



**Policy and practices to address  
commercial sexual exploitation in  
Bangladesh and India**

# Summary for practitioners



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## List of acronyms

ASO	Assessment of Survivors Outcome
BCTIP	Bangladesh Counter Trafficking in Persons Program
BLAST	Bangladesh Legal Aid Services Trust
BNWLA	Bangladesh National Women Lawyers Association
CSE	Commercial sexual exploitation
CSEC	Commercial sexual exploitation of children
CWC	Child Welfare Committee (India)
FIR	First Information Report
GFEMS	Global Fund to End Modern Slavery
GLO ACT	Global Action against Trafficking in Persons and the Smuggling of Migrants
ICT	Information and Communications Technology
IJM	International Justice Mission
IT	Information Technology
ITPA	The Immoral Traffic (Prevention) Act (India)
MHA	Ministry of Home Affairs (India)
MoU	Memorandum of Understanding
MWCD	Ministry of Women and Child Development (India)
NGO	Non-government organisation
NPA	National Plan of Action
NRM	National Referral Mechanism
OKUP	Ovibashi Karmi Unnayan Program (Bangladesh)
PI	Principal Investigator
PSHTA	Prevention and Suppression of Human Trafficking Act (Bangladesh)
RRRI	Rescue, Recovery, Repatriation and Integration
SOP	Standard Operating Procedure
UN	United Nations
UNICEF	United Nations Children’s Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USD	United States Dollar

# 1. Introduction

This document serves as a practitioner summary for any service provider who is supporting adult and child commercial sexual exploitation (CSE) or sex trafficking victims, with an emphasis on the Bangladesh to India corridor.

## Defining Commercial Sexual Exploitation

The United Nations (UN) defines sexual exploitation as ‘the actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.’<sup>1</sup> Thus, CSE of adults may be characterized as sexual exploitation (in line with the preceding definition) accompanied by payment (in cash or in kind) to the person being exploited, or to a third person. CSE comprises elements of trafficking in persons, including the recruitment, enticement, transportation and maintenance of a person for the purpose of sexual exploitation. The trafficker uses authority, deception, physical force and verbal abuse over the victim to involve the victim in sexual activities, which may include, among others prostitution, pornography, and sex tourism (International Labour Organization (ILO), n.d.; UN, 2000).

## Sex trafficking in Bangladesh and India

India is one of the largest sources and destinations globally for trafficking of women and children for CSE (United States (US) Department of State, 2019). It is a key destination country for Bangladeshis trafficked for sexual exploitation. Current estimates indicate that there are 300,000 to 600,000 child trafficking victims in India, which is more than anywhere else in the world (Dalberg, 2019; ILO, 2017).<sup>1</sup>

## Factors driving sex trafficking from Bangladesh to India

According to the literature, Bangladeshi women and girls are often trafficked to India under the false pretence of employment, marriage, or a better life. Most victims are from poor backgrounds, with limited employment opportunities in Bangladesh and low education. Less is known about Bangladeshi men and boys trafficked to India for CSE purposes; stigma means that male victims are often reluctant to report their abuse. The label of ‘trafficked victim’ is much easier applied to females while males remain simply ‘missing’ or are even treated as offenders (Sanjog, 2011).

In 2018...

**561 trafficking cases**

were identified in Bangladesh. 42% were female, and 16% were children.

**1,922 victims**

of trafficking for sexual exploitation were identified in India, as well as 154 victims of child pornography.

<sup>1</sup> The Dalberg report achieved these estimates through reviewing multiple data sources, including ILO, National Aids Control Organization, and interviews with NGOs in 2018.

One of the most important factors contributing to the CSE of adults and children is the existence of a viable marketplace. Recent research by Dalberg (2019) in India suggests that this marketplace is largely supply-driven, involving mostly organised criminal actors working together. In a country where average per capita income is under USD2,000,<sup>2</sup> the exploitation of adults and children in India is a lucrative industry.

## The rapidly changing nature of commercial sexual exploitation of children



The nature of commercial sexual exploitation of children (CSEC) is rapidly changing. CSEC is expanding to urban areas, and shifting from public brothels to private spaces (like spas, massage parlors, lodges). This shift is often enabled by accelerating use of information and communications technology (ICT), which is reducing transaction costs and breaking down barriers like fear of being seen or caught for traffickers and customers alike. For example, customers who shy away from going to brothels can now purchase sex sitting in the comfort of their homes, and web platform hosts can take over the role of traffickers (Dalberg, 2019).

## Legal and policy frameworks

In both Bangladesh and India, a plethora of laws and policies intersect to govern instances of CSE and facilitate protection, reintegration, and repatriation of victims and survivors.<sup>3</sup> The fragmentation of CSE law and policy can result in inconsistent application of protections, misunderstanding of the applicability of relevant legal provisions to a particular situation, and lack of awareness and understanding amongst key officials and stakeholders—as well as among survivors themselves—of the relevant governing regime. Ultimately, this can result in victims and survivors falling through the cracks of fragmented governance. Greater harmonisation of different legislative and policy regimes, as well as increased coordination of relevant official and non-governmental actors in the CSE governance and support systems of both Bangladesh and India is therefore needed to ensure victims receive the support they need for recovery, repatriation, and reintegration.

## Approach to the development of the summary

The Rights Lab conducted a study to support the development of this summary from August 2020 to April 2021. The study included a review of the recent literature on CSE in Bangladesh and India, an analysis of legal and policy frameworks in Bangladesh and India, and primary data collection. The primary data collection method was semi-structured interviews with representatives of non-government organisations (NGOs), UN agencies, and academics in India and Bangladesh. Prior to commencing data collection, the study received ethical approval from the University of Nottingham School of Politics and International Relations ethics committee.

<sup>2</sup> Nominal GNI per capita, World Bank 2017.

<sup>3</sup> The authors note that the terms used to describe persons who have experienced CSE are contested, and that the language of victimhood has been highlighted as particularly problematic. First and foremost, the authors recognise that these individuals should be empowered to identify with terms that align with their own experiences and ongoing choices in defining themselves. Given the specific focus of this report, the language of 'victims' is used in its legal sense. That is, to describe individuals experiencing violations of legal rights and as the directly harmed party in a criminal offence related to CSE. The language of 'survivors' is used to recognise those individuals who have experienced such violations, but who have exited exploitation and continue on their life's journey.

Seventeen interviews with representatives of national, and international NGOs, and international organisations, were conducted through remote (Microsoft Teams) methods during October 2020 to January 2021: 10 interviews were conducted with representatives of national NGOs; five interviews with international NGOs; one interview with an international organisation representative; and one interview with an academic. Eight interviews were conducted with key informants in India, and nine interviews were conducted with key informants in Bangladesh. Interviews were conducted in English; interpretation services were offered to interview participants but none required interpretation. Interviews were transcribed by the Principal Investigator (PI) at the Rights Lab, and thematic analysis of the data was conducted using NVivo 12.

This summary is divided into six separate sections covering (1) Introduction; (2) Vulnerabilities to CSE; (3) Policy and practices on CSE victim identification; (4) Policy and practices on CSE victim repatriation from India to Bangladesh; (5) Policy and practices on survivor rehabilitation, reintegration, and legal support; and (6) Policy and practices on CSE survivor livelihood skills training and access to livelihoods. Each section documents existing legal frameworks, policies and practices, gaps and challenges, and promising practices, and concludes with some brief recommendations on strengthening the current policies and mechanisms.

## Purpose of this summary

In August 2020, the Global Fund to End Modern Slavery (GFEMS) commissioned the Rights Lab (University of Nottingham) to conduct research on policy and practices to address commercial sexual exploitation in Bangladesh and India. The aim of this summary is to examine and document current CSE policy and practices in Bangladesh and India across three specific areas:

1. Repatriation of victims;
2. Survivor rehabilitation; and
3. Livelihood support.

This summary also aims to identify positive practices on victim care policies/procedures related to rehabilitation, livelihoods, and cross-border coordination (India to Bangladesh) for return/repatriation and reintegration.



## 2. Commercial sexual exploitation vulnerabilities

### Introduction

In India and Bangladesh, as in many parts of the world, adults and children are often vulnerable to CSE due to a similar set of complex and often overlapping factors: poverty, lack of education, lack of decent employment options, gender inequality, the desire for a better life, and low awareness on, for example, deceptive recruitment methods (Wilson 2019; Adhikari and Turton, 2020; Rahaman, 2015; Rahim 2019). The interviews conducted to develop this summary identified a complex interplay between CSE vulnerability factors, usually involving poverty, lack of employment possibilities, lack of education, and gender inequality. The failure to address vulnerability factors may mean that adults and children are at heightened risk of CSE. The failure to address the vulnerability factors of those who have already been victimised may mean that CSE victims become trapped in cycles of re-exploitation. This section of the summary provides an overview of the key vulnerabilities to CSE in Bangladesh.

### Poverty, lack of employment opportunities, and lack of education

Victims' challenging economic situation is a primary cause of their vulnerability to CSE; however, this is often also related to a lack of education and decent employment. CSE victims from Bangladesh are usually poor women and girls with low education levels. NGO practitioners interviewed explained that most of the CSE survivors they support are illiterate or barely illiterate, and most have only received education up to standard five.<sup>4</sup> Many have never been to school at all.

For many Bangladeshi women and girls, employment options in their local area are often limited to agriculture, domestic work, dress making, or running a small business. Gender norms often prevent Bangladeshi women and girls from engaging in other professions or travelling out of their local area to other parts of the country to seek employment. These women and girls, lacking education and decent employment opportunities in their local area, leave for India with the hope of finding well-paid employment. Many girls feel pressure to support their family, and see migration to, and employment in India as the best option for earning a higher income than they can in their local area. Most Bangladeshi women and girls do not always intend to work in India's sex sector – many are tricked or lured by brokers or traffickers, either in Bangladesh or when they arrive in India.

Twenty-eight districts (out of a total of 64) of Bangladesh have border points with India. Socio-economic conditions of these districts are inadequate, and few decent employment opportunities are available to people living in these border areas.

### Gender inequality

Gender discrimination has significant repercussions on the ability of women and girls to access education, and attain the skills necessary for them to be financially independent. In Bangladesh, the dropout rate for girls at the secondary school level is 42 per cent (World Bank, 2019). The high dropout rate is associated with the prevalence of child marriage in the country, girls' lack of knowledge about

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<sup>4</sup> Primary school level; approximately age 10 years.



reproductive health, high levels of pregnancies, household responsibilities, mental health issues, and violence in schools (World Bank, 2019).

Women and girls whose right to education has been forfeited and are socially pressured to marry and take on domestic responsibilities, are left with few opportunities to be educated, receive training, and seek formal employment. In Bangladesh, which has the highest rate in the world for child marriage (girls who are married by the age of 15) (United Nations Children's Fund (UNICEF), 2013), girls face various challenges in accessing education and employment. This often means that when Bangladeshi women and girls decide to leave their household or are abandoned by their husbands, they are poorly equipped for the labour market. When migrating from rural to urban areas of the country, or from Bangladesh to India with the promise or expectation of employment, these Bangladeshi women and girls are at heightened risk of CSE (Rahaman, 2015).

## Crises

Since the first wave of the COVID-19 pandemic in early 2020, trafficking in persons for the purposes of labour and/or sexual exploitation across the India-Bangladesh border is reported to have increased. An increased number of Bangladeshis have experienced unemployment, poverty, hunger, and a lack of social protection during the pandemic as livelihoods have stalled, few people have savings, and government social safety nets are weak. This has reportedly led to an increase in trafficker activity in Bangladesh and India.

The number of Bangladeshi women and girls returning from India also increased as a result of the COVID-19 pandemic. With COVID-19 related lockdowns and the closure of businesses in India in the first quarter of 2020, many Bangladeshi women and girls who had been working in, or trafficked into India's sex sector returned home to Bangladesh. Many of these women and girls faced social stigma on their return, as well as various challenges in accessing support services. Such challenges have reportedly led to re-migration and re-exploitation cycles.

Climate change is also leading to increased displacement in and from Bangladesh, and with it, increased vulnerability to CSE. In Bangladesh, as conditions intensify under climate change, more people are being driven from their homes and land by more frequent and severe hazards including storms, sea level rise, cyclones, drought, flooding, and landslides. Bangladeshi women and girls who are displaced as a result of climate change, and who experience homelessness, and economic difficulties as a result of their displacement, are at heightened risk of CSE (Environmental Justice Foundation, n.d.).

## Vulnerability to re-trafficking

A range of factors make CSE survivors vulnerable to re-trafficking cycles.

### Poverty



Poverty, unemployment, and under-employment are factors that make adults and children in Bangladesh not only vulnerable to CSE, but also to re-trafficking cycles. Key informants interviewed for the development of this summary highlighted the reality that many CSE survivors return home to the same dire economic situation that they left, prompting them to re-migrate to India soon after their return home.

## Addiction



Addiction can be an issue for some female CSE survivors who have returned from India to Bangladesh. While women and girls receive rehabilitation and reintegration support on their return to Bangladesh, some survivors with substance addictions, particularly once the NGO has lost contact with the survivors, relapse and enter re-exploitation cycles. They are easily convinced to return to the brothel or other place of exploitation as a means of ensuring a regular supply of drugs or alcohol. For this reason, NGOs providing rehabilitation and reintegration services to CSE survivors emphasise the need for a) support for the entire family; b) long-term support for survivors; and c) ongoing psychosocial counselling and support for addictions.

## Stigma



Stigma represents a significant challenge for Bangladeshi CSE survivors returning to their communities, and is a key factor leading to re-exploitation cycles. CSE survivors are often concerned about social stigma from the community at all levels, including law enforcement, local services such as doctors, neighbours, and family members. Both adult and child survivors of CSE may be scorned by their parents and sent away (or never received back into the community) as a result of their real or perceived engagement in India's sex sector. Without ongoing support from the government and NGOs, these women and girls may become homeless, or may return to sexual exploitation situations in India as their only means of economic survival.

## Feelings of hopelessness with regards to livelihood



Many CSE survivors, especially those who were exploited in India for longer periods of time, choose to return to exploitative situations because they feel that it is the only option available to them. Some who were trafficked at an early age are not fluent in the local language, narrowing options and opportunities. For these CSE victims, without NGO or government intervention, they may have been exploited in India for many years, and only return to Bangladesh when they become too old or sick to work and are no longer seen as a profitable commodity by the brothel owners or traffickers.

## 3. CSE victim identification

### Introduction

CSE victim identification is the process by which an individual is identified as a victim of CSE, which in turn, entitles the person to rights and protections. Identification is of key importance in a country's anti-CSE response and in protecting CSE victims. Identification may occur while an individual is exploited and result in the end of their exploitation, through an organised rescue. In other cases, it may occur once a person has already escaped or otherwise left a trafficking situation. In all instances, formal identification should lead to and facilitate the opportunity for a CSE victim to be referred to comprehensive rehabilitation and reintegration support and to justice services and mechanisms. This section of the summary documents the legal frameworks, policies, challenges, and promising practices in CSE victim identification in India and Bangladesh.

### Legal frameworks and policies on CSE victim identification and repatriation



#### India

In India two Standard Operating Procedures (SOPs) guide the procedures for trafficking victim (including CSE victims) identification and the investigation of trafficking in persons crimes:

- [Government of India and United Nations Office on Drugs and Crime \(UNODC\), SOP On Investigating Crimes of Trafficking for Forced Labour](#) (New Delhi: Government of India and United Nations Office on Drugs and Crime, 2008).
- [Government of India and UNODC, SOP On Investigating Crimes of Trafficking for Commercial Sexual Exploitation](#) (New Delhi: Government of India and United Nations Office on Drugs and Crime, 2007).

In India, the Anti-Trafficking Nodal Cell was set up in the Ministry of Home Affairs (MHA) in 2006 to act as a focal point for communicating various decisions and follow up on action taken by the state governments to combat the crime of trafficking in persons. The MHA conducts coordination meetings with the Nodal Officers of Anti Human Trafficking Units nominated in all states periodically.

In India, when a minor CSE victim (Indian or foreign national) is identified by a first responder (border guards, police, NGOs, immigration authorities, transport authorities, shelter homes, or civilians), the Children Welfare Committee (CWC)<sup>5</sup> has to be informed. The CWC will decide if the victim should be handed over to the family. If the child is presumed to be a victim, Childline, a service of the Ministry of Women and Child Development (MWCD), or another NGO interviews the child and confirms the child's narrative. If a First Information Report (FIR) is filed, the police or the Anti-human Trafficking Unit must arrange for a preliminary medical check-up of the child within 24 hours, and accompany the child to a shelter. In the case of an adult, the process is similar except for the CWC involvement.

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<sup>5</sup> The Child Welfare Committee is an autonomous body established by government declared as a competent authority to deal with children in need of care and protection.



## Bangladesh

In Bangladesh, Chapter V of the [Prevention and Suppression of Human Trafficking Act 2012](#) deals with the assistance, protection and rehabilitation of trafficking victims and witnesses. In this Chapter, the government commits to making procedures for the identification, rescue, and rehabilitation of victims, working in partnership with the government and NGOs.

In 2018, the Government of Bangladesh launched a National Plan of Action (NPA) for Combating Human Trafficking, expanding on a 2012 Plan to encompass all types of internal and cross border human trafficking.

## Challenges and promising practices

### Legal frameworks

A key concern among some NGO practitioners in Bangladesh and India is that CSE victims may be criminalised, under Indian national legislation, for immigration offences, for engagement in sex work, or for trafficking-related crimes, and deported as criminals, rather than receiving support. This has reportedly happened mostly in the context of trafficked Bangladeshi males.

Indian legislation ([The Protection of Children from Sexual Offences Act 2012](#); [the Juvenile Justice \(Care and Protection of Children\) Act 2015](#), [the Immoral Traffic \(Prevention\) Act \(ITPA\) 1956](#), and [the Penal Code](#)) does not explicitly exempt children and young people from prosecution and punishment for trafficking in persons (including CSE) related crimes. This is an important legislative step to ensure identification and protection of victims, and represents a significant gap in Indian law in relation to protection of trafficking victims. The criminalisation of victims, both within the ITPA regime governing 'prostitution' and in relation to immigration offences results in failures of victim identification in India, and a subsequent failure to support CSE victims and provide them with access to justice.

### Police training

The available literature suggests that Bangladesh lacks an appropriate identification mechanism for trafficking victims (Seba and Islam, 2020). Although law enforcement in Bangladesh are responsible for screening individuals for trafficking in persons prior to their arrest, a lack of SOPs to identify trafficking victims among particularly vulnerable populations (including women in commercial sex) interferes with proper identification and support. This may result in sex trafficking victims being penalised for unlawful acts that their traffickers compelled them to commit.

Regular turnover of police is a factor contributing to the inadequate identification of CSE victims in India, and thus the failure to refer CSE victims to protection structures and support services. Police receive training from a number of different government and non-government organisations on various aspects of the CSE issue, including legal frameworks, and procedures for the identification of CSE victims; however, police are frequently rotated to new positions. As a result, the new knowledge acquired by the trained police is lost, and new staff need to be trained in the correct procedures for CSE victim identification and referral.

## Promising practice: Strengthened victim identification and investigation efforts

In Bangladesh, UNODC is conducting various capacity building activities to strengthen police capacity to identify trafficking victims, conduct investigations of trafficking in persons (including CSE) cases, and prosecute trafficking cases. UNODC is developing a SOP for investigations, and will provide training to the national authorities on the SOP in the near future.

In Bangladesh, the USAID funded Bangladesh Counter Trafficking in Persons (BCTIP) Program works collaboratively to reduce the prevalence of trafficking in persons in Bangladesh by:

- Strengthening the capacity of communities to identify people at-risk and victims of trafficking and child marriage and take action.
- Ensuring trafficking and child marriage victims' access to assistance.
- Increasing the responsiveness and capacity of criminal justice actors to ensure justice for trafficking and child marriage victims;
- Facilitating effective and coordinated partnerships among stakeholders to combat trafficking and child marriage.

BCTIP activities focus on increasing the capacity of select communities to identify trafficking victims and people at-risk of trafficking and child marriage. BCTIP works to equip students, migrants, and local leaders with tools, support, and innovative methods to inform and mobilise communities to identify TIP incidents/traffickers, promote safe migration, and connect survivors to services.

In India, the Ministry of Home Affairs, under a Comprehensive Scheme for Strengthening law enforcement responses in India against Trafficking in Persons through Training and Capacity Building, has released a fund for the establishment of Anti Human Trafficking Units for 270 districts of the country. Over a three-year period, through a series of training programs, the project aimed at raising the awareness of law enforcement officers on the problem of trafficking in persons and strengthening their capacity to better investigate and prosecute offenders perpetrating this crime.

### Victims' reluctance to be identified

Many CSE victims do not seek assistance from the authorities because of fear of social stigma. They are reluctant to come forward because they fear their families finding out that they have been sexually exploited, and, as a consequence, may not be welcome home. Thus, the marginalisation of CSE victims decreases the likelihood of victims seeing the authorities as allies, reducing likelihood of effective cooperation and self-identification, as well as identification by the authorities themselves.

### Challenges in determining a victim's nationality and age

A frequent challenge for the authorities in India and Bangladesh is how to determine the nationality and age of CSE victims, particularly children. Some victims who were recruited and exploited when they were young children, cannot remember their age, or where they are from. Thus, the authorities face significant challenges in determining whether a victim is from Bangladesh. This poses significant challenges for family tracing and victim repatriation from India to Bangladesh. The authorities in India must have proof of a victim's nationality before the victim can be repatriated to that country.

Victims whose nationality cannot be definitively established may have to remain in India for a long time.

## Recommendations

### Regular police training



A key challenge in both Bangladesh and India is how to respond to the knowledge that is lost when trained police rotate to new positions. National and international NGOs, and international organisations working in the field of capacity building should provide more regular training to national authorities on various aspects of CSE, including legal frameworks and SOPs on CSE victim identification, protection, and repatriation.

### Improved efforts to identify victims among vulnerable groups



More needs to be done in terms of training national authorities, in particular, border security, to clearly differentiate between irregular migration and trafficking in persons. More training needs to be delivered by national and international NGOs, and international organisations, to the national authorities so that they are better equipped to identify CSE victims within vulnerable groups, such as foreign sex workers in India, and referred to appropriate support services.

Informal victim identification mechanisms, such as survivors volunteering for NGOs in communities, to help raise awareness of CSE, and help identify potential victims, should be expanded and strengthened by NGOs.

### Strengthened coordination between governments and cross-border NGOs, and with NGOs on victim identification and nationality verification



Mechanisms for bilateral cooperation, and cooperation between government and NGOs within Bangladesh and India respectively, should be strengthened on CSE victim identification and repatriation. Where possible, NGOs in Bangladesh should be tasked with assisting with family tracing and other activities related to victim identification and nationality verification, as a means of speeding up the process of CSE victim identification and repatriation. Where possible, funding should be set aside by the Government of Bangladesh to support NGOs that are assisting with family tracing and other activities.

## 4. Victim repatriation

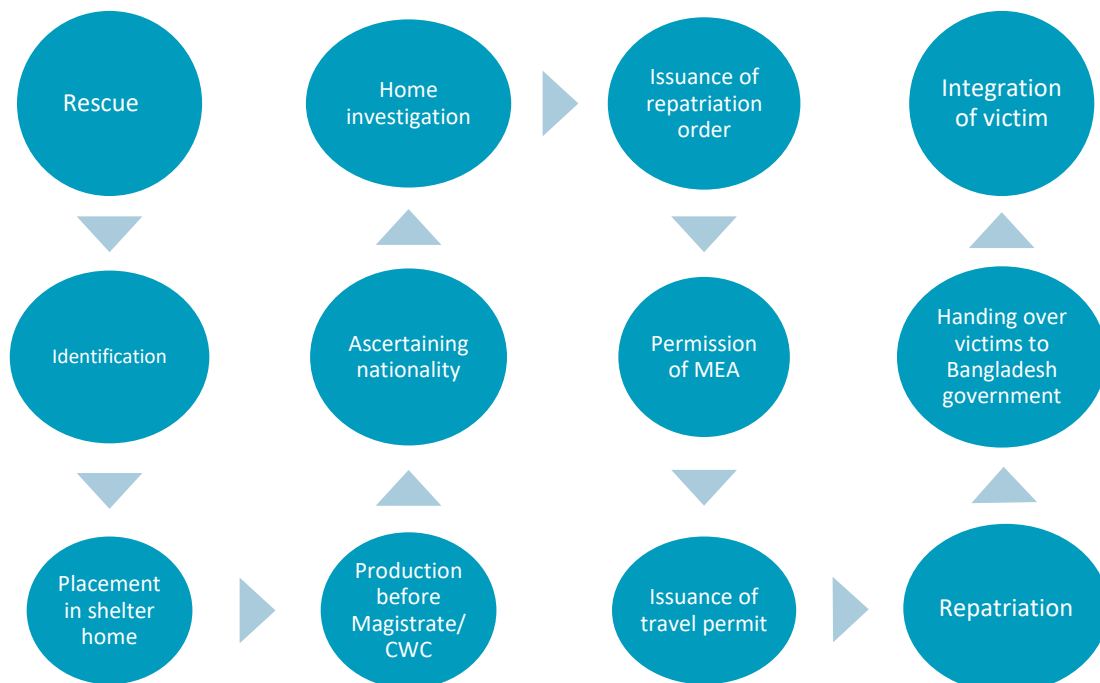
### Introduction

Repatriation is the process through which CSE victims are safely transferred from the destination country to their home country. There are important steps to this process, involving victim identification and nationality verification; bilateral collaboration between government and non-government agencies on the victim’s repatriation; court orders; transport arrangements; and home safety verification processes. Repatriation is coordinated at the same time as victim protection – CSE victims need to be safely accommodated and provided with support services in India while they await repatriation, and reintegration services need to be organised for their return to Bangladesh. This section of the summary documents the current legal frameworks, policies, and practices in Bangladesh on CSE victim repatriation, as well as persistent gaps and challenges, and positive practices.

### Legal and policy frameworks on CSE victim repatriation

In June 2015, India and Bangladesh signed a Memorandum of Understanding (MoU) on the prevention of human trafficking, which includes provisions for coordination on victim repatriation<sup>6</sup>. Under the MoU Parties ‘shall’ make all possible efforts towards the safe and effective reintegration of victims of trafficking into their families and communities in order to restore their dignity, freedom and self-esteem in their respective countries (Article 12). In Article 6 there is a SOP for a body called Rescue, Recovery, Repatriation and Integration (RRRI). The steps involved in the RRRI process are as follows:

Figure 1. Steps involved in the RRRI process



<sup>6</sup> Memorandum of Understanding (MoU) between the Government of the Republic of India and The Government of the People’s Republic of Bangladesh on Bilateral Cooperation for Prevention of Human Trafficking Especially Trafficking in Women and Children; Rescue, Recovery, Repatriation and Re-integration of Victims of Trafficking 2015.

In Bangladesh, NGOs are active in conducting family tracing and various other activities to facilitate and speed up the repatriation of CSE victims. Bangladeshi NGOs are made aware of the presence of the Bangladeshi CSE victims in India through their partner organisations in India, which are usually members of the RRRI task force. The involvement of the NGOs usually starts at the point of ascertaining the victim's nationality. Once information is provided on the victims, the NGOs endeavour to locate the victims' families. Once the families have been located, the NGOs visit the families and then prepare a home investigation report, which, when completed, is sent to the referring organisation. The NGOs also submit a repatriation application to the Ministry of Home Affairs in Bangladesh, which is responsible for the repatriation order. The NGOs also contact the High Commission, which organises the victim's travel permit. This process involves multiple actors and activities, and thus, can be a complicated and time consuming process.

## Challenges and promising practices

### 2015 MoU criticisms

The 2015 MoU has been welcomed in its envisaged collaboration between the two countries; however, there remain challenges in collaboration and coordination on CSE victim repatriation between both government and non-government agencies in both countries. While repatriation processes in India are today fairly streamlined, cross-border collaboration on repatriations could be improved, and mechanisms in Bangladesh need to be strengthened.

### Long repatriation times

According to the literature, red tape in both countries unnecessarily lengthens the repatriation process. The poor mechanism of coordination both at state and inter-state level among these actors slows down the repatriation process (Srivastava and Karim, 2019).

Repatriation of CSE victims from India to Bangladesh under the 2015 MoU is supposed to take no longer than six months; however, the process often takes much longer, with bureaucracy in both countries unnecessarily lengthening the repatriation process. Interviews conducted for the development of this summary highlighted that, as outlined in the preceding paragraph (figure 1), there are approximately 12 steps involved in the repatriation process, with various government and non-government agencies working on the different steps.

NGO practitioners highlighted the impacts of long repatriation times on CSE victims. CSE victims who are accommodated in Indian shelter homes while awaiting repatriation are often not allowed to leave the shelters or work in the local economy. Practitioners highlighted the challenges these victims face in India when they must spend months, or even years in these shelters, denied the right to work.

### Promising practice: RRRI Task Force

The RRRI Task Force between Bangladesh and India is considered a good platform for the two countries to meet regularly and work out modalities to combat trafficking in persons and coordinate victim repatriation. The Task Force faces various challenges in terms of cross-border coordination, victim identification, and achieving the various steps involved in the RRRI process within the stipulated timeline, but it represents an important first step in improving repatriation processes.

### Promising practice: NGOs supporting the governments to streamline repatriation processes

Some international and national NGOs have been working with the two governments to identify the repatriation process bottle necks and identify solutions. They have mapped the repatriation process, highlighting the tasks required under each step. A major challenge for the governments is in establishing the citizenship of Bangladeshi CSE victims. The governments lack the funds to conduct ongoing family tracing activities for the victims who lack identification documents and don't remember where they are from. Some NGOs in Bangladesh have stepped in to fill this gap, and conduct some important family tracing and nationality verification activities.



Justice and Care has conducted trainings for police on CSE victim identification and repatriation, as well as coordinated victim-centred advocacy activities. As a result, police have introduced more victim-friendly procedures for identifying trafficking victims, protecting and referring victims to shelter and support, and investigating trafficking offences. As a result of Justice and Care's advocacy work with the police, CSE victims are no longer kept overnight at police stations.

### Data management challenges

Poor data management processes by local government authorities inhibit the repatriation process. In some areas of India, there have been criticisms that repatriation data was not well collected and managed. In Bangladesh, there are criticisms that once the CSE victims cross the border, the government loses track of many victims. There is limited data collected on those who re-migrate and are re-trafficked.

### COVID-19 related challenges

COVID-19 related border closures, as well as court closures hindered the CSE victim repatriation process from India to Bangladesh significantly in 2020. Victims were forced to remain in India for months longer than usual. As noted above, while Bangladeshi CSE victims are awaiting repatriation in India they have no work rights. Thus during 2020 many Bangladeshi CSE victims were forced to languish in Indian shelters, without any income, while they waited for borders to re-open and their repatriation order to be processed.

## Promising practice: NGOs supporting CSE victims during COVID-19

Some CSE victims were reportedly returned from India to Bangladesh in March 2020 when the national borders were about to close. These victims were required to quarantine for fifteen days prior to being accommodated in shelters in Bangladesh. NGOs in Bangladesh quickly stepped in to assist these CSE victims. The victims were provided with essential items to assist them during the two-week quarantine period, including food, PPE, clothes, and sanitary products. They were also regularly contacted by phone by NGO staff to check on their welfare, and provided with psychosocial counselling by phone.

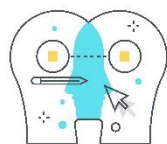
## Recommendations

### Increased bilateral coordination efforts



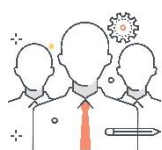
Formal mechanisms need to be strengthened to allow better coordination between border forces and law enforcement agencies both in India and Bangladesh, as well as coordination between NGOs at the border and those at destination. Task forces should be set up by the two governments at all levels to ensure that there are no bottlenecks and delays in the process of repatriation. One government ministry/agency should lead the task force in each country. More frequent meetings of the Joint Anti-human Trafficking Task Forces should be conducted. Effective coordination and synergy between government and non-government agencies involved in CSE victim repatriation, especially border guard agencies and NGOs, should also be encouraged.

## A trauma informed care approach to victim repatriation



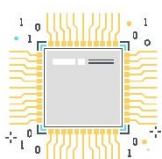
Trauma can be long-lasting and human trafficking survivors who are awaiting repatriation are frequently still experiencing high levels of trauma. It is important to approach repatriation in a trauma informed way in order to prevent re-traumatising the survivor. Survivors may have mixed feelings about being repatriated. For example, if they originally tried to migrate for economic reasons but will not return with any money, they might fear their families/the community's reaction. Be aware of the multitude of feelings that survivors may be experiencing at the thought of their repatriation and actively work with them in a sensitive manner.

## Specific trafficking in persons offices in embassies



In both India and Bangladesh, dedicated government offices should be established for providing support to CSE victims. Officers should be appointed to specifically handle trafficking in persons (including CSE) queries at Embassies/High Commissions of the two countries. These officers could manage queries regarding CSE victim identity and nationality verification, and repatriation.

## Improved data management processes



A centralised database on the number of victims awaiting, as well as granted repatriation should be maintained by law enforcement agencies in the two countries to ensure time-bound and streamlined repatriation of CSE victims.

## Development of a repatriation monitoring mechanism



Development of a monitoring mechanism within each government is suggested to track time-bound repatriation of CSE victims. The mechanism could identify where bottle necks occur, and thus help to identify problems as well as solutions to overcoming repatriation bottle necks.

## Use video testimony



Video testimony should be used so that CSE victims may provide testimony and return to Bangladesh swiftly, rather than being held in India for years while they wait for the judicial process to progress. Prosecutors and the judiciary should utilise video technology where possible to enable survivors and witnesses to provide testimony without having to sit in the same room as the trafficker, or travel to the court location.

## 5. Survivor protection, rehabilitation, reintegration, and legal support

### Introduction

Protection, rehabilitation, reintegration, and legal support are essential components of a comprehensive response to CSE. Unless CSE victims are effectively protected and reintegrated, they may continue to be exploited, never recover from their exploitation, or fall into a cycle of re-trafficking. Free legal aid is also important for many CSE survivors who are seeking compensation or damages from their traffickers. This section of the summary sets out the current legal frameworks, policies and practices in India and Bangladesh on CSE victim protection, rehabilitation, reintegration, and legal support, as well as the ongoing challenges, and promising practices.

### Legal and policy frameworks on CSE victim protection, rehabilitation, reintegration, and legal support

India's legislative frameworks governing CSE and establishing mechanisms for victim protection and support are relatively robust. There are multiple relevant frameworks, with each of the different legal frameworks operating independently, with their own enforcement machinery. This provides a number of different options for responding to a CSE case, at best enabling survivors to navigate a legal route best-suited to their individual and contextualised needs and circumstances.

The Juvenile Justice (Care and Protection of Children) Act 2015 addresses care and protection of children and young people (under 18) in India. The Act includes provision for procedures and decisions relating to rehabilitation, reintegration, and restoration of children in need of care and protection (section 1), including children who have been, or are likely to be, abused, tortured, or exploited for the purpose of sexual abuse or illegal acts (section 2(14)(viii)). Services to be provided for the rehabilitation and reintegration of children include education, food, and shelter (section 53). Under the Juvenile Justice Act, there exists SOPs for the Child Welfare Committee (CWC), the Competent Authority appointed under the Juvenile Justice (Care and Protection of Children Act 2000) for children in need of care and protection. The SOPs were developed through a partnership with the Department of Women and Child Development, Government of Maharashtra, representatives of NGOs, legal experts, child welfare committee members, and UNICEF.<sup>7</sup>

The primary framework through which care and support is provided for survivors of CSE in India is [UJJAWALA: A Comprehensive Scheme for Prevention of Trafficking and Rescue, Rehabilitation, and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation](#). The scheme, launched by the Ministry of Women and Child Development specifically seeks to support women and children who are vulnerable to, or victims of, trafficking for CSE, and aims to provide immediate and long-term rehabilitation services to victims by providing basic needs such as shelter, medical treatment, counselling, legal aid, and vocational training.

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<sup>7</sup> Department of Women and Child Development, Government of Maharashtra, 2009, Standard Operating Procedures (SOPs) for Child Welfare Committee (CWC) Under the Juvenile Justice (Care and Protection Act) 2000, as amended by Juvenile Justice (Care and Protection) Act, 2006.

In Bangladesh, Chapter V of the [2012 Prevention and Suppression of Human Trafficking Act](#) deals with the assistance, protection, and rehabilitation of victims of trafficking and witnesses. Under the Act, victims are intended to be returned to their families, and if this is not possible are sent to ‘any government protective or non-government protective home or rehabilitation centre’. Survivors need timely assistance, safe shelter, and prompt access to their personal belongings. Children should not be separated from their parents except in extenuating circumstances. Survivors have the right to qualified legal support, witness protection, and timely legal action against the traffickers.

Protection of CSE survivors is also highlighted in Bangladesh’s NPA for Prevention and Suppression of Human Trafficking 2018 – 2022 which outlines the importance of holistic protection of trafficking victims. The NPA specifies that this will be achieved through the establishment of a comprehensive protective regime involving state interventions and social actions, including measures for their rescue, recovery from the physical/psychological trauma, repatriation, recovery and integration into families and society.

International organisations and international NGOs are active in CSE survivor rehabilitation and reintegration in Bangladesh. For example, since 2014, the BCTIP Program, funded by the U.S. Agency for International Development, has been implemented in Bangladesh by Winrock International. The second goal of the BCTIP, in accordance with the NPA 2018-2022, is to protect the victims of human trafficking. The program’s protection partners have supported over 300 trafficking victims through the provision of access to shelter homes, counselling, life skills, and livelihood support. UNODC in Bangladesh has also been active in strengthening the protection mechanisms available to trafficked persons in the country. Critical to UNODC’s operation in Bangladesh is the Global Action Against Trafficking in Persons and the Smuggling of Migrants (GLO.ACT Bangladesh) project, which is currently running from 2018-2022. This project addresses trafficking in persons and migrant smuggling through five pillars: strategy and policy development; legislative assistance; capacity building; regional and trans-regional cooperation, and protection and assistance to victims of trafficking and smuggled migrants.

Various NGOs in Bangladesh provide comprehensive rehabilitation support to Bangladeshi CSE survivors. For example, the international NGO, Justice and Care, offers comprehensive support packages to CSE survivors in Bangladesh. Justice and Care conducts home investigation reports for victims ready to return home, and social workers follow-up on the well-being of the victims with further home visits or phone calls after the survivors have returned home. Dhaka Ahsania mission, a Bangladeshi NGO, offers a holistic rehabilitation program to survivors. This includes shelter, medical care, legal advice, life skills, vocational training, and internship and job opportunities. Special consideration is given to courses aimed to improve the victims’ communication, leadership and social skills. Bangladesh National Women Lawyers Association (BNWLA) provides shelter, medical care, legal support and skills development to CSE survivors (Rosy, 2016). Similarly, Bangladesh Legal Aid Services Trust (BLAST) provides free legal aid to many trafficking victims, including CSE survivors. These are just some of the many NGOs in Bangladesh providing support services to CSE survivors.

## Challenges and promising practices

### Legal frameworks

While there are opportunities in India’s various legal frameworks for the support of CSE survivors, the overlaps in the frameworks can create gaps in coverage, drive inconsistent responses, result in misunderstandings of appropriate legal provision in a case, and prevent survivors from accessing their entitlements. Harmonisation and integration of the existing laws addressing human trafficking, through a single piece of legislation, would resolve many of these gaps and inconsistencies.

Despite the promising developments to the Bangladeshi legal frameworks created by the Prevention and Suppression of Human Trafficking Act 2012, gaps remain. The Act adheres to other laws with better standards, but otherwise overrides them (Chapter I.4). This has been criticised for the resultant confusion for the judiciary and executive to decide which law could be better to override this Act, which was designed to bring together laws and reduce confusion.

There are also some criticisms of Bangladesh's NPA for Prevention and Suppression of Human Trafficking 2018 – 2022. Challenges associated with the NPA include a lack of comprehensive information to service providers, lack of initiative to promote standards for care and support, need to establish a special tribunal in prosecution cases, and an absence of comprehensive victim witness protection. Implementation of the NPA has reportedly been limited in some respects, largely due to a lack of financial and staff capacity on the part of the concerned ministries and agencies.

### Unevenness of support services

While there are some criticisms of the support provided to CSE victims in India, most criticisms in this regard are directed at Bangladesh. Reliance on international organisations and NGOs to provide care and support (and funding for such) for CSE victim rehabilitation in Bangladesh continue to present barriers to a cohesive victim protection system. The current mechanisms of CSE survivor support in Bangladesh remain fragmented; not all victims receive comprehensive support, and the support that is provided is usually offered by NGOs. Insufficient funding and staff capacity, and inconsistent implementation of victim referral to rehabilitation and reintegration mechanisms present ongoing challenges for victim care and support.

### Lack of standards on CSE survivor reintegration

A key challenge for ensuring comprehensive reintegration support for CSE survivors is the lack of rehabilitation standards developed. A lack of standards on CSE victim care and support means that there is an absence of agreement on the types of, and duration of support that CSE survivors should receive. This results in different organisations in Bangladesh and India, which work on issues of CSE victim protection, rehabilitation, and reintegration, adopting different processes, and providing different support services to CSE victims. This situation can create a lottery in CSE survivor care, with the level and comprehensiveness of services for an individual CSE survivor largely dependent on which organisation they were referred to for support. Some agencies (generally those with more funding) offer long-term and comprehensive support for CSE survivors, as well as support for the victims' families, psychosocial counselling, livelihood support, and referral of victims to a range of support services provided by other partners. Other agencies may offer similar services, but support may be shorter in duration. In Bangladesh, CSE survivors may be 'exited' from some support programs after just a few months, and there is only limited monitoring of their situation after they have returned to their communities. Sensitisation of communities who receive survivors is essential at all levels—including family, village heads, police—so that the victim is received without stigma. Other survivors who are supported by larger and better resourced agencies may receive longer support, and follow up support and monitoring when they have been reintegrated into their communities.

## Promising practice: Efforts to standardise survivor protection and reintegration

In the absence of rehabilitation standards in Bangladesh, the development of guidelines by NGOs helps to fill the gap. For example, in Bangladesh, Winrock International's Survivor Services Guidelines (2014) provide guidance to service providers to ensure that the provision of survivor services is comprehensive. According to Winrock International's Survivor services guidelines, the case management process should begin by identifying the final goal. In many cases, the benchmark of success will be economic agency and the successful integration of the survivor into society. However, the guidelines suggest that each survivor should identify their own goals.

Once goals are identified, a plan can be developed to facilitate and monitor progress toward the goals. While the case manager can identify the length of time in which a survivor may generally expect to stay in a shelter home, the exact duration for any individual will depend upon individual circumstances and personalised planning. Thus, the guidelines emphasise the importance of goal setting, and individualised services.

National NGOs have also been active in standardising service provision. For example, in India, the NGO Prerana has been attempting to standardise the rehabilitation plans for child CSE victims. The NGO developed a compendium for the protection and rehabilitation of child CSE victims. The compendium sets out standards for child protection, and guides frontline agencies on the steps they should take from the point that a child is presented before a CWC.

BNWLA has also created guidelines for survivors' minimum standards of care. The guidelines cover various aspects of institutional care, including management and administration (e.g., bedding and sanitary materials); care and development services, including legal services, life skills education, and food and nutrition; and supervision and monitoring.

### Criticisms of shelters

Criticisms are directed at shelters in India, particularly around the level of support services provided to CSE victims within government shelters. There is a need for more robust monitoring and oversight of safeguarding procedures, as well as conditions in the shelters. NGOs in India reportedly provide better conditions and services to CSE survivors than those offered by state agencies.

The available literature suggests that there are concerns about the quality of both State and NGO support provisions for CSE survivors in Bangladesh. The US Department of State 2020 Trafficking in Persons Report chapter on Bangladesh highlighted a number of issues including that state shelters require a family member to discharge the victims from the facility, instances where survivors were held at shelters for a decade, and concerns about abuse within the shelters (US Department of State, 2020). When the trafficking survivors are repatriated and kept in shelter homes, they often feel isolated and frustrated as their movements are restricted.

A major factor contributing to the poor condition of shelter homes in Bangladesh and India is the lack of monitoring of the shelters. Due to the sheer number of shelter homes operating in the two countries, it is impossible for either government to effectively, and regularly, monitor the conditions within the shelters and homes.

### Lack of psychosocial services

Many CSE survivors exhibit high levels of post-traumatic stress disorder (PTSD). Upon rescue, self-blame, self-harm, lack of confidence and anxiety are common problems faced by survivors. Psychosocial issues are a vicious circle - they also cause many to become victims to trafficking in the first place. Receiving appropriate psychological care is hence essential. However, government mental health services in Bangladesh and India are often overloaded and inadequate. There are few trained psychosocial counsellors in Bangladesh and India, resulting in some CSE survivors having to wait for psychosocial counselling, and some only receiving a small number of counselling sessions.

It is important to provide all CSE survivors, as soon as possible after their rescue or escape from situations of exploitation, with psychosocial counselling provided by qualified counsellors. This counselling is crucial to enable them to recover from their traumatic experience. Counselling should be ongoing, provided by trained psychosocial counsellors, and conducted before, and during, any livelihood or skills training is offered to the survivors. It is also important, where possible, that there is consistency in the psychosocial care, i.e. that CSE survivors have the same counsellor, rather than sessions with different counsellors.

Few organisations have the funding to attract, and employ on an ongoing basis, qualified psychosocial counsellors. Thus, depending on the organisation that is providing an individual CSE survivor with rehabilitation support, some CSE survivors will receive ongoing psychosocial care if they are supported by better-resourced NGOs, whereas other victims may receive only limited psychosocial care.

## Promising practice: Training psychosocial counsellors

IJM has been active in building the capacity of frontline staff to understand and implement trauma-informed care processes for investigating and prosecuting trafficking in persons cases. IJM has established a team of 22 qualified trauma-informed counsellors who provide counselling to CSE survivors in shelters around the country.

Similarly, Winrock International has an agreement with Dhaka University's Department of Clinical Psychology to develop the capacity of local counsellors. The NGO is currently working with approximately 40 counsellors who are mostly female. The counsellors are engaged in a one year certification program with the University. The training program welcomes trafficking survivors who are interested in becoming professional counsellors.

## Promising practice: Monitoring of survivor empowerment

Some NGOs such as Winrock International provide comprehensive support to CSE survivors, and track the survivors' progress over time. Survivors are enrolled in the Winrock International rehabilitation program. As a first step, staff conduct a thorough case management process to understand what support the survivors need. Psychosocial is provided immediately. If shelter is required, the NGO refers the survivor to other organisations. The survivor's health needs are addressed. Family and community counselling sessions are also provided. After two or three months, staff assess whether the survivor's mental health has improved. The next step is to enrol the survivors (if they are assessed to be ready) in an economic empowerment program.

IJM's Assessment of Survivors Outcome (ASO) tool, which has gone through a rigorous development process, assesses clients' rehabilitation and reintegration. IJM first conducts a needs assessment with each client on the basis of which it produces an individual treatment plan. An ASO is conducted, which gives scores on: education, trauma, ability to protect oneself, and housing. Throughout the rehabilitation process, the ASO is re-conducted and new scores are given. Once a score of three is attained the survivor is considered successfully rehabilitated, but is still advised to complete their treatment plan. After the closure of a case, the survivor is monitored for one year and is connected to a support network to ensure that the restoration is upheld (IJM, 2017). Not only has the ASO tool proved to be effective, but the way in which it was developed sets an example of good practice. Prior to its launch, the ASO went through both internal and external reviews undertaken by subject matter experts. The tool was extensively trialled across multiple countries with IJM case managers, survivors and organisations that provide aftercare programs. The tool was improved based on the feedback received, paying attention to the language used and cultural nuances (IJM, 2017).

## Lack of survivor awareness of free legal aid

There is a lack of awareness among CSE survivors and their families of the free legal aid that is available through organisations such as BLAST. Moreover, when CSE survivors are made aware of the free legal aid available in Bangladesh, they do not necessarily want to accept the legal aid and seek access to justice. In 2020 BLAST conducted an assessment, involving 200 program beneficiaries. The organisation found that not a single individual wanted to accept legal services at that time.

There are complex reasons for which CSE victims decline legal aid, and participation in a judicial process. The key reason is that survivors are aware that the judicial process is long, and survivors may have to wait several years for their case to be heard. Frequently, cases are dismissed by prosecutors or judges. Many cases are dropped by the survivors themselves. Family members and friends may discourage the survivor from engaging in the judicial process, believing that out of court settlement and compensation are preferable to engaging in a lengthy judicial process. Traffickers may also intervene for the victims to withdraw from a court case, offering informal compensation through family or friend networks. Such out of court settlement is reportedly quite common, with 'village arbitrators' agreeing to a nominal amount of money from the traffickers and urging the victims to drop the case.

## Promising practice: Free legal aid

Some NGOs provide free legal aid support to CSE survivors. For instance, Bangladesh Legal Aid and Services Trust (BLAST) provides free legal assistance to ensure the rights of trafficked victims, migrant workers and their families. BLAST has offices in 30 of Bangladesh's 64 districts. While the organisation doesn't provide free legal aid to everyone – a means test is involved, which assesses the monthly income for each person – the organisation does provide free legal support to many trafficking victims, including victims of CSE. Legal support includes support for arbitration, family mediation, and mediation between the perpetrator and the aggrieved party (the victim). BLAST provides access to out of court institutionalised arbitration processes, such as the Bureau of Manpower and Employment Training. BLAST also refers CSE victims to other support services, such as shelter, psychosocial counselling services, and vocational training.

## COVID-19 challenges

CSE survivor rehabilitation and reintegration programs were severely disrupted in 2020 as a result of the COVID-19 pandemic. From March until June 2020 NGOs faced challenges in travelling to the field to provide direct support to CSE survivors. The referral of survivors who had been repatriated to Bangladesh largely stalled. During the lockdowns, survivors in shelters and those living in the community were unable to leave home to buy food. Psychosocial counselling was offered to many survivors by phone but not all CSE survivors had access to phone counselling. Access to medical support was reportedly hampered due to the prioritisation of COVID-19 patients. Finally, survivors' livelihoods were largely destroyed.

## Promising practice: Support to CSE survivors during the COVID-19 pandemic

NGOs in India and Bangladesh quickly responded to the COVID-19 pandemic in 2020 by moving services online or by phone, and providing emergency food and other aid to survivors. Some NGOs provided emergency cash transfers to survivors by sending the survivors money electronically. These cash transfers were designed to enable survivors to purchase food and other essentials. Alternately some NGOs purchased groceries and deposited the food on the survivors' doorsteps. Psychosocial counselling was provided to survivors by phone.



## Recommendations

### Development of guidelines and standardised processes



In Bangladesh and India, effective and consistent care would be supported by the development, adoption, dissemination, and implementation of national guidelines and standards of care. SOPs for CSE survivor rehabilitation and reintegration should be developed by the governments, and/or existing SOPs should be strictly adhered to. Guidelines on minimum standards in care would facilitate those involved in giving care, follow national and international legislation, and fill the gap in Bangladesh where there are no standardised guidelines on institutional care, including legal services.

### Invest in comprehensive and long-term support programs for CSE survivors, and reintegration monitoring mechanisms



The governments of Bangladesh and India should invest in developing holistic, comprehensive, and long-term programs of CSE survivor rehabilitation and reintegration services. A survivor centred approach, where survivors have input into the design of the rehabilitation and reintegration programs offered, should be prioritised.

Reintegration programs should be vigorously monitored and evaluated by independent evaluation experts, employed by national and international NGOs, and international organisations. Frontline organisations providing protection, rehabilitation, and reintegration support to CSE survivors should adopt tools such as IJM's ASO to monitor and measure survivor progress. Follow up should be conducted after the survivors have returned to their communities or moved to a new location.

### Apply trauma informed care practices



It is crucial that service providers recognise the symptoms of trauma and ensure all interactions with the survivor minimise the potential for re-traumatisation. Service providers must respond to these behaviours with a patient and understanding demeanour. It is important that they invest time in rapport-building and establishing a sense of trust and mutual respect from the beginning. Victims of human trafficking should be empowered with choice whenever possible.

### Expand the training program of psychosocial counsellors and staff in agencies providing support to CSE survivors



While good progress has been made in training psychosocial counsellors in Bangladesh and India, an ongoing problem is that there is an insufficient number of skilled counsellors available to provide counselling to CSE survivors and other vulnerable persons. NGOs, and government agencies in Bangladesh and India should continue to support and expand programs to recruit, and train psychosocial

counsellors. CSE survivors should be encouraged, where they are interested, to enrol in the counselling training programs.

## Develop and apply shelter standards and monitor shelters



Conditions in shelters for CSE survivors and other vulnerable women and girls in Bangladesh and India remain inadequate. There is reportedly only limited following of shelter standards in these centres, and infrequent monitoring of the shelters. The respective governments should strengthen their programs for shelter monitoring, with visits to each shelter conducted regularly (at least twice a year). Standards developed should be adopted by all shelters. Shelters that are deemed to be inadequate should be closed down, and survivors referred to other shelters in the country that have already been assessed as adequate.

## Develop national referral mechanisms



There should be increased efforts at multilateral collaboration and coordination among a range of relevant actors, including social service agencies, psychologists, law enforcement officials and immigration specialists. National Referral Mechanisms (NRMs) would greatly improve the current ad hoc system of CSE victim identification, referral and protection in Bangladesh and India. The development of an NRM in each country would mean that government and non-government members of the network are aware of each agency's different responsibilities, and that processes for referring survivors from network partner to network partner are organised and efficient. The NRMs would, furthermore, because of its large number of network agencies, allow for the comprehensive protection of CSE victims, instead of any one agency trying to stretch itself to meet the needs of CSE survivors.

## 6. Survivor livelihood training and support

### Introduction

Effective reintegration and sustained liberation for CSE survivors requires employment and entrepreneurship skills training, and access to decent livelihood opportunities. A number of NGOs in Bangladesh and India provide education, skills training, and access to livelihood opportunities as part of their comprehensive support programs for CSE survivors. There are various barriers for CSE survivors in accessing, and maintaining decent livelihood opportunities, including, but not limited to, low literacy, lack of financial literacy, ongoing trauma, lack of employment opportunities, and business failure. The COVID-19 pandemic destroyed the livelihoods of many CSE survivors in 2020. This section of the summary documents the current policy and practices in Bangladesh and India on CSE survivor livelihood skills training and support, persistent gaps and challenges, and promising practices.

### Challenges and promising practices

#### Lack of education and literacy

A lack of education is a key barrier to providing CSE survivors with vocational skills training and access to decent livelihood options. Survivors who lack literacy, and financial literacy, are limited in the employment options available to them. For this reason, NGOs in Bangladesh tend to provide training on, and access to employment that does not require advanced literacy skills, such as tailoring and dress making, driving, motorcycle repair, and mobile phone repair.

#### Promising practice: Providing education and livelihood skills training simultaneously

Some international and national NGOs in Bangladesh and India, recognising the barriers for survivors in finding decent employment, focus on providing survivors with education and literacy, at the same time as providing them with livelihood skills development. One NGO interviewed for the development of this summary described how it encourages CSE survivors to enrol in literacy programs and/or return to school so that they can improve their literacy skills. Some CSE survivors elect to return to school and to complete class 10. The survivors are simultaneously enrolled in Information Technology (IT) programs, and other livelihood skills training. The survivors are then supported to enrol in further training, internships, and part-time employment. Success stories include CSE survivors returning to school, then receiving further education to train as nurses, and subsequently finding employment as qualified nurses.

#### Gender-specific employment

Some female CSE survivors elect to receive employment training in certain sectors that are familiar to them and meet society's perceptions of gender-acceptable employment. For example, one NGO interviewed for the development of this summary explained that many female CSE survivors often request skills training so that they can work in domestic services, sewing, and other jobs that are available to them in their local area and seen as acceptable to spouses and family and community members. However, such employment often traps the survivors in their local area, limits their earning ability, and makes them vulnerable to destitution in the case that they are abandoned by their spouse.

## Promising practice: Challenging gender-specific norms in employment

Some national NGOs interviewed for the development of this summary emphasised that they are encouraging female CSE survivors to move away from traditional employment options, such as sewing, domestic work, and beautician services. This is achieved through ongoing counselling, through enrolling the CSE survivors in diverse skills training, and through providing survivors with access to on the job training. NGOs reported some success in achieving their goal of encouraging CSE survivors to depart from traditional employment sectors.

## Promising practice: Livelihood skills training and vocational support

Some international NGOs operating in Bangladesh and India are active in developing the employment skills of CSE survivors and providing them with access to decent and ongoing livelihood opportunities. For example, the Ashshash project, which is currently being implemented by Winrock International, initially had the objective of reintegrating 60 trafficking victims. The program provided them with psychosocial counselling, skills training and entrepreneurial engagement in small scale businesses. At the end of the project, 35 businesses were established. The current programme for 2018-2022 has the aim of supporting 5,000 trafficking survivors by its end.

### Ongoing trauma, addictions, and unfamiliarity with new work

A key challenge for NGOs providing to CSE survivors livelihood skills and access to livelihoods is that of ensuring the sustainability of the survivors' livelihoods. There are multiple, complex reasons for which CSE survivors' livelihoods may fail. Many survivors face ongoing trauma, and find it difficult to work. Some survivors grapple with addictions after years of sexual exploitation, and, without ongoing treatment for the addictions, find it challenging to work while experiencing withdrawal. Some survivors are unfamiliar with the long hours and often repetitive nature of agriculture, retail, garment or other work and will run away from the jobs and back to the commercial sex sector, which is more familiar to them.

## Promising practice: Prioritisation of psychosocial support before livelihood skills training

Winrock International's survivor rehabilitation and reintegration project (Ashshash) emphasises that survivors should not commence the economic empowerment part of the program until staff are confident that the survivor is ready to begin livelihood training. The first months of the support program focus on addressing survivors' health and psychosocial needs. Only after two months of health and psychosocial support are survivors enrolled in the economic empowerment program. Survivors are offered any of 11 trades<sup>8</sup> to learn. If they are not interested in working in any of those 11 trades, they are provided access to entrepreneurship training, and to micro-enterprises. Following the training, survivors are provided with access to employment, initially as interns, then after several months as full paid employees. Follow up is conducted after six months, and Winrock International

<sup>8</sup> The 11 trades include automobile and motorcycle shops, garment sector, beautician services, taxi driving, mobile repair, and hospitality, amongst others.

staff assess whether the survivor is earning a decent income. If the survivor has reached this income level, they can be phased out of the support program.

It is important to adopt a phased approach to rehabilitation and livelihood skills training. Without addressing survivors' psychosocial needs first, survivors will not be ready to receive livelihood skills training or be placed in employment.

### Failure of livelihoods

A challenge for survivors and the organisations that provide livelihood skills training and livelihoods support is that of sustaining livelihoods. Some survivor's small businesses fail soon after they established; this is often due to a lack of customers, and too many similar businesses present in the survivor's local community.

## Promising practice: Conducting market assessments

A number of international and national NGOs interviewed for the development of this summary reported that they conduct market assessments prior to enrolling CSE survivors in livelihood training programs. Market assessments essentially consist of visiting the home city or community of each survivor, assessing what businesses are already present in that area, and assessing whether there is a market need for the business that the survivor would like to start. Where the market assessment determines that the preferred livelihood of the survivor is not economically sustainable in their local area, the NGO will recommend other livelihood opportunities that might be more successful in the survivor's local community. Where the market assessment determines that the survivor's preferred livelihood activity will succeed, NGOs will assist the survivor with setting up their business through, for example, devising with the survivor a business plan, and providing cash assistance so that the survivor can purchase some items for production or re-sale.

### COVID-19 impacts on CSE survivors' livelihoods

The COVID-19 pandemic significantly affected CSE survivors' livelihoods in 2020. Like many other Bangladeshis, CSE survivors who were employed or who had their own businesses, lost their jobs and income as a result of lock downs and other pandemic-related restrictions. NGOs stepped in to provide emergency food and other essentials, and plan to support survivors to find new employment or to rebuild their businesses. The pandemic highlights the vulnerability of CSE survivors to poverty and to re-exploitation - lacking an economic safety net, CSE survivors are vulnerable to returning to the same situations of exploitation that they escaped, due to a lack of savings and sustainable livelihood opportunities.

## Recommendations

### Conduct market assessments



Frontline service providers should conduct market assessments before embarking on a program of livelihood skills training for CSE survivors. This requires travelling to the home city/community of the survivors, and ascertaining whether the preferred livelihood option of the survivor might succeed. Where the market assessment determines that the survivor's preferred livelihood would likely not succeed in their local area, the survivor should be encouraged to receive skills

training in a field that is more likely to lead to decent and sustainable employment. Where it is determined that the business will succeed, survivors should be encouraged to co-develop with the NGO's support, a business plan, and service provider organisations should assist the survivor with the initial business set up through, for example, purchasing key items for sale, or cash support to pay for initial shop rent.

## Provide psychosocial support before skills training and job placement



Survivors who receive livelihood skills training and are referred to job placement while they are still experiencing trauma may find the employment conditions difficult. It is paramount that survivors receive extensive psychosocial counselling before they are enrolled in livelihood skills training, and job placement. Service providers should continue to provide CSE survivors with psychosocial support after the survivors have started a new job or opened a business.

## Provide education and literacy training at the same time as livelihood skills training



A key barrier for CSE survivors in accessing and maintaining decent livelihoods is a lack of literacy, and financial literacy. NGOs providing support to CSE survivors should, where possible, provide survivors with education, literacy training, and financial literacy training, to ensure that survivors have a better chance of finding decent and sustainable employment. Institutionalising the livelihood support services (needs assessment, skills training, entrepreneurship training, on-the-job training, and certification) is essential for sustainability.



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