

**STUDY OF HUMAN RIGHTS VIOLATIONS FACED BY BRIDE
TRAFFICKING VICTIMS IN STATE OF HARYANA**

- Nitesh Upadhyay

When girls are deceived in the name of marriage and then sold to others, such girls come under the definition of bride trafficking. The whole thing gives an impression of a normal marriage; but such girls re-trafficked and sold in the name of marriage again and again. This type of trafficking is called Bride Trafficking. It is a new word to define an inhuman custom which is being practiced for centuries. Bride buying is an old custom of world, especially India where a man has the privilege of buying a girl in the name of marriage¹.

Trafficking for marriage is a very common phenomenon in which some women are induced with drugs, some are lured for good job and a happy life and some are directly purchased from family and guardians promising a happy married life. Bride trafficking is not so simple to understand among all other forms of trafficking. Researcher has found that in other forms of human trafficking organized groups of traffickers are involved whereas in bride trafficking parents, family, brokers, trafficked victims, traffic victim's husband etc., can be a trafficker which makes this crime unstoppable.

Researcher has seen in many cases that if one of the sisters of a family is anyhow married in Haryana through a trafficker, her husband becomes the trafficker next and asks her to bring her other sisters, neighbors and friends also in Haryana for the purpose of marriage. Husband lures the trafficked wife by telling her that she will not feel lonely and aloof if her sisters or relatives or friends also get married in the same area as her and the trafficked girl agrees to help him this way. This is another angle of this practice which is spreading strong because of the easy money involved in it.

Traffickers have various modus operandi to traffic brides. Few of them directly come into the

¹Interview With Shafiq. R. Khan Of EMPOWER PEOPLE, On Bride Trafficking <https://www.youthkiawaaz.com/2012/04/interview-with-shafiq-r-khan-of-empower-people-on-bride-trafficking/>

family's contact; few do it through alluring victims promising them jobs and happy life after marriage. The groom lures not just the bride but also her family and in some cases also accompanies the trafficker and goes to the victim's village to marry her and deceive her family with the promise of providing the victim a prosperous and happy life. Involving family always put trafficked bride under pressure not to run away and due to which bride trafficking become unstoppable.

Bogus marriages also take place in India which later on becomes the ground for trafficking of such women. No doubt mostly women are tricked into trafficking due to the matrimonial lure of getting married to a rich and wealthy person . Other modus operandi involves bogus love affairs in which the victim falls in love with some person who later traffics her and sells her to some other person for money. One such case is of Anita's (name changed) who came to Haryana with a man she had trusted after leaving her home to live with for the rest of her life. He sold her off to a woman in Haryana and went back to Anita's home land Assam. Later on she was sold and resold to many men of various castes and religions. She practiced all religions depending on the buyers as she was very obedient and finally had to settle with a man who is an old handicapped laborer. She says that she's staying with him as she has no other option. She has two children from this man and she alone earns to feed him and the children. This case clearly reflects why bride trafficking victims are not able to come out of the unlawful wedlock. These kind of bogus love affairs increase the number of girls reaching Haryana for the purpose of forced marriage and therefore increase trafficking².

Another such story is of Mina (name changed) who was 15 years and was studying in class 10th when her sister's boyfriend asked her to accompany them when they were going to elope for the marriage. Her sister was madly in love with that guy and they eloped and married in Delhi. After some time Mina's brother- in- law told her sister and Mina that he is not getting a job in Delhi and so he has to try his luck in some other state. Later, he moved to Sonipat with her and after a few days, Mina was sold-out to a handicapped person of 45 years of age in Karnal. She suffered a lot over there. After two days, suddenly police appeared to rescue Mina. Someone had seen her

² Paloma Sharma , The marriage of inconvenience , <https://justiceforwomenindia.wordpress.com/tag/trafficking-statistics-in-india/>

while going to the destination and they had informed the police³. She came back to her native village but because of shame and social issues her family left her alone. The non-acceptance of these women by the society becomes the biggest problem due to which these women are re-trafficked again and again. The society never takes into consideration that the person trafficked is a victim and is facing such circumstances as she has been forced and allured into it. The trafficked bride thus becomes a victim not just to trafficking but also becomes a victim of the society.

These victims are so accustomed to the violation of their human rights and to the new surroundings and life style that they do not find it worth going back to their family. Most of these victims do this in their own interest or in the interest of their children. This way these women choose to stay with their husband and his family without any conditions. These victims fear being beaten and tortured so much that they keep changing their statements even after being rescued. This continuous change in statements makes the process of rescue and rehabilitation unsafe for the people who want to rescue them as well. Researcher during an interview with the officials of Empower people NGO found out that in one of the cases of rescue, a trafficked victim who was rescued by the team Empower People refused to speak up in the court that she is a trafficked bride due to which the court gave certain directions against the founder of Empower People and he is now trying hard for his anticipatory bail.

Trafficked brides face various problems and human rights violation in this forced wedlock. Most of these women face domestic violence, sexual abuse, social and economic problems. Often these women face problems because they are married to men much older than them. Bride trafficking victims when married to an elder person face problems like early death of husband, illness etc. Many of these brides are living the life of widows at an early age of 30 or sometimes even less. Many of these young widow brides are sold again to a new buyer after death of their first buyer husband one such case is of Muklesha who was sold at the age of 12 years to a man who was around 70 years of age But, three years later, the man died and Rama (Name changed)

³Kamal Kumar Pandey & Rishi Kant Female Foeticide, Coerced Marriage & Bonded Labour in Haryana and Punjab; A Situational Report
http://www.unodc.org/pdf/india/publications/htvs_miniweb/situational_report_shakti_vahini.pdf

was again put up for sale by the trafficker⁴. People in Haryana are ready to marry divorced or widow brides because of various reasons which includes death of their first wife, divorce etc. Furthermore, details of the previous marriages are most of the times hidden and not made known to the trafficked bride or her family.

A trafficked woman faces several kinds of human rights abuses in her day to day life. Her human rights are violated at all the three places (source, harbour, and destination) of trafficking⁵. Many of them face gross violation of human rights and crimes like rape⁶. These women are face abuse related to their identity. Many of them are forced to change their names and religion so that no one can find them⁷.

Researcher, during interview, has found out various reasons for bride trafficking in state of Haryana. During one of the interviews with Shafique Ur Rehman, (founder of Empower People NGO), who is working on prevention, protection and rehabilitation of bride trafficked victims in Haryana, the reasons for bride trafficking were discussed. Shafique Ur Rehman said that female feticide and poverty are the main reasons for the thriving business of bride trafficking in Haryana. Shafique Ur Rehman discussed poverty and female feticide as the main factors of bride trafficking and also discussed the profitability of this business under which a woman can be trafficked and re-trafficked many times and the trafficker can make money at each count of the trafficking. He also emphasized that people in Haryana treat women like a commodity and never feel bad to buy or sell women for the purpose of marriage. According to him the biggest problem in curbing bride trafficking is the attitude of the society and police towards this type of crime. He also discussed various instances when police discriminated the bride trafficking victims and created hurdles in their rescue. He narrated a case in which a trafficked bride ran away from her matrimonial home and reached the police station to complain about her husband and in-laws and the police officer told her that small quarrels happens in every family and so she should go back

⁴Mary Ann Jolley & Liz Gooch , Sold like cows and goats': India's slave brides, <http://www.aljazeera.com/indepth/features/2016/11/cows-goats-india-slave-brides-161114084933017.html>

⁵ Judicial Colloquium on Human Trafficking, http://jajharkhand.in/wp/wp-content/uploads/2017/01/05_human_trafficking.pdf

⁶ The rape survivor wants education for her children, The Statesman, (December 16, 2016) <http://www.thestatesman.com/features/asia-s-gender-imbalance-74382.html>

⁷TBI Heroes: An Amazing Indian Who Aspires To Empower People , <https://www.thebetterindia.com/6993/tbi-heroes-an-amazing-indian-who-aspires-to-empower-people/>

to her house. Not just this, he also called the so called 'husband family' and asked them to take their daughter-in-law back. Shafique emphasized that these kinds of instances break the ray of hope from the hearts and minds of these trafficked brides and they start feeling that no one will ever help them so they should keep silent and never raise their voice against any human rights violation they face in their matrimonial homes.

He also discussed the factors which influence trafficked victims' attitude of not disclosing the atrocities they face. Most important is that the husband's family is always nearby the trafficked victim when she talks to the people of NGO or media and due to this, most of the times, the real picture of the problem never comes out before us and people remain unaware about bride trafficking. This factor also creates a situation due to which curbing bride trafficking becomes very difficult.

During discussion, Shafique also emphasized an important tendency which leads to an increase in the quantity of trafficked brides. According to him, in villages the girls are married at very young age (sometimes even below 14 years) whereas the boys are married at a higher age of minimum 23-24 years. Due to the above scenario, the availability of women in the village for local boys is reduced. Many a times boys study outside the village in different cities and places and when they come back to their village after studies, their marriageable age according to a village standard has already passed. In this situation the families of the boys are left with no other option than to purchase a Paro or Molki to marry their boys.

Para legal volunteer Mohmmad Osman said that it is only the poor people in Haryana who buy women from other states for marriage whereas the rich marry in the state itself. No rich person marries a trafficked bride unless he is very old and is of unmarriageable age, physically handicapped, divorced or of a bad reputation in the local community. He further said that if a well reputed and rich person buys a girl from outside, he is not respected in his community.

During the interview with Osman the researcher also came across various other reasons which influence bride trafficking in Haryana. The most important aspect that emerged out of the discussion was dowry practice and the heavy expenses involved in solemnising marriages. According to Shafique, the families of local boys have to spend a huge sum of money in the

marriage ceremony and the pomp and show associated with it. To avoid all this, it is always convenient and economical to buy a bride. The expenditure of one normal marriage could be around 5-10 Lakhs of rupees whereas these families of grooms can buy brides (Paro or Molki) for a price of not more than 1 Lakh rupees. These economic situations also force families in Haryana to buy trafficked brides. Poverty and economic angle is also a major cause of bride trafficking like all other types of trafficking (child trafficking, trafficking for organ transplant, trafficking for forced sex work, trafficking for forced or bonded labour) but in case of bride trafficking, it is one of the most important and major factor which is promoting the growth of bride trafficking in India. He also discussed that because of the dowry practice, a lot of families of poverty stricken areas sell their daughters for marriage in Haryana. The people at source point (parents or relatives or friends) think that they will not have to pay any dowry and instead will receive certain amount of money in return. The fear of giving dowry is so much that sometimes parents sell their daughters at an age even less than 12 years fearing that they would have to pay huge dowry for her marriage later on. They do not want to miss the opportunity of saving money this way.

Human rights violations and fight of trafficking victims Against such violations is only one side of the coin. The other side of coin reflects that a few bride trafficking victims are quite happy in Haryana and are in a better position than they used to live earlier before marriage. For those trafficked brides, it's simply a marriage that could have happened in their home state or elsewhere and is considered one and the same. One has to really work hard to find out whether the case presented is a case of inter- regional marriage or of bride trafficking. Inter- regional marriages are allowed by law whereas trafficking is a serious crime under the Indian Penal Code.

These trafficked victims are also called with various name like "Paro" or "Molki". The words Paro or Molki are well known in the state of Haryana. It means "a woman who is purchased"⁸. Paro is not a prostitute or a commercial sex worker but a woman who is supposed to satisfy the sexual needs of her husband and also his brothers even if the husband is alive. This system is a

⁸ Veerendra Mishra , Human Trafficking: The Stakeholders' Perspective Sage Publication 2013 , Page 26

little different from the system of Levirate marriage or Karewa system in which a woman is married to the brother of her deceased husband . In this system of bride trafficking, a Paro or Molki is obliged to have sexual relations with the brothers of her husband while the husband is still alive. This system is simply sharing the wife of one brother by all the other brothers. Calling such a woman one's wife is a little misnomer and instead she should be called as a slave who has no rights to raise her voice in case of any kind of physical, emotional or domestic violence. These women are also used as child bearing machines and are also made to work like forced laborers in the fields and domestic laborers in the household.

Bride trafficking victims face serious of human rights violation during and after the process of trafficking. Trafficking is a continuing human rights issue and trafficking victims face this every day. In Haryana there are many cases in which women are killed, physically and sexually abused and re-trafficked many times. Domestic violence, discrimination are very common with these trafficked brides. They are discriminated to the extent that no one wants to help them even the police furthermore not only them even their children also face discrimination because they are son/daughters of trafficked bride. Trafficked brides are force to change their religion, name and identity. This chapter will discuss in detail the problems faced by the bride trafficking victims

Domestic violence

Domestic violence⁹ is defined in the Protection of Women from Domestic Violence act, 2005. This Act defines domestic violence extensively . In one of the research done by Drishti Stree Adhyayan Prabodhan Kendra, its data reflects that out of 315 trafficked brides, 105 women face domestic violence which is around 33% of total bride trafficking victims. Out of these, 6 women

⁹ Definition of domestic violence.—For the purposes of this Act, any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it—

(a) harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or

(b) harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or

(c) has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or

(d) Otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

also reported that they are forced to have sexual intercourse with multiple partners and this ratio is nearly 2% of the total trafficked victims taken for sample¹⁰.

Rape and other sexual violence

Sexual abuse of trafficked bride by trafficker, middle man, husbands and his family is very common practice during and after the process of bride trafficking. Rape is a means for the traffickers to exert authority and power over their victims and the social stigma attached to rape puts the victim in an even more vulnerable situation and this stops the victim from raising her voice against the ill-treatment being given to her¹¹.

It is a known fact that the offense of rape ruins the chastity of the woman and brings dishonour to the family. Thus the rape victim is generally disqualified from social and married life. After rape, an unmarried girl is not regarded fit for marriage as she is considered to have lost her virginity. Similarly, if a married woman is raped, she is divorced or rendered homeless by her husband as she has lost her chastity and honour and also brought shame and disrepute to the family¹².

During field work and doctrinal study, I have come across a much weird reason which help the bride trafficking business grow and that's rape of trafficked victims. These women are raped and rape exerts the pressure over the victim and the social stigma attached to rape puts the victim in a more vulnerable situation¹³. After the woman is raped, she starts thinking that what people will think of her? Will her family accept her? There are so many psychological traps which place the trafficked victim under the subordination of the trafficker. Once these women are raped, they do not make much hue and cry and don't put much resistance at the time when they are sold to someone as bride or domestic worker. Therefore, raping trafficked victims not only gives pleasure to the trafficker but also gives a greater control over the trafficked victim. These women

¹⁰ Impact of Sex Ratio on Pattern of Marriages in Haryana, Drishti Stree Adhyayan Prabodhan Kendra , Published on - 27 November 2010 , Sanwad Tradeprints Pvt. Ltd, Pune page 39.

¹¹ Conference on Prenatal Sex Selection in India, (June 23, 2017, 4:20 PM), <http://www.nhrc.nic.in/disparhive.asp?fno=2129>

¹²Usha Tandon and Sidharth Luthra, Rape: Violation of the Chastity or Dignity of Woman? A Feminist Critique of Indian Law, (May 14, 2017, 5:15 PM), <http://www.toaep.org/pbs-pdf/51-tdandon-luthra>.

¹³Carl Gierstorfer, While India's girl are aborted, brides are wanted, (Oct. 23, 2014, 6:45 PM), <http://edition.cnn.com/2014/09/03/world/asia/india-freedom-project/index.html>

after getting raped and sold, work well both in the bed and fields and also show very less resistance to work and sharing bed with multiple brothers¹⁴.

Some of these women are raped even by their own relatives like uncles etc. One such instance of a 23 years old girl who was lured by her Mausa to visit Haryana to meet a godman on the pretext that all her problems will be solved but, later on, Mausa himself raped the girl in front of his wife and then sold her to a 45-year-old resident of Kheri Mansingh village in Karnal district of Haryana. He got married off the two in his own lawn and told the girl that he would kill her if she tried to run away¹⁵.

Researcher also comes to know about incidence of another bride trafficking victim Sunita (name changed). Sunita was living with her mother in Jalpaiguri, West Bengal and her father had passed away. She and her other four brothers and sisters were dependent on her mother and brother who used to work in a tea estate. But, in the year 2002 to 2004, more than 20 such tea estates stopped functioning, leaving hundreds jobless including Sunita's brother. Sunita very clearly remembers the days when her family used to sleep hungry. Sunita's life took a turn when she was tricked by a man from the state of Haryana who was already married to a local Bengali woman in the neighborhood. The man offered to help Sunita's family by getting her a job in Haryana. Later, after traveling to Haryana with Sunita, the man locked her in a room and raped her. He further told Sunita that she has to get married otherwise he will set her on fire. Later on within a week's time, she was sold out to a 40 years old vegetable vendor. Sunita told researcher that after being raped by trafficker she thought that it is better not to go home as society and his family will not accept her.

Traffickers are not the only category of people who rape women; even marital rape is very common with these women. Sometimes they are also raped by members of the in-laws family. These kinds of subordination on women make them more vulnerable and less prone to run away because of social stigma. One such instance is of a girl named Pooja, aged 17 years from

¹⁴Ashwaq Masoodi, Human Trafficking caters to demand of brides, (July 14, 2017, 3:10 PM), <http://www.livemint.com/Politics/7cSn08nD9gvIEAbZcQrP7I/Human-trafficking-caters-to-demand-for-brides.html>

¹⁵Ashwaq Masoodi, Human Trafficking caters to demand of brides, (July 14, 2017, 3:10 PM), <http://www.livemint.com/Politics/7cSn08nD9gvIEAbZcQrP7I/Human-trafficking-caters-to-demand-for-brides.html>

Keonjhar District of Odisha. She was sold to a 38 years old man. At her in-laws home, she was asked to satisfy the sexual needs of her five brothers-in-law. They gang-raped her and also tortured her when she resisted ¹⁶.

There are various instances of rape and violence against these women and most of these instances go unreported. In Indian society, if a woman is raped, society generally accuses the victim rather than the rapist. During a conversation with a lady named Rama (Name changed) of Jind village of Haryana, the lady states that after a woman is raped, her social acceptability goes down and no one wants to marry her and sometimes even their own families don't support them. Virginity and chastity of women is still a big issue in Indian society and since her childhood, a girl has to constantly listen to the importance of these factors and she is always cautioned to keep it safe for her future husband. No doubt the number of premarital sex cases and relationships are on high nowadays but still a large segment of people believe virginity to be precious and essential virtue for a girl. In most of the cases, the men are not virgin but everybody wants a virgin girl and due to this, a raped woman or girl is mistreated by our society, always looked down upon and is also least desirable for marriage.

Bride trafficking victims when raped by traffickers or other persons lose confidence in themselves to be part of main stream of the society in future, sadly, they totally give themselves up and stop resistance to whatever comes in their way and don't put any resistance even if sold multiple times.

So raping a trafficking victim asserts more pressure and more control on her by the trafficker. Sometimes women are sold by their so called boyfriends who first have sexual relationships with them and after some time sell them as brides or as prostitutes. The similar thinking follows in these cases also when the victims feel unsafe in the society and find themselves less acceptable for marriage and family life. Rape not only affects physically but emotionally and psychologically also and these factors in turn decide the future violence against the victims.

There are class of people who rape and sexually abuse the bride trafficking victim and below are detailed discussion is given on the class of people.

¹⁶ Deebashree Mohanty, Slave Brides, (Apr. 30, 2015, 11:15 AM), <http://www.dailypioneer.com/sunday-edition/sunday-pioneer/special/slave-brides.html>

Bride trafficking victims are raped both pre and post trafficking¹⁷. The largest number of rapes is committed by the trafficker who traffic these women to different parts of Haryana. For example in case of Sabina (name changed) who is another apparent known case of trafficking. Sabina presently lives at Moolthan village of Mewat district of Haryana. Sabina was trafficked to Haryana when she was around 10 years of age. She was trafficked by a trafficker named Kalu who lured her that he will show her Delhi and she will get lot of fun to do at Delhi but was later sold to an old man. The old man thought that Sabina was a kid and what could be done with her and so he kept Sabina along with him for a week. The old man's son was a good person and he handed over Sabina back to the trafficker Kalu. Sabina stayed with the trafficker for a year or so. Kalu and his wife made her do all their housework and treated her like a maid all the while. She was supposed to work all the day and was hardly given any food or money for doing all the work that included cooking, sweeping, etc. Whenever Sabina tried to rebel, he would beat her up, abuse her both sexually as well as verbally. She was even burnt up sometimes and had burn marks on her skin. Later on Kalu sold her to Mobin a resident of Moolthan village of Mewat district.

Marital Rapes

As there is no law in India to prosecute anyone for offence of marital rape, in case of bride trafficking victims, marital rape is a common phenomenon¹⁸. A victim named Sabrina (name changed) of Moolthan village of Mewat district stated that her first husband used to beat her regularly and used to force him upon Sabrina. Sabrina was 10 years old when she was trafficked from Assam to Haryana and told researcher that she faced marital rape many a times and when she discussed that with other ladies, everyone told her that no problem, he is your husband, don't complain and better enjoy. There are so many women and girls like Sabrina who are sold in Haryana for the purpose of marriage and face marital rape by their so called husbands or better say buyers.

¹⁷Raped, then sold off as a bride in a distant land<http://www.thehindu.com/todays-paper/tp-national/tp-newdelhi/raped-then-sold-off-as-a-bride-in-a-distant-land/article5144031.ece>

¹⁸http://supremecourtfindia.nic.in/supremecourt/2013/17790/17790_2013_Judgement_11-Oct-2017.pdf

Rape by husband's brothers and other family members

Many women face rape by their family members and husband's brothers¹⁹. As polyandry is accepted norm in Haryana (Not legally but socially), there are instances when brothers-in-law will force them upon trafficked victim and will have sexual intercourse. Sexual intercourse by multiple men is not an unknown phenomenon. As already discussed above, out of 305 women 6 women admitted to have forced intercourse with brothers of their husbands. Mohammad Lookmaan of district Mewat states, "Not everyone in one's family is fortunate to have a wife so which ever brother gets it, rest of them enjoy free access to her for sexual purposes. When these women rebel, they are raped by the brothers of husband and no one comes forward to help them because they are purchased women with no rights and respect". The words of Mohammad Lookmaan show the seriousness of these instances which are almost 2% or maybe more in case of bride trafficking victims.

According to Mohammad Lookmaan, women are shy to discuss these issues with others because of which actual number of such women who are forced to live in polyandry is not known. He says the number can be much more than 2% and can range up to 10-15% of women facing polyandry.

Forced prostitution

Vineeta, a research scholar and resident of Rewari district of Haryana states that the men in Haryana are lazy and do not want to do any work. Most of them go to market, play cards and come back to home in the evening in the drunken state. These men need money for alcohol and their other luxuries which they cannot earn by themselves and so some of them has started using trafficked brides as commercial sex workers. These women not just satisfy sexual urges of their men but also earn money by being forced into prostitution. Prostitution is one of the gross

¹⁹SLAVE BRIDES <http://www.dailypioneer.com/sunday-edition/sunday-pioneer/special/slave-brides.html>

violations of physical integrity of a woman but when woman is a purchased bride, forcing her for this becomes easy²⁰.

One such instance we can see which is narrated by the mother of a girl who was forced for prostitution by her so called husband. Bano (name changed) from Kolkata was trafficked to Khanpur, Ferozepur, Jhirka village of district Mewat, Haryana. Bano is around 45 years of age now and does not exactly remember when she was trafficked to Haryana but she guesses that it might be approximately 25 years back. Bano further stated that her daughter was lured by trafficker and she eloped with him. When asked as to whether she knows her whereabouts, she informed that the man lured her for marriage, but later on he and his family forced her to enter into prostitution. She also stated that people talk about her and about her whereabouts but she does not want her back and does not want to know anything about her. She says that she feels very sad as she never wanted that her daughter should face the same life that she faced. People around never respected her and never treated her and her daughter equal to other members of the society in that area. Frustrated with pitiable situations she exclaims that her daughter deserved it as in -spite of advising her so many times to not to talk to strangers and not to believe others, she did not pay any heed and finally drowned into a situation worse than hers.

Undignified life / discrimination

Discrimination with these women is very common and they face it regularly in their day to day life²¹. During interview Sabina told research that initially she was not respected in the society around her. No Paro is respected. If these ladies are weak, their husbands try to harass and abuse them physically and torture them. Even now, if there is an argument between a husband and his Paro wife, husband says “You speak so much and fight and argue because you are a Paro (belonging to a different region) and not a girl from Mewat. You don’t have the manners and decency that a girl from Mewat would have. No doubt you are a Molki (someone who has been put money on)”.

²⁰Sex, lies, and a receipt: Bride trafficking lifts it head from under the veil <http://www.thealternative.in/society/sex-lies-and-a-receipt-bride-trafficking-lifts-it-head-from-under-the-veil/?print=print>

²¹Girl finally rescued from forced marriage, police largely uncooperative <https://www.bba.org.in/?q=content/girl-finally-rescued-forced-marriage-police-largely-uncooperative>

She told us that their children also face discrimination and are called Paro's kids in schools and other places where children play together and at times fight also. They call us Paro ka bacha, said Sabina's younger son. Sabina (name changed) is secure in her own and doesn't fear her husband whenever he tries to abuse or beat her. Instead she beats him up because she knows that of his own, he doesn't have any means of earning money. Each trafficking bride victim is having some or other unique story related with her which reflect the plight of these poor women²².

Researcher will like to bring to notice one instance that happened with the Researcher during field research. Researcher was standing with some of the villagers in Shahpur Nangli village of Mewat district and one boy called another boy and told us that her mother is also a Paro. These women are used as slaves and have no dignity; no doubt some of them are well respected in the community but that number is very minuscule.

Researcher felt very depressing while interviewing a 56 year old trafficked bride and when she asked for telephone number of the researcher so that in case of need, she could seek legal help. At that time, a young boy of around 21 years of age commented on her, "Tai raat mein baat kar lena maza ayaga, kya pata shadi hi kar lea", this clearly shows how these women are disrespected in our society. When I asked her as to whether she feels bad about bride trafficking, she replied that at least people are giving them food and one should not expect respect or anything like that beyond that from people of Haryana.

There is lot of trafficked victims who told me that people call them with derogatory words and look them as mere commercial sexual service providers. All these things happen because these women are not treated with dignified way and discriminated in most of the cases²³.

Poor living conditions and access to health care

Most of the bride trafficking women stay in thatched houses with no proper sanitation facilities. The living standards of these women are so poor that they are exposed to various diseases

²²Unwanted Brides <http://www.thehindu.com/features/metroplus/society/unwanted-women/article4944481.ece>

²³ Forms of discrimination on women http://epgp.inflibnet.ac.in/epgpdata/uploads/epgp_content/women_studies/gender_studies/05.gender_psychology_sociology_and_anthropology/22.forms_of_discrimination_on_women/et/6213_et_et_22.pdf

(especially water borne diseases). These women do not have access to any health care services because some of them do not have any valid identity proof which is must to avail free medicinal facilities provided by the government. Private hospitals are very costly and these poor women who are mostly laborers or housewives have no money to pay medical expenses of private hospitals. Bride trafficking victims are generally treated as child producing machines and have 6 -7 children and sometimes providing medical help to so many children becomes difficult for the family²⁴.

No right to practice religion

Most of these women are forced to change their names so that no enforcement agency can ever track them. Not just these women change their name but also change the way of life and practices of their religion. Some are practicing but most of them are forced not to practice their own religion. Some of them are brain washed that since they are now married to a husband of particular religion, they should follow the religion of their husband and not of their own. Pinki of Shahpur Nangli , Haryana is one such case who live after marriage with a name change. Researcher when enquired confidentially in a little room which was her room, she revealed that before marriage, she used to do "Namaz" but after marriage, her in-laws forced her to stop practicing her religion. In some of the cases, researcher in some of the cases also found that both husband and wife follow their respective religions without forcing their religion upon other party but in maximum cases, women are forced not to follow their own religion.

The main aim of change in name and religion of the trafficked victims is to create anonymity of them so that none is able to trace them and their origin. Ruksan a trafficked bride when asked why her name was changed, she responded that Fateh Mahmood never wanted that someone should trace her out in the initial days and kept her secretly with him for a long time.

Restriction on freedom of movement

²⁴Living Conditions of Trafficked Victims http://shodhganga.inflibnet.ac.in/bitstream/10603/33350/9/09_chapter%205.pdf

Bride trafficking victims are allowed very less mobility and freedom to talk to other people because of the fear that she may tell her story due to which they may face some problem. There are women who have visited their parental villages only 2 or 3 times in the last 20 - 30 years which clearly shows that husband's families are not allowing them to go to their villages frequently. During interview, one woman who was not a trafficked bride but friend of the trafficked bride stated that if any man visits the house of the bride trafficking victim, people start accusing that Paro is of lose character as men are frequently visiting her house. She also told that if a Paro ever talks to a boy or male member of the village, soon there will be rumors of her going around with that boy or male member and that will become talk of the whole village.

In some cases, bride trafficking victims themselves do not want to go to their parents and families and in many cases they do not even remember their families and villages because they were trafficked at very young age. Some women at the most remember the name of their state but have no clue about village and their family members. Most of the interviews were taken when the family members especially a male member of the family was around the trafficked bride who monitored and restricted their speech and expression.

Frequently divorced, re-trafficked and abandoned

Trafficked brides are purchased as commodity and hence can also be sold as commodity. These women are trafficked re-trafficked and abandoned according to the wish of the trafficker or the purchaser. Trafficked of women is quiet profitable as unlike arms and drugs trafficking which can be trafficked one whereas a trafficked brides is source of earning for every time she is sold and she can be sold many a times which means more money to trafficker²⁵.

There are many women who are abandoned, divorced, and re- trafficked to various other parts of Haryana. One such case is of Bansari Devi (name changed) ; Bansari Devi is a resident of village Rukhipana of tehsil Gohana, Sonipat, Haryana. She was trafficked to Haryana at the age of 11

²⁵Sex, lies, and a receipt: Bride trafficking lifts it head from under the veil <http://www.thealternative.in/society/sex-lies-and-a-receipt-bride-trafficking-lifts-it-head-from-under-the-veil/?print=print>

years and now she is 29 years old. Bansari Devi narrated her story and told that she was trafficked to a village near Panipat from West Bengal. Trafficker sold her in Behrampur village of Panipat for Rs. 5000 to one person named Ram Shanker Chowdhury. Ram Shanker Chowdhury used her for 6 months and then sold her in the village Rukhipana to a man named Vishu Saini for Rs.7000. This way she is re-trafficked three times till now and all times she was sold which give money to trafficker and her so called husbands also.

Sometimes re-trafficking of these victims happens with their own wish. In bride trafficking, both the consumer and victim are poor due to which life of trafficked victim becomes tough. In few cases due to death of their husbands, these women become dependent on other people for their life and bread. Sometimes these victims receive support from their in-laws family and sometimes not. In some cases, only shelter is provided to them and one such case is of Veera Devi. She is a resident of village Chhichhrana, tehsil Israna, Panipat. Veera Devi was trafficked from Jharkhand. She narrates that her late husband Karamveer who was an illiterate and had crossed his marriageable age visited Jharkhand with the trafficker and married her in Jharkhand itself. Veera was trafficked to Panipat at the age of 17 years. Veera Devi is a mother of two children and they have no place to live of their own. She is currently staying in his brother- in- law's house at his mercy. After her husband died, she is left with no choice than to work as agriculture labor in the fields of landlords of the village. As she has no place to live of her own, she is always at mercy of her brother- in- law and his family and they also sometimes do domestic violence against her. There are many cases like this where victims have no support from their in-laws families and they live in deplorable conditions.

Forced pregnancy and forced abortions

These women are sometimes brought to produce baby or give birth especially to boy child because of which Many of these women face atrocities related to forced pregnancy and forced

abortion²⁶. In an interview with Raina from Bihar who lives in Sakras village of Mewat district, she stated that sometimes trafficked bride is purchased because first wife of person is not able to conceive and need for felt to have another wife who can produce off-springs. She further stated that these women are treated as child producing machines and have sometimes upto 10 children. These women are forced to produce babies but have no say in family planning. Furthermore, many of them are also forced to abort female child. Women when not given equal status in reproductive rights, it leads to gross violation of their personal dignity. Raina further states that a woman should be free to decide as to when she wants to become pregnant and how many times.

Another such case is of Durga (name changed) who is a resident of village Chhichhrana, tehsil Israna, Panipat. Durga was married 12-13 years back in this village with her husband who works at construction site. Durga also told the researcher that she was forced to abort twice because the child in womb was girl. Her story also clearly depicts that female feticide is very much prevalent in Haryana.

Changed identity or no identity proofs of the bride trafficking victims

Many of these women have no identity proofs because of which they are not able to avail benefit of social welfare schemes of government like old age pension, widow pension, Priyadarshini Housing Scheme etc. Many of these women are forced to change their names and religion so that no one can find them from their old names and which will keep the trafficker and the husband safe from the reach of the police. As most of such women belong to other states and have no document of proof of their residence in Haryana, they are forced to live a life of isolation in which no government schemes reach them and to their children. Many of them are living below poverty line but have no document to prove that they are below poverty line. Osman, a para-legal volunteer in district of Nuh stated that many of these bride trafficking victims are not taken seriously by the government authorities and when they reach the authorities for issue of

²⁶Bride on sale: Girl from Bengal sold for Rs 50000, aunt involved in human trafficking <https://daily.bhaskar.com/news/CHD-bride-on-sale-girl-from-bengal-sold-for-rs-50000-aunt-involved-in-human-traffick-4386372-PHO.html>

documents or change in documents, they face discrimination which often leads to their disinterest in having such documents. Osman further stated that there are many people who are though earning well but have Below Poverty Line pink cards whereas these women who live in extreme poverty are not provided with the BPL cards. Osman further told that many of these women are with name changed and some have been forced to change their religion. People generally give them no official name so that none is able to trace them and get them repatriated to their villages. Name change leads to a new identity of the women and as local people know them with their new names only, searching agencies get no clue to this new name and keep on trying to find the person with old name which leads to no breakthrough.

Conclusion

After going through this chapter researcher can say that raping bride trafficking victims is one of the main reasons for increase in the number of bride trafficking victims. As already explained, raping woman and subordinating her under a person always make it easy to sell her because she will not resist much and also after the rape, woman undergoes such a trauma that ultimately compels her to bear all other kinds of psychological and physical violence. Few victims also commit suicide after rape because they feel that they have no reasons and worth to live a normal life. Domestic violence, curtailment of freedom of movement and religion etc are few of the main problems these bride trafficking victims face.

Suggestions to curb bride trafficking from Haryana

(1) **Active role of civil society organization in rescue and rehabilitation of trafficking victims:**

(2) Police advocacy is an important intervention that has to be fine-tuned²⁷. To curb the issue of bride trafficking in Haryana there is a need for exchange of knowledge regarding best practice to curb human trafficking or bride trafficking. All the stakeholders including

²⁷<http://www.india.gov.in/allimpfrms/alldocs/12262.pdf>

NGOs, ministries, police and anti-human trafficking units should work in collaboration and then only problem of bride trafficking can be curbed. Police and anti-trafficking units may set helplines and special desks to control bride trafficking in Haryana²⁸. Researcher have seen that police is very insensitive towards victim of bride trafficking and do not want to support and rescue them²⁹.

- (3) Programs at a large scale should be conducted especially by SP/DCP to sensitize police officers about probable cases of human trafficking. Police should be alert especially at places of transit like railway stations, hotels, bus stands, taxi stands etc. and all such suspected cases noticed must be reported to the Control Room of police for immediate action. Local NGOs working in areas of bride trafficking should be connected and coordinated before any raid and rescue of bride trafficking victim. Bride trafficking will never come to an end till the time we create a victim friendly system. Furthermore in all cases where safe return of a trafficking victim is not possible, proper arrangements should be made that should protect rights and dignity of these trafficked women. These trafficked victims are not prostitutes or criminals and so police should do their work and conduct themselves in a dignified way.

(4) Repatriation and reintegration of the survivor into the community

Most of bride trafficked victims are lured for marriage or better jobs and they develop a stigma that society and family will not accept them and so they never want to repatriate to their villages and family. Family also in most of the cases shows hostile behavior towards the trafficking victims and this unwelcoming behavior makes the condition of these bride trafficking victims even more vulnerable. There are many women who do not want to go back to their family because of chances of violence towards them and some of these women are forced to follow these conditions which makes their repatriation impossible³⁰.

²⁸Advisory on Preventing and Combating Human Trafficking during Commonwealth Games, <http://new.nic.in/pdfFiles/Advisory-HT-CWG-2010.pdf> visited on 20/09/2011

²⁹Girl finally rescued from forced marriage, police largely uncooperative <https://www.bba.org.in/?q=content/girl-finally-rescued-forced-marriage-police-largely-uncooperative>

³⁰<http://www.unodc.org/southasia/frontpage/2013/Sept/india-from-darjeeling-to-delhi-story-of-a-young-girl-who-was-trafficked.html>

(5) In India the process of rehabilitation mainly involves sending women to government run protection or shelter homes for protective custody until their cases are heard and after that they are sent to their original homes which leads to re-trafficking because most of the terms and conditions due to which they were trafficked for the first time remain the same for the family as well as for the bride which leads to re-trafficking of these victims. The family would still be poor if poor earlier and so will not be able to raise the same girl they sold once upon a time along with her children now and the victim would still have to face the problems related to the society and would still remain unacceptable as earlier. So a thorough study of rehabilitation policies and effect of rehabilitation needs to be studied and government should provide some long lasting support services to the victims of bride trafficking, which may include vocational training, jobs etc.

Considering the particular short and long term needs of every individual, casualty in light of their age, training, abilities, and so on, the restoration, reintegration and repatriation bundle for casualties of trafficking ought to be worked out. Keeping in view the lack of government run organizations and the falling apart condition of these foundations, there is a need to recognize the names of fit people and fit establishments for giving safe guardianship to casualties of trafficking. This rundown ought to be made accessible to the police, courts, non-legislative associations and common society everywhere for data.

(6) Strict Laws to punish traffickers

We need strict laws to punish persons who abuse and exploit the trafficking victims. Law should also ensure that these trafficking victims are treated properly and are not mal treated by police or any other government agencies. There are a few cases reported to the researcher by the trafficking victims where they narrate the horrific story of their escape from their so called 'husband family' and how they are brought back to the same family by the police. Police in Haryana accept forced marriage of these bride trafficking victims as legitimate marriages and send these women to their husbands' house if they run away or come to complain in the police station. According to one such victim of bride trafficking called Rekha, "If a paro or molki woman approaches police station for help she is forced to go back to her husband's family by the police officers and they often just say

that tiffs happens in every household and things will be fine”. We need to sensitize police officers about the plight of these bride trafficking victims and modus operandi to raid and rescue and understand the problem in realm of current understanding of gender justice. Large scale action is needed to train the police staff, anti-trafficking units and people who directly deal with bride trafficking victims.

(7) Campaigns to Raise Trafficking Awareness

(8) Legislative Amendments in the ITPA

Bride trafficking is a new form of human trafficking or better say it’s a human trafficking for the purpose of marriage. Often, marriage appears to be an easy instrument for trafficking women. Bride trafficking is kind of forced sale or buying, resale of girls and women for the purpose of marriage. Often, marriage appears to be an easy instrument for trafficking women. A trafficked bride holds no right but only duties towards her ‘buyer’. As far as trafficking victims are concerned the Government enacted the Suppression of Immoral Traffic in Woman and Girls Act, 1956 in pursuance of its commitment on ratifying the International Convention for the Suppression of the Traffic of Persons and of the Exploitation of the Prostitution of others signed at New York on 9th May, 1950. The Act was later amended to be known as the Immoral Traffic (Prevention) Act, 1986 (hereinafter referred as ITPA)³¹. On the legal front, ITPA by its name, is the legislative enactment in India entirely dedicated to the acts of trafficking apart from the Indian Penal Code which in detail have many provisions which deals with the different aspects of human trafficking. ITPA have many provisions which deal with immoral trafficking or in particular trafficking for the purpose of prostitution and sexual exploitation but does not deal with other kinds of human trafficking. ITPA act is clearly insignificant to discuss different kinds of trafficking and provisions for the same.

Immoral Trafficking Prevention Act deals majorly with trafficking related to commercial sex work or prostitution. In the present act there is no mention of bride trafficking and the provision related to other human trafficking victims are quiet insufficient in the case of

³¹Bride Trafficking in India: 21st Century Slavery Human Rights on Campus (Dec 2012)

bride trafficking victims. The definition of trafficking has been incorporated in the Act, however there is no reference to trafficking anywhere else in the Act. The hope for justice to the bride trafficking victims under this Act is non-existent as ITPA does not cover trafficking for the purpose of marriage or forced marriage. Thus ITPA is an incompetent act which deals with only prostitution and fails to even define trafficking with other important aspects of human trafficking and hence it should have covered bride trafficking. Furthermore, the ITPA does not address trafficking for any purpose outside of sexual exploitation which creates a void in the definition of trafficking leaving various other types of trafficking including bride trafficking, trafficking for organ transplant, trafficking for forced labour etc.

The ITPA act needs to improve on various grounds to curb human trafficking few suggestions can be given one such suggestions is that during raid and rescue operation of trafficked victim in presence of special police officers, social worker or NGOs should be legalized through enactment of law which will ensure effective prevention, protection and rehabilitation of the trafficked victims. The immoral traffic prevention act should also incorporate provisions for through which a check can be placed on the working of the corrective institutions and protective homes. Although the immoral traffic prevention act provides for safe keeping of records of every inmate of such corrective and protective homes but only this provision does not assure protection of these vulnerable women for further atrocities.

The act should make effective provisions to rehabilitate and provide shelter to the trafficking victims or who are likely to fall under the trap of human trafficking. In fact, runaway cases or cases without any proper references are refused admission in the homes on the grounds of rules and regulations which may sometimes lead to re-trafficking of bride trafficking victims. The act should also provide for a state level anti-human trafficking board which will assess in every state the steps taken to curb trafficking and the progress in the matter of rescue and rehabilitation of the trafficked persons. These anti-human trafficking boards should have power to issue licenses to protective homes and shelter houses for human trafficking victims. The board should also have power to

inspect premises for health and safety violations. Should a violation be discovered, the Board should have the discretionary power to revoke the offender's license.

There is no comprehensive central legislation defining trafficking and ITPA also does not define the term. It is therefore suggested, that 'trafficking' be included in the definitions, broad enough to include forced marriage, prostitution and other related offences. The suggestion by the Verma Committee to adopt the definition of trafficking in Palermo Protocol shall be considered in this regard. No doubt an extrusive definition of human trafficking is provided under Section 370 of Indian Penal Code which means that a person cannot be prosecuted under ITPA for various types of human trafficking which are not listed in ITPA. The ITPA does not cover trafficking for the purpose of marriage; it should contain special provisions addressing bride trafficking. Bride trafficking and forced marriages of minor girls are very common in Haryana so ITPA should address these concerns. A standardized protocol to be put in place determining the age of survivors so that the issue of consent in forced child marriages would not lead to the escaping of offenders.

ITPA should also ensure that trafficked victims are protected and should also receive compensation from the assets of the trafficker³². ITPA should have some inbuilt provision which traffickers can use assets and money for welfare of the trafficking victims. This can also be done by creating a compensation fund for victims of trafficking and this fund should have money from the confiscated assets of the trafficker. The victim compensation scheme will improve the economic interdependence of the victim of bride trafficking and will also help them start any small scale business etc. for their livelihood. Assuring livelihood to bride trafficking victims will give them respect in the society and also freedom to them to opt out of the forced marriage if they want³³.

³²http://ncw.nic.in/pdfreports/human_right_violation_of_victims_of_trafficking.pdf

³³Report of the Committee on Amendments to Criminal Law(Jan 2013 165)