

# **Consolidating Protection against Ever-escalating Violation :**

**Case of Prerana's Intervention for Protection of  
Rights of  
Victims of Commercial Sexual Exploitation in India**

**by Priti Patkar & Pravin Patkar,  
PRERANA, Mumbai, India**

10 th UN Congress on  
THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS  
TO BE HELD FROM APRIL 10 TO APRIL 17 , 2000  
AT  
VIENNA, AUSTRIA

GENERAL THEME : " Crime & Justice: meeting the challenges of the Twenty First Century"

Paper to be presented by Ms. Priti Patkar  
Executive Secretary PRERANA  
Mumbai, India

## INTRODUCTION:

**Prerana** is a voluntary organization working primarily in the state of Maharashtra in India on the issues of Commercial Sexual Exploitation (CSE) and Trafficking for the past 14 years. It started working in the redlight area of Kamathipura Mumbai which is infamous as the most dreaded and largest redlight area in India. Although it started as a school social project Prerana started responding to the challenges of the situation prevailing in the world of flesh trade that surrounded the school. Prerana has evolved over time but has retained its basic characteristic, responding creatively to the situations affecting the victims of CSE.

### Some of the achievements of Prerana

- Over 715 children who have benefited through our Night Care Centre
- Over 1000 children who have benefited through our Education Support programme.
- Over 375 children who have benefited through our Institutional Placement Programme
- Over 5000 women who have benefited through our variety of programmes and activities including health intervention, social education, empowerment, nutrition , etc
- Prerana insisted upon the government of India and every other responsible body to recognize the women and children in prostitution as the Victims Of CSE (VOCSE). The "Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children- Govt. of India 1998 " the first National Policy and Programme of Govt. of India on this issue;
  - ✓ refers to these women and children as Victims Of CSE,
  - ✓ its suggested intervention programmes is largely based upon Prerana's activities; and acknowledges the contribution of Prerana in this field.

### **Prerana**

- ✓ started the first ever project to eliminate second generation trafficking of children into CSE
- ✓ started the first ever Night Care Centre for the children of the redlight area.
- ✓ started the the ever first comprehensive Institutional Placement Programme for the children of women VOCSE in India
- ✓ for the first time in the country managed to get ration cards for the women (VOCSE)

**Works with**

1. professional, participatory and multidimensional approach
2. responsive & responsible manner
3. consistency of commitment
4. evolutionary manner in response to the challenges
5. creative solutions

**Prerana****networks with**

Government, NGOs, INGOs, CBOs, other Federal Bodies,  
Press, Media, Elected Representatives & others

carefully avoids operating through agents of flesh trade

carefully maintains conceptual clarity all throughout

The Women in prostitution are the victims of;

- certain predisposing factors

such as poverty, indebtedness, recurrent migration, social uprootment, community & family disintegration, exploitative social customs, natural disasters, recurrent droughts, marital desertion, widowhood, sexual exploitation (non commercial -intra-household or otherwise), employment in sexual exploitation-prone wage sector, labour market depression & sudden unemployment,

- certain precipitating factors

In majority of cases of VOCSE force, coercion, deception, fraud were operative. But they are rarely found operating singularly. They could become effective in the context of the operation of the predisposing factors. Attributing the phenomenon to or focusing the intervention on any of these factors singularly is a mistake

**Prerana is guided by one understanding predominantly than any other i.e.**

the prevalence of women as victims of CSE and the social reproduction of the phenomenon is an outcome of a complex interplay of several factors. It would be a conceptual error to treat it merely as a law and order problem.

On the front of prevention, intervention in the current situation, and social reintegration Prerana operates with this perspective.

yet another important canon that guides Prerana is

CSE is a social, complex, and chronic problem the resolution of which cannot be left entirely to the efficacy of a bureaucracy, an enforcement agency or a few NGOs. The social intervention process to tackle CSE & T has to be socialized. In the unidirectional process of specialization of social tasks it so happens that integration and socialization of social tasks remains ignored.

Prerana admits that there is a serious and widespread lack of political will on the part of the state, the bureaucracy, and the enforcement agencies in India. However we must place on record the fact that commendable sensitivity and performance have been exhibited by a few bureaucrats and police officers without crossing the limits of their mandate and it was mainly due to their personal social commitments and values.

### **ACTIVITIES of PRERANA**

- **NIGHT CARE CENTRES** (NCC)
- **DAY CARE CENTRES** (DCC)
- **INSTITUTIONAL PLACEMENT PROGRAMME** (IPP)
- **EDUCATIONAL SUPPORT PROGRAMME** (ESP)
- **NON FORMAL EDUCATION** (NFE)
- **SOCIAL REINTEGRATION PROGRAMME** (SRP)
- **WOMEN'S EMPOWERMENT PROGRAMME** (WEP)
- **HEALTH INTERVENTION PROJECT INCLUDING HIV/AIDS** (HIP)
- **SENSITIZATION & TRAINING PROGRAMME** (STP)
- **LEGAL TRAINING PROGRAMME** (LTP)
- **HUMAN RIGHTS INITIATIVE** (HRI)
- **INTERVENTION IN POST RESCUE OPERATIONS (IPRO)**
- **ANTI TRAFFICKING INITIATIVE** (ATI)
- **ANTI TRAFFICKING CENTRE)** (ATC)  
( supported by UNIFEM)

- **SOCIAL AWARENESS PROGRAMME** (SAP)
- **INFORMATION CLEARING HOUSE** (ICH)  
(supported by UNIFEM)
- **NETWORKING** - (domestic and international) (NTW)
- **CAPACITY BUILDING & FEDERALIZATION** (N&F)
- **RESEARCH & DOCUMENTATION** (R&D)
- **ADVOCACY & LOBBYING** (A&L)  
(Influencing Legislation, Conventions, Rules,  
Policies & Programmes-domestic and international)
- **COMMUNITY ANIMATORS' PROJECT** (CAP)

**Prerana Field Projects** : Kamathipura Red Light Area

Khetwadi (Falkland Rd ) Redlight Area

Vashinagar (Turbhe ) Redlight Area

Bhiwandi Redlight Area

**Collaborated projects** : Lonavala Residential Care Centre (with ISC Mumbai)

Founder member and Coordinator of :

**NACSET: Network Against Commercial Sexual Exploitation & Trafficking**

**FACSE** : Forum Against Child Sexual Exploitation

Prerana is a National Affiliate of **ECPAT International**

### **Premise of Prerana's work**

These premises are not prejudices or pre-hoc assumptions. Our observations, and insights have evolved over a period of 14 years of close and constant interaction with the innumerable women in India who have been found in a lifestyle commonly referred to as prostitution. The observations and insights have consistently converged to evolve these premises.

- a) The women in prostitution in India are the victims of Commercial Sexual Exploitation (CSE) and are in the flesh trade not out of their free will

- b) They are trafficked into prostitution as a result of deception, force, compulsion, lure, mis-guidance, kidnapping, sex scandals, abduction, and the nefarious activities of the traffickers and other agents of CSE.
- c) These women do not choose to remain in prostitution. They continue to remain there as many times they are criminally confined to be there and in most cases they do not have any feasible, viable, sustained and dignified alternate means of livelihood, protection against re-victimization, and/or any subjective hope of social acceptance.
- d) They do not consider life in prostitution as any desirable lifestyle for themselves or for their children.
- e) They are made vulnerable to being trafficked into CSE by their existential socio-economic conditions such as acute poverty, recurrent migration, natural disasters, recurrent droughts, community and family disintegration, marital desertion, widowhood, non commercial sexual exploitation (intra-household or otherwise), employment in sexual exploitation prone wage sector, labour market depression & sudden unemployment, and every such event that is in the subjective perception of the person, as well as in the immediate culture of the person considered as an undesirable and unfortunate situation and therefore a mishap.
- f) Women from upper class, upper caste, who are educated and are socially well exposed, politically well connected, primarily urban, do not constitute the mainstream of prostitution in India.
- g) Women who have had none of these or similar "mishaps" in their life, or even women who have been, in their own subjective perception or in the understanding of their own explicit immediate culture witnessing "fortunate events and situations" and a sense of accomplishment do not find themselves in prostitution.

This being the dominant reality of the Indian situation it is incorrect to state that women in India willingly join prostitution, or give consent to being trafficked into prostitution, or choose to remain in prostitution, or consider it to be a career or a state of empowerment, or emancipation. Any contrary projection of women in CSE in India is essentially a mis projection, mis-representation, based upon mis perception, and misdiagnosis of the Indian reality,

Any indicator to any rare case of high income of girls serving the upmarket customer is no proof against the fact of their having been trafficked. Any expression represented in their name that projects them to be emancipated, empowered, or subjectively happier than the household woman is ill founded When the victims of

CSE are quoted to have said that they would not like to leave prostitution the situation under which the response is sought needs to be carefully examined.

When the outside situation is not receptive, the civil society is hostile and full of contempt, the victim is obviously apprehensive about any such venture of getting out of the CSE. The history of the attempts (state or NGO led) to "rehabilitate" the rescued women largely suffered from certain major drawbacks. Most of them have relied singularly upon imparting some primary technical skills in tailoring or candle making. Little or no entrepreneurial inputs were given and no backward and forward linkages for ensuring viability self employment activity were established. When the victim was expected to work only on a paltry wage without any provision for housing or reasonably decent shelter, emergency assistance the package of rehabilitation proved inherently non viable. Similarly, these rehabilitation packages were offered without any guarantee or hope of social acceptance whatsoever, without any restoration of dignity and without any protection against re-victimization. Presuming that the victim has any capacity to accept or reject a package then out of the sheer need for self preservation she would reject it.

Regardless of one's stand on prostitution and one's ultimate goal viz a viz prostitution one has to address to the day to day survival problems of these women. Prerana acknowledges that all these women need to have their reality addressed and their daily struggle supported.

While doing so Prerana operated on the following planes.

Provision of immediate relief :

- material
- social &
- psychological

Linking the victim to a group effort at self development

Providing assistance in getting :

- a) long term direct inputs
- b) long term indirect inputs
- c) collective insulation against re-victimization
- d) hope in future
- e) trust in transformation
- f) collective identity
- g) rights perspective
- h) new self identity

**Methodology of working:**

Most of Prerana's accomplishments have been secured through constant interaction with these women. This interaction took course through a wide range of events and situations such as one to one discussions, small group discussions, large group meetings sittings, residential camps, picnics, expeditions, issue based meetings , planning meetings for any action programmes or events, interacting with visiting groups of women from other organizations, visiting other field projects, and a host of such activities.

### **Evolution of activities**

The activities of Prerana have evolved with the following characteristics

They are;

- a) need based
- b) address a given need directly
- c) evolved through constant consultation and interaction with the women
- d) designed with open, balanced, democratic consultation and interaction, where these women have a right to reject any proposal without any fear of repercussions
- e) standardizable, routinizable, & transmissible,
- f) aimed at enhancing the capacity and self reliance of the victims rather than generating new dependence.
- j) never violative or diminutive of any other right ( i.e.
  1. they should not create a situation of conflict of rights)
  2. not in the short or the long run self defeating
  3. based on the fact that these women do not have access to information, evaluation, experiences, experimentation and other scientific techniques of decision making and hence maximum efforts must be made to give adequate access to all these .

e.g. The idea of possible institutional placement of their children is not totally alien or unknown to these women, nevertheless, there are hearsay, rumors, faiths, myths, misperceptions, erroneous information, which in the first instance influence their decision making when they are confronted with the need to remove the child away from the undesirable environment of the redlight area. They also fear permanent loss of the child legally and emotionally. The mass media, and the public opinion usually support such fears and the legal provisions in India also take away from a prostitute mother the right to keep the child to herself. Added to that are the obstacles generated by previous failures and negative antecedents. An NGO has to overcome all of these but without, in any manner, acting as a messiah. Regardless of all this it also has to supplement not mere facts but also hopes about the future.



Yet another example is the Night Care Centre. A night is not merely a natural physical phenomenon. It is a psychological and cultural phenomenon. Redlight assumes vicious forms in the nights where evils are dressed like angels and unknown guests evict the households on the streets. Children witness their mothers being raped nights after nights by ever changing strangers and learn not to seek the mother's company even at the dead of the night since the stranger has the first claim on its mother.

## **WORKING WITH THE WOMEN VICTIMS**

Prerana firmly believes that social reintegration of the victim cannot be complete without suitably changing

- a) The self perception of the victim
- b) The perception of the society

Prerana aims at changing both, the self perception of the victim and the social perception.

**Self perception:** By changing the victim's self image/ self perception. Prerana approached them and they in turn interacted with Prerana in their role of a mother. This was an identity independent of "being seen all the time as a whore / bad woman ". In all subsequent discussions and interaction with Prerana this newly bestowed identity was strengthened as it was full of psychological pay offs.

At another plane the NCC helped establishment of a communication channel through which Prerana and the women could interact without the supervision, manipulation, or influence of the other agents of flesh trade.

To the mother it provides:

- Sense of Hope
- Sense of support & companionship
- Sense of belonging to some support system
- Trust in an alternate non exploitative society
- Sense of future security
- Some freedom from sense of guilt
- Positive relief from humiliating routine of the flesh trade
- Reinforcement of self perception as a mother
- Positive addition to self identity
- Sense of responsibility
- Sense of direction to life
- Sense of empowerment
- Changed power calculation
- Basics of Child Care

- Basics of Child development
- Special knowledge on child care & development usually not available to lay women
- An answer box for a lot of her factual queries on day to day life
- A growth centre
- Opportunities of getting positive feedback for oneself
- A Laboratory to try out alternative behavioral forms

### **Mother & NGO relationship**

The Mother- Prerana relationship was a canvas on which unfolded the process of a more decisive and deep transformation in the life of these women.

#### **❖ Channel of communication**

- Space to interact
- Matrix for interaction
- Part insulation from the brothel based constraints e,g,
- Interception
- Interference
- Monitoring
- Editing
- Censorship
- Manipulation etc.by the Trafficking agents, Madams, Managers, Clients
- Facilitates formation of a collective identity ( even as victims)
- Makes collective thinking feasible
- Opens a direct uninterrupted communication between the NGO (interventionist) and victim
- Helps them understand the structure of power relationship of the sex trade in analytical manner
- Prepares grounds for comradeship
- Opens up information channels
- Direct and exclusive knowledge input helps their empowerment back into the brothel situation
- Direct and exclusive knowledge input helps their empowerment vis a vis the clients
- Minimizes their dependence on the trafficking agents and clients as the only support system in times of crisis
- Generates alternate social support system which reduces their vulnerability and overall dependence on their exploiters

All this is possible if the NCC is not run with a narrow vision that it is just a limited time bound physical custody of some children like any other Creche with the only difference being the children come to the creche at night instead of day.

Prerana encouraged school enrollment of their children. Initially at the time of enrollment admission the school used to insist on entering the name of the father in its register. This demand discouraged many women from approaching the school. At that stage Prerana actively cited an important court rulings and a consequent government orders directing not to insist on father's name. Every incidence of discrimination of these children in the scholastic, institutional, or any other situation was vehemently opposed through singularly or united action of these women.

Slowly however they were helped to appreciate their self as a woman quite independent of their role as a mother. This was achieved through a variety of programmes and measures which helped her to

### overcome

1. self contempt
2. self devaluation
3. diffidence in communication and self expression
4. distrust in the civil society
5. fatalistic attitude

### gain

1. confidence
2. rational self appraisal
3. positive perception about the society
4. knowledge of individual rights
5. hope for the future
6. confidence in negotiation abilities
7. trust in transformation
8. positive self image
  - i) as victim of criminal action; and
  - ii) as wronged by culpable indifference

### **Obtaining Ration Cards:**

The VOCSE unfailingly find their names registered on the voters' list. The brothel keepers deal with the candidates with their literally captive votes. In India a ration card ( RC) is a basic identification document. It is also important for the poor as it gives access to the Public Distribution System (PDS) i.e .to the authorized ration shops where subsidized grains, sugar, kerosene, oil, cloth and few other provisions are supplied to the cardholder. More importantly, it is an important document that establishes ones' residential status. No VOCSE ever had a RC in her name. They could not produce any proof of residence to secure the RC . The brothel keepers never allowed that. Not having a RC card in their name or their name on any ration card deprived these women of their civic identity besides the benefit of the PDS. Prerana took up this issue and after the efforts of two years managed to get RCs In the name of these women regardless of their being unable to produce any proof of residence. Prerana subsequently communicated to many other NGOs and actively helped by to secure RC for the VOCSE in their respective areas. A RC has

a magical spell, it is an identity of belonging to a nation, a basic documentary recognition of being, an access to a range of subsidized essential commodities. getting a RC was not the end of the fight. A ration shop is a place ill reputed for a variety of malpractices. The women were also encouraged and supported to continue their collective action against this cheating and violation. Women now approach the ration shop and get the malpractices corrected without waiting for any leadership from Prerana.

The women were enabled to get Ration Cards. This fight was also based upon the Rights perspective. Prerana disseminated all the relevant information to many other NGOs and women's organizations to encourage them to take up similar action to obtain the RC for women in their areas. Recently, the state government has issued a Government Order mentioning that women in prostitution would be given ration cards even if they cannot fulfill the documentary proof of their residence etc.

Last week app. 100 of women from the redlight area of Kamathipura participated in a protest march against the rise in the prices of essential commodities. at the ration shops. They were a part of a group of 15000 marchers coming from all over the state of Maharashtra under the banner of a federal action committee of NGOs Rationing Kruti Samiti working on issues related to Ration Card and Public Distribution System.

This was the next step. The women came back with happiness and pride writ large on their faces. They proudly reported that;

- they whole heartedly participated in the protest march
- they courted arrest
- no one in the march identified them as women from the red light area
- hence no one treated them with any discrimination
- with the treatment received at the March they forgot their identity as women in prostitution and became members of the civic society like the rest of the marchers who had gathered from all over.
- they now feel confident that the specter of being in prostitution is not unconquerable and it is possible to live out of its haunting shadow and work jointly with the other members of the society.

The organizers of the March were aware of the background of the women who had joined the march representing Prerana and credit also goes to them for handling this participation sensitively.

Prerana is now helping these women to prepare for events where they will have to interact with the others who might come to know about their identity. Gradual and

well planned exposure to positive situations of social interaction and participation in socially important and responsible actions is a very important measure Prerana takes to build social reintegration.

## HEALTH

The enormously funded **AIDS Control & Prevention** programme came as an onslaught on the redlight area women in prostitution. They became the targets of all possible experimentation by the secular administrative, professional agents like health officials, doctors, enterprising researchers. The stories of the havoc caused by them in the life of the victims are now surfacing one by one. The redlight area women were viewed as anything but human beings under the AIDS C & P programmes.

Prerana started its work on HIV/AIDS C & P in 1989 when it was discovered that the prostitutes seeking treatment were being forced or deceived into giving blood samples to public health service centres. We informed the women that they had every right to seek explanation from the public health functionary the purpose of collecting blood samples, and to refuse to give blood for testing if a proper explanation was not forthcoming.

The woman VOCSE was and continues to be considered a source of HIV/AIDS. The entire programme and its supportive state measures put her in the defender's box tried to submit her to a variety of inhuman and humiliating situations. Prerana from the very beginning stood up against this victimization in the name of HIV/AIDS control and prevention.

Without any understanding of the micro level political reality of the redlight they were entrusted with the responsibility to negotiate with the customer to use condom. It was named the Peer Group Education Model.

Prerana placed the entire issue before the women and kept them informed from time to time about the policies and such other information. On their part they shared with us the new dynamics initiated by the AIDS C & P activities within the redlight areas.

The women thoroughly questioned the feasibility of the Peer Group Education Model. They felt that the model did not have a sound basis. It had not taken into consideration the micro level socio political reality of the redlight area situation. They observed that they did not have any power to insist upon the client to use condom. Today, they observe, many of the clients themselves insist on using a condom but their own fancy man never agrees to use one.

Prerana and the women are currently engaged in fighting with the public hospitals who refuse to give any health service to these women when they know or suspect that they have an HIV positive status.

Many enterprising NGOs which had sprung up merely in response to the stunning funds dispersed by the C & P programme entered the redlight area and started working hands in gloves with the agents of flesh trade. While most worked to distribute condoms exclusively through the brothel keepers a few propagated apparently radical and paradigms printed in glossy booklets and international funding agencies funded them. The NACO Phase I flopped miserably. Naturally, since the Peer Group programme was immaturely conceptualized. The Phase I however succeeded in bestowing upon the brothel keepers and pimps a new social identity "the Social Workers", a new status, and access to the higher circles of decision making. People who should have been seen cooling their heels behind the bars were found flying from one star hotel to another attending conferences and workshops on AIDS with their tickets and stay funded by the prestigious International funding agencies. This had a direct effect upon the objective and subjective chances of liberation of the victims as the victims could now see their brothel keeper being celebrated, empowered, and crucially linked to the decision makers.

The women's organizations in India have ultimately conveyed to the Prime Minister their strong objection to the immoral policy of the NACO in working with the agents of flesh trade and thereby legitimizing CSE. Prerana was perhaps the only NGO that had from day one openly and consistently criticized the inappropriateness of the Phase I (Peer Group or targeted Intervention approach of AIDS C & P), and the socially undesirable effects of the indiscreet single point condom popping programme of NACO in the name of AIDS C & P. Prerana continued telling the truth, "if a condom is to be used by the men then tell the men to use them. It is incorrect to put the onus on the already over burdened shoulders of the VOCSE to negotiate with the clients the 'king in the flesh market'.

Prerana stood by them and assisted to articulate their humiliation and shock against the blood sample sucking researcher/ doctors at the private and public hospitals who were singularly interested in these women because of their HIV/AIDS agenda. It is important to note that the exploitation and ill treatment at the hospitals was not only considerably checked but it was achieved through assertion of their Rights by the women.

The women used to be quite unhappy over the offensive and insensitive approaches by the bandwagon of condom poppers under the HIV /AIDS programme. This unhappiness of women was also articulated in terms of violation of their basic human dignity and rights. And it worked. The state following the long tradition of the health department keeps coming out with legislative or programmatic measures to regulate prostitution in order to control HIV/AIDS and invariably the

step it proposes is extremely offending and violative of any human dignity let alone positive rights.

The latest attempt was a Bill that was to be tabled before the legislative assembly called , "The Protection of Maharashtra Commercial Sex Workers Act". It was a bill extraordinarily offending to the women in prostitution and violated every conceivable feature of a civic democratic society. Besides enumeration, registration and regular compulsory medical inspection it also provided for branding the women on their body with tatoos for effective identification and monitoring. It sought exemption from all sensible judicial reviews, constitutional obligations and also sought creation of an autonomous Board as the ultimate authority to settle the issues against the prostitutes. Prerana carried out three rounds of discussions on this Bill with the women joined by some lawyers. A substantive critique was prepared and the inappropriateness of the entire issue was presented by the women themselves before the members of the State Commission for Women. Prerana presented the feelings of the women to the Secretary Women and Child Development Govt. of Maharashtra.

Women strongly condemned the idea of the state physically branding them and demanded that under the law it is the client who should be periodically medically examined and branded. The critique was also made public. This bill was quietly dropped.

### **Action against Police atrocities**

In the beginning of 1999 there was a spate of police brutalities on women in prostitution in major cities in the state of Maharashtra. Under the pretext of having solicited in public places the police went around attacking the women brutally. Several women in the Zone II area of Mumbai suffered indescribably grave physical injury. Prerana had also been working in close collaboration with the Dy. Police Commissioner of that Zone which contains the maximum number of brothels. When the atrocities were brought to the notice of the D. C.P. he effected some positive changes in the situation temporarily but soon the beating resumed. Subsequently, Prerana discussed this issue with the women which resulted into a meeting of app. 300 women with the DCP. The women were helped to realize that there was something called conflict of rights under which the police was compelled to act against them under certain circumstances. The women sought redress of their grievances. Many of them challenged the propriety of physical beating by the police by stating that the police could arrest them and produce before the courts for further action.

The DCP and the women entered into an understanding as per which it was agreed that the women would stick to the inner lanes of the redlight area for soliciting, and in turn the police would never beat them, also because it was their right not to get beaten. The DCP said that he had to protect the other civilians' rights to move around freely without having to face any soliciting situations. The DCP also asked them if they could help him in checking trafficking and CSE of minors and children

by communicating any such case to the police. All women agreed that no children or adults should be forced into prostitution however a minority refrained from giving any commitment to the police to actively help the police by communicating the incidence of children and minors. In the time that followed the Police kept her word .

What were the striking features of this meeting ? First and foremost all the 300 women who attended the meeting were victims and not a single brothel keeper or pimp was allowed to be present. All women spoke unitedly. It was the first time the victim women realized that they could not only talk to but even effectively negotiate with the police without any intermediation or support of the brothel keepers and the pimps. The police acknowledged the right of these women against physical violence.

Some brothel keepers later tried to break this solidarity by creating fights between the women trafficked from Bangladesh and the other Indian women. For the former it is often a do or die issue, hence their reactions too are often extreme. The Indian women were felt that they were pushed away from the redlight area for soliciting due to a large influx of women trafficked from Bangladesh.

The detailed discussions with the women after the meeting with the DCP brought to the surface a few analytical points. It was mentioned that a large number of women and girls were being brought to the red light area and a large majority of them were from Bangladesh. The net rise in the number of women victims had resulted into an extra compulsion from the brothel keepers on the not so hot selling women to cross the ever widening peripheries of the soliciting areas with the core of the redlight area at the centre. The brothel keepers were most unwilling to let the younger and hot selling girls to solicit at places far away from the brothels. The discussion subsequently covered the point that all women who were trafficked were the victims regardless of their place of origin and they should act unitedly. .

These women always become targets of the police action. A few human rights activists often summarily condemned the police crackdown. Ironically however the agents of sex trade were most delighted with the actions of the Human rights activists. Little did the activists realize that with their actions against the police crackdown they were in fact making available larger physical areas for the brothel keeper to operate their trade.

The police carry out raids and rescue operations with varying intensity. This is not to say that the raids and rescue by the police follow any rational, professional scale and quality. The raids and rescue operations are most often frustrated by the appalling scenario on the post rescue scenario. Prerana has filed a Public Interest Litigation in the Mumbai High Court against the State of Maharashtra for the subhuman infrastructural and managerial conditions at the Rescue Homes and the virtual absence of any viable programme of economic rehabilitation in the Rescue Homes let alone for social reintegration. The appalling condition of the PRO in most



parts of the state is often used by the police as an excuse not to enforce the Anti-trafficking laws.

### **Exploitation by Clients and others :**

There are incidences of women being brutally beaten up by their clients and others. The police was in the habit of dismissing any complaint by the women as an internal matter. This state of affair was discussed with the women through many of the empowerment sessions. They were introduced to their rights against physical beating, rights to be heard at the police station and their right to lodge a complaint were explained to them.

For some time Prerana workers accompanied them at the police station to get the complaints registered and complete the procedure. Slowly but surely the women were encouraged to handle the process entirely on their own with only occasional active help from Prerana. Today most of the women handle the procedure of filing the FIR (First Information Report) at the police station. In case of physical beating they first approach the nearest public hospital without any delay get the medical report and then approach the police station for filing the FIR.

### **Right to Collectivization**

Prerana discussed with these women, time and again, that they have not only individual rights but a right to collectivization too. As wronged individuals or as individuals affected by any organized criminal activity or even as individuals affected by culpable indifference by the state they can and should unite and act unitedly. It is unfortunate that the need of these women to express themselves collectively or to act unitedly in order to get their grievances redressed from the state and the civil society has been unfairly traded by some interventionists at the cost of their true identity ,,, the victims.

The VOCSE, powerless that they have been for years, without any grain of self determination have a large number of age old grievances which have not been redressed by the state or the civil society. They have a right to collectivization, collective voice, and collective representation which must not be denied. Some unscrupulous elements and unholy alliances of the agents of flesh trade have however traded to offer this collectivity to the VOCSE in return of their true identity, the victims. The VOCSE seems to have been misguided that their grievances could only be redressed if they got recognized as “workers” like any other workers. In absence of any optional name, identity, or banner some of them complied to this trading with a singular hope to gain some humane treatment and a few redresses.

Prerana has all along staunchly opposed this christening of the sex slaves as “sex workers” from its very first expression. Prerana feels and propagates that the

grievances of the VOCSE can and must be redressed by aptly recognizing them as the Victims of Commercial Sexual Exploitation (VOCSE).

Naming the VOCSE as Sex Workers is an anti social design to distort and camouflage the reality, shield the perpetrators of flesh trade, give them a clean chit, and if possible, endow them with social status and power.

It has been our observation that many individuals and organizations have started using the sex workers to refer to the persons whom they earlier referred by the term prostitutes out of sheer innocence. In many cases it was the uninformed good intention to avoid using the offensive term "prostitute".

Prerana has been taking a strong objection to the indiscreet use of the term "Sex Workers" Or "Commercial Sex Workers" by some groups and individuals. A worker is a desirable sector of any society which the society wishes to sustain, encourage, and honour. A society makes a conscious provision and effort in the socialization of its young members so that they can eventually assume these positions in the job market. A worker joins a category of work on his own choice and any discrimination in job sector based on birth, caste, class etc. is condemned by the civil society. Workers leave their vocation without carrying along with them any social stigma or disqualification in their subsequent life. Any civil society would want its children to join the category of worker as they grow. Do women in sexual slavery fit into this definition?

A girl who is trafficked, inducted, coerced, deceived, circumstantially compelled into flesh trade as an object of sexual exploitation does not fit into this meaning of the term "Worker". The Indian reality by and large indicates that an overwhelmingly large majority of the girls, women and children found in flesh trade as the objects of sexual exploitation are there as a result of deception, fraud, force, coercion, misguidance, sex scandals, sexual exploitation, by anti social and criminal elements. While these are the precipitating factors the predisposing factors are many such as resourcelessness, family disintegration, community disintegration, natural disasters, marital desertion, intra domestic physical violence, sexual exploitation, etc.

The term Commercial Sex Workers is clearly blurs the distinction between the slaves in the sexual slavery and their masters (brothel keepers, pimps, procurers, traffickers, managers, etc) It tries to club the identities of the two truly mutually antagonistic components of flesh trade together and seek legitimacy to the perpetrators of sexual slavery and thus misguides the society.

As it has been noted by researchers and sociologists and other experienced social workers most of the formations floated in the name of Sex workers have been initiated and controlled by the masters of the sexual slave trade.

More fundamentally there are the structural factors such as the gender structured, patriarchal, inegalitarian social arrangement which has little concern for children and women. Where the genderbased, classbased, and castebased inequalities conspire against women and children it is inhuman and exploitative to state that girls (and women) join and continue in this “ profession” ‘ out of their free will’. In a society where women truly do not enjoy any right to self determination it is meaningless to state that they consent to being trafficked into CSE or to staying there.

We seriously question the logic of “consensual trafficking” as it completely fails to explain the preponderance among the women found as the objects of the flesh trade, of low caste (mostly ex-untouchable castes), low class, illiterate, uneducated women, mostly coming from the perennially drought prone, technologically backward, industrially depressed areas and mostly after a social event usually called a mishap,

Indian society has adopted an abolitionist stance viz a viz commercial sexual exploitation. In practice, it has tolerated it in the confines of the redlight areas. Although these double standards are condemnable they are not a proof of consensual trafficking or justification for the continuation of CSE in the name of “Work”.

We also strongly feel that in the abhorrent world of flesh trade the interests of the victims and the perpetrators are exactly opposite and thus any organization, or collectivization which does not make this conflict of interest explicit is more likely to be the devise of the perpetrators of flesh trade to misuse the right of the victims to seek collective redress. The collectivization of the victims must be carefully guarded from the control, manipulation or influence from the agents of flesh trade like the brothel keepers, pimps, procurers, premise owners, financiers etc.

Today, we have reasons to believe that the agents of flesh trade are desperately trying to seek licenses for their illegal trade by popularizing the term Sex Workers and by creating a façade of unionized sex workers. Every such attempt must be nipped in the bud by the state and the civil society. Slaves are not Workers, sexual slaves cannot be sex workers, as a society we should not endorse sexual slavery in the name of sex work, we should never allow the agents of flesh trade to misdirect or misuse the rights and opportunities of collective representation of the victims of CSE to their own unholy anti social goals of perpetuating sexual slavery.

### **Conceptual Clarity :**

Prerana arranges for regular and intensive conceptual clarity workshops for these women (VOCSE). The resource persons for such workshops include wide variety of feminists, activists and ideologues. We believe that the women should be exposed to critical discussions on all available schools of thoughts on prostitution.

The exposure should never be manipulative and should not aim at indoctrinating them.

The representative women of Prerana visited the Sonagachi Durbar Mahila Samavay Samiti which gave the slogan " Sex Work is Real Work". A yet another delegation of a formation which called itself a Forum of Sex Workers recently visited Prerana . On such occasions our women interact directly with these groups representing divergent and at times conflicting views. They exhibit extraordinary abilities in debating and discussing and invariably carry the day.

## **SOCIO ECONOMIC REINTEGRATION**

Prerana keeps access to counseling open for the victim on continued basis.

We operate on the following guidelines in the area of economic rehabilitation

**ECONOMIC REHABILITATION :** Economic rehabilitation is an important and essential but only partial requirement in attaining the goal of social reintegration of the victim.

**VOCATIONAL GUIDANCE & TRAINING:** Vocational Rehabilitation is an important but only a partial requirement in the process of attaining the goal of economic rehabilitation. Vocational guidance and training must be designed very scientifically and professionally. This is particularly so since this aspect has been very unprofessionally and haphazardly handled so far by many agencies government or non government.

Imparting certain traditionally feminine skills without proper consideration to the viability & marketability factors and also without giving the essential complementary entrepreneurial input often results into compounded frustration on the part of the victims as well as the agency staff.

Labour market analysis, Area Skill Demand Surveys, Area Development Plans, District Development Plans, etc. are some of the sound bases on which vocations should be selected for a given area.

Personality resources, education, abilities, aptitude, background, exposure, vulnerability, social skills, social orientation, etc are some of the sound bases on which vocations should be selected for a given victim.

## **ENTREPRENEURIAL TRAINING**

Very often only technical training is given to the trainees but they are expected to become successful entrepreneurs. It is forgotten that even the most qualified,

resourceful, and well connected entrepreneurs go through teething problems and in the case of many emergence of crises and the process of overcoming them is a permanent character of their management. Same should be provided for these victims too.

In this case we are aiming at individuals who are low on all scales, resources, education, exposure, connections, entrepreneurial culture, family background, backup, information and experience.

Decisions regarding vocations must take into consideration many factors besides those related to imparting technical skills. The personality resources, aptitude, background exposure, vulnerability, social skills, social orientation, etc play important role in determining success of vocational rehabilitation.

### PLACEMENT

Training is an important but only a partial requirement of vocational rehabilitation. A trained candidate has to be properly placed in the labour market. Study of the suitability of the workplace, its equation with the candidate, etc are important considerations in economic rehabilitation.

### FOLLOW UP

Follow up of the victims going through the process of rehabilitation / socio economic reintegration is an indispensable activity. We see to it that the peculiar background of the victim is kept confidential and not revealed without an explicit and informed consent of the victim. Follow up must be done with due care to this fact. In absence of a matching change in social perception, and protective environment such exposures might be used by hostile social elements resulting in distress to the victim.

## ACCESS TO SHORT STAY HOMES

The Govt. of India has in principle agreed to sanction a short stay home for Prerana for the benefit of the victims, potential victims and to meet the occasional needs of those who are being socially reintegrated.

Crises in personal life are a normal feature of every individual's life. Individuals coming from traumatic background, history of exploitation, socially stigmatized identity, and resourcelessness are more prone to crises. In the case of the victims of CSE with their special background the chances of the trafficking agents trying to cash on her vulnerability and crisis situation are high. Minimally short stay homes should be available to them to tackle the crisis in their life. The need for short stay homes is not merely required in the initial phases but should be a facility unconditionally available for victims who are in the higher stages of socio-economic reintegration.

The process of Economic rehabilitation or social reintegration is very complex. At Prerana we base these programmes on a firm, close, and continued involvement of the women as a result the women are fully aware of the pros and cons of every decision they make and face the consequences with determination. We go only as much as the woman is prepared to go on a sustained basis. This results in minimum failures. We also feel that in a society which is in transition every entrepreneur is passing through ups and downs. The situation of the victim who embarks upon any self employment activity or enterprise howsoever small, she is likely to face such ups and downs. We help her understand that some of the crises are general and not all crises are due to her peculiar background.

## **VICTIMIZATION THROUGH IDEOLOGIES**

There is a school of thought which argues that regardless of the history of violent trafficking once in prostitution over a period of time these women think that they are more empowered, more emancipated and enjoy higher subjective happiness as compared to a household women living in a patriarchal family. This is a hazardous argument.

**It is hazardous because it attempts ;**

- to underplay the criminal element of trafficking
- to take society's attention away from violation of human dignity, rights and freedom.
- to justify such extreme violence by arguing that its long term effect is positive.

- to establish an abnormal link between a horrific experience of ultimate violence with a future personal happiness.
- to seek social support for trafficking of vulnerable women
- to establish a general moral principle in which extreme physical violence and oppression of a woman is justified if at a later date it is compensated by a social dignity or recognition

### **It is flawed because**

it is not a true representation of the factual conditions of the women trafficked into CSE.

it is not an authentic representation of the subjective experiences and feelings of the women trafficked into CSE.

the claim of the subjective sense of being empowerment, emancipated and "happier than the other women" is erroneous. It is not made by the victim women but by the agents of flesh trade on behalf of the victims.

We have never come across any victim of CSE who corroborate this.

We have discussed this point even with the women who are shown to be  
g) belonging to the fronts and alliances giving slogans like "Sex Work is Real Work" ; or

ii) distributing glossy booklets printed in English language which is alien to them and claiming empowerment, emancipation and etc. It is our repeated observation that none of them corroborated this claim made by the leaders of the fronts and fora floated in their names.

This becomes particularly evident when they emphatically and consistently reply to the questions we ask them about their children namely ;

Do you want your son or daughter in prostitution?

Do you want your son or daughter to be recognized outside as a child of a prostitute?

At the end of the 8 countries' conference "Trafficking and Prostitution.. the Hidden realities" in which 125 women representatives took part a representative of Durbar Mahila Samanvay Samiti stated, "Think of how much it hurts a mother's heart to hear her child being referred to as a Randiki Bachchi (a Whore's daughter). It is difficult to talk to the children about the work their mothers do. They are

uncomfortable about it. Some burst into tears when questioned too closely" (Indian Express April 3<sup>rd</sup> 1997).

During an in house training programme conducted by their own organization SANGRAM the women members of the organizations stated, "We do not want our children to go through what we have been going through. Hence we would educate them or get her married." (Page 34), " We shall not put our children in prostitution. We do not want them to have the same fate that we have suffered from." ( Page 35) "(Muktatechi Bharari (Flight of Freedom Page of VAMP a front of women in prostitution floated by SANGRAM Sangli India).

However, the organizational leadership states, "Girls should be brought into prostitution 3 to 4 years after they start menstruating. If put into prostitution earlier than that they have to face many difficulties. As it is their body is not adequately grown, they do not know much about condom and they have to undergo stitches, suffer from STD, and other diseases. " (Page 29 Op. Cit)

The same organization echoing yet another international position states, " We believe that when involuntary initiation into prostitution occurs, a process of socialization within the institution of prostitution exists , whereby the involuntary nature of the business changes increasingly into one of active acceptance , not necessarily with resignation, .this is not a coercive process." Page 27 " Of Veshyas, Vamps, Whores, and Women). VAMP holds that once in prostitution women like to remain in it sincethey experience more empowerment, emancipated status and subjectively more happiness as compared to a household woman.

Without any prejudice to the position taken by us which is mentioned above and constantly reflected in the text of this paper even if we presume for a moment that the women in prostitution at a later date state that they would like to continue to remain in prostitution this;

can in no way be used to justify the violent situation of trafficking

can in no way be used to justify the subsequent violence meted out to the victim of CSE.

is not to be treated as the Manifesto of the women victimized in CSE

is not a choice taken in an open situation with several realizable options and hence it is a negative choice

is not a life desired by them

is a very specific reaction given to the perceived impossibility of being accepted by the society let alone recognized

is a kind of defence mechanism (rationalization) used to retain



emotional harmony and self esteem

When the victim

is subjectively convinced that the society is not prepared to accept it  
back into the society

is unaware of unsure about and unequipped with any other means of  
earning livelihood

is told repeatedly and has thus internalized that being trafficked into CSE  
is a one way ticket

has not witnessed any successful case of social reintegration of VOCSE

then it is only natural that the victim will declare that she wishes to  
remain in prostitution.

It is often ignored that there is something called readjustment to the situation of freedom which not only depends upon the objective external conditions but also and strongly upon the subjective conditions and perception of the victim. The severity and the chronicity of victimization impairs the victim's ability to accept situation of freedom.

Many times such responses are sought or collected at an inappropriate time and projected in a wrong manner. e.g. if a colony of agrestic slaves catches fire and theorists approach them apparently to help but ask a general question, "What do you want?" In all probability the slaves are likely to ask for a blanket, a piece of cloth, restoration of roof, some grains that is gutted in fire and some grains. They are least likely to ask for freedom, let alone enfranchisement, reservation in the parliament, or appropriate changes in the International Conventions about slavery.

If approached on any other time with a casual inquiry under a facade of giving some small relief they are most likely to state that their shackles made of spiked iron may be replaced by non spiky aluminum shackles and they may be given a small break in the noon to rest. If anyone collates these expressions and portrays them as the Charter of Demand of the slaves or the Manifesto of the Slaves she is not only committing error of logic but being insensitive and inhuman to the victims of slavery.

### **Implementation of the Anti Trafficking laws**

As a voluntary organization Prerana cannot implement the Anti trafficking laws and it makes no attempt to replace the police or to duplicate the efforts of the police. It believes that a broader social awareness in the society and creation of political will among the leaders of the state and the bureaucracy can effect implementation of

the Anti trafficking laws. The Sensitization and training of the enforcement machinery and political leaders can facilitate proper implementation of the anti trafficking laws and hence Prerana undertakes S & T activities extensively.

Prerana works with the state and other professional bodies on regular basis for the evolution of appropriate legislation, convention, policies, rules and programmes.

▪ **Speedy disposal of cases**

Justice delayed is justice denied . Prerana has been seeking several reforms in the criminal procedure, prosecution, judicial procedures in order to facilitate faster justice to the victim and to prevent revictimization of the victims.

▪ **Implementation of legal provisions for the treatment of victims**

Drastic overhaul and updating Post Rescue Operations ( PRO)

Prerana is currently fighting a case under Public Interest Litigation at the Mumbai High Court against the State Government of Maharashtra for improvements in the Post Rescue Operations.

Some of the areas which need overhauling are preparation/ drafting of the chargesheet, citing appropriate laws, collecting and sustaining witnesses. collecting proper evidence

using recorded witness, setting up of special courts, setting up a time frame for disposal of the case are crucially important for giving relief and justice to the victim.

▪ **Seeking Special police force exclusively for enforcement of anti trafficking laws**

Recruitment in the special force should be on professional grounds, of professionally trained personnel, supervised independent line of authority with little scope for interdepartmental transfers except at the top level.

## **CHANGING SOCIAL PERCEPTION**

### **Socialization of intervention:**

A complex chronic and serious problem like trafficking and CSE cannot be left to the bureaucracy, enforcement agencies or any NGO for its resolution. It is a social problem the resolution of which must become a responsibility of the entire society. From this point of view Prerana has now started a campaign for socialization of social intervention on CSE & T .

It includes

1. Breaking monopolies
2. Overcoming social apathy
3. Calling indifference culpable

## **SENSITIZATION & TRAINING**

Many well meaning visitors to our projects visit the redlight area brothels and look at the small cot that barely fits into the miniature room in a dingy corner of the brothel where the mother is everyday raped say, "Oh! Is that all that belongs to her?" and get their impressions corrected from us that those women have no right even over that single cot and it is shared by many women who are taken there in turns. This is the beginning of correcting the social perception.

Prerana takes up Sensitization and Training ( **S&T**) programmes for a variety of special functionaries. This component of our work is currently being augmented because of its intimate and crucial role in the Prevention, Social Intervention, and Social reintegration of the Victims including the Post Rescue Operations.

The victims of CSE often get repeatedly re-victimized at the police stations, public hospitals, boarding homes (where their children are /can be placed), civic offices, etc.

Better understanding on the issue of CSE & T attained through S &T programmes goes a long way in minimizing such re-victimization.

Our preliminary efforts at S & T of the Police, and Bus drivers and conductors have shown some very positive results in a better understanding and coordination between these two further resulting into effective referrals of the missing, potential trafficked victims, and victims of suspect trafficking situation, etc.

Prerana is now working on S & T of the legislators across the political party lines. This is proposed to be followed by S & T of the corporators of the civic body. We meet a large number of press and media people and takes every opportunity to sensitize them. This facilitates the handling of the issue of CSE in a more matured manner by the media.

The modest attempts at socialization took Prerana to such wide array of functionaries almost all of whom showed keen interest in knowing more about the CSE & T situation domestic and global and shared our concern with willingness to actively support the cause. These include, Legislators, Members of Parliament, Collector (District Head of Govt. Admn.), Superintendent of Police, Railway Police Press Editors, Dist Social Welfare Officers, Dist Women & Child Welfare Officers, Dist Project Officers Integrated Child Development Project, Superintendents of Remand & Rescue Homes, Juvenile Homes, Dist Vocational And Technical Training Officer, Principal Industrial Training Institutes, President Local Self Government, Leaders of Trade Unions, Dist Agricultural officers, Women's Organization, Coordinators of Social Service Wings of the undergraduate colleges, Bus Depot managers and Controllers, NGOs, CBOs, Cooperative Societies Leaders, Managers of Industrial Development Complexes, Office Holders of Local Business

Associations, Auto Rikshaw Drivers, Phone Booth owners, Local Cable TV Operators.

Currently, Prerana is undertaking the Training of Trainers with the hope that what was tried and accomplished on a small scale by Prerana say in a few districts could be achieved in the entire state if we take this issue to more and more people. The social perception and attitude towards prostitution cannot be totally changed in a limited time span but our experience showed that it can certainly and effectively changed to a great extent and this extent of change is capable of offering great relief to the victims. The process starts with using the right word and discrediting the misguiding terms and theories.

Intervention in the situation of the women & children VOCSE is going to be a comprehensive and long term process considering the complex and ever escalating problem of human trafficking for CSE. It is not sufficient to have the participation of the se women in carrying this intervention further. they should be on the forefront in designing, planning and carrying out this activity. From this point of view Prerana has with the help of UNICEF Maharashtra taken up a pilot project of enabling 25 of our women in taking over as community animators. they will be equipped to carry forward the mission of establishing the victims' rights and take up active Anti trafficking work . This could turn out to be their future whole time activity. This is expected to generate the para professional womanpower required for the broader work of social intervention in the situation of the VOCSE.

We, at Prerana strongly believe that with the concerted and determined efforts of all of us here, at this august gathering, one day we would certainly be able to wipe out the abhorrent social curse of CSE & human trafficking. Let us all solemnly note that we are involved in a historical mission. Human civilization has overcome several evil practices in the past. History should serve as a source of support, hope, and confidence for us in this mission. History is kind enough to reserve some of its pages for everyone it is upto us to write our names and actions on them.

**Priti Patkar & Pravin Patkar  
PRERANA, MUMBAI, INDIA**

7 th Lane Kamathipura Mun School, Shuklaji Street, Kamathipura Mumbai 400 008  
; Tel/ Fax : 5700128/5700684 Tel: 3053166  
E Mail : pppatkar@giasbm01.vsnl.net.in