



# Northern India Hotspot 2017 Annual Report

## NORTHERN INDIA HOTSPOT OVERVIEW

### Program goal and objectives:

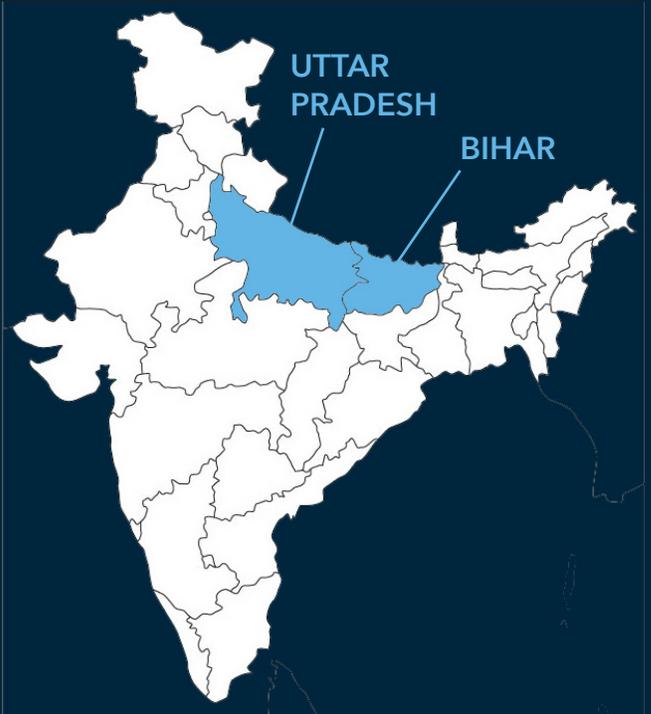
The northern India hotspot aims to reduce the prevalence of bonded labour and trafficking in 30 districts of the states of Bihar and Uttar Pradesh. Working with 22 partner organisations, the hotspot focuses on achieving the following outcomes:

1. **Reduce prevalence** in the specific communities in which our partners are working, through direct prevention, protection and prosecution interventions.
2. Improve the **wider enabling environment** for freedom by:
  - a. Strengthening the functioning of government safety nets.
  - b. Improving the effectiveness of government structures such as district vigilance committees and child welfare committees.
  - c. Building public awareness and changing attitudes about bonded labour and trafficking.
  - d. Increasing legal deterrence so that traffickers do not enjoy impunity but instead are more likely to face arrest and prosecution.
3. **Increase civil society's capacity** for sustained and effective action.
4. Support **rigorous research and evaluation** in the hotspot.

### BONDED LABOUR AND TRAFFICKING IN NORTHERN INDIA

- Despite India's strong laws, high levels of bonded labour are still documented in a range of industries, such as agriculture, stone quarries and brick kilns.
- Debt bondage is the main mechanism, in which workers take out loans or inherit inter-generational debts at extortionate rates.
- Families are then forced to work for that same employer to pay off the debt.

### WHERE WE WORK



## 1. OPERATING CONTEXT



Image: Atul Loke, Legatum Limited, 2018.

During 2017, substantial progress was made despite significant difficulties such as severe flooding in August. Many of the NGO partners' districts in Bihar were devastated, with homes, crops and livestock destroyed, increasing community members' vulnerability to bonded labour and human trafficking. With extensive damage to roadways, relief agencies were unable to swiftly reach many remote communities. Partner organisations that were already working in highly affected areas were well-positioned to provide relief. Through emergency grants provided by the Freedom Fund, six partners supported community members with shelter, food, cooking supplies, health camps and sanitation kits. They actively coordinated with government to rescue residents from areas with dangerous levels of flooding. This work, while critical for the safety of community members, delayed activities that were scheduled for the second half of the year.

A change of government in Uttar Pradesh (UP) following elections in February 2017 provided challenges and opportunities. Partners needed to quickly develop rapport with new officials. The election of a new Chief Minister resulted in fresh momentum for addressing bonded labour and providing specific protections for women and children. For example, the UP government arranged for two Freedom Fund partners, PGS and MSEMVS, to support the development of "child labour free zones" in the state.

Throughout the year, the national and state administrations strengthened measures to address bonded labour and trafficking, aided by our partners' Human Liberty Network (HLN). HLN was requested to provide feedback on a number of schemes, such as the Bonded Labour Act's Central Sector Scheme for compensation, the Child and Adolescent Labour Act regulations, National Child Labour Project (NCLP) scheme and Integrated Child Protection Scheme (ICPS). The partners' recommendations resulted in several improvements in planned implementation of these schemes.

## 2. HEADLINE RESULTS



### 12,220 individuals gained access to government services

This included connecting individuals and families to entitlements and vital documentation such as social security, identity documents, birth registration, supplemental income, widow allowances and pensions. Accessing these services reduced community members' vulnerability to bonded labour and human trafficking. Partner organisations also helped community members build their skills in accessing government services independently in the future.

### Partners supported 26,834 individuals with social and/or legal assistance

They provided this support through partner-run legal aid centres, resource centres, shelter homes and direct case management support. These efforts helped build physical and emotional resilience, promoting self-determination and reducing the likelihood of re-trafficking.

### 2,812 individuals were liberated from situations of bonded labour and trafficking with support for recovery

Partner organisations continued to pursue the sustainable liberation of men, women and children. In 2017, 2,812 people were supported to exit bonded labour and trafficking alongside coordinated recovery efforts and referrals. These liberations were achieved through a variety of interventions, such as providing alternative sources of income and reducing dependency on loans, coordinating official rescues of individuals and intercepting trafficked children while in transit. After survivors left these situations, partners supported survivors by developing individual recovery plans, including access to government services, compensation, legal case support, home community reintegration and referrals to other NGOs as needed.

## NGO partners supported 1,298 community freedom groups with 17,796 group members participating

Community freedom groups continued to act as a bedrock of community action, vigilance, and learning in the northern India hotspot in 2017. These groups, made up of women, men, adolescents and children in at-risk communities, participated in trainings to understand their rights, risk factors, collective action and existing systems in place to respond to bonded labour and trafficking. Many group members were elected into positions of public leadership in 2017, unlocking greater influence to make positive and lasting changes on behalf of these highly affected communities. For example, 22 Community Vigilance Committee members were successfully elected to the village government across our partner TSN's working areas.

## 1,949 individuals earned a new income

Establishing alternative livelihoods is critical to successfully addressing community members' vulnerabilities to trafficking. The northern India hotspot partners provided market-based trainings and linkages to community members, seeking to create sustainable employment opportunities.

Community members were equipped with skills to manage their own businesses such as automobile repair, tailoring, lac bangle making and raising livestock, including goats, pigs and poultry. Four partner organisations worked alongside Access Livelihood Consulting (ALC), to ensure that vocational training provided by partner organisations was driven by market demand. Through these initiatives, 1,949 individuals earned a new income, a significant step toward self-sustainability.



Image, above: Atul Loke © The Freedom Fund

### 3. ADDRESSING SYSTEMIC DRIVERS OF BONDED LABOUR AND TRAFFICKING



Image: Human Liberty Network

Image, above: Worker rescued from bonded labour in a brick kiln holds copies of a letter sent from the Ministry of Labour to Ministry of Women and Child Development, regarding progress on the Bill, in response to the worker's inquiry. Ginny Baumann © The Freedom Fund

Recognition of the expertise of Freedom Fund partner organisations has led to numerous requests for their input and recommendations on government policies and guiding documents. Through HLN collaboration and coordinated efforts with government officials, judiciary and law enforcement, hotspot partners continued to address systemic drivers of slavery.

#### Contributing to improved legal services, and a landmark decision<sup>1</sup>

Our partners Justice Ventures International (JVI), Adithi and Regions Beyond Medical Union Society worked with District Legal Services Authorities (DLSAs)<sup>2</sup> in Sitamarhi and East Champaran to improve the provision of free legal services to vulnerable community members. They organised trainings that strengthened DLSA officials' understanding of how to address human rights violations, leading to better services for program participants.

<sup>1</sup> <http://www.livelaw.in/sc-cancels-bail-granted-woman-accused-forcing-girls-prostitution-read-order/>

<sup>2</sup> DLSAs are located in each district of India and are tasked with providing free legal aid and support to marginalised communities, ensuring equal opportunity for the resolution and mediation of legal cases.

Partner organisations' work to activate legal responses has led to breakthrough verdicts, putting pressure on perpetrators. For example, in December 2017, following an appeal by the Freedom Fund's partner organisation, Guria, the Indian Supreme Court cancelled inter-appeal bail of a trafficker who had been convicted of commercial sexual exploitation of girls. Although this individual had been sentenced to 10 years' imprisonment, the state's High Court had initially given her bail after she had served only two months of her sentence. Guria approached the Supreme Court, and after the Supreme Court assessed the gravity of the case, it cancelled the bail. This achievement is particularly noteworthy because Supreme Court rulings are binding precedents throughout India. So it is likely that similar cases will result in the cancellation of bail for individuals who have committed similar serious crimes. Bail rejections also reduce traffickers' ability to influence cases and witnesses.

### Providing feedback on legislation and government schemes.

Throughout 2017, partner organisations were requested by government officials and departments to provide recommendations to improve anti-trafficking and child protection legislation and schemes.

For example, in 2016 there had been a revised Child and Adolescent Labour Act, and, in 2017, new rules were being drafted for its execution. At the request of the Labour Ministry, partner organisation, Prayas, hosted a consultation in Delhi to review the newly drafted rules. Event participants included partner organisations from northern and southern India as well as NGO and INGO representatives from seven states. During the consultation, Prayas collected suggestions for improvements, including defining family relationships more narrowly (since the Act had allowed children to work with family members in some situations); bringing education officials onto district task forces; and adding to the list of hazardous industries in which adolescents should not be working. The Ministry accepted these and other important recommendations for the final version of the schedule.

In August 2017, Prayas and other HLN partners facilitated a discussion with high level government officials focused on the Bonded Labour Rehabilitation Scheme. The objective of the discussion was to improve the delivery of compensation. The event was attended by the Labour Minister, and grassroots practitioners shared information about challenges in implementation.<sup>3</sup> Adult survivors of bonded labour, who had been assisted by Freedom Fund partners to access prompt government compensation, shared how these funds helped them to rebuild their lives and to become change agents in their communities.

<sup>3</sup>This included lack of monitoring, lack of mechanisms to track prosecutions, the need to regulate placement agencies, delay in issuing funds for compensation to the states, and increased need for government-sponsored empowerment and skill-building activities.

At the conclusion of the event, the Labour Minister agreed to a number of next steps, but he then abruptly resigned from being Minister, so the action points were delayed. Partners, especially Prayas, continued to follow-up with the ministry, sharing the meeting notes and written HLN recommendations about the scheme.

Partners also submitted detailed recommendations on the Integrated Child Protection Scheme and National Child Labour Project regulations. The inclusion of their suggestions in various government rules and schedules, and an increasing number of requests from ministries demonstrates the increasing value of HLN's input, helping to strengthen policies and implementation, and benefitting survivors of bonded labour and trafficking.

### Guiding district action plans against child labour

In May 2017, the Labour Department of Uttar Pradesh requested the HLN to develop a model district plan of action for reducing child labour. So our partner, CHETNA, helped other UP partner organisations to outline a legal framework and comprehensive approach. This included best practices relevant to the state, and standard operating procedures for prevention, protection and prosecution efforts - as well as a description of the role of each government department in addressing child labour at the district level. The document is now being finalised by the Office of the Labour Commissioner.

### Enabling anti-trafficking groups' participation in the Niti Aayog

The National Institution for Transforming India (Niti Aayog) continued to lead in the government of India's overall strategy for improvement of social and economic policies.<sup>4</sup> In September 2016, Prayas' General Secretary, Amod Kanth, attended a meeting with the Niti Aayog in which he emphasised the importance of including civil society in the institution's activities. As a result, in 2017, the Niti Aayog formed a Working Committee for Sustainable Engagement with Civil Society Organisations. As coordinator for the committee, Prayas recommended organisations working at the grassroots to join the committee. Two of the agencies now actively participating are Freedom Fund partners from the northern and southern India hotspots - MSEMVS and Peace Trust. As a result, the updating of government policies will be informed by community feedback, with a focus on preventing trafficking and bonded labour.

<sup>4</sup> <http://niti.gov.in/content/overview>

## Facilitating inter-state work against trafficking

In April 2017, Taabar (a local organisation in Rajasthan), Praxis and Prayas coordinated a workshop in Jaipur, with support from the Freedom Fund, that brought together delegates from the governments of Rajasthan and Bihar, as well as representatives from the business community and civil society. Recognising the high number of children trafficked from Bihar in bangle making and embroidery production in Jaipur, the workshop created a space for participants to offer potential solutions. Bihar partner organisations Centre DIRECT and NIRDESH also participated in the consultation, providing community feedback. A follow-up event was organised by Prayas in August, and as a result, Bihar and Rajasthan representatives recognised the need for a multi-stakeholder inter-state committee for rehabilitation and the creation of a Rajasthan State Action Plan. Now the Freedom Fund, along with the same partners, is building on this through its new Child Labour Free Jaipur hotspot.

## Providing information in support of the Trafficking of Persons Bill

Throughout the year, eight partner organisations represented the Human Liberty Network members in a national network (called the Interim Working Group) consisting of anti-trafficking/bonded labour NGOs from eight different states. The purpose of this network is to provide information and support to key stakeholders and government officials about the Trafficking of Persons Bill. HLN members determined that it was particularly important to enable local survivors of bonded labour and trafficking to give their inputs on the value of the bill. Many survivors, along with thousands of community group members, sent messages to government ministries welcoming the bill. The bill now has Cabinet level approval and is expected to come to Parliament soon.

## Supporting government departments with technical assistance and training

Increasingly, the HLN members' expertise was actively sought out to lead issue-focused trainings for officials. Throughout 2017, partner organisations across Bihar were requested by the Anti-Human Trafficking Unit (AHTU) to provide coordinated trainings to AHTUs in each project district. In UP, partner organisations, ROSA and CHETNA facilitated a workshop for AHTU officials in Azamgarh district. As a result, AHTUs were better equipped to provide effective support to survivors of bonded labour and trafficking and their families. Similarly, partners continued to prioritise engaging with police. For example, IDEA and Regions Beyond Medical Union Society, conducted an East Champaran district-level police training focused on trafficking; best practices in liberation; the role of police, NGOs, and CVC members; and legal processes to support survivors.

## 4. ENHANCING CIVIL SOCIETY CAPACITY

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In 2017, partner organisations engaged in a variety of capacity building activities that were self-identified as key areas of growth. For example, several specialists provided training and on-site support to strengthen:

- partners' livelihood strategies,
- their assessment of community maturity (the level of sustained resilience in local communities),
- basic community health initiatives (to reduce illness-related bondage),
- their organisational policies and processes, and
- legal services and strategies.

Additionally, regular community of practice meetings continued to take place between all the partners, and learning events, such as exposure visits with like-minded networks, were organised.

Eleven partners actively engaged in creating capacity building action plans after using the Freedom Fund's Organisational Capacity Analysis Tool (OCAT). These plans resulted in a hotspot-wide training on the basics of fundraising; support to individual partners in improving key policies such as child protection human resources, communication, and conflict of interest; and assisting a partner to build a sustainability plan.

Eleven partner organisations benefited from financial reviews with the Centre for Promoting Accountability (CPA), a financial services firm. During these visits, partners' financial management systems and internal controls were assessed and recommendations for improvement and best practices were provided. CPA also facilitated vital trainings about updates to government regulations to ensure that partners continue to be fully compliant.

Two events were coordinated with networks from other states - the Jharkhand Anti-Trafficking Network (JATN) and a group of NGOs in West Bengal. In these meetings, partner organisations and NGOs from other states shared information about the context in which they are working, their areas of expertise, and the different manifestations of bonded labour and trafficking. These sharing sessions not only allowed partners to consider new ideas, but also increased their ability to network across states, further ensuring well-coordinated support to survivors.

## 5. LEARNING



*Image, above: Trained para-vets working with partner organisation ROSA, giving vitamin injections to goats provided to households in communities highly affected by bonded labour and trafficking. Ginny Baumann © The Freedom Fund*

2017 was a year of growth and learning for the northern India hotspot. This year saw an increase of collaboration, use of local data and recognition of unique community needs.

### Improved collaboration with and training of key stakeholders

Many partners increased their confidence in interacting with district and state officials. For example, Adithi reported learning about the importance of gaining government buy-in at all levels of program implementation. As a result, Adithi and Justice Ventures International began working directly with the District Legal Services Authority (DLSA) in Adithi's project area. Through these interactions, the organisation ensured that survivors receive better access to justice and government services. The organisation also increased collaboration with AHTU and border police.

### Utilising local data as an outreach tool

Prioritising the collection, local analysis and dissemination of data to key stakeholders, partners gained an increased understanding of how local evidence can strengthen efforts to support systems change.

For example, partner organisation Aangan Trust enabled girls groups and community members to collect data about the locations in which girls in specific communities felt more or less safe. The girls and community members then shared the results with local police officers in an effort to involve police in creating more secure communities. This was found to be a successful strategy, and Aangan now plans to replicate this, in partnership with the Freedom Fund, as a larger approach in Rajasthan.

Additionally, seven partner organisations continued to facilitate and learn from community-level action research groups, with support from Institute for Development Studies (IDS) and Praxis India. Action research enables residents to collect and analyse local data on an issue that would otherwise undermine progress against trafficking and bonded labour (such as health-related loans; alcoholism; the inter-generational nature of bonded labour). The groups then try out practical steps to address the problem, once again reviewing what is working, documenting progress and deciding on further steps. For instance, partner organisation Adithi's action research groups focused on finding ways to encourage dalit children to stay in school. This included working alongside school management committees to reduce stigma and discrimination. Valuable strategies identified in this way will be shared across the hotspot and beyond during 2018.

Another partner, Fakirana Sisters' Society (FSS), collected data focused on trafficking from a particular industry prevalent in its working area - orchestras. These are musical and dance troupes that travel and perform who often severely exploit young performers. After gathering information about orchestras, the performers, the managers and their movements, FSS was able to provide findings to other partner organisations and officials in the community. This contributed to the adaptation of partners' programs to more effectively address trafficking into orchestras.



Image, above: Bihar partners map their areas of reach to reintegrate children returning from Rajasthan. Ginny Baumann © The Freedom Fund

## 6. LOOKING AHEAD

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### Furthering responses to medical debt and poor health as root causes

Through the action research groups, partner organisations increasingly recognised the critical role that knowledge of and access to adequate health services plays in helping community members avoid debt bondage as a result of illness. In 2018, an increasing number of partners will seek to provide basic health services through referrals to local health providers, training to community health workers, and information about health, hygiene, sanitation and available resources to community members.

### Addressing unsafe migration

From 2015 to 2017, partner organisations enabled community vigilance groups (CVCs) to maintain migration registers, ensuring that each community had an accurate record of individuals who were migrating for work, where they were going and for whom they were planning to work. When issues arose, CVC members were equipped to raise them with local authorities. In 2018, partner organisations will continue to encourage use of migration registers, helping program participants to protect other members of their communities.

### Providing continued support to individuals impacted by flooding and other natural disasters

Partners in Bihar will continue their follow up with community members that were supported by 2017 flood relief efforts and will support groups in flood-prone areas to create disaster and risk preparedness plans for their communities.

### Piloting a case management system

In 2018, several interested partner organisations will participate in a case management system pilot project. Initially, this pilot project will seek to understand partners' specific needs for an online case management system. Software developers will create a user-friendly, Internet-based system for tracking interaction with clients, securely sharing information between relevant staff and service providers, and monitoring the services provided by the organisations. It may also help partners track a wider range of their activities.

### Supporting the mental health needs of local communities

The program will seek to identify a specialist mental health organisation that will research the prevalent mental health challenges in the program area and work to provide partner organisations and community members with a basic knowledge of associated systems and how to access treatment.

## Increasing support to individuals returning from Rajasthan

With the set-up of a new Freedom Fund program in Rajasthan, partners in the northern India hotspot will provide increased support and services to children returning to their homes in Bihar after being trafficked to Rajasthan. Working with the governments of Rajasthan and Bihar, partners in the two states will assist in the functioning of an inter-state committee against trafficking. Prayas will facilitate development of a standard operating procedures (SOP) document to guide each step between the two states.

## Supporting rigorous research and evaluation

In 2018, Institute of Development Studies (IDS) and Praxis will conduct a follow-up prevalence study to the baseline data collected in 2015-2016. The research will provide insight into the current state of bonded labour and trafficking in partners' working areas, indicating whether there has been a measurable increase or decrease in prevalence since the baseline. Findings of the action research processes will be documented and shared. Finally, Praxis will conduct interviews with program participants, NGO partners and local officials to gather qualitative feedback about the relevance, effectiveness, efficiency and sustainability of activities through hotspot-funded projects and the program as a whole.

## Building outreach skills

Partner organisations will continue to participate in key networks and groups, such as the Human Liberty Network and Interim Working Group, in 2018. These groups will establish priorities and develop action plans based on the gaps they observe in the implementation of relevant schemes and policies.

During 2017, partners helped to create a new [Northern India Hotspot Strategy 2018-2019](#).

## 7. CASE STUDY



### Shubhawati's story

Shubhawati Devi is one of three female Legal Aid Centre coordinators working with our NGO partner, PGS, in Allahabad district. The centre focuses on assisting 4,000 members of the federation of self-help groups, supported by PGS. These members are either former bonded labourers or struggling to come out of bonded labour.

Shubhawati, 26, grew up in a family of agricultural labourers. She told us that as a child she never had a dream for herself. It was only when she joined a PGS self-help group that she realised that her life could hold more possibilities. The women in the group pushed her to study, and she got admitted to law school 35 km away in the city. Now she goes there five days a month for classes. She aims to be a lawyer who can stand up in court for her clients.

Other women in the self-help group visit the Legal Aid Centre to receive help with government entitlements, take up complaints against violence and access land rights. Shubhawati works 10am to 1pm Monday to Saturday and usually handles two to three cases a day.

Bonded labourers in stone breaking and agriculture face a huge disparity of power, with the landowners and contractors enforcing debt bondage through threats and violence. Access to legal tools helps change that imbalance. Shubhawati suggests that women and girls should come forward to practice law, saying it will make them more fearless if they are lawyers.



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