trafficking is a social phenomenon that is made up of many dimensions and many discrete steps, it is difficult if not impossible to encapsulate all the variables into one agreed upon definition or framework.⁷ In order to move forward and examine the situation in Bangladesh and to strengthen the counter trafficking policy and programming environment, the elements of trafficking in Bangladesh presented in the next sections will be taken into consideration as the 'framework' for future discussions.

⁶ Bangladesh Counter Trafficking Thematic Group, *Revisiting the Human Trafficking Paradigm: the Bangladesh Experience*, 2003

⁷ *Ibid.*

2.2 Links to migration - trafficking migration nexus

From the birth of human civilization, human instinct has driven people to move across geographic frontiers, be it in search of food and shelter, to avoid persecution, or for an insatiable need to explore. The history of migration has evolved with the rise and fall of civilizations. Today, reshaped by the formation of nation states, extreme poverty, economic imbalances, environmental degradation and security challenges, migration systems have undergone fundamental transformation. The dynamics of modern day migration, with multi faceted dimensions, complexities and challenges, is a good starting point to better understand trafficking that fundamentally involves the movement of people.

All trafficking experiences include migration or movement at some stage that has lead to a tangling of the two separate concepts. “Traffickers fish in the stream of migration” – this simple statement coined by the UN Special Rapporteur on Violence Against Women, conveys the context in which the migration trafficking nexus exists. Migration provides a constant supply of vulnerable migrants who are easily coerced and deceived into a trafficking situation. Therefore trafficking is the “dark side” of movement. At the same time, it is also important to understand that the two concepts, though interrelated, are distinct. Trafficking is a violation of human rights, migration is a tool for development and a livelihood issue.

2.2.1 Definitional Ambiguities

Migration is the movement of people from one place to another in order to take up employment, establish residence or to avoid persecution. Ideally, migration occurs when a migrant makes the decision to migrate freely for reasons of personal convenience and without the intervention of an external compelling factor. However it may not be so simple to confine the process of migration to this definition. Each individual migrant has widely different reasons for choosing to migrate and external factors such as poverty, unemployment or disaster may compel a person to migrate. Migration therefore can be taken as a broad concept encompassing nearly all aspects of mobility. Trafficking is a subset of the broad category where there are particular vulnerabilities and circumstances that lead to the outcome of exploitation or “harm”.

Migration may be forced or voluntary, based on the level of control a migrant has over the process. Migration may involve movement across an international border, or within a country. The method of international migration can be irregular or regular. Many smuggled persons volunteer to migrate, or some are trafficked during their migratory experience or after they reach their destination. Any migratory process - within or across borders - that ends with the migrants becoming enslaved or coerced into a highly exploitative situation thus becomes trafficking.

The concept of “trafficking in persons” is often used interchangeably with “irregular migration”, “unauthorized migration” or “illegal migration”. There is no comprehensive theory to conceptualize all forms of undocumented migration. In general, undocumented migration refers to a population movement across international borders, which violates legal migration regimes, either in the state of origin, transit or destination. Irregular migration could be considered as a person without legal status in a transit or host country owing to illegal entry and stay.

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In the international context, it can be helpful to think of irregular migration as a broad category that includes various kinds of movements, some of which, while possibly in conflict with migration laws or regulations when they occur, are nonetheless deemed to be acceptable and justifiable by the receiving states, such as:

- Persons later judged to be bona fide refugees who were compelled to migrate to a country of safe haven and who, in the process, contravene migration laws and regulations;
- Persons who are logistically compelled to cross the nearest safe border without proper clearance while fleeing massive disruptions such as war or natural disaster; some may prove to be bona fide refugees at a later time, others may not; and
- Depending on the legislation and policy of a receiving country, a person who is being exploitatively trafficked into or through a country. This situation is recognized now by a few countries such as Italy and Belgium. The Netherlands and the United States of America have also recently enacted special protective legislations for trafficked women, even if these women entered or remained in their countries irregularly. In certain circumstances these trafficked victims will be considered legitimate within the receiving country, even if they have violated entry or residence laws.

The definition of irregular migration has an even more complex dimension: while persons are often categorized as irregular due to the manner in which they entered or remained in a country of destination or transit, some migrants may be irregular in their countries of origin as well. For example, some countries restrict outward travel by certain segments of their citizenry to external destinations. Some Asian countries prohibit the emigration of women of a certain age to become domestic workers abroad. Others may prohibit labor migrants from leaving without completing certain registration procedures. Migrants who contravene these requirements also may be considered undocumented in the transit or destination countries.

2.2.2 Drawing the Line

Though the link between migration and trafficking is clear, to draw a line between the two phenomena in practice is more difficult. Many practitioners find attempts to make this demarcation clearer are like working in a terminological “minefield”. Many have described migration to be the broader concept and trafficking only a subset of that broader issue. It may be easier to think of mobility being the overall phenomenon and trafficking in persons and migration different categories of movement of population with inevitable overlapping of characteristics. Often the difference is a matter of perception and as with most interlinked concepts, and any form of generalization could lead to misconceptions. What is clear is that while trafficking normally involves migration, migration does not necessarily lead to a trafficked situation. In simple terms the distinctions between the two concepts could be:

- Trafficked persons are deceived or forced to move whereas migrants are not usually deceived or forced to leave his or her place of residence.
- Trafficking is a development-retarding phenomenon, whereas migration is an integral component of economic development.

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- Trafficking is viewed as an anti-social and morally degrading heinous event that violates human rights and laws. However migration is widely considered as a process that enhances social progress in both the origin and destination countries that can be an empowering process. Exploitation, profit and illegality are all central to the idea of trafficking in persons, which is certainly the case in migration.

Trafficking has also been confused with the term human smuggling. However the primary difference between trafficking and smuggling appears to be in relation to coercion, exploitation and violation of human rights. Smuggling is clearly the manner in which a person enters a country and with the involvement of third parties that assist him or her to achieve entry. Trafficking is more complex, in that it requires consideration not only of the manner in which a migrant enters a country but also the working conditions that the migration leads to.

Thus it is important to understand the intersections between trafficking and migration but at the same time realize the distinctions. Trafficking is a crime against migrants in which the vulnerabilities of the migrant's desire to migrate is preyed upon. Within the context of migration, trafficking is exploited migration as even legal migrants may find themselves in trafficked situations.

2.2.3 Migration patterns in Bangladesh

It is estimated that 225,000 people leave Bangladesh every year through official channels for employment abroad. Between 1991 and 1999, a total of 13,544 women migrated officially; representing only 1% of the total migration during that time. Among these women, 47.75% were skilled, 32.75% were unskilled, 10.93% were semi-skilled and 5.6% were in the professional category⁸. However actual figures are likely to be much higher as many women have opted out of the official channels and hence their migration is not recorded. According to the Bureau of Manpower Employment and Training (BMET), UAE, Kuwait, Malaysia, Bahrain, Maldives and Oman are the major destinations for female workers. Women workers from Bangladesh are usually contracted as semi skilled garments workers and unskilled domestic aid, cleaners etc.

With more than half of all recruitment cases (male and female) conducted through private initiatives, the private sector plays a significant role in facilitating migration flows outside Bangladesh for the purpose of employment. Between 1976 and 2000, of the total 30,11,890 migrants, 13,44,595 (45%) arranged their jobs through private recruiting agents and more than half arranged for jobs through individual contacts. The recruiting agencies are organized under the Bangladesh Association of International Recruiting Agencies (BAIRA)

The migration process is quite complex and involves many institutional and individual actors. In response to cases of exploitation and abuse - some involving trafficking of women - the government has formulated several policies and regulations to protect its citizens while facilitating the developmental aspects of the migration process. In 1922, the British Indian Government framed the immigration Act of 1922 to regulate the flow of labor from India and other parts of the British Empire. This Act was the only policy for migration in place in Bangladesh until the 1970s when the need for major policy changes

⁸ BMET Fact Sheet

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was felt and the Emigration Ordinance of 1982 replaced the 1922 Act. This 1982 Ordinance still works as the anchor law however there are other related procedures that have been laid out through Directives, Instructions and Circulars by the Government from time to time. These deal with issues such as granting and renewal of recruiting agency licenses, granting of recruiting permission, charging placement fees by the licensed recruiting agency, minimum salary for Bangladeshi migrant workers, code of conduct for recruiting agencies and restrictions on employment of unskilled women.

After 1998, a government order ensured that only licensed recruitment agencies are allowed to facilitate cases of those who receive visas through private arrangements. However individual initiatives play a major role with persons already abroad arranging visas for their friends and relatives through their own contacts. The agents complete other arrangements such as travel formalities and BMET clearance. In the past, agencies received commission from the overseas employers for their services and as such did not charge the workers recruited. Today with immense competition among the sending countries, and many charges, such as airfare, have been transferred to the workers to provide incentives to recruit their nationals.

2.2.4 Female Migration from Bangladesh

As identified above, a relatively small proportion of migrant workers from Bangladesh are women. In the 1970's Bangladeshis were migrating with no restrictions from the Government and records show female professionals migrating overseas during this time. However in early 1981, in response to highly publicized cases of abuse, through a Presidential Order, certain categories (semi-skilled and unskilled) female workers were barred from going overseas for employment. The Order allowed professionals and skilled women to continue to migrate. The measures were justified on the ground of protecting the dignity of women abroad. In 1988, the policy was reviewed and the barrier to migration was relaxed and applications for skilled, semi and un-skilled migrant women were considered on a case-by-case basis. However in 1997 the ban was re-imposed and this time even some professionals were barred from migrating for employment.

These restrictions have meant that women have to resort to clandestine means if they want to migrate, and accurate data and information regarding working experiences abroad are hard to uncover. With these restrictions in place and despite strong demand for certain types of female labor, female migration figures are much lower from Bangladesh than other labor originating countries. Those working to counter trafficking in women feel strongly that this restriction has increased women's vulnerability to trafficking as they are forced to resort to illegal means to migrate abroad. Fear of being deported is a strong coercive force for those seeking to control and exploit labor.

After years of advocacy, the Government has started to re-examine their stance on female migration. With the setting up of the new Ministry for Expatriate Welfare and Overseas Employment (MEWOE), the Government has taken a dynamic approach to addressing migration issues. Through this new ministry, the ban on women's migration is progressively being lifted. The ministry is also looking to work together with MWCA on the issue. In mid 2003 the Government has allowed the migration of women provided some provisions are fulfilled. There are also specific conditions laid out by the Government for the workers, employers and recruitment agencies. These conditions go into great detail regarding the female migrant's eligibility (for example, married women over 35 years are now permitted to migrate) and the facilities to be provided by the

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recruitment agencies. There has been an effort to reduce financial exploitation of the migrants by ensuring insurances, minimum wages etc.

In response to the particular needs and vulnerabilities of women migrants, the Bangladeshi Women Migrant Association (BWMA) was founded in 1998 to unite and protect the welfare of Bangladeshi migrant women workers. The organization was founded and continues to be operated by return women migrants, and works with women migrants and their families in four districts of the country. Programming includes orientation and preparation of migrants, raising awareness of their rights and those of their families, and to advocate for recognition and support for women migrants with the government and private sector agencies.

Welfare Association of Repatriated Bangladeshi Employees (WARBE), formed by a group of repatriated migrants, has also been working for the welfare of migrant workers since 1997. Among their 3000 members there are 1200 women members. WARBE aims to empower migrant workers to help them ensure their welfare and rights.

2.2.5 Internal migration

Bangladesh is a country in transition as rural to urban migration rates have rapidly increased over recent years. The proportion of people living in rural areas has declined from nearly 90 to 80 percent between 1980 and 1995. In terms of rapidity and volume of urban growth, Bangladesh has surpassed all its neighbours with an average urban growth rate of 5.6%. Comparable urban growth rates in India, Pakistan and Sri Lanka were 3.1%, 4.6% and 1.6% respectively. According to UN projections, the size of the urban population in Bangladesh will be around 67 million by the year 2025 when the rural population is likely to decline in absolute terms. This rapid increase in urban population presents many challenges as communities mushroom and traditional social networks are reformulated in different ways in urban environments.

Of particular significance has been the change in the sex ratio of Dhaka city dwellers. The ratio has become more balanced from 150 (males to 100 females) in 1961 to 105 in 1993-94, and despite lack of more recent data, it can be assumed to have continued in this trend because of the increase in women's independent migration for employment in export oriented labour intensive manufacturing industries, particularly in the RMG sector⁹. These women, however, may be ill prepared for living outside the social structures of rural communities that have governed gender relations, creating and intensifying vulnerabilities to being trafficked as well as other forms of exploitation.

A study in 1997¹⁰ identified the particular vulnerabilities faced by children of families migrating to urban areas with little prospect of employment. Many children become separated from their parents and are then extremely vulnerable to being caught up in exploitative and harmful situations which may ultimately lead to trafficking incidents into commercial sex work within Bangladesh, domestic servitude or overseas as camel jockeys. The core vulnerabilities are set in motion as families and individuals migrant to seek employment in urban areas.

⁹ Rita Afsar, *Rural-urban migration in Bangladesh Causes, Consequences and Challenges*, university press limited 2000, Dhaka

¹⁰ INCIDIN, *Misplaced Childhood: a short Study on the Street Child Prostitutes in Dhaka City*, Red Barnet, 1997

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These trends in international and internal migration in Bangladesh are not well documented or the consequent risks and vulnerabilities for more mobile populations - such as trafficking. Any framework for analysis of trafficking dynamics has to take all aspects of migration and its potentially harmful consequences into account.

2.3 Trafficking - Routes/ volume/ known data

Bangladesh shares her border with India and Myanmar. There are thirty bordering districts. Among them twenty eight are on the border with India and two have common borders with Myanmar. Most of the trafficking to destinations outside Bangladesh takes place over the land borders. On the Bangladesh Myanmar border, Cox's Bazar is said to be a major transit point. Traffickers use a number of border crossing points to India. In the northern region, the districts of Kurigram, Lalmonirhat, Nilphamari, Panchagarh, Thakurgaon, Dinajpur, Naogaon, Chapai Nawabganj and Rajshahi and in the south Jessore and Satkhira are areas through which trafficked persons are moved to India.¹¹ The easiest and best known land route to India is through the Benapole border crossing in Jessore, which is the south west transit point of crossing between Bangladesh and India. This land port is well connected with the Indian city of Calcutta. Trafficked persons constantly flow into Calcutta, some to serve in the city's flourishing sex industry while a large portion are trafficked on to other parts of India from Calcutta and even beyond to be employed in various exploitative situations.¹² Some of the routes identified by the Government of Bangladesh¹³ include:

- Route 1:** from Dhaka to Barisal by launch and from there to Jessore, Satkhira
- Route 2:** from Barisal to Benapole and other border areas via Jessore
- Route 3:** from Gabtoli, Dhaka to Jessore and Satkhira via Aricha
- Route 4:** from Gabtoli, Dhaka to Chapai Nawabganj and other border areas via Nagarbari
- Route 5:** from Gabtoli, Dhaka to Darshana by bus and from there to different border areas.
- Route 6:** From Gabtoli, Dhaka to Dinajpur and Lalmonirhat by bus and from there to different border areas.

It is very difficult to identify the number of persons trafficked. By nature, trafficking is clandestine and invisible. There are many estimates on the number of trafficked persons both at the global level and the national level. The UN assesses that globally at least 4 million persons are trafficked every year. The US government *Trafficking in Persons Report*, 2003 estimated 800,000 to 900,000 persons are trafficked every year. These estimated figures are made from three possible points of contact with trafficked persons:

- From the number of missing persons reported at the community level, from which a proportion can be assumed to have been trafficked.
- From data collected at border crossings for estimates of those moving into and out of Bangladesh to India or Myanmar.
- From the point of exploitation.

¹¹ Shamim, I (2001): Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective, International Organization for Migration, Dhaka.

¹² *Ibid.*

¹³ Government of Bangladesh, CPCCT Project Document

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Children are mostly trafficked from Dhaka¹⁴, as the most densely populated area in the country. There are three million slum dwellers with more and more people arriving everyday from the villages seeking better livelihoods.¹⁵ Under these circumstances children are often separated from their parents for a wide range of reasons. With an ever-increasing inflow of rural children who are living without shelter or adult guidance, traffickers know they have easy access and capitalize on the opportunity to exploit their vulnerabilities. Comilla, Kurigram, Chittagong, Narrayanganj and Jessore are also identified as common places of origin of trafficked children.

During the period between 1997 and 1999, most of the cases of trafficking of women occurred in Dhaka, Jessore, Bagerhat and Barisal followed by Jessore, Dhaka, Chittagong and Dinajpur.¹⁶ The following are some data collected between July 2000 and May 2003¹⁷:

- 253 traffickers arrested
- 35 traffickers convicted (no conviction before 2000)
- 496 documented incidents related to trafficking
- 75 victims repatriated from other countries; 84 internally
- 180 entered rehabilitation programs.

Despite the debate regarding the number of persons trafficked, one truth that almost all agree on is that though the extent is unclear, trafficking is on the rise.

2.3.1 Who is affected:

Trafficking is a phenomenon that involves many “players”; all of them are affected in one way or another by the trafficking experience. These players can be divided into four groups.

- (i) Obviously the most directly affected are the **trafficked persons**. As has already been stated, the trafficked persons may be anyone – children or adult, male or female. However some groups are more vulnerable to trafficking than others. Once a person has been trafficked the affects are devastating. The impacts affect social, economic and health aspects of each individual. Socially, a trafficked person is considered “spoilt” and therefore no longer acceptable within a community. This is particularly the case for women who are trafficked, as she is assumed to have been sexually abused and therefore thought of as “damaged goods”. This fear of the shame of trafficking, with no place to return to, has lead many trafficked women to remain in a harmful situation.

Economically, trafficked persons are caught up in a vicious cycle. Many are in debt to the traffickers or their exploitative employers and they must remain in harmful situations to pay their debts. Returns on their labor are also either negligible or non-

¹⁴ Shamim, I (2001): Mapping of Missing, Kidnapped and Trafficked Children and Women: Bangladesh Perspective, International Organization for Migration, Dhaka.

¹⁵ Study carried out by IOM Consultants/BLAST on the legal instruments for counter trafficking in Bangladesh

¹⁶ ADB, *Combating Trafficking in Women and Children in South Asia: Country Paper Bangladesh*, 2002

¹⁷ Bangladesh Counter Trafficking Thematic Group; presentation made by Carol Horning, USAID Dhaka on October 18, 2003

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existent, wasting an individual's energy and potential. The consequences on a trafficked person's health are also devastating. Living in substandard, dirty and unhealthy environments for a prolonged period of time has some obvious consequences. Moreover, trafficked persons are abused physically, sexually and mentally many lasting effects ranging from exposure to and often infection with HIV/AIDS virus to loss of vision from poorly lit factory work, contagious diseases, depression etc. Trafficking is a violation of human rights where almost all civic and several criminal laws are broken. The affect this has on the person trafficked should not be underestimated.

There is also a lasting impact from trafficking on communities and countries as well, ranging from loss of income and development potential, inability for large numbers of the population to fulfill their potential and overall costs to government from the provision of health services and other rescue and integration efforts. Trafficking of women and children also exploits and perpetuates attitudes and behavior that in turn undermine efforts to promote gender equality and eradicate discrimination against women and girls. The continued tolerance for human rights abuses against women and children in their own families and communities also hinders efforts to address these concerns more generally and to promote the rule of law.

There are conflicting aspects, however, to the social impacts of trafficking, since for many women and children trafficking episodes, while causing harm, also provide opportunities to remove themselves from otherwise oppressive circumstances within their home or community. This is especially the case for women who, after time, are able to remove themselves from the harmful situation. These experiences point out how safe (or less harmful) migration experiences can be empowering for women, calling for more understanding of how trafficking can be curbed while the positive elements of migration are enhanced.

- (ii) **Traffickers** are the second group of affected persons. Contradicting the common perception of an evil monster, traffickers can also be people known in the community including: family members, friends, neighbors, community representatives, employers, gang members or strangers. Anyone who is involved in the recruitment and transportation of trafficked persons falls within this category. Their motivation for trafficking varies. In some cases they are not even aware of the exploitative outcome that awaits the trafficked persons.
- (iii) The third involved party and beneficiary of the trafficking process is the **employer of trafficked persons**. Factory owners, household owners, madams and brothel owners are some examples of this other group of "players" benefiting from trafficking. Employment of trafficked persons provides the opportunity for making more profit by paying less and in some cases no wages. The intention of the employer is to create an environment where it is easy to exercise control over trafficked individuals, made possible as most of the work environment in most of these sectors is not regulated. Consequently, maintenance cost of trafficked labor is very low. Furthermore, some employers find it difficult to access enough workers given the nature of the work and trafficked persons fill this demand.
- (iv) The fourth and final group of "players" is the **consumer** who benefit from trafficked labor. Various types of people are represented in this category: customers of

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commercial sex workers, consumers who purchase and use goods and services produced by trafficked persons etc.

2.3.2 Who are trafficked and why (supply side):

For each and every migratory event there is a possibility of a “harm” or “non-harm” situation. This outcome is often influenced by social and cultural factors that can either facilitate a positive experience or hinder it. These include¹⁸:

- organized crime
- family involvement
- law enforcement
- physical and emotional security
- social/cultural practices
- employment policies
- development policies
- conflict and disaster
- economical factors
- education policies and institutions
- global and regional economic institutions and arrangements
- gender inequality
- social inequality
- state and national migration policies
- ethnicity and religious affiliation

Poverty has been identified as the main push factor in trafficking in persons, reinforced by data demonstrating that the majority of originating countries have high proportions of people living in poverty. However there are two issues that need to be borne in mind to understand the role poverty plays in the dynamics of trafficking. Firstly, poverty in most cases does not work alone in leading a vulnerable person to a trafficked situation. Many factors work in combination to create a situation ripe for trafficking. However, most but not all of the trafficked persons do come from the poorest segment of society. Secondly, poverty has many non-economic elements and those need to be understood as in most cases they have a major role in creating risks of being trafficked. Some of the major push factors of trafficking are as follows:

A) Poverty and economic vulnerability

Poverty drives many to make decisions and act in ways they would not otherwise do. For those living under extreme situations of poverty, the promise of a better life, no matter how unrealistic, is worth the risk and this increases the vulnerability to being trafficking. Some trafficked persons have preferred these harmful situations as they are considered to be better than their life of extreme poverty.

The poverty factor is further complicated by the effects of non-economic aspects such as those that contribute to the feminization of poverty. This is generally understood to be that women are poorer than men in their community, experience poverty more intensely

¹⁸ Identified by the Bangladesh Counter Trafficking Thematic Group and documented in 2003

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than men as they have fewer assets such as skills, education or resources to remove themselves from these situations, and the incidence of poverty is higher for women. This is illustrated by the fact that the average monthly income of female headed households in rural areas is approximately 35% lower than that of male headed households and 33% less in urban areas.¹⁹ Gender-based differences that distort the labor market, affect the standard of living and opportunities for advancement and employment of women, all intensify the feminization of poverty. As a result there is a constant flow of poor women who are moving in the hope of finding some better livelihood opportunity, but are also at high risk of being trafficked.

B) Social and Cultural Attitudes:

In many cases social and cultural attitudes push vulnerable groups into trafficked situations. The most significant factors are those associated with gender inequalities. Women seldom have control over decisions regarding the key elements of their lives – investments in health, education, sharing in financial decision-making etc. Women are treated as if incapable and hence are a burden on the family, especially in communities where dowry payments are made by parents for girls upon marriage. These factors contribute to many people treating women and girls as expendable sources of income increasing their vulnerability to trafficking. Stereotypes of behavior for young women tend to reinforce a sense of helplessness and of being unprotected without a man, vulnerability quickly recognized by opportunistic traffickers. Women and girls are also most likely to suffer from stigmatization once they return to their communities from such experiences, and have fewer options for alternative survival strategies. Hence the traffickers can increase their control over and isolation of women and girls through fear of further victimization.

C) Governance:

Governance can be understood as the system of government policies and programs necessary to perform a number of vital functions:

- make decisions and coordinate policies regarding most aspects of economic and social development;
- establish an enabling environment for rule of law and respect for human rights;
- deliver certain critical sets of goods and services; and,
- promote equity.

The poor are more vulnerable to areas of governance (policies and programming) that fail to take into account their needs or marginalizes them from access to services or protection from the rule of law. These factors increase their risk of being trafficked. Contributing factors in this respect include: absence of effective legislation to provide protection from traffickers; limited law enforcement exacerbated by corruption (e.g. police, border officials, politicians being bribed by traffickers); and exclusion of poor and vulnerable groups from access to basic social and economic services (e.g. women and unprotected children). An example of how limited implementation of government function assists traffickers can be drawn from inadequate birth and marriage registration. Any efforts to follow up on reported trafficking cases by law enforcement officers or across borders are severely hampered by a lack of formal documentation of children.

¹⁹ ADB, *Combating Trafficking in Women and Children in South Asia: Country Paper Bangladesh*, 2002

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D) Natural disaster and armed conflict:

Natural disasters cause massive displacement of people in despair making them easy targets for traffickers. Man-made situations like war and conflict causes disintegration of family, community and state support systems. Women, the aged and children are often left alone to cope with sustaining livelihoods when men leave to fight, and often are then forced to flee as fighting reaches their communities. Again these desperate circumstances make women and children highly vulnerable to advances from traffickers.²⁰

E) Globalization:

Globalization has led to development in many areas but not all. In many cases economic development has come at a cost of employment or livelihood opportunities for poor rural populations. Unregulated market forces, structural economic changes and inefficient government policies have systematically destroyed many livelihoods.²¹ With traditional employment opportunities disappearing, people are forced to move as a survival strategy, and become vulnerable to finding themselves in a trafficked situation.

2.3.3 Where trafficked persons end up (demand side)

In Bangladesh, the various sectors into which adults are often trafficked - and hence demand trafficked labor - include: the commercial sex industry, domestic servitude, industrial work, hard and bonded labor, fishing and ship breaking industries and begging. Children are also trafficked into these sectors as well as camel jockeys. Until recently, most analysis of the human trafficking cycle has focused only on the supply side – the trafficked persons, their experiences, what are the impacts on them, and so forth. In contrast to this, only a handful of studies have tried to understand and address the question of “demand dynamics”, the other half of the trafficking cycle. In the context of human trafficking, *demand* refers to those people/organizations/syndicates that create or influence an environment that allows for exploitative working conditions to exist.

The amount of information available regarding these demand environments differs depending upon the sub-sector of exploitation. For example, there is much more information on the demand dynamics of the commercial sex industry than there is for domestic servitude and “sweat shop” situations, which appear to be inadequately researched. To fully respond to the trafficking problem, more understanding is needed to address *demand factors* in all sectors as a significant cause of trafficking.

Factors that influence the demand side of trafficking include the globalization of the labor market in sectors such as manufacturing as well as resource sectors such as fishing. There is strong downward pressure on the cost of labor in these sectors escalating tendencies to exploit labor and seek undocumented or trafficked workers. Hazardous work places also appear to use higher levels of trafficked labor (including commercial sex industry, ship breaking yards). To generate more discussion of demand dynamics,

²⁰ Jean D’Cunha, *Concept Paper, Gender Equality, Human Rights and Trafficking: A Framework of Analysis and Action, 2002*

²¹ Upala Devi Banerjee *Globalization, Crisis in Livelihoods, Migration and Trafficking of Women and Girls: the crisis in India, Nepal and Bangladesh*

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the Bangladesh Thematic Group took as a starting point the identification of three general categories of persons who benefit from exploiting “trafficked persons:”

- **Third Parties who Recruit and Transport Trafficked Persons:** This first category includes the recruiters, smugglers and traffickers. Those who fall into this group are varied, often including family members, friends, neighbors, community representatives, gang members, and strangers. Their motivation and reasons for seeking trafficking victims include the following: to make a quick profit; it is easy to recruit and transport persons with little or not resistance (using deception, fraud and coercion).; in Bangladesh, there is also little chance of being caught and punished; and a good market for trafficked persons exists both in-country and outside of Bangladesh. There are also a number of people assisting irregular migration who are unaware of the exploitative outcomes that are the result of the mobility they facilitate. Also irregular migration routes used particularly by the poor, often share organizational resources with trafficking networks.
- **Employers who use Trafficked Persons:** This category includes the brothel owners, madams, factory owners, and household owners. Their motivation for using trafficking victims include the following: potentially excessive profit when little or no payment for labor is made; trafficked people are rendered easy to control with compliance through threat of and/or abuse; victims fill a need for “hard to recruit” workers (e.g. sex workers, people needed to work in hazardous conditions, etc.); they require low maintenance costs; and since they are kept from the public eye, it is hard for authorities to regulate what these people do and how they are treated - these victims are made invisible to society.
- **Consumers who benefit from Trafficked Labor.** There is no stereotype for those consuming trafficked labor. Customers include all classes, religions, ages and ethnic groups. This category represents a mixture of different types of people including: the clients of sex workers; consumers who buy goods that are produced by those who have been trafficked; and household owners who use domestic servants. Their motivation for using trafficking victims includes the following: it reduces costs of goods and services (a visit to a brothel, the lower cost of a manufactured item); and it fills demand for hard to recruit workers (domestic servants who will work excessive hours, sex workers, etc).

PART III - POLICY AND LEGAL FRAMEWORK

The Government of Bangladesh has considerably increased its commitment to addressing trafficking of women and children in recent years. Efforts are also being made to reduce vulnerabilities through policies associated with poverty reduction, women's empowerment and greater respect for and protection of children rights. Similarly there is growing recognition of the need to improve mechanisms to repatriate trafficked persons and to provide necessary services and programs to assist trafficking survivors. These are complex issues and touch upon many areas of government policy. Given the illegal nature of the abuses, the trafficking cycle also exploits weaknesses in the existing legal framework to be most profitable. The government has also sought to strengthen this legal framework, which along with a more effective policy environment, can contribute to limiting, and eventually eradicating trafficking. The following provides an overview of existing policy and legal frameworks.

3.1 International Agreements and Conventions

Bangladesh is a party to the following international instruments that can be used to combat human trafficking:

- 1949 Trafficking Convention,
- 1956 Slavery Convention,
- CEDAW,
- CRC and
- Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography,
- SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002)

Bangladesh was also a participant in recent international and regional conferences and special sessions of the UN General Assembly on women, children, human rights, trafficking and migration.

The commitments in place are consistent with a number of provisions of the Bangladesh Constitution, including:

- the fundamental rights of equality and equal protection (Article 27);
- right to be free from discrimination on the basis of religion, race, caste, sex or place of birth (Article 28); right to protection of the law (Article 31);
- prohibition against forced labor (Article 34), torture and cruel, inhuman or degrading treatment (Article 35); and
- freedom of movement (Article 36).²²

The international commitments are also reflected in various national plans, including the Fifth Five Year Plan (1997-2001), the National Policy and National Action Plan for Women's Advancement, the National Child Policy and National Action Plan for Children, and the recently developed National Plan of Action on Commercial Sexual Exploitation of Children, including Trafficking.

²² *Constitution of the People's Republic of Bangladesh*, as amended. Available: <http://www.bangladesh.gov.org/pmo/constitution/index.htm>.

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Considering the international nature of trafficking, there are no formal agreements, protocols or procedures between governments, for example between Bangladesh and India. This inhibits the smooth and speedy repatriation of trafficked persons. The signing of the SAARC Convention in 2002 was heralded as an opening to start discussions of such issues, but to date there has been no progress on implementation despite efforts from MWCA to initialize discussions.

Furthermore, the government has not ratified the two most recent international instruments that have been put in place by the UN to combat human trafficking - the UN Convention Against Transnational Organized Crime (2000) and its supplemental Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

3.2 National policy frameworks

As identified above, there are several overarching policy frameworks that can provide guidance on the respective roles and responsibilities of different stakeholders in combating trafficking and provide goals around which to structure programming to combat different facets of trafficking. The National Strategy for Economic Growth, Poverty Reduction and Social Development (Interim Poverty Reduction Strategy and Program - I-PRSP) adopted in March 2003 by the government, identifies the weakening of governance and deteriorating law and order situation as a serious hindrance on poverty reduction.

“The growing violence against women both in public places and at home has been identified as a major social concern in urban as well as rural areas. This represents a serious constraint on the physical mobility of women, acts as a hindrance to women’s participation in market activities especially in the labor market and restricts their pursuit of education beyond the primary level and access to health services”²³

The fear of trafficking and the vulnerability of women forced to leave violent situations within their families or communities are clearly part of this growing environment of violence and insecurity. In its statement of goals/targets to be achieved over the medium term, reduction of poverty is clearly a primary target that will serve to limit vulnerability to trafficking. Significantly for women, an additional target is included: the elimination (or substantial reduction) of social violence against the poor and the disadvantaged groups, especially violence against women and children²⁴. This also provides strong endorsement to government Ministries and Departments for their efforts to combat trafficking. Furthermore, five strategic elements of anti-poverty policies are set out in this plan that includes “policies to support women’s advancement and closing of gender gaps in development” which would further contribute to reducing vulnerabilities to trafficking.

²³ Government of Bangladesh (2003), *The National Strategy for Economic Growth, Poverty Reduction and Social Development*, page 17

²⁴ These I-PRSP goals/targets parallel Millennium Development Goals adopted by Bangladesh (and development partners) but this additional target associated with social violence is a welcome additional target as its effects on women has long been identified as a priority concern to MWCA and women’s NGOs.

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This strong endorsement by the Government in March 2003 for providing additional focus on narrowing gender gaps and reducing social violence supports key elements of existing policies that contribute to combating trafficking. The National Plan of Action for Women and the Platform for Action (1998), the National Plan of Action for Children and National Plan of Action to counter Sexual Abuse and Exploitation of Children, including Trafficking (SAECT) from 2003, all contain explicit reference to activities and intended outcomes to counter trafficking of women and children. The role of different government agencies is outlined, for example in the 1998 National Plan of Action for Women. This NPA, explicitly identifies the role of the Ministry of Home in enforcing existing anti-trafficking laws and strengthening mechanisms to support trafficking victims through more gender-sensitive police actions. The role of MWCA is also identified as the lead agency for issues concerning violence against women, in all its forms.

The 2003 National Plan of Action for SAECT²⁵ also sets out clear activities and outcomes for several government agencies linked to combating trafficking of children. Although trafficking is not identified as a separate thematic area, it is articulated throughout as a cross cutting concern as one of several means through which children are abused, and as an area that requires a multi-disciplinary approach to combat its consequences.

The extent to which these policy frameworks have contributed to a more coordinated approach to addressing trafficking of women and children is not clear. There are many limitations on the implementation of these National Plans of Action that include lack of clarity on structural means to foster collaboration between government agencies for areas such as trafficking, and limited allocation of resources for specific activities. Not all related elements of government policy have been included in existing plans of action, for example the importance of promoting safe-migration. However, especially in the case of the National Action Plan for Women, there are adequate provisions to incorporate most aspects of trafficking and clear statements as to the role of MWCA in taking leadership on issues such as trafficking, as they come forward as a priority for the government.

3.3 National Laws

Trafficking of persons and related activities can be prosecuted under several national laws, several of which date back to the colonial period. Some have validity in counter trafficking under recent circumstances, for example, The Suppression of Immoral Traffic Act of 1933 includes penalties for detaining a girl under 18 years against her will in a place of prostitution, or for encouraging or abetting the prostitution of a girl under 18 years.

Many trafficking activities would also fall under provisions of the Penal Code of 1860, as amended, that provides criminal penalties for kidnapping, abduction, slavery, forced labor, rape, wrongful confinement, selling or buying minors for prostitution, and other offenses, with punishments of seven years or more and/or fines. However, the Penal Code has not been effective in curbing these activities and several revisions and new Acts have been put in place, culminating in the passing of the *Women and Children*

²⁵ The NPA SAECT implementation is currently under review by Unicef (the coordinating development partner) and lessons and good practices for all future counter trafficking effort of MWCA can be drawn from this review.

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Repression Prevention Act of 2000 (the *2000 Act*). The *2000 Act* establishes extremely severe penalties for a number of offenses against women and children, including trafficking, kidnapping, and crippling or disfiguring a child for beggary or other purposes. Severe penalties are provided for with death sentence or life imprisonment for traffickers of women and children into prostitution or torture, and less severe penalties for use in circumstances such as forced labor. These penalties could be applied to trafficking offenses both internally and cross-borders, and with regard to trafficking for prostitution, can be applied to anyone who travels with or otherwise assists a woman engaged in commercial sex work, without a requirement to show coercion, deception or other abuse.

The *2000 Act* also provides for offenses to be tried in special Tribunals, 10 of which had already been held in 2001. Other measures are included to speed up procedures for prosecution, in recognition of the potential for further harm to be perpetrated through delays in trying cases. The *2000 Act* also provides for the creation of alternative custodial care or “safe houses” for trafficked persons so they may avoid potential for harm while being held in custody or to threats from trafficking rings when giving evidence.

The *2000 Act* was also amended in 2003 to facilitate the reporting of crimes involving gender-based violence, whereby a victim can go straight to a doctor or hospital where evidence is collected. A case is then filed from the medical institution with the police so the victim can avoid providing evidence twice in the first few hours after an offence has been committed. It is intended that these amendments will also facilitate and therefore increase the reporting of trafficking offences against women and children.

Other areas of legislation that might be used to protect workers from abusive working conditions, such as *Factories Act of 1965* and other regulations, which establish standards relating to conditions of work, working hours, occupational health and safety, benefits and other matters, are not well enforced, and only apply to the formal employment sector. *Children (Pledging of Labor) Act of 1933* prohibits the pledging of children under 15 years for labor, and a number of other laws set minimum ages for different forms of work, these laws are also not well enforced. In any case, the minimum age laws also apply only to formal sector employment, while the vast majority of child workers are in the informal sector, including those identified as most hazardous such as ship breaking and domestic work.

The government has addressed abuses of women from the traditional practice of dowry, under the *Dowry Prohibition Act*, but again enforcement is inconsistent, and these traditions are often not perceived as improper by law enforcers as well as parents who might otherwise report cases. Some protection can be extended to children and women if there was an effective system of registering births and marriages. Age could be more precisely established, protections under family and dowry prohibition laws applied and tracking of missing persons more effectively undertaken. These issues have been taken under consideration in the draft Local Government Act.

3.3.1 Constraints on enforcement of existing legal framework:

In its report regarding the implementation of CEDAW in 1997, the government recognized the severe constraints faced in enforcing existing legislation and regulations to combat all forms of gender-based violence, including trafficking. It cited reasons that include: misapplication of existing laws with victims sometimes charged with immoral

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behavior and arrested; limited access to judicial recourse, partly from fear of being harassed or further victimized; and, a poor record of conviction based on limited understanding by law enforcement agents and lawyers of the procedures for collection and presentation of evidence. The CEDAW report also recognized the poor record regarding the speedy and humane repatriation of trafficked women and children from other countries.

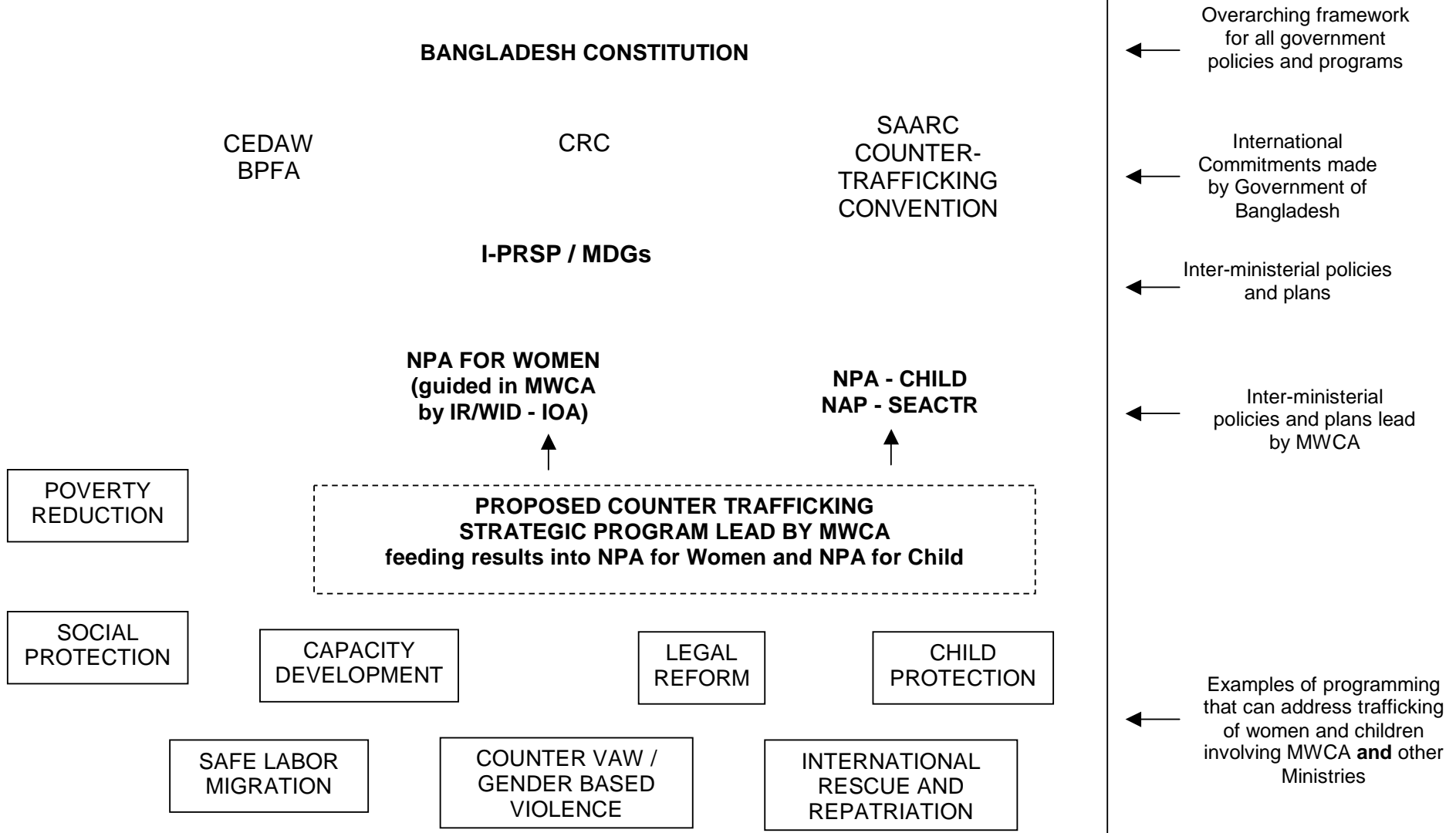
NGOs and women lawyer activists have corroborated these statements in the CEDAW report, based on their experiences seeking to implement existing legislation, including the *2000 Act* and its amendments. In practice, lawyers who represent women who have been trafficked or suffered other forms of violence find that women are either intimidated by the perpetrators from seeking redress, or if they try to file a report with the police, their reports are not accurately recorded or fully investigated. There is a strong tendency for prosecutors to charge cross-border traffickers of women and children under the *Passport Act*, which only carries a small fine (Tk. 500), rather than the *2000 Act*.

Various explanations are offered for the low number of trafficking convictions: that law enforcement officers and prosecutors are bribed or otherwise pressured to charge under the *Passport Act* or another lesser offense; that they do not have sufficient witnesses and documentary evidence to prosecute under the *2000 Act*, and therefore opt for a lesser charge; or that prosecutors do bring cases under the *2000 Act*, but judges are reluctant to convict where the penalty is death or life imprisonment. These circumstances are compounded by the fear of witnesses to appear before judges. To reduce these fears, the “safe custody” provisions of the *2000 Act* become especially important, however, these elements have yet to be effectively implemented, as available resources, for example for safe houses, are very limited.

These few examples²⁶ illustrate how the strengthening of the legal framework will have to be accompanied by other mechanisms to provide support, if enforcement is to be effective. Specifically programming that has been established by NGOs and some government agencies has been identified in Part IV and provides a basis from which increased collaboration and exchange of experiences can assist in building capacities and improving enforcement results.

²⁶ These examples are cited in the ADB RETA 5948: *Supplemental Study on Legal Frameworks Relevant to Human Trafficking in South Asia: 2002* with additional data collected from interviews during the CTFR preparation.

Figure 1: Linkages of Counter-Trafficking Issues for MWCA



PART IV - CURRENT COUNTER TRAFFICKING PROGRAMMING

To understand the effectiveness of different program strategies and potential areas for future efforts, this chapter provides an overview of activities of existing stakeholders and their different program approaches that are broadly categorized as: prevention, interception, rescue, repatriation, recovery and integration.

4.1 The Stakeholders

In order to improve collaboration and cooperation between stakeholders and to minimize overlapping or replication of programming, several attempts have been made to identify who is doing what and where. Action against Trafficking and Sexual Exploitation of Children (ATSEC) has sought to maintain a central list of members agencies (by using additional information from other networks) to provide an informal registry of stakeholders across the country. This is not comprehensive, but provides an overview that includes the following main stakeholders:

- a) **The Government** now has National Plans of Action for Women Advancement, National Action Plan for Sexual Abuse and Exploitation of Children including Trafficking, recent commitments to implement the SAARC Trafficking Convention has been addressing trafficking problem by involving several Ministries and departments. The National Plan of Action for Children established in response to the government's ratification of the CRC is currently under revision as the initial timeframe for its implementation has expired. It is anticipated that child trafficking concerns will be incorporated into this new document. Figure 1 provides an indication of different commitments from MWCA. The range of these commitments illustrates increasing efforts to work more collaboratively across government structures to counter trafficking activities.
- b) **NGOs and networks of NGOs** deliver a wide range of services to both prevent and address the impacts of trafficking, and are highly active in advocating reducing trafficking and resolving some of the bottlenecks in the current programming. A limited number of NGOs mainstream trafficking concerns into their on-going poverty reduction or community mobilization programming.
- c) **Researchers** - as global interest has increased in combating trafficking, so has supported for undertaking research in the region to understand the dynamics of trafficking. Little research however has been done to explore the relative effectiveness of different approaches to counter trafficking programming.
- d) Increasing number of **INGOs, bilateral and multilateral donors** that are responding to the increased attention given to trafficking issues. Generally the scope of programs currently in place is relatively limited (with a few exceptions such as USAID, ILO/IPEC) as most development partners are supporting small initiatives and have yet to mainstream trafficking into other related activities (Oxfam GB, UK Government Department for International Development (DFID) are examples of exceptions as they integrate trafficking concerns into other areas of programming).

4.2 Initiatives currently in place in Bangladesh

Ongoing interventions of different stakeholders can be categorized under the following approaches:

- a) **Preventive:** aims at reducing the number of trafficked persons. To achieve this outcome, preventive activities in Bangladesh have mainly targeted three components - awareness raising among the community members, vulnerable groups, community leaders, government officials, police, lawyers, doctors; capacity development of stakeholders at different levels through training, workshop; and community empowerment through social mobilization, improvement of livelihood opportunities and safe migration initiatives.
- b) **Interception, Rescue, Recovery:**
 - o **Interception** activity happens before trafficking process /movement starts. Interception is an act to stop or seize in passage. Experience shows that many victims or probable victims were seized by activists on their way to be trafficked. If intercepted and seized on half the way, the question that arises are, what are the determinant factors that the purpose of the journey was not at the best interest of the people on move and that the intention was trafficking.²⁷
 - o **Rescue** support takes place immediate after recruitment and during the trafficking process and or while trafficked persons are in harmful and exploitative situation. The work 'Rescue' is often used as synonymous by HR activists to the removal of trafficking victims from confinements such as brothels and sex houses. Rescue is regarded as an act to save someone from a difficult and hazardous situation. It should always be on the best interest of the victims, though the term 'best interest' is translated in different languages by different quarters. Many rescued from brothel and hazardous situations often express that confinements were better than remand homes/shelters. The rescued would require food, shelter, medical and psychosocial support and legal assistance. It is thus important to check if 'rescue' is doing more harm to the rescued.²⁸ The rescue activity depends heavily on information collected from neighbors, the person him/herself, media, NGO networks, community people and BDR. In Bangladesh, either local people suspect traffickers or law enforcement agencies receive information through some anonymous or hidden sources. Family members, neighbors, Law Enforcement Agencies and NGOs, may carry out rescue activities.
 - o For cross boarder cases, if the trafficked persons are rescued outside Bangladesh then the issue of **repatriation** formalities are needed to bring the survivors back to their country of origin, legally, rapidly and safely.
 - o **Recovery** includes the primary and secondary basic needs support services; food, accommodation, medical treatment both physical and psychosocial counseling, legal aid support and communication with legal guardians etc.

²⁷ H. Siddique, Masud; *Rescuing Trafficked Victims* discussed at South Asia Regional Policy Dialogue on Human Trafficking- Kathmandu 21-22 December

²⁸ H. Siddique, Masud; *Rescuing Trafficked Victims* discussed at South Asia Regional Policy Dialogue on Human Trafficking- Kathmandu 21-22 December

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- c) **Integration approaches:** Integration starts after rescuing or receiving a trafficked person from an exploitative or abusive situation. Once a trafficked person has been rescued, they are faced with a new set of challenges. In many cases return to their places of origin is difficult if not impossible. Sometimes it is difficult or impossible to find out origins of the trafficked person, particularly children who may have been living away from their families for several years. Many trafficked persons migrated in the first place because of abusive or insecure circumstances in their own home or community. Thus, if integration in the original community is proposed, it is necessary to ensure circumstances that forced departure in the first place are changed. Social stigma from families and communities is enormous, even if girls or women have not been involved in CSW - any irregular migration especially of women, may provoke marginalization.

Keeping these categories in mind, the major anti-trafficking initiatives of the Government, NGOs, NGO Networks, INGOs, Development Partners, Donors and other Civil Societies are discussed below.

4.2.1 Key Government Stakeholders and Initiatives:

A) Prevention:

Ministry of Women and Children Affairs (MWCA): A three-year pilot project, Child Development: Coordinated Program to Combat Child Trafficking (CPCCT) supported by NORAD has been implemented by MWCA and is currently completing a six month, no cost, extension period. Initially the project was implemented directly under the Department of Women Affairs under MWCA. The main objective of the project is to conduct motivational activities and to support the efforts of organizations working in the areas of prevention, rescue, repatriation and integration of survivors of trafficking. Activities directly implemented by the project management included: TOT, workshops for BDR, Police (CID) and Ansar-VDP with 95 participants. Training Manuals and information booklets were developed by the project to increase the understanding of Law Enforcement Officials under Ministry of Home Affairs. A folder with anti trafficking slogans as well as material or TV spots has been produced.

The project has a Steering Committee under the chairmanship of the Secretary, MWCA responsible for reviewing progress and addressing constraints to the implementation of the project. There is a 16-member Project Implementation Unit including 4 NGO representatives that is responsible for the overall implementation of the project. The project has also established a National Task Force chaired by the Minister for Home Affairs. The task force is mandated to review actions under taken by the project including rescue of trafficked children and punishment of the child traffickers. District and Upazila Task Forces have been set up to increase the awareness of law enforcement agencies related to anti-trafficking efforts and to implement decisions taken by the Steering Committee. Ten NGOs are directly involved in implementation field level awareness raising activities in 14 districts. Awareness-raising and community empowerment activities include formation of union and village level anti child trafficking committees, courtyard meetings, distributions of posters, leaflet, rickshaw plates and staging dramas and folk songs. The other components of the project- rescue, repatriation, rehabilitation

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and integration - were not implemented for various reasons - please see CPCCT Review Report for further analysis of the outcomes of this project.

MWCA has also been implementing a project titled, "Empowerment and Protection of Children and Women" starting in 2001 with support from UNICEF. The project addresses children in especially difficult circumstances, including street children, adolescent girls and trafficked children. This project has three sub projects: a) addressing sexual exploitation and abuse and discrimination against children and women b) promotion of child rights and gender equality c) empowerment of adolescent girls. Implementation of the project has involved five NGOs and one INGO. It also focuses on psychosocial support, life skill training and child participation. The Ministry under this project is also implementing some activities outlined in the National Plan of Action for SAECT. It should be noted here that the Ministry also received support from UNICEF and ILO for the preparation of the assessment of progress on NPA SAECT since the Stockholm Declaration for the Yokohama Conference. These activities included the preparation of some best practices as well as the NPA itself, which was approved in February 2002. This project was recently transferred to MWCA from DWA for direct implementation, as there is no separate directorate for children.

MWCA is implementing a further 32 projects with direct links to poverty reduction, gender mainstreaming, access to micro credit for women, empowerment of women, capacity building etc. in rural areas. These projects also contribute in the prevention of women and children trafficking. Examples from the MWCA projects include: MWCA has introduced HIV/AIDS and trafficking in the curricula for awareness raising for the Vulnerable Group Development program; MWCA has launched a one stop crisis center under the multi-sectoral program to combat violence against women. Through this center, legal, medical, psychosocial counseling services are provided. There is also a DNA lab and hotline set up to give instant services to victims. A massive Road March and awareness building campaign has been taken by MWCA to create awareness against violence against women including trafficking in persons, acid throwing and dowry related crimes.

Ministry of Home Affairs: The Ministry of Home Affairs plays an important role in preventing trafficking incidents through several means including: to identify when trafficking may be taking place and to provide protection to those most at risk as they move around; to strengthen a sense of community commitment to combating these criminal activities in a region i.e. to indicate to potential traffickers that they may not operate with impunity in a certain area.

A special anti-child trafficking cell has been established in the Ministry of Home Affairs. and under their supervision, two other cells, one in BDR and the other in Police (CID) have also been formed. The functions of the cells are to identify those involved in trafficking and arrest them and promptly rescue the trafficked persons.

The Ministry of Home Affairs and two NGOs have delivered training for border police. However, sessions are organized only on an ad hoc basis, and initially, trafficking issues were not covered in the existing training manual of the law enforcing agencies. Ansar-VDP has received training on trafficking issues by introducing one chapter in their basic training course. A research organization, CWCS in collaboration with the Ministry of Home have been conducting training workshops for the police officials at the thana levels. Bangladesh National Women Lawyers Association (BNWLA) is also carrying out

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some orientation courses for the magistrate, police and judges during their initial training period.

The International Organization for Migration (IOM) has also completed a one-year pilot project for capacity building of law enforcement officials to prevent trafficking of women and children in 2001. Under this pilot project 25 master trainers from three training institutes of police, Ansar/VDP and BRD were trained. Four training courses were conducted for 107 law enforcement officials. These trainings dealt with improving the investigation and interview skills of the officials and increasing cooperation between government and NGOs in preventing trafficking. Three hundred Bangla and 60 English versions of the training manual were produced and distributed among government officials and NGOs who are working to combat trafficking of women and children. A two-year extension of this project started from 2003 in joint collaboration with IOM and the Ministry of Home Affairs. Through this project 25 master trainers will be trained from four training institutions and 1125 law enforcement personnel from three agencies will be trained. Equipment support services have also been provided to seven training institutions and the Ministry. Ten senior level government officials will go for a study visit for developing conceptual understanding on combating human trafficking.

Ministry of Social Welfare: The Department of Social Services (DSS), under the Ministry of Social Welfare, has been implementing a project, “Capacity-Building, Poverty Alleviation and Sustainable Livelihood of the Socially Disadvantaged Women and their Children”, supported by UNDP. Under this project ‘shelter homes’ have been created for children of sex workers outside 5 brothels and for street-based sex workers in Dhaka. Crèche facilities offered for children aged 0-5 years, are available 24 hours a day as well as boarding facilities for adolescent girls and boys who may be most at risk of being sexually abused and exploited. Non-formal education, formal education, health education (including HIV/AIDS awareness and prevention), vocational training and other services are provided to women and their children. The project is implemented through some NGOs, such as Nari Maitree, INCIDIN Bangladesh and PACT.

A second DSS project, supported by UNDP is “Appropriate Resources for Improving Street Children’s Environment (ARISE)”. This project has undertaken a holistic approach comprising 12 components, including: support to street children with drop-in shelters; non-formal education; opportunities for vocational training; health services and counseling through partner NGOs and government partners. This project contributes in addressing the need for safe shelter homes where non-formal education and vocational skills training has been offered, opening opportunities to the children to establish or integrate into mainstream society more fully. But the non-formal education primers used for the children under this project did not include human trafficking issues. All ongoing non-formal educational support system should include the trafficking issues as a social and economic problem.

Although these two projects are not specifically designed to address trafficking directly, they contribute indirectly to prevention. However, these projects only target vulnerable street children not women or other vulnerable children living under difficult circumstances (e.g. in rural areas).

Ministry of Information: Ministry of Information in co-operation with the project CPCCT under MWCA has produced information material both for electronic and print media to raise awareness and build resistance to trafficking. Twenty awareness-raising programs

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have been developed to telecast on all the TV channels. Short 5 minutes films have also been developed to play in 1000 cinema halls through the country.

Ministry of Expatriate Welfare and Overseas Employment: A new Ministry has been established with the mandate to promote orderly migration and protect the interest of migrant workers, in their country of origin and country of destination. The Ministry, through its agency Bureau of Manpower Employment and Training (BMET), aims to provide prospective migrants with information that can help in preparing them as prospective migrant workers. BMET has its branches in the district level. IOM has been implementing a project, “Building Capacity of Ministry of Expatriate Welfare and Overseas Employment in Bangladesh” to contribute to the strengthening of capacity of the newly established Ministry in order to improve both the overseas citizens’ welfare and labor migration management.

In 2002, IOM in joint collaboration with the Ministry organized a National Consultation and developed a guideline for Plan of Action on Migration Management. IOM also provided technical assistance for a study on Bangladesh Diaspora; “Institutionalizing Diaspora Linkage: The Emigrant Bangladeshis in UK and USA”. The draft study report has been finalized through an Inter-Ministerial Consultation meeting in June 2003. Under this project equipment support, training of officials and study tour for Government officials was also completed to develop capacity to address the issue of orderly migration.

The Ministry is also reviewing the ordinance concerning women’s migration particularly seeking suggestions from MWCA and Ministry of Home Affairs. Regulations have been eased, although attention to the safe migration of women is appreciated for its role in limiting the incidence of trafficking by reducing the vulnerability of undocumented women migrants.

As a support to the government in preparation for these policy level initiatives, IOM commissioned five studies in relation to migration process, use of remittances, migration management system and situation of migrant workers and their families. Bangladesh Institution of Development Studies (BIDS) and Refugee Migratory Movement and Research Unit (RMMRU) of Dhaka University, helped IOM to conduct these studies.

Local Government Division: Under the Ministry of Local Government Rural Development and Cooperatives, LGD has attempted to enforce registration of all births, deaths and marriages. The objectives of these efforts are to strengthen the registration system, improve the collection and analysis of sex-desegregated vital statistics; establish the right to identity of children including girls; and to facilitate protection of rights of married women. Along with the enforcement and simplification of registrations of birth, death and marriage, there are also provisions for orienting Union Parishad (UP) members, local NGOs and women’s organizations and government functionaries such as FWAs, FWVs and marriage registrars regarding the importance of this legislation and its potential to prevent trafficking or facilitate rescue activities. LGD is also working in public education programs (seminars, workshops, drama, *kabigan* (folk song) etc.) through UP members jointly with local NGOs, women’s organizations and government functionaries in their respective constituencies.

B) Interception, Rescue, Repatriation and Recovery initiatives by the Governments:

Ministry of Women and Children Affairs: The CPCCT project of MWCA proposed initially to set up temporary shelters in 25 Upazilas and one Rehabilitation Center for rescued children. However, this was not implemented under the project as the project management suspended the idea considering the then prevailing situation. Under other projects of MWCA three cells have been established; Nari Nirjatan Protirodh Cell and One Stop Crisis Centers in Rajshahi and Dhaka which are dealing with women victims of violence in general. In Nari Nirjatan Protirodh Cell, there are some facilities for building skills that mostly concentrate on traditional trades. The vocational and skill development activities are for poor vulnerable women but not specifically for trafficked persons. Two national NGOs, BNWLA at Dhaka and ACD in Rajshahi provide legal aid, legal counseling and rehabilitation support to the survivors of trafficking at these centers.

Ministry of Home Affairs: The actual operation of rescuing trafficked women and children falls within the mandate of the Ministry of Home Affairs while MWCA is mandated to undertake programs and activities for prevention and recovery and integration. The main current activities are in the area of staff training, and strengthening the institutional capacity to combat trafficking. The Ministry of Home Affairs has a vital role in the rescue and repatriation of trafficked survivors through its agencies like BDR, Police and Ansar/VDP. These BDR, Police and Ansar/VDP have been performing the responsibilities in collaboration with NGOs and community people.

It should be noted, for the cross border repatriation, both Ministry of Home Affairs and Foreign Ministry work in collaboration.

Ministry of Foreign Affairs: The Foreign Affairs Ministry plays a major role in rescue and repatriation. Most of the cross border negotiations and agreements are carried out by Bangladesh missions abroad. The Ministry also has an important role in establishing bilateral agreements that facilitate the repatriation process and provides opportunities for joint initiatives with neighboring countries.

C) Integration

Bangladesh government does not have any specific programs or projects for integration of trafficked persons.

4.2.2 The NGO Stakeholders and Network of NGOs

NGOs provide a wide range of services and are highly active in advocating to reduce trafficking and resolve some of the bottlenecks in the current programming. These NGOs tend to be specialized in addressing trafficking with only a few broader-based NGOs mainstreaming these concerns into their ongoing poverty reduction or community mobilization programming. Activities include: awareness raising through mass information campaigns, rallies, street theatre, workshops, seminars, education and communication materials, peer education in the workplace, discussion during other social mobilization activities, community empowerment to prevent vulnerability to being trafficked; social mobilization through group formation with capacity building and community support systems for people in difficult circumstances; improvement of

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livelihood opportunities through income generation, vocational training, micro credit and safe migration initiatives through information, support and health assistance for migrants. Other program focus on rescue and repatriation of trafficked persons, followed up with integration either into their original community or other locations.

Networks of NGOs have also developed and collaborate on specific issues, particularly concerning advocacy for policy and legislative change. These include; ATSEC Bangladesh Chapter, BSAF, Traffic Watch Bangladesh. ATSEC also has developed a resource center and are working on developing a database on trafficking issue. There are several constraints on networking effectively including: disparate and insular functioning of some NGOs; lack of coordinated activity and duplication of work; ideological divisions; ad hoc programming; limited strategic interventions; and a lack of conceptual clarity particularly between trafficking and migration.

There are also many organizations working on issues such as the promotion of gender equality and women's empowerment that have made contributions to combating trafficking even though they do not identify themselves as undertaking specific anti-trafficking initiatives. Similarly community based organizations involved in social mobilization and legal and human rights awareness make contributions to combating trafficking.

(A detailed description of activities run by NGOs and NGO Networks and other civil society have been discussed in Annex 1.)

4.2.3 Initiatives taken by International Non Government Organizations/ Agencies

Action Aid Bangladesh has encouraged its local partner NGOs to work jointly on anti-trafficking issues. Before the last general election in 2001, for example, local partner groups organized a 'Consultation Meet' with the major political parties in Bangladesh to encourage them to incorporate trafficking issues in their political manifesto and to express their commitment in combating the problem. Action Aid does not exclusively focus on the trafficking in children, but deals with the constituency of children and sometimes comes across trafficked persons who are less than 18 years of age in the course of this work. In Bangladesh, India, Nepal and Pakistan detailed Situation Analyses were carried out in 1999. The Country Programs are now in a position to draw up their own plans of action - in the areas of prevention, mitigation, and rehabilitation. The Country Programs also identified the importance of understanding internal trafficking, and other sites of trafficking beyond brothels. For example in the garment industry, fish processing industry, and domestic work.

In September 2003, Action Aid in collaboration with UNDP organized another meeting with 17 Members of Parliament (MPs) to form a caucus to work on issues of counter trafficking and HIV/AIDS at the policy level. This parliamentary group named, Parliamentary Support Group for Prevention of HIV/AIDS and Trafficking, is comprised of 8 BNP, 7 Awami League, 1 Jatiya Party and 1 Jamat MPs. The Group met in Bangkok (to be free from interruptions) and was able to increase their understanding of these issues and discuss common issues with Thai officials with similar experiences.

CARE-Bangladesh is currently undertaking an in-depth ethnographic study focusing on a sample of 50 sex workers from both sides of the border. This qualitative study is an

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effort to explore details of lifestyle patterns and the experiences of women who are engaged in sex work. Detailed research is also being conducted to analyze individual and family circumstances and needs. This research aims to assess vulnerability patterns and livelihood compulsions affecting the trafficking of women and girls. CARE is also documenting case profiles of women and girls affected by trafficking for the purposes of education and advocacy.

Save the Children Sweden Denmark, Save the Children Australia and Save the Children UK are also implementing projects through local NGOs in prevention, rescue, repatriation, recovery and integration. Save the Children Alliance has also recently completed a regional study of trafficking, particularly child trafficking, and gaps in legislation and its implementation/enforcement. It is now planning to carry out awareness raising at community level with its partner NGOs based around existing legislation and how communities can contribute to enforcement.

4.2.4 UN Agencies, Bilateral, Multilateral and Intergovernmental Organizations' initiatives

Examples of initiatives funded by development partners include:

Asia Development Bank: In July 2001, ADB undertook a regional technical assistance in the South Asian region covering Bangladesh, India and Nepal; Combating Trafficking in Women and Children in South Asia. The objectives were firstly to increase ADB's understanding of how its existing programs and policy dialogue can be used to support and strengthen anti trafficking efforts. Secondly, to contribute to capacity building and other efforts by stakeholders to develop and implement policies and programs that will effectively combat trafficking in women and children. The major outputs of the exercise were the "*Guide for integrating trafficking concerns into ADB operations*" and a "*Regional Synthesis Paper for Bangladesh, India and Nepal*". ADB in joint collaboration with MWCA has also taken an initiative to develop a project on Social Protection of Women and Children where they have plan to incorporate a component to combat human trafficking.

AUSAID: AUSAID Dhaka Office has provided funding assistance to a local NGO, Ahaaash Mahila Unnayan Sangtha to carry out a Road March on anti trafficking issues. It also has been supporting a pilot project run by Center for Women and Children Studies (CWCS) to carry out an awareness raising campaign among children, parents and police officials in 20 schools under two (Ramna and Dhanmondi) police stations at Dhaka Metropolitan city to prevent trafficking of women and children.

The British Council: The British Council Bangladesh office has also been providing financial assistance to some NGOs (e.g Rights Jessore,) and research organizations (e.g. CWCS, RMMRU) to build up the capacity of local elected Members and Chairmen of Union Council (the government the lowest administrative unit under the Local Government Ministry). The British Council has also been funding for orientation on Child Rights issues for police officials, which includes trafficking as an issue in the discussion.

European Commission: European Commission has been funding a local research organization to carryout advocacy projects to combat trafficking in women and children in the northern region of Bangladesh.

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International Organization for Migration (IOM): has been coordinating projects on "Development of Conceptual Framework and Mapping out Intervention Strategies to Combat Trafficking", the major outputs of the project are two analytical information flow charts on counter trafficking field. These flow charts covered the theories, analysis, interrelations, interventions etc. on the issue of human trafficking - one regarding women and one children.

A campaign against violence towards women and children was also coordinated by IOM with the financial assistance from AUSAID Bangladesh, IOM and USAID Bangladesh. The whole initiative was implemented by a national NGO, Ashaash Mohila Unnayan Sangstha in eighteen districts of Bangladesh to stop trafficking, acid throwing and discriminatory attitude towards women and children. The activities included road march, cultural activities and distribution of IEC materials in eighteen districts. The Government of Bangladesh particularly MWCA actively participated in the road marches in all the eighteen districts. This was termed as one of the "best practices" in the US State Department Report on Trafficking in Persons.

IOM in collaboration with ten local NGOs at five bordering districts has started implementation of a two-year project, "Public Information Campaign for Prevention of Trafficking in Persons in Bangladesh". This project is for the development of capacity of local NGOs and the local elected government representatives to mobilize communities to combat human trafficking.

IOM has also been providing technical and financial assistance to three organizations (ACD, Rights Jessore, Refugee Migratory Movement and Research Unit (RMMRU)) in Bangladesh to build capacity of the local elected representative of Bangladesh Government to address human trafficking. IOM is also working with the Ministry of Home Affairs for enhancing capacity of law enforcing agencies on the issue of human trafficking (see details above). To strengthen the government's role in migration management, IOM is also working with the newly established Ministry of Expatriate Welfare and Overseas Employment (see details above).

ILO-IPEC: Program to Combat Trafficking in Children for Exploitative Employment - ILO/IPEC has a two-year program on trafficking that was implemented from October 2000 to September 2002. The project had four components: program research, capacity building, direct action program and advocacy.

Under the first component, a study on "Trafficking in children for exploitative employment in Bangladesh" has been carried out through an NGO, INCIDIN Bangladesh. ILO also provided technical assistance to MWCA in designing the National Plan of Action as part of capacity building within the Government. In direct action program, work on awareness raising has been carried out through three NGOs in the Northern Districts of Bangladesh. Furthermore, in collaboration with BNWLA, 69 children have been rescued and 29 of them have been integrated socially.

A second phase of the project has already been approved and implementation has begun since October 2002. Under this second phase, the previous four components have been retained and another two components have been added: non-formal education, small enterprise development for most vulnerable families. This phase two will continue until September 2005.

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The ILO's international program on elimination of the child labor, with funding from US Department of Labor (USDOL), seeks through these programs to address the trafficking of children. The project further seeks to enhance the capacity of government and governmental organizations to address this problem and to increase sub-regional cooperation and joint action on this issue between the SAARC countries.

NORAD: NORAD is the only bilateral development partner agency who has been providing financial assistance to the government flagship project in the counter trafficking field, "Coordinated Program for Combating Child Trafficking (CPCCT)". The Ministry of Women and Children Affairs has been implementing this project since November 2000. 10 NGOs are implementing the project at the field level in 14 districts of Bangladesh. The main aim of the project is to build the capacity of the community to prevent trafficking of children and women. After two years of implementation of the project, NORAD has also taken the initiative of carrying out a broad-based review of the CPCCT project that applies the lessons learned to identify a Counter Trafficking Framework – this report – to be applied in future planning for the government. NORAD has also been supporting some NGOs (ACD, BNWLA and Khan Foundation) in the implementation of counter trafficking projects which provide direct support services to the survivors of trafficking as well as empowerment of the women elected members of Union Councils.

UNDP: UNDP addresses the problem of HIV/AIDS and mobility in a development context, through a regional UNDP HIV and Development Program for South and Southwest Asia. It has been one of the UN agencies promoting responses and partnering with NGOs and CBOs in pilot projects. The efforts to address human mobility risk factors in the South Asian region under the UNDP regional program have been focused, concerted, effective and yet diverse and distinct. The responses have been modular with different partners implementing activities jointly or separately. Underlying premises include:

- (i) Minors have to be rescued, rehabilitated and repatriated with their families,
- (ii) Older women must have choices in decisions regarding their lives and livelihoods,
- (iii) Both HIV/AIDS and trafficking are issues that need to be dealt with at the structural level, women and girls should be empowered to protect themselves,
- (iv) Migration is a livelihood alternative and the right to mobility of women has to be respected.

In August 2003, UNDP in partnership with Asian Women's Human Rights Council (AWHRC) organized a South Asian Court of Women on the Violence of Trafficking and HIV/AIDS, which was conducted by UBINIG. The three-day court included day long round table discussions, testimonies of women survivors and jury statements and a follow up meeting to discuss the issues that emerged.

In Bangladesh, **UNAIDS** has been funding some smaller NGOs such as Nari Unnayan Shakti, Nari Maitree and SHISUK. SHISUK received funding assistance through IOM and implemented activities in Comilla and Sirajgonj districts on prevention and combating of HIV/AIDS. SHISUK has selected their target groups mainly from the migrant workers families and neighbors. IOM is also one of the co-partners of UNAIDS in this initiative. In 2003 government, **World Bank and DFID** have redesigned their

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HIV/AIDS strategy and divided program activities among three implementing agencies; UNFPA is building the capacity of the staff members of NASP, WHO works on blood safety and UNICEF does advocacy and public awareness in collaboration with MWCA.

UNICEF: Unicef Bangladesh office is also providing technical assistance and financial support mainly to the Ministry of Women and Children Affairs for implementing project titled, "Empowerment and Protection of Children and Women" which was started in 2001. The project addresses children in especially difficult circumstances, including street children, adolescent girls and trafficked children. This project has three sub projects: a) addressing sexual exploitation and abuse and discrimination against children and women b) promotion of child rights and gender equality, and c) empowerment of adolescent girls. Implementation of the project has involved five NGOs (e.g. ACD, BITA, Resource Bangladesh) and one INGO under the leadership of MWCA. Project activities include psychosocial support, life skill training and child participation. UNICEF is also helping the Ministry under this project is to implement some activities outlined in the National Plan of Action for Sexual Abuse and Exploitation of Children including Trafficking (SAECT). It should be noted here that the Ministry also received support from UNICEF and ILO for the preparation of the assessment of progress on NPA SAECT since the Stockholm Declaration, in preparation for the Yokohama Conference. These activities included the development of some best practices as well as the NPA itself, which was approved in February 2002.

Unifem: South Asia Regional Strategy to Combat Trafficking in Women and Children - The USAID Bureau of South Asia Affairs funded the UN International Development Fund for Women (UNIFEM), to implement the South Asia Regional Strategy to Combat Trafficking in Women and Children. UNIFEM is implementing these programs through local NGOs in India, Nepal, Bangladesh, and Sri Lanka. These programs include data collection on the magnitude and exact nature of the trafficking problem within and between South Asian countries (yet to be published), support for shelters, repatriation, education and awareness campaigns, vocational training and health care. Several Bangladeshi organizations are members of Unifem's South Asia Federation Against Human Trafficking (SAFAHT), a network made up of the organizations that have been funded through the Unifem South Asia regional trafficking project that exchange good practices and explore how to improve program effectiveness.

USAID: USAID Bangladesh Office is also providing funding and technical assistance to combat trafficking and child labor issue through ILO, IOM, local and national NGOs and Networks of NGOs. The main focus of these programs is prevention, rescue, recovery and economic & social integration. In Bangladesh more than 20 NGOs are implementing counter trafficking projects both in bordering district and also the source areas with the financial assistance from USAID Dhaka.

World Bank: World Bank Bangladesh office has provided funding assistance to some NGOs to carry out projects in different districts on "Advocacy for Pro-women Policing and Access to Justice" from 2003.

(A Matrix on different counter trafficking activities funded by different UN and other Bilateral and Multilateral donors has been attached as an ANNEX 2 in this report.)

4.3 Findings

The following are findings from analysis of the range of interventions implemented by different stakeholders:

4.3.1 Government Activities:

A) Prevention

Recommendations for programming from CPCCT Review:

- To ensure community participation in planning and implementation of activities;
- To continue with mass awareness raising campaigns incorporating local concerns, resources and language;
- The need to integrate different activities at the community level coordinated through an anti-trafficking committees;
- To strengthen capacities of all stakeholders (civil society and government, including within MWCA) to address specific aspects of trafficking;
- To continue and strengthen collaboration with NGOs;
- The need for careful monitoring mechanisms to provide feedback on what is working in specific areas.

Further details are contained in the CPCCT Review Report that accompanies this report.

Ministry of Women and Children Affairs: Through the CPCCT project MWCA has carried out awareness raising activities for more than one year in 25 upazilas. Ten local NGOs have implemented the awareness-raising program in rural areas. The project has developed supporting materials, drama, and posters; and distributed those in local workshops, meeting and rallies. These activities have been done as one time show basis, because of the short duration of the project. Implementing partner NGOs have provided some feedback on the content and scope of awareness

activities, but because of limited monitoring of impacts of different interventions it is not possible to provide comparative analysis.

Other than the MWCA, no government ministries and departments are directly involved in the implementation of prevention activity to address trafficking in persons.

B) Interception, Rescue, Recovery

MWCA: The CPCCT project of Ministry of Women and Children Affairs had provision to work on issues such as rescue, repatriation recovery and integration through local NGOs and by establishing temporary shelter home support facilities in 25 upazila. Due to some unavoidable difficulties MWCA did not implement that component during the project period. Lessons learned showed that lack of technical capacities and resources both at national and project implementation levels discouraged implementation of the component. Therefore MWCA should take initiatives to develop further capacities to improve the quality of services delivered and mechanisms in place, both internally and with partners and stakeholders to work in the areas of interception, rescue, repatriation and recovery. Bilateral treaties between Bangladesh and the receiving countries would also facilitate prompt and smooth repatriation of trafficked persons.

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Ministry of Home Affairs: The actual operation of rescuing trafficked children falls within the mandate of the Ministry of Home Affairs, while MWCA undertakes programs and activities for prevention and recovery. The main activities are in training, communication, management of information system, repatriation, providing temporary shelter, and integration of rescued children and women. In addition, the Home Ministry is responsible for providing awareness training to its own staff, journalist, lawyers, teachers youths, health and family planning workers. A more coherent and systematic approach to taking up this mandate is required, in partnership with MWCA.

Local Government Division: Under Ministry of Local Government Rural Development and Cooperative, the Division has attempted to enforce registration of all births, deaths and marriage. The efforts are designed to strengthen the registration system, collect and analyze sex-disaggregated vital statistics, establish the rights to identify of children including adolescent girls and facilitate the protection of rights of married women. Target groups are girls and women. In the Local Government Act, there is also provision for orienting UP Members, local NGOs, women's organization and the government functionaries to the importance of this Act. Local Government should review the mandate of elected members to incorporate obligations to work for social and economic justice as well as the delivery of services, such as distribution of wheat under VGD program and re-excavation of ponds and water bodies.

It has been argued that elected officials - particularly women - in local government should be encouraged to take leadership on trafficking issues and assist trafficked persons in taking out cases against traffickers. Elected women have potential to assist trafficked victims in seeking justice through the local Salish systems, as this lowest level of government is the most accessible form of justice to most poor community members. Oxfam UK, for example, is focusing much of its anti-trafficking efforts on awareness raising and capacity building at this level of government.

4.3.2 NGO Activities and Findings analysis:

A) Prevention:

Some NGOs like ACD, ATSEC Network, BNWLA, Aid Comilla, BUS, BITA, CRD, CWCS, DAM, Rights Jessore, LOSUK PBKS, PGSP, SHETU Bangladesh and SPK have incorporated child and women trafficking issues together with their awareness raising activities. The materials are mostly developed by the implementing organizations which carry different types of information related to interception, rescue and integration. The main objective of the prevention activities of different NGOs and civil society is to activate community participation to combat human trafficking. This is a key to effectively reduce trafficking. All programming that promotes the empowerment of women and children has the potential to reduce their exposure to trafficking risks, and provide tools to build resistance. Community solidarity is also required to overcome the environment of impunity from prosecution in which many traffickers operate. Increasing the understanding of the harm caused by trafficking to a community needs to be reinforced and accountability for the protection and safety of those most vulnerable, particularly children needs to be strengthened. Conceptual clarity needs to be strengthened among civil society networks, especially concerning linkage of issues such as trafficking and migration, gender inequalities, demands for certain types of labor.

B) Interception, Rescue, Repatriation and Recovery:

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BNWLA, ACD, DAM are mainly involved in establishing shelter home facilities and directly working in the areas of rescue, repatriation, recovery and integration. There are no bilateral treaties regarding the repatriation of those survivors seeking to return to Bangladesh. NGOs facilitating repatriation activities in collaboration with the Ministry of Home Affairs, Foreign Affairs and Bangladesh High Commissions in India and Pakistan, have to cope with ad hoc arrangements that often take a great deal of time. Many other difficulties are encountered in bringing a person back safely. NGOs have been seeking the establishment of clear protocols, agreements on respective responsibilities and mandates between different arms of all governments involved, and channels for easy communication between governments and NGOs.

The existing networks of NGOs and international alliances could work as catalysts and advocates for promoting an enabling environment to convince government and concerned agencies to start negotiating bilateral agreement and treaties. Lessons can also be learned from experiences of other countries and regional actors where the trafficking of women and children has been a serious problem, for example in the Greater Mekong Region. The SAARC Convention also provides a framework of commitment from different governments, but follow up action has not been evident in this vital area of concern.

The shelter homes run by the NGOs where rescued trafficked persons are provided temporary residence have been providing basic support services, medical treatment psycho-social counseling and legal aid support. However, services provided are not always of high quality, and certain technical skills are limited, for example for psycho-social counseling. MWCA and its partners have identified the need to establish higher quality standards to be applied in these shelter homes as well as an increase in services available.

NGOs are also very active in networking among themselves, especially to facilitate rescue and repatriation and to increase awareness of trafficking in many regions. It is also necessary to increase networking among government agencies and NGOs for wider dissemination of information on issues like trafficking. Some collaboration has been taking place, for example MWCA and NGOs have raised concern that anti-trafficking initiatives do not discourage voluntary migration for better livelihood options. They advocate in different forums that Ministry for EWOE and the Labor Ministry should take necessary steps to strengthen safe migration management for mutual benefits of the migrant workers and the countries of origin and destination.

C) Integration:

ACD, BNWLA and DAM are also involved in helping trafficking survivors by seeking out legal guardians and organizing family reunions. The main approach to integrating trafficked victim children and women is to engage them in non-formal or formal education systems, and organize special vocational training for developing skills. Vocational skill training is also a feature of many NGO interventions for children who have been sexually abused and exploited or who are at risk of being sexually exploited. While some NGOs admit they would prefer girls to acquire non-traditional skills, they admit they need to do more to challenge gender stereotypes and encourage girls to explore other skills.

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Integration of women and adolescent girls into their originating community is very complex and challenging. Welfare-based approaches to “rehabilitation” with traditional ‘vocational training scheme’ have not proved effective in offering sustainable livelihood alternatives. It is suggested that careful follow up and monitoring of survivors once they leave the shelters would provide valuable information to the NGOs on what worked and what did not. Programming could then be adjusted accordingly and more appropriate skills for training programs identified.

4.3.3 Overall Findings:

Poverty is identified as a leading cause of trafficking, a slogan for trafficking preventive interventions could be “combat poverty to combat trafficking”. The NPA for SAECT does identify key aspects of poverty reduction activities, which could be used to guide the incorporation of human trafficking concerns into its major poverty alleviation programs and ongoing projects. It has been reflected in many studies conducted by NGOs, that the issue of poverty, lack of livelihood security, lack of employment opportunities and unequal access by women to resources, play a significant role in accelerating trafficking. Combating trafficking could be more consistently considered a cross cutting social and economic issue.

For those women and children compelled to migrate or move from their communities to meet basic needs, community-based poverty reduction programming can play an important role in trafficking prevention as migration and promises of better jobs can be resisted if other options are available at home. Increasing the livelihood options for those with few resources is vital. Programs seeking to increase incomes for women as well as households as a whole will also help the most vulnerable withstand shocks such as natural disasters and forced resettlement. Understanding who is most vulnerable to trafficking, and combating the risks faced by those most vulnerable can contribute to effective targeting of poverty reduction programming.

Social issues: Addressing economic issues alone are not sufficient to combat trafficking. Factors that lead to social marginalization, gender gaps, and family and community disintegration also need to be addressed. Awareness raising, education, and programming to increase the status of women and children help build collective efforts to combat trafficking. These objectives - poverty reduction, reduction of gender gaps in development indicators and improving the status of women - are also clearly included in government macro policy statements, for example in the I-PRSP of March 2003. Targeting of those particularly vulnerable to trafficking and incorporation of safe migration and other messages to resist false promises of traffickers can be incorporated into the mainstream government supported programs.

Legal awareness is also important among those most at risk so they may understand their entitlements to protection from criminal acts. Increased awareness among community leaders of the criminal nature of trafficking and how to take preventative actions is also necessary so they are more likely to support individuals who seek to take punitive measures against perpetrators. Community surveillance has raised awareness of who might be at risk among a broader group and can also increase commitment to limit traffickers operations in their communities. However, care must be taken not to equate all women leaving their communities with trafficking and hence have community surveillance become a mechanism for controlling women and girls. Government and other civil society organizations are already undertaking extensive legal reform and

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awareness programming, and trafficking related issues can be more systematically integrated into these programs.

Role of communities and local government: It is also important that the community and local government take steps to protect the most vulnerable to trafficking, such as children living under difficult circumstances or those separated from their families because of natural disaster. Again awareness raising within a community that helps identify what steps can be taken to protect these children, such as creating shelters, and assisting those living in violent or abusive situations can help these individuals to remain safely in the community. Safe migration messages and provision of basic food and shelter in destination areas, is also important to assist those newly arrived migrants who are most at risk of being trafficked to build their resistance to false promises from traffickers.

Information campaigns: Governments, in cooperation with NGOs, can build on the lessons learned from CPCCT and other programming to provide mass information campaigns to help prevent human trafficking. Campaigns could not only provide information about causes and consequences of trafficking, but also include how the community and civil society can play much more constructive roles in combating trafficking in their respective trafficking prone areas. This information might cover how elected UP members of local government, police, BDR, Ansar-VDP under Ministry of Home Affairs can take leadership in combating trafficking in their communities and be more accountable for providing protection to those vulnerable to these criminal activities.

Enabling policy environment: It is important to promote enabling environments within government to facilitate interdepartmental and multi-sectoral cooperation to mainstream trafficking concerns into poverty reduction programs. Prevention activities can be considerably strengthened if the demand for trafficked labor is reduced. Labor standards legislation and regulation can be improved, with more effective enforcement encouraged through capacity building with appropriate government agencies.

Role of MWCA: The issue of trafficking is considered to be within the mandate of MWCA, as most victims are women or children. The currently limited scope for MWCA to address rescue, repatriation, recovery and integration can be strengthened with greater coordination among the Ministry of Home Affairs, Foreign Affairs and Expatriates' Welfare and Overseas Employment - particularly for rescue and repatriation.

PART V - CONCLUSIONS AND RECOMMENDATIONS

As stated above, trafficking is driven by a complex set of dynamics. Addressing trafficking concerns both within Bangladesh and across international borders is challenging for program planners and those implementing projects. Despite these challenges, much has been learned over recent years. The findings from the CPCCT Review (as set out in Part IV of this report) and other discussions within Bangladesh and the region have demonstrated that despite the complexities, there are approaches to addressing various characteristics of trafficking that can be identified and/or have to be taken into account when planning counter-trafficking programming. These approaches have implications not only for **the types of activities** identified for support as identified in the in Part IV above, but also **how programs are planned, implemented and monitored**. The following are key operational issues that have to be considered in future programming:

- a) **Holistic and participatory planning** is required that takes into account the linkages between different issues and aspects of the dynamics of trafficking. For example, if an initiative seeks to facilitate speedy rescue and repatriation of trafficked persons, factors that have set in motion the trafficking incidents in the first place have to be taken into account as well as the psycho-social condition of the trafficked person for suitable programming to be put in place that responds to the needs of those affected.
- b) **Flexibility and adaptation of models** is required to respond to the complexities of trafficking dynamics and how these vary. Programming has to be based on geographic specificity as well as types of target groups. For example, women versus children, adolescents versus children, rural versus urban context. Programming must also anticipate rapid changes in *modus operandi* of criminal traffickers as they respond to efforts to limit their activities.
- c) The dynamics of trafficking also reach into many aspects of public policy as well as the private sector. Therefore, a **wide range of stakeholders are involved** in almost all aspects of trafficking. If MWCA seeks to take leadership on counter trafficking activities this full range - including government, civil society and private sector stakeholders - have to be fully engaged and participating as appropriate in planning, implementation and monitoring of all associated activities.
- d) Some issues are already being addressed to a greater or lesser extent, but gaps exist. The focus during the past decade has arisen from a rights perspective, with many activities propelled by NGOs with greatest attention given to law reform, awareness raising and community empowerment to prevent vulnerabilities to trafficking. Government has more recently started to address other areas of concern, but attention has yet to be paid to key issues, such as labor market and demand aspects of trafficking, safe migration or how to engage other governments in taking action to limit the impacts of trafficking of its victims. It is important that careful **mapping and assessment of existing projects** and activities is undertaken as all stakeholders are consulted to minimize duplication of efforts and to build common understanding of good practices and maintaining quality in delivery of services across all related issue areas. Innovative ways to engage all stakeholders

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also have to be devised to tackle some of the more challenging counter trafficking areas of activity.

- e) **Ownership** of efforts to counter trafficking has to start at the community level where the cycle of events that leads to trafficking arises. Shared responsibility for the protection of vulnerable children, improved respect for women's rights, and a clearer understanding of community responsibility for refusing to tolerate the criminal activities of traffickers has to be improved.
- f) **Role of MWCA:**
- *Implementation of counter-trafficking programs:* Some counter trafficking issues are within the mandate of MWCA, and some fall under the mandate of other Ministries. MWCA, as an oversight agency concerned with women's and children's issues, has a role to play in the planning and monitoring of all counter trafficking initiatives lead by government, but not necessarily in direct implementation. It is important, however, that MWCA's mandate to address trafficking of women and children is seen as an integral part of its overall mandate. As identified in Part III above, MWCA's mandate is guided by a series of international commitments, policies and action plans already adopted by the government. Trafficking is not a separate issue. It is linked to many aspects of MWCA's existing objectives (see Figure 1), in particular narrowing of gender gaps associated with poverty (as guided by the Three year Rolling Plan and I-PRSP from March 2003), and the promotion of women's empowerment and gender mainstreaming as set out in the NPA for Women and Platform for Action. These objectives are complemented by those associated with Children - implementation of commitments to CRC through the NPA for Children (under revision) and the NPA for Sexual Abuse and Exploitation of Children including trafficking (2003). Care must be taken that MWCA's role and leadership in the area of counter trafficking is well articulated and positioned within these existing commitments. It is MWCA's role as oversight agency for women and children's affairs that provides it with credibility to take action on trafficking, and these links must be maintained to guide activities and linked objectives for all partners (government, civil society and development).
 - *Monitoring counter-trafficking initiatives across government:* As many agencies and ministries within and outside government must be involved for comprehensive and sustainable counter trafficking programming, close monitoring is required to understand what is going on in different areas, and how changes in programs, policies and legislation impact activities of traffickers and those vulnerable to trafficking on the ground. Appropriate monitoring frameworks for counter trafficking activities have to be built around **clear statements of intended results or outcomes**, again requiring leadership on the part of MWCA to develop and guide its partners in articulating and sharing understand of relevant results and indicators of progress.
- g) **Capacities required by MWCA** to fulfil the roles identified above have to be assessed:
- **Oversight agency:** Taking leadership on countering trafficking in Bangladesh, and encouraging interaction with foreign governments requires certain technical skills that are not currently available within MWCA or its Departments. This

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leadership role requires a strong understanding of the issues involved, as well as skills to articulate and communicate these complex issues to a range of stakeholders. Motivation of other government agencies is required to encourage greater accountability in committing resources and taking action in priority areas - again requiring significant skills on the part of MWCA staff to convince others of the importance of addressing trafficking, and how best to start the process within different Ministries. Monitoring of activities across other government agencies in a manner that motivates and encourages action - rather than as a judgemental activity - also requires very specific expertise. Similar skills are required in developing relationships with other governments as the Government of Bangladesh seeks to engage more widely with those who can assist Bangladeshi citizens in achieving their potential as migrant workers, or to return safely should circumstances require such support.

- **Direct project planning and implementation:** Different skills are required to plan, implement and monitor counter trafficking initiatives and projects that might be taken on by DWA, JMS or Shishu Academy. Project planning, implementation and monitoring in counter trafficking areas require specific skills and capacities as identified in the CPCCT Review.

To move forward in a credible manner to fulfill the commitments made by the government, the current challenge is for MWCA to acquire sufficient staff positions and the resources to train and retain these staff at the Ministry as well as Department levels. A key to acting as a leader for any issue is in maintaining credibility and respect from other departments and ministries - and this approach will be vital if all stakeholders are to increase their commitment to seriously address trafficking.

- h) **Development partners:** There is increasing interest from development partners in Bangladesh to support counter trafficking activities. Care has to be taken, however, that the models for such programming do not detract from the need to work collaboratively across government agencies and with a wide range of stakeholders to have an effect on stemming trafficking activities. Innovative means have to be explored to ensure maximum effectiveness in the application of resources available.

5.1 Counter Trafficking Program Strategy

Priority is emerging from the Review of CPCCT and results from other counter trafficking activities, for MWCA to identify a clear operational framework to guide programming that can be shared among the wide range of partners. Many lists of issues that have to be addressed exist and priorities have been identified for most (but not all) areas of activities linked to trafficking - for example addressing all forms of violence against women (including trafficking), law reform etc. It is proposed, therefore that a **Counter Trafficking Program Strategy (CTPS)** be developed that focuses on **how** programming can be planned, implemented and monitored, **who / which agency** is responsible for different aspects and provides a **timeframe** against which concrete progress can be measured.

It is recommended that the CTPS does not seek to be a comprehensive action plan that incorporates lists of activities to be undertaken, as such, but rather focuses on providing appropriate operational mechanisms and achievable results to increase commitment from all stakeholders to their respective responsibilities. This approach would conform

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with a “programming” approach advocated by ERD and Planning Commission with support from development partners.

A program approach assumes that a series of overarching outcomes for result areas, are identified for core themes or policy areas (as is set out in the recently approved I-PRSP) that fall under the mandate of several ministries and or departments within the government. These overarching statements are intended to guide the planning of separate programs and initiatives within each Ministry to achieve the shared result areas. Development partners provide support to achieve the overall program result areas, and these resources are then applied to different Ministries (or departments within Ministries) based on their respective requirements. On-going monitoring of short term and medium term results is based on pre-identified indicators that guide all partners.

This program approach would provide MWCA with scope to take leadership in defining the anticipated longer-term result areas for aspects of counter trafficking programming in the CTPS and for development partners to collaborate and commit to provide resources to achieve these results. Greater coherence among government and development partners would then be possible, based on a deeper understanding of trafficking dynamics and how they can be addressed. This approach would be particularly helpful to build coherence in areas such as adapting pilots and models on a larger scale across different ministries (e.g. targeting of poverty reduction programming to those most vulnerable to trafficking, or developing and delivering safe migration messages through several government and civil society partners involved from national to community levels).

Coherence among development partners would also facilitate the development of common management and monitoring approaches to complex programming areas that would encourage and maximize learning and promote collaborative efforts. For example, building capacities of law enforcement officers concerned with counter trafficking activities involves several ministries (Home, Local Government, Foreign Ministries) that are currently receiving support for different development partners. Shared monitoring of different capacity building approaches would maximize good practices and simplify reporting requirements.

The Local Consultative Group on Women’s Advancement and Gender Equality (LCG WAGE) are already working with MWCA to adopt this kind of program approach to strengthening their mandate to mainstream gender equality throughout the government. Adopting a similar approach to addressing trafficking of women and children would strengthen all the work of MWCA and extend the commitment of development partners to be more collaborative and coordinated to this issue area.

Issue areas to be incorporated in overarching result areas for counter trafficking can be readily identified from this report, the work of the Bangladesh Thematic Group, experiences from the National Plan of Action for SAECT and through verification of priorities (through consultation) with a wide range of stakeholders. But there is strong pressure on the government to move forward in a practical manner in the short term to build on results from existing partners and to follow up on new commitments from Ministries such as EWOE.

To summarize the above, the CTPS should be based on the following principles:

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- Issue areas to be addressed are set within parameters for programming that includes: anticipated results and monitoring indicators and are time bound with responsibilities and operational mechanisms for collaboration among partners clearly identified.
- Adequate capacities and resources within MWCA are allocated / available to respond to complexities of issues (especially technical capacities of individual officers), to take up the challenges of leadership across government for counter trafficking, to articulate and “sell” the need for increased commitment from all partners and to monitor programming as it is implemented.
- A coordinated approach is taken by development partners to fund appropriate activities/initiatives based on the CTPS.

It is important to acknowledge however, the concern of MWCA that short term action is also taken as women and children are caused great harm through the actions of traffickers on a daily basis. Commitment has already been given from development partners to support the development of a CTPS - or similar planning tool - and therefore this exercise can be undertaken in early 2004 immediately following the completion of this Review.

The following are some specific recommendations for operational elements to be included in the CTPS (see figure 2) that are drawn from discussions during the Review process:

- **Establish a Counter Trafficking National Committee** to take leadership on coordination and collaboration across government Ministries and to provide overarching monitoring functions. The Terms of Reference of the National Committee would be based on the overarching objectives and result areas set out in the Counter Trafficking Program Strategy, and progress would be monitored against indicators agreed upon through this Committee.
- **MWCA/Policy Leadership and Advocacy Unit (PLAU)** have a Counter Trafficking position that has skills and expertise (through training and/or experience) in counter trafficking and has access to resources to carry out responsibilities. This position could start with a consultant as a suitable candidate from within government establishment lists is identified and trained. This position would have the following range of responsibilities / tasks:
 - provides Secretariat services to the National Committee on Counter Trafficking
 - provides TA to MWCA (including the Minister, Secretary and J-S responsible for counter-trafficking)
 - develops and disseminates, on behalf of MWCA, clear communications messages e.g. vision of counter trafficking program,
 - carries out analysis as required of trafficking dynamics, policies, impacts of proposed legislation etc. especially when initiated by other Ministries e.g. Law or Home
 - assist in developing collaborative relationships and networks for MWCA in their leadership role regarding counter trafficking on behalf of the governmentResources can then be identified for this unit within PLAU as well as capacity building opportunities to ensure that the policy, coordination and visibility of counter trafficking within MWCA is very clear.

Counter Trafficking Framework Report

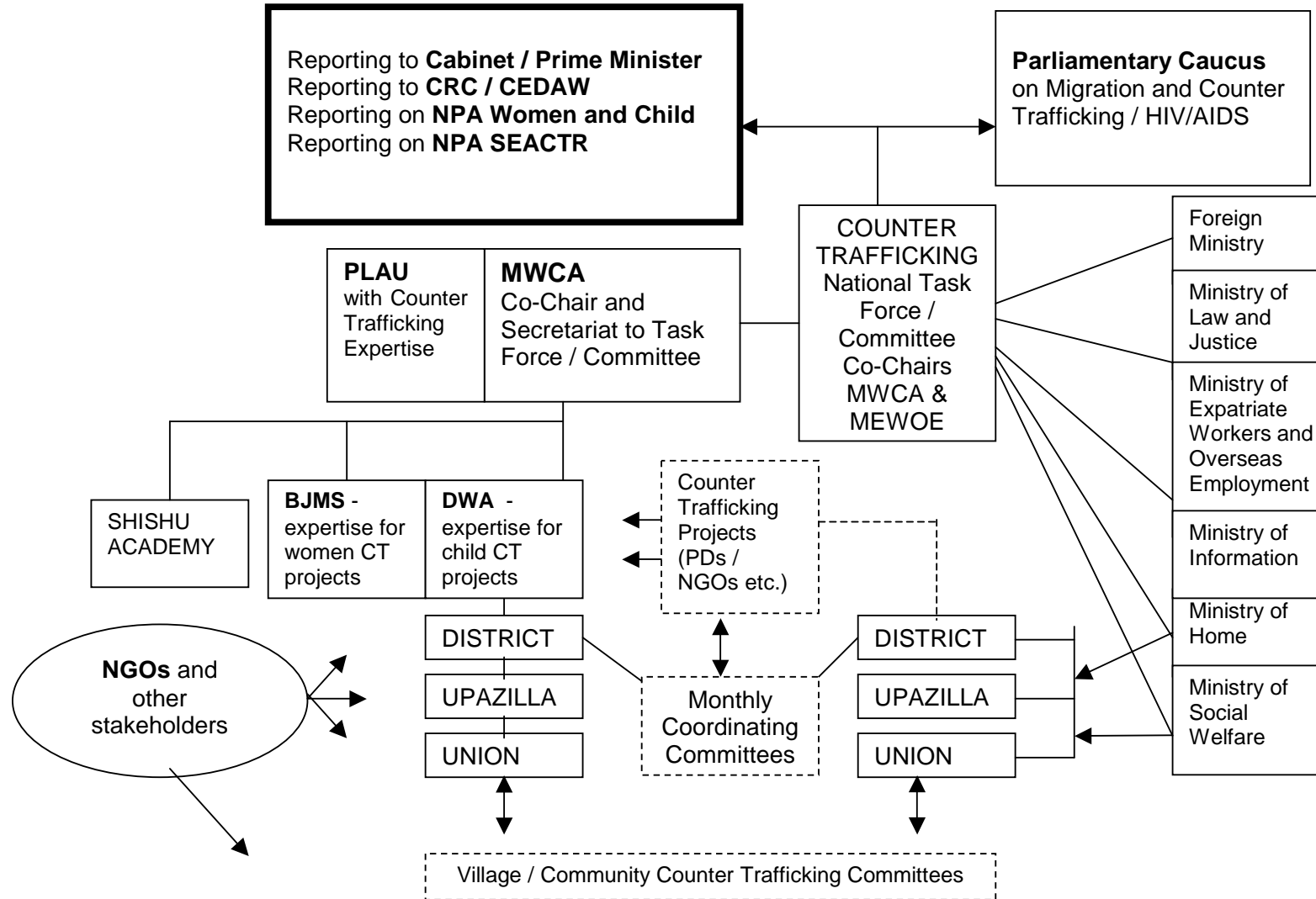
- **DWA/JMS** - a counter trafficking cell is established with specialized officers trained in counter trafficking issues, as well as project management, communications etc. and how to work in a collaborative manner with a group of stakeholders. Responsibilities will be:
 - oversees implementation and monitoring of counter trafficking projects undertaken by DWA/JMS
 - feeds back results, experiences and lessons to MWCA and other stakeholders
 - works with PLAU Counter Trafficking cell on building networks at project implementation level with other Ministries/Departments.
- Counter Trafficking **project initiatives** implemented through MWCA are coordinated through the DWA for those address child trafficking and those concerning women through JMS counter trafficking cell with Project Directors for externally funded initiatives. Placement of projects within DWA will improve prospects of expertise and experiences for implementation remaining, as staff turn over is not as frequent as in MWCA (see recommendations from CPCCT Review).
- **Capacities within DWA** - Consider effective ways to coordinate between and build on different skills / experiences of JMS and DWA (as recommended in IRWID and recent IOA) in order to share and utilize respective capacities for project management more effectively. Shishu Academy staff should also draw on expertise that will be developed within the DWA/JMS Counter Trafficking cell, e.g. for technical advice on child trafficking initiatives. This will increase credibility with stakeholders and increase capacity to effectively implement projects.
- **No new committees need to be established at the thana / union levels** as these already exist for other purposes but trafficking issues can be clearly mandated to these committees. At village level however, counter-trafficking committees should be established and given clear mandate by Local Government, involving NGOs, etc. and responsibilities (see recommendations from CPCCT Review).
- **Monthly Coordination Meetings** - that include or are lead by DWA officers at the District level - are given trafficking monitoring responsibilities that link to CRC monitoring Committees at this level - also linked to local government elected committees etc. to increase buy in at this level with elected officials. This is important because of the large numbers of stakeholders involved and the need to be sure a coordinated approach is taken.
- **Working with stakeholders that include civil society and the private sector:** it is important to build on experiences of working with NGOs in implementation of activities, but also in building linkages between experiences of trafficked victims and the policies and programming established through government. One means to ensure this is to have different CT project committees involving other Ministries specifically include representation from NGOs. The private sector also plays a vital role in facilitating safe migration, and their participation as partners in developing programming to promote safe migration will be key for it to be effective. Similarly for initiatives to address demand for trafficking labor.

Counter Trafficking Framework Report

- **Phased approach to working with partners:** Start with building relationships with only 4 or 5 key ministries and then move on to working with other ministries later. Priority ministries include:
 - Home Affairs
 - EWOE
 - Information
 - Local Government
 - Foreign Affairs
 - Social AffairsOther ministries to be approached in a next phase might include, but should not be limited to:
 - Law

- **Coordination among development partners** would have to be increased, particularly through the LCG-WAGE, to ensure that counter trafficking activities supported through external funding are part of overall functions of MWCA as gender mainstreaming oversight agency, and to ensure that the program approach to counter trafficking activities is consistent across all development partner agencies supporting MWCA.

Figure 2: Proposed structure for implementation of Counter Trafficking Strategic Program



BIBLIOGRAPHY (to be added later)
ANNEXES

Annexure 1

NGO Initiatives in Counter Trafficking:

The following sections present some activities of NGOs who are actively involved in anti trafficking activities. Many Community Based Organizations (CBOs) have incorporated anti-trafficking prevention messages in their other social and economic development projects. Action against Trafficking Sexual Exploitation of Children (ATSEC) Bangladesh Chapter maintains a list of NGOs/CBOs working on counter trafficking issue in different parts of Bangladesh.

Prevention

Association for Community Development (ACD): By building awareness, creating community vigilance, informal contacts and referral systems, the Association for Community Development (ACD), based in Rajshahi (the area is a popular transit point for cross-border trafficking and migration), has helped to protect and prevent children from being trafficked. has also developed peer educators in their groups for adolescent girls, boys and young men who meet regularly. They discuss reproductive health, early marriage, dowry, divorce, polygamy, trafficking, sexual exploitation, etc. As a group, girls have identified a suspected trafficker and informed the Union Parishad Chairman. They also inform the ACD staff if they know a girl is going to get married to an Indian man (a common means of trafficking girls). ACD is also implementing a prevention project with financial support from Save the Children Denmark and NORAD to combat children and women trafficking. The preventive activities mainly concentrate on organizing trainings, workshops, seminars, rallies, courtyard meetings and the distribution of leaflets, booklets and posters. They have also undertaken a project, with the financial contribution from IOM, to build capacity of 196 Union Parishad members and Chairmen of 15 Union Parishads to combat trafficking. These 196 members have formed 15 Union level Counter Trafficking Committees with 375 members, to implement village based action plans to combat the problem. ACD is also working for the “Protection and Promotion of Rights of Adolescents in Prostitution”. A component of a MWCA implemented UNICEF project. Under this project they are addressing sexual exploitation and abuse and discrimination against children and women. Furthermore ACD is an implementing NGO for the NORAD funded government project, CPCCT.

Bangladesh Women Lawyers Association (BNWLA), a legal aid organization has been implementing its anti-trafficking projects since 1993. The active leadership role of the organization contributed a great deal in bringing the issue to the mainstream. BNWLA continues to conduct meetings with the community people, social leaders, government functionaries and law enforcement agencies to prevent trafficking in children and women. The prevention activities are carried out by specialized cells: a) training cell b) cell for combating trafficking, c) advocacy, research and communication cell and d) women workers’ right. Under the recently ended project, “Protection and Legal Action against Women and Children Trafficking”, funded by USAID, 13 Focal sites in 13 districts were set up. Some districts were selected as collection or recruiting area, some as transit and some as exit areas for trafficking. The main task of these focal sites are to collect information through investigation of incidents, creating public awareness by

organizing meetings, workshops with different stakeholders, maintaining liaison with police stations, jails, courts and journalists. This project has been extended until November 2005 with financial assistance from AED. BNWLA regularly publishes booklets, fact sheet, and posters on anti-trafficking issues.

BNWLA along with ATSEC Bangladesh Chapter has developed a database on trafficked persons, which they continue to update. NORAD, Save the Children Sweden Denmark, AED, BRAC (a national NGO), USAID, and ILO have been providing financial assistance for implementation of different projects in the area of anti trafficking and human rights issues.

The Center for Women and Children Studies (CWCS) started working as a research organization since 1997, and have since carried out a number of research on the issue of trafficking. In September 2000, CWCS initiated a three-year project on “Advocacy to Combat Trafficking in Women and Children in the Northern Region of Bangladesh” with funding from the European Union. Under this project, the Center has been working especially in 8 northern districts namely Dinajpur, Gaibandha, Kurigram, Lalmonihat, Nilphamary, Rangpur, Panchagarh and Thakurgaon, to create awareness through campaigns, workshops and dialogues with members of the community, professionals, local leaders, law enforcing agencies and local administration at the district, upazila and village levels. In the first year of the project the focus was on raising awareness at a national level, training to combat trafficking in women and children and district level awareness raising advocacy workshop. In the second year, 16 Thana level awareness raising advocacy workshops, seven motivational trainings of youths for advocacy to combat trafficking, one conference in grass root level on counter trafficking initiative was held. In the third year CWCS carried out 16 village level awareness raising advocacy workshops and 8 motivational trainings for adolescence. Also in February 2002, CWCS facilitated a workshop funded by the World Bank to develop action plans and exchange programming ideas for trafficking prevention.

CWCS is also implementing a project, “Orientation Session with Police Officials on Child Rights”, sponsored by the British Council. The first phase of the project that has been developed by the British Council and the Commonwealth Office, has been completed in August 2003. Under this project a set of five posters addressing the issues of child protection, child labor, child sexual exploitation, child trafficking and child offenders were distributed to 193 police stations. The second phase of the project is already underway and will continue till February 2004. In January 2004 a seminar will be organized to share the experience with the higher level police officials.

“Advocacy on Pro-Women Policing and Access to Justice” is another project implemented by CWCS with the World Bank’s Small Grant. Under this project six workshops have been held on gender violence for police. This one year project that has been implemented from July 2003 has provisions for monitoring the police behavior with women victims and also refers these women to Government and Non-Government shelters, legal and medical facilities. The topics addressed are wife battering, dowry, rape, acid throwing, sexual harassment and trafficking in women.

Center for Rights and Development (CRD), a national NGO is working in the greater Dinajpur and Panchagar districts covering 2 million people. CRD with other activities also works on the issue of child trafficking, mainly awareness raising activities. CRD also investigates issues related to child trafficking and child abuse and suggests and

advocates with concerned authorities for immediate redressing. They have formed some Community Vigilance Groups in the 12 most affected unions of 4 thanas under Panchagar district. Furthermore District Surveillance Committees have also been set up under the chairmanship of the District Commissioner in operational areas. CRD is being funded by ILO-IPEC who also provide them with technical assistance and are an associate member of the ATSEC network.

Dhaka Ahsania Mission (DAM), a national NGO has a Children and Women Trafficking Prevention Program (CWTP), to raise awareness regarding different aspects of trafficking. They have been working on general awareness raising in six bordering districts Jessore, Satkhira, Jinaidah, Meherpur, Kustia and Cuadanga for vulnerable population through local NGOs. DAM supports the local NGOs by providing staff training and IEC Materials. DAM has produced different types of educational materials on the trafficking issue based on community level consultations.

As a model intervention, DAM is also piloting an intensive awareness raising program in a particular union, Debbhatta where they conduct family based focal group discussions on the issue of trafficking and the prevention of trafficking.

From June 2003, DAM has also started implementing a three-year cross border awareness raising project, "Regional Project on Education and Rehabilitation of Children Vulnerable to Trafficking and Sexual Exploitation" funded by the European Commission. This is a special type of project where two other organizations ACD and Aporajeya Bangladesh are involved as co-implementing partners. On the West Bengal side Sanglap and Don Bosco Ashalia will be working as counterparts. The specialty of the program is, what DAM is doing on Bangladesh side the counterpart organizations are mirroring on the Indian side along the same border.

Another three year project, "Consulted Intervention through Networks" funded by SK Netherlands has been implemented by DAM since 2002. Through this project DAM is working to ensure the quick flow of information for strengthening of prevention, rescue and repatriation initiatives.

DAM is also involved in the implementation of the CPCCT project in two capacities- one, by involving themselves as a member of the project implementation unit and two, as a contracted NGO partner organization working at the field level. As a member of the project implementation unit, DAM performed a very active role for example assisting in setting the criteria for NGO selection.

INCIDIN Bangladesh, a research organization, has been implementing a project, "Misplaced Childhood" aimed at providing drop-in-center support services for street children engaged in the sex market in Dhaka City. Currently they have engaged 4 girls and 4 boys as peer educators, all of whom are 'sex workers' and have received training for disseminating information to their peers. INCIDIN Bangladesh aims to build up their skills and encourages them with training to find other non-exploitative jobs and employment opportunities. With ILO funding INCIDIN Bangladesh have carried out a Rapid Assessment on Combating Child Trafficking for Labor and Sexual Exploitation in Bangladesh in 2002. also with assistance from ILO, INCIDIN Bangladesh will be establishing a resource center on the area of psychosocial counseling and child labor/child trafficking issues. INCIDIN Bangladesh often organizes psychosocial counseling training courses for NGO staff members who are working in the area of

trafficking and sexual exploitation of women and children. INCIDIN Bangladesh was actively involved in the preparation of the National Plan of Action against sexual exploitation of children including trafficking. They are running a non-formal educational program for the minority community/bihari children who are working in the “jori” factories as laborers.

With the financial assistance from MWCA/NORAD, ten NGOs (**ACD, Aid Comilla, BUS, Dhaka Ahsania Mission, LOSAUK, PBKS, PGSP, Rights Jessore, SHETU Bangladesh, SPK**) were contracted to implement awareness-raising activities under the CPCCT Pilot Project between September 2002 and August 2003. This activity has been extended for another six months effective from November 2003.

Rights Jessore, a local NGO located in the South Western bordering district of Jessore is also implementing three separate counter trafficking projects for children and women. DANIDA had been supporting a mass information campaign program initially for two years. Currently this project has been extended for a further two-year period. Apart from the regular mass awareness raising activities, dialogue session between the NGOs of Bangladesh border areas and West Bengal were organized under this project. Rights Jessore is also implementing a capacity building project for elected local government representatives in combating trafficking of women and children. 196 Union Parishad (UP) members and chairmen received training on how to combat trafficking problems in their own constituencies, and formed 15 Counter Trafficking Committees with other influential social leaders from the same Unions. These CTCs are organizing rallies and meetings at the local hats as a part of their social actions against human trafficking. Rights Jessore is also one of the partner organizations of CPCCT through which they implemented a year long awareness raising and community mobilization activities. Currently these activities have been extended for another six months.

Action Against Trafficking Sexual Exploitation of Children (ATSEC) a network of 14 general members and 10 associate members, has been implementing two projects. “Nationwide Campaign for Prevention of Trafficking in Children and Women” is a four-year project starting from March 2000. Under this project ATSEC produced several IEC materials and a national anti trafficking campaign logo for its information campaign. This project also seeks to strengthen the capacity of NGOs to build anti trafficking initiatives into their overall programming. The other project “Combat Child and Women Trafficking” ended in July 2003. Under this project fifteen NGOs received technical assistance for implementing some prevention activities in 15 border areas. ATSEC mainly implements its projects in partnership with NGOs to raise awareness on trafficking of children among vulnerable populations, particularly rural women and border region communities. ATSEC has also developed a Resource Center to provide information about counter trafficking issue. ATSEC has also been updating a database on survivors of trafficking. ATSEC projects are funded by USAID Bangladesh. ATSEC in collaboration with the American Center organized a two-day video film festival in June 2003. ATSEC has produced a 25 minutes documentary film “destination unknown” which is being widely used. Recently, a strategic planning workshop was conducted for the future direction of ATSEC. ATSEC also contributed to the CPCCT project by providing communication materials and a platform for their programmatic interventions.

Research / Survey and Studies as a Prevention Approach

Many researches, studies and surveys have been carried out during the period from 1997 to 2003 on the issue of trafficking and sexual exploitation of children and women. Some are national surveys, while others have been done in pocket areas or based on media coverage of incidents being reported to the police or found during investigative report writing. There is no in-depth study of the issue of demand side.

- In 1997, with the financial assistance from Save the Children Denmark and UNICEF, BNWLA conducted a nationwide survey to present an overview of trafficking of women and children in the 46 districts of Bangladesh. CWCS has also carried out several studies, e.g. for CARE Bangladesh regarding sexual exploitation of children in brothels in Bangladesh.
- In 1997, with the financial assistance from Save the Children Denmark, CWCS also carried out a study in two pocket areas to identify the dynamics of trafficking and its underlying causes.
- In 1999, Save the Children UK also carried out a study on the issue of family attitudes towards child trafficking, particularly trafficking of girls. In the year 2000, with financial assistance from USAID, ATSEC Bangladesh chapter also prepared a preliminary directory of NGOs working in the area of child and women trafficking and sexual abuse.
- In 2001, with the financial assistance from IOM, CWCS scanned newspaper reports from the period 1990-1999 on 'Mapping Missing, Kidnapped and Trafficking of Children and Women' and developed a series of maps based on these data. While these are far from accurate trends, it does provide indicative maps of source districts, transit district and from the data routes out of Bangladesh can be developed. This is also a first initiative in the area of trafficking of women and children to use geographical information systems (GIS) technologies to present the findings.
- In 2001, IOM also provided assistance to an individual researcher, Ms Natasha Ahmed, to investigate the situation of Bangladeshi and Nepalese trafficked persons in India.
- In 2002, ICDDR produced an extensive study on "Overview of Current Activities in Bangladesh" The initiative was financed by USAID. ILO/IPEC is also carried out a Rapid Assessment on Combating Child Trafficking for Labor and Sexual Exploitation in Bangladesh, based on an ILO/UNICEF model, in 3 sending areas over a three-month period. A research organization INCIDIN- Bangladesh was commissioned for this assignment and report has been finalized.
- In 2002, Therese Blanchet and Drishti Research Centre also released the findings of a one-year study that was commissioned by USAID. In interviews with over 500 women migrants who have returned or are still located in Kuwait and India regarding their motivations to migrate and experiences. The findings provide more specific data regarding the way in which unskilled Bangladeshi women are migrating out of Bangladesh, despite current government policies and the wide range of risks to which they are exposed. The study is also significant in that it uncovers the complex range of reasons that compel women to remain in or return to situations of exploitation - these reasons are not all negative.

No studies have been carried out from the perspective of demand or pull factors that influence trafficking activities, beyond those carried out by ILO concerning child labor. ILO has also carried out a short-term study, which reflected that internal trafficking is

more widespread compared to cross border trafficking. not much research has been done on the scope and characteristics of internal trafficking issue.

NGOs Networking for Prevention

To address the need to work together for combating such complex and organized crimes as trafficking in Bangladesh, local NGOs have formed local, regional, national and international networks. There are several networks (**ATSEC Bangladesh chapter, Traffic Watch Bangladesh, and Local NGO Alliance of Joypurhat in the northern part of Bangladesh, Resistance, CATW, GATW** etc.) that have been working mainly in the areas of prevention and advocacy / lobbying with policy makers both at national and international levels. This has been done by increasing the understanding of trends and politics of trafficking, building capacity at local, national and regional levels and working jointly to pressurize and influence policy makers and governments by mobilizing community leaders and other important stakeholders. The nature of the networks in Bangladesh varies from one another. Resistance is a regional network, CATW and GAATW are international, Traffic Watch Bangladesh is in-country regional, the NGO group is local (only based in northern part of Bangladesh) and ATSEC- Bangladesh Chapter is national with links to similar or affiliated networks in India and Nepal. ATSEC is organizing a massive information campaign in 20 districts of the country.

Interception, Rescue, Repatriation and Recovery Initiatives

BNWLA is the pioneer national NGO that started its work rescuing trafficked victims and providing them with legal assistance. It now also initiates legal action against traffickers and works with its counterparts in India to help trafficked victims return to Bangladesh. They currently run one of the largest shelter homes in Bangladesh. After identifying victims of internal trafficking through extensive investigation in brothels and police stations by its Field Officers and Investigators, BNWLA rescues and releases survivors of trafficking from various confinements with the assistance of law enforcing agencies. For cross border trafficking cases, they organize repatriation of survivors with the assistance of partner organizations and concerned government departments of both India and Bangladesh.²⁹ Only in 2002 BNWLA repatriated 24 trafficked victims from different countries. Among them fourteen were repatriated from India, one from Pakistan and nine from United Arab Emirate. During the same time 402 were provided with rehabilitation support.

BNWLA has a comprehensive recovery program for trafficked persons. The program includes providing safe shelter in a home equipped with requisite facilities, medical treatment, psycho-social counseling support, formal and non-formal education, recreational and vocational training on various trades including computer training etc. Nearly 1,000 women and children have received shelter home support services over several years. BNWLA also provides legal aid support by directly taking on the cases of survivors and by organizing the arrest of perpetrators.

ACD, with the financial support from Save the Children Denmark, NORAD and the Department of Women Affairs has been implementing prevention, interception and integration projects in the northern part of Bangladesh. They also run a shelter home for

²⁹ BNWLA Special Bulletin 2001

the street children, trafficked survivors and sexually abused children. They also received the rescued children from police custody to keep them in a child friendly environment. ACD have rescued 82 children and have been providing basic amenities through its shelter home support services. Among the rescued children, 64 have been integrated.³⁰

Dhaka Ahsania Mission, through their networks and hotlines, are gathering information on trafficked persons. This information is generated both from common people of the locality and law enforcement officials/BRD. With this information DAM is playing an active role in rescue and repatriation. Till date they have rescued 85 children, girls and women. DAM has been maintaining a shelter home in Jessore district with the facility of basic need supports, capacity building for income generation activities and special care for Psychosocial counseling. It should be noted here, DAM also received misplaced children from other NGOs like INCIDIN Bangladesh and Center for Training Rehabilitation and Development for Women. They also provide technical support in the area of Psychosocial counseling support for other NGOs like Nari Moitry and Aparajeo Bangladesh.

INCIDIN Bangladesh works with boys and girls engaged in street-based prostitution in Dhaka, to improve their health (both physical and psychological), and provide opportunities for alternative forms of employment. It seeks to link up with other NGO and government interventions for improved service provision to children, better coordination and rapport building. Through direct interventions with the General Post Office, it has been possible for children to open savings accounts with 5 taka deposits.

Aparajeo Bangladesh similarly offers drop-in centers for street children. It recognizes that integrated efforts are required to combat children's lack of trust, low self-esteem, and shame (particularly if she or he has been sexually abused and /or exploited). Some children are extremely traumatized and may require more psychosocial care and services than others to help them recover.

Integration

For the proper integration of survivors of trafficking, **BNWLA** is trying to conduct a community based integration approach. In this view, BNWLA forms Community Care Committees consisting of the locally influential people and family members of the survivors to help uplift their status of living. In 2002, 196 women and children were reintegrated into their families. Formal and non-formal education facilities have been provided for 173 children and adolescent girls in 2002. 148 women and children received skill training both from external and internal vocational training facilities and 12 of them have been placed in jobs during 2002. BNWLA encouraged other NGOs to open non-exploitative job options for the survivors of trafficked children and women. Earlier BNWLA also organized 4 marriages for the adolescent survivors, as part of the integration approach.

ACD, Mukti, Nari O Shihu Sangstha and Dhaka Ahsania Mission have worked in the field of integrating trafficked children and women they have assist to return to Bangladesh. It appears from their work that personal influence, community acceptance, and high regard for the NGO are critical for ensuring community acceptance, and trust to

³⁰ ACD Annual Report 2002

encourage integration. Till date Dhaka Ahsania Mission has integrated 65 women and children while 20 are in their shelter homes receiving basic needs and support services.

In the Adolescent Girls' Hostel of **Aparajeyo Bangladesh**, several girls who did not pursue higher studies are garment workers. The girls working in the garment industry may not earn much, but none are compelled to go back to the street or sex work. The efforts to build street children's awareness, pride and confidence in themselves means that many girls want to forget their past life.

Annexure 2

A matrix on different counter trafficking activities funded by UN and other Bilateral and Multilateral Donors:

To be inserted later.