



Northern India Hotspot Annual Report

2018

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1. Addressing root causes of trafficking and bonded labour: Progress towards systems change

Across the Northern Indian states of Uttar Pradesh (UP) and Bihar, in approximately 700 villages where we work, the exploitation of children, trafficking of men and women, and intergenerational bondage has its roots in systems of concentrated social power and control. Our hotspot program, as in other hotspots, uses intentional strategies to shift these systems, enabling people to collectively move to sustainable freedom.

Addressing these root causes means engaging closely with government bodies to activate mechanisms that can protect people. At the same time, within severely marginalised communities, it means building tangible experiences of organising together to access basic rights. To create and uphold these changes, it takes committed collaboration: our 15 NGO partners in Northern India have continued to deepen their work together through the Human Liberty Network (HLN), sharing their hard-won local innovations and bringing their grassroots insights to the attention of government in a united way.

In 2018, we saw many results from this way of working. For example:

- **Public awareness and attitude change led to government directives to protect children:** In northern Bihar, several partners have been working in villages where dance troupes are often brought in to entertain crowds at weddings. But these troupes, known as orchestras, also serve as an entry point for brutal sexual exploitation of the young dancers. While many communities have now announced “No orchestras, no slavery” in their villages, our NGO partners *IDEA* and *Prayas* also reached out to district officials, and this resulted in a ban on the employment of children in dance troupes across the district.
- **NGO partner outreach to government, led to activation of protective bodies:**
 - *Nirdesh*’s outreach resulted in the formation of Block-level Anti-Human Trafficking Units (AHTUs) to ensure dedicated police efforts
 - Outreach by *Adithi*, *BMVS*, *Duncan*, *FSS* and *Prayas* resulted in the setting up of official Child Protection Committees (CPCs) at village and block levels.
- **NGO engagement of government, led to better coordination of departments towards the joint mission against trafficking:**
 - Child Welfare Committee (CWC) members from 11 highly vulnerable source districts in Bihar reached a working agreement with the CWC from Jaipur (Rajasthan) for effective support for reintegration of trafficked children. Previously, children were returning home, slipping through the safety net and being re-trafficked.
 - *ROSA*’s outreach to officials resulted in faster and smoother coordination: Children who are rescued by railway authorities are now presented to the Child Welfare Committee (CWC) for care and protection. In one example, better coordination resulted in the prompt rescue of a child before she was harmed.
- **NGO outreach led to new government practices in compensating survivors of trafficking:**
 - *JVI*’s outreach resulted in monetary victim compensation being awarded to survivors of trafficking and child sex abuse for the first time in Bihar.

The hotspot also saw progress in communities organising to access their rights: In many places, community-based social demand improved the functioning of local officials who now fear escalation or media amplification of complaints. In some places these were small but significant achievements: A community

challenged powerful caste structures by securing police protection to construct a government-funded toilet rather than be deterred by threats from influential groups.

In other cases, communities learned to navigate government systems in order to **reach out to more senior decision makers**:

- Communities supported by our partner *ROSA* escalated issues of debt bondage and child labour directly to the Uttar Pradesh Chief Minister's Office through web-based official grievance mechanisms. 203 cases have been registered so far and complainants have gained speedy redress.
- Outreach to a Member of the Legislative Assembly by a *PGS*-supported community resulted in electrification of their village after repeated unsuccessful pleas to local authorities.
- Adolescent girls supported by *ROSA* are challenging culturally entrenched gender-based violence. Groups of labourers' daughters secured the support of local authorities in putting a stop to sexual harassment in public places and installation of a hand-pump.

Much more is needed. For example, more concerted, sustained and evidence-based work is required towards common goals, and the voices of trafficking survivors and former child labourers are only beginning to gain the influence that should be central to these efforts.



Photo: Jaipur Child Welfare Committee members travelled to Bihar to meet with reintegrated children who had been rescued in Jaipur.

2. Operating context

At the national level, many anti-trafficking groups took advantage of the opportunity to try to reform the law related to trafficking. Freedom Fund partners throughout India mobilised communities enthusiastically in support of the proposed Trafficking of Persons Bill. The momentum behind this Bill in parliament and the lively national debate has significantly raised the visibility of all forms of trafficking in India.

Many communities in Bihar were once again affected by floods, and this delayed program work for around three months because our NGO partners in these areas focused on urgent disease-prevention needs.

In Bihar and UP, the state governments continued their initiatives against child labour by working towards child labour free zones, drawing on assistance from our partners and others. At the same time, the Bihar government continued to seek to bring shelter homes under its own direct management, following the abuses found in government-funded shelter homes earlier in the year.



Photo: Training event for Gaya District Legal Services Authority.

3. Hotspot Outputs & Outcomes

3.1 Headline Results

17,931 individuals gained new access to mandated rights and entitlements

In 2018, the hotspot partner NGOs were able to increase the delivery of government entitlements to communities thereby enabling them to increase resilience against bonded labour and trafficking. These entitlements include victim compensation, land holdings, housing, pensions, toilets, water supply, school uniforms, and education scholarships.

2,805 individuals liberated from bonded labour and trafficking

In 2018, the hotspot partners were able to liberate 2,805 individuals (including 1,954 children) not only through rescue but also through community pressure and collective negotiation. Partners are improving their approach to liberation and are now conducting more frequent rescues at great distances from their project areas, based on information received by the community. For instance, *TSN* liberated 8 people from Jammu and Kashmir whereas *ROSA* liberated 5 people from Malaysia.

4,675 children enrolled in school

In 2018, the hotspot partners were able to enrol 4,675 out of school children and former child labourers into education. Many partners empowered communities to monitor the quality of education and nutrition provided in government schools thereby ensuring that children and families remain motivated for education.

92 communities declared free from bonded labour and trafficking

In 2018, 92 communities were declared entirely free from bonded labour, child exploitation and trafficking, ending inter-generational bonded labour for thousands of families. In these communities (with a total population of 23,970), until a few years ago, high proportions had been in severe exploitation. They now work in freedom, have made significant improvements in government services to their villages, and know how to assert their rights.

3.2 Progress towards hotspot objectives

Hotspot Objective 1: Reducing the prevalence of human trafficking and bonded labour

The first objective of the hotspot is to enable communities to progressively eliminate exploitation of children, trafficking and debt bondage directly in the villages where they are working, and to increasingly help those communities work together towards common goals.

Liberation: Partners' solid relationships with local authorities are improving government interventions and ensuring that rescued persons receive the social and legal services necessary to remain free. For example, *Centre Direct* is now an official partner of the Border Security Force for rescues conducted along the Indo-Nepal border. *BMVS* is assisting the district administration, at their request, to try to make blocks (administrative areas covering hundreds of villages) child labour free.

Prevention: In one of the local religious festivals, in 2017, no less than 450 children had gone missing and were vulnerable to abuse, trauma and possible trafficking. This year, through collaborative approaches with police, *Aangan* reduced the number of missing children's complaints during a religious festival to zero.

Another innovative preventive strategy was developed in *PGS-supported communities*, where they found that food insecurity was plunging families back into debt bondage or unsafe migration. Here, they set up 46 community grain banks, where families can borrow enough grain for temporary survival, returning it to the common stock soon after.

Livelihoods: *Duncan's* training on new agricultural techniques helped 316 farmers with tiny landholdings to increase yields by 30-50% thereby reducing their risk of unsafe migration and demonstrating the value of these techniques to other farmers. *Duncan's* family-based income generation programmes on goat rearing has led to increase in income by 35%.

Education: *MSEMVS'* negotiation with schools as well as brick kiln owners resulted in the owners providing migrant children with the documents necessary for local school enrolment and ensuring they are safely cared for and productively engaged while their parents work (for 9 months every year).

Entitlements: *PGS'* assistance to the UP government in working towards 90 villages becoming child-labour free resulted in 3,048 child labourers being provided with services. Partners are ensuring substantial and measurable benefits are actually reaching communities: For example, in 2018, the monetary value of entitlements delivered to communities through *BMVS* was \$53,000 whereas the value delivered to communities by *Centre Direct* was \$62,500.

Reintegration: Partners in Bihar are starting to more systematically assist children who have been trafficked and then return to families. For example, *Centre Direct's* intervention has resulted in 92.5% of repatriated children and adolescents from Jaipur remaining safe in their communities.

Legal Work: We began to use a more analytical approach to resolving obstacles in legal cases. For example, our partner *TSN* provided evidence of systemic failings in local police work to the District Magistrate in Saharsa. As a result, the District Magistrate issued orders for inter-agency information-sharing, filing of pending forensic reports, and execution of outstanding warrants. It led to arrest of three perpetrators and one conviction.

The program has given concentrated attention on specific issues such as reintegration, and this has helped us get better data on gaps in delivery, so we can give targeted support to partners. For instance, although we can see that 96% of children who returned from Jaipur have remained home, only 33% of these have been enrolled in school. The next step then is to understand and address the obstacles these children and older adolescents face in accessing or being willing to rejoin education. Vocational training is a better option for some.

We are also reviewing data collection and reporting tools so that we have more information about which activities deliver most value to communities. Our locally-based Program Advisors can then provide more targeted guidance and assistance.

There are persistent challenges on promoting education and on progressing legal cases: Due to poor quality schools as well as the lack of short-term benefits from children's education, some parents prefer to send their children to work rather than to school.

Hotspot Objective 2: Widening the enabling environment for freedom and improving the effectiveness of government

The second objective is to persistently and strategically support government bodies to fulfil their responsibilities.

Delivery of the right to child protection: Across India, officially-appointed Child Protection Committees (CPC) are supposed to function as the local eyes and ears of government, to identify and protect vulnerable children, but in many places they do not meet or do not understand their responsibilities. To help prevent child exploitation in a sustainable way, the Northern India hotspot promotes the functioning of these committees. For example: *MSEMVS* negotiated with local government so that they provided a special room for CPC meetings in 28 villages, so these committees gained a sense of recognition and improved their provision of community safety nets for children. *Centre Direct's* outreach to the District Magistrate resulted in first-time sponsorship (financial support) of 40 vulnerable children. The sponsorship system was not otherwise in action. Similarly, *Prayas* assisted the Bihar government in making the Special Juvenile Police Units functional in all districts of Bihar - a key first step in dedicated law enforcement units for children.

Delivery of rights against bonded labour: *FSS's* outreach to the Labour Department resulted in the first-ever registration of migrant labourers in the district. By getting registered, it delivers multiple financial benefits to migrant workers, who are otherwise highly vulnerable to falling into debt bondage. Similarly, *ROSA's* outreach to the UP government resulted in the first-ever meeting of the Bonded Labour Vigilance Committee for their district since the passing of the Bonded Labour Act in 1976. This is a key first step to ensure state and civil society joint action on bonded labour, as well as to reduce the invisibility of bonded labour.

Delivery of the right to legal aid: While partners increased their own provision of legal aid in the communities, they also realised the importance of activating statutory legal aid, in order to reach many more people. Partners are therefore drawing in the State Legal Services Authority (SLSA) to actively provide services to marginalised communities. *Centre Direct* and *Adithi* worked with SLSA to hold Legal Aid Camps. These are day long events where representatives from multiple government departments have booths at which individuals can register for benefits. These events also resulted in official government follow-up on large numbers of pending applications. Both partners have built upon this: *Centre Direct's* partnership with SLSA led to their support for the NGO's Legal Aid Cells and a new focus on the government delivery of legal aid on trafficking issues. *Adithi's* deployment of SLSA's para-legal volunteers has resulted in a 25% increase in case-reporting from the community as well as monitoring school enrolment figures.

Demonstrating social demand and building the will for policy change:

Partners across UP and Bihar organised signature and postcard campaigns, and candle marches to show the level of public support for the Trafficking of Persons Bill. These campaigns received wide coverage through at least 140 articles in local media outlets across the hotspot. Partners and survivors met with influential politicians in Bihar, UP and Delhi to share their direct knowledge of the issues. In July and December, partners and survivors from 11 states of India had round-table discussions with Members of Parliament (MPs) to urge their support for the Bill. A 9-minute video on the survivors' policy engagement is here:

https://www.youtube.com/watch?time_continue=1&v=E5NKQCMsct4

While introducing the Bill in Parliament, the Minister for Woman and Child Development, Maneka Gandhi, appreciated *Prayas'* efforts in providing inputs on the Bill. Geetha Kothapalli, an MP who attended a round-table discussion, used data provided by partners and survivors in her arguments in support of the Bill in the Lower House of Parliament. The Bill passed in the Lower House with multi-party support.

At the invitation of several political parties, partners have provided information about why it is important to include trafficking, bonded labour and child protection issues to their manifestos.

Though the Bill did not become law, partners are continuing to use the policy engagement skills and media contacts gained during this process for more focused outreach to decision makers, and it is also helping them overcome blockages in the community-level work.

There is wide disparity in partners' capacity for policy work as well as media outreach. HLN as a whole also needs to increase skills in selection of key issues and consistently focusing on their shared objectives.

Hotspot objective 3: Increasing civil society's capacity for sustained and effective action against bonded labour and trafficking

The third objective is to enable partners to continuously improve their skills and the quality of their interventions, to establish new collaborations and be able to overcome strategic challenges that emerge.

During 2018 we saw many examples of partners taking on new approaches to their work due to training, exposure visits and collaboration. For example, through *JVI's* support, *Duncan* conducted their first-ever bonded labour rescue and worked with the SLSA for rehabilitation support for the survivors.

In 2018, the expanded use of the Community Maturity Tool (CMT) began to yield results for several partners. This is the tool through which partners help each community to assess its progress towards eliminating bonded labour and trafficking and the ability to sustain their freedom independently. Using a systematic approach, it looks at all aspects of the community's strengths and resilience so that NGO fieldworkers can help community freedom groups focus on issues that are still generating vulnerability. *Duncan*, which was initially struggling to administer the Community Maturity Tool, has now emerged as a trainer for other NGOs.

Building on earlier use of the Organisational Capacity Analysis Tool, partners have adopted policies for child protection, sexual harassment, financial management, and human resources. In one example of progress, one of the partners took decisive action against a senior staffer who was sexually harassing female staff.

Following its recognition as the best-managed NGO in Uttar Pradesh, *PGS* is now training new recruits at the National Agricultural Bank for Agriculture and Rural Development (NABARD) - a government owned bank.

The Human Liberty Network meetings provide a good forum for cross-learning among partners. The active role of Freedom Fund Advisors helps partners identify and implement best practices learned from each other. For instance, *Aangan's* initiative in preventing children from going missing during fairs was replicated by *PGS* due to close involvement of our Advisors.

Partners are more proactively engaging with the media: for instance, *IDF* and *Centre Direct* held workshops to build rapport with the media and bring more visibility to issues surrounding trafficking.

Hotspot objective 4: Supporting rigorous research and evaluation in the hotspot

The fourth objective of the hotspot is to serve as a learning resource for the wider movement, and to ensure that outcomes of the work can be understood and shared.

Completion of the independent hotspot evaluation: The Institute of Development Studies and Praxis India have been completing final stages of their three-year evaluation of the Northern India hotspot. They have been conducting interviews with a random selection of program participants on communities, as well as NGO partners and Freedom Fund staff. The final report will be published in June 2019, feeding into the strategic adaptation of the hotspot as it moves into the next phase for 2020 – 2022.

Follow-up prevalence survey: Most of the partners worked with IDS and Praxis on the follow-up survey to measure the extent of any reductions in levels of child labour, bonded labour and trafficking from intervention villages. As with the baseline survey in 2015/16, the use of a participatory method allowed community members to immediately analyse together the results from their hamlet, as well as deepening their understanding of how to diagnose bonded labour and trafficking. Results in a sample of villages were verified by Praxis.

Action Research: Seven partners completed the first round of participatory action research aimed at tackling key issues that are holding communities back from sustained freedom: They reported success in challenging discrimination against dalit (so-called low caste) children in schools; improved delivery of health services to reduce major debts related to illnesses; and effective community mobilisation against alcohol abuse. They plan to expand use of this method to help community members think through and act together on their most pressing problems.



Photo: Bonded labour rescue, Duncan and JVI.

4. Supporting a Community of Practice

The Human Liberty Network meets every month and discusses program as well as policy items. As a Community of Practice, HLN functions to jointly plan policy engagement and to set common standards for quality of interventions. For smaller partners and those based in remote and poorly connected parts of the states, HLN helps to magnify their voices and make their issues more visible.

In October, partners decided on concrete policy engagement goals for 2019 including improvements in delivery of child protection and victim compensation schemes. They are also now generating and collating evidence to support use of legal remedies to promote speedy trials and to ensure availability of compensation in cases of inter-state trafficking. This approach will improve the legal system's effectiveness on these issues.

When partners jointly reviewed their provision of on-going support when trafficking survivors return to their home villages, they found strengths and gaps. So they worked together to generate agreement on HLN standards and tracking systems.

The Freedom Fund recruited a legal specialist who will further strengthen the capacity of partners to generate evidence and think strategically about legal work.



Photo: A survivor collective from UP, Azad Shakti Abhiyan, meets an upper house MP.

5. Case Study

Empowering a Survivors' collective - *Azad Shakti Abhiyan*



Photo: *Azad Shakti Abhiyan* meets a District Chairperson of one of the political parties to discuss support for bonded labour survivors.

In Uttar Pradesh, issues of bonded labour are intertwined with the caste system and reinforce discriminating practices. Interventions, like those of *MSEMVS*, which are led by community members to drive socio-cultural transformation can deliver sustainable change.

MSEMVS works with the *Musahar* communities that are treated as untouchable. They face discrimination at all levels. Forced by custom to serve the influential castes, any attempt to improve their socio-economic condition has been strongly and often violently resisted by local elites.

Musahar children face acute discrimination in school due to caste. For example, some of the children have unconventional names, because parents may have heard a word but didn't understand the meaning, and used it to name their children. These names make the children objects of mockery in the classroom. Despite the right to education, the discrimination, segregation and ridicule keeps the children away from schools.

The sense of inferiority has been constantly reinforced across the generations by unjust demands: Influential castes demand the *Musahar's* service (often unpaid) at social events to clean up the leftover food after the guests have eaten. Their children's education is disrupted by demands that they attend to urgent work for the influential castes.

MSEMVS addresses this socially-rooted discrimination by empowering survivors of bonded labour and community members to combat discrimination collectively. The inter-village collective known as the "*Azad*

Shakti Abhiyan" (or Strong Campaign for Freedom) started off by prioritising their children's dignity, hygiene and education.

Prioritising hygiene not only improved the health of the community but also the public perception of them. New uniforms provided by *MSEMVS* made it possible for their children to attend classes without being ridiculed. The collective also guided parents to change the odd names of their children to more conventional ones to help the children gain acceptance.

Mentored by *MSEMVS*, *Azad Shakti Abhiyan* collectivised resistance to discrimination and built the community's legitimate power against unjust demands. In many places, the influential castes have gradually given up trying to force compliance from these communities. Over time, there are also positive signs of inclusion: many of the community members are now invited as guests to social functions including those of the influential groups, and they are treated as equals.

MSEMVS' support to the community has helped them re-claim their dignity, their children no longer have a sense of inferiority, and are motivated to learn and live as equals.



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