PROCEEDINGS OF

One-day National Conference on Human Trafficking on the theme "Combating Human Trafficking in the Digital Era"

Held By
National Human Rights Commission, New Delhi
in collaboration with
Hidayatullah National Law University, Raipur.
Date: 7th February 2025,
Place: Auditorium, Hidayatullah National Law
University, Raipur, Chhattisgarh.

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"Combating Human Trafficking in the Digital Era"

(7th February 2025, Auditorium, Hidayatullah National Law University, Raipur, Chhattisgarh)

The National Human Rights Commission (NHRC), New Delhi, in collaboration with Hidayatullah National Law University (HNLU), Raipur, convened a **One-day National Conference on Human Trafficking on the theme "Combating Human Trafficking in the Digital Era" on** 7th February 2025 in the auditorium within the campus of Hidayatullah National Law University, Raipur, Chhattisgarh**.** This conference aimed to explore the challenges faced by law enforcement agencies and other actors seeking to intervene in human trafficking cases and devise how human rights-based, gender-responsive and child-sensitive strategies can be developed to address the nexus between technology and trafficking in persons. This included exploring the possibility of strengthening law enforcement authorities' capacity for effective investigations and operations in cyberspace. The conference also sought to examine how to engage communities and at-risk groups and their networks for anti-trafficking initiatives and to support victims and returnees of trafficking. With this background, an inaugural session followed by two panel discussions and a valedictory session were scheduled for the one-day event.

In the inaugural session, the address by the Chief Guest was delivered by Hon'ble Chairperson, NHRC Shri Justice V. Ramasubramanian, who joined virtually. The Guest of Honour was Smt. R. Shangeetha, Secretary & Commissioner Excise, Commercial Tax (Excise) Department, Government of Chhattisgarh, along with Prof. Dr. V. C. Vivekanandan, Hon'ble Vice Chancellor, Hidayatullah National Law University, delivered the opening remarks. A list of officials and resource persons is annexed.

The primary objectives that this conference sought to address were:

OBJECTIVES:
1. To examine and provide a comprehensive overview of how the internet and digital technologies facilitate human trafficking in the digital era.
2. To assess how existing legal frameworks and case studies at the international level, national level, and state level address issues related to human trafficking in general and cyber trafficking in specific.
3. To explore how technological innovations like artificial intelligence, big data analytics and other investigative technologies can be leveraged to detect and prevent human trafficking facilitated by the internet and provide victim support.
4. To identify how collaboration is possible by key stakeholders like governmental agencies, non-governmental organisations, technology-based companies and policymakers to help formulate policy strategies against cyber trafficking.
5. To recommend possible action plans to NHRC, which may be adopted as part of the Integrated Action plan against human trafficking in India.

The technical sessions of the discussion included:

1. Role of the Internet in Facilitating Human Trafficking and Migrant Smuggling: A Legal, Administrative and Regulatory Perspective
2. Preventive Strategies Against Human Trafficking: Role of Technology, Law Enforcement Agencies, Victim Support and Community Engagement

The panel discussions had 10 resource persons from diverse backgrounds, including the Chhattisgarh Human Rights Commission, the Indian Administrative Service, the Indian Police Service, representatives from the Child welfare committee, Non-governmental organisations working in the field of anti-human trafficking and law academicians who graced the event and deliberating on crucial issues relating to human trafficking in the digital era.

Inaugural session

Dr. Deepak Kumar Srivastava, Registrar I/C, HNLU, welcomed the dignitaries on dias, including Chief Guest **Shri Justice V. Ramasubramanian, Hon'ble Chairperson, NHRC** and Guest of Honour, **Smt. R. Shangeetha, Secretary & Commissioner, Excise, Commercial Tax (Excise) Department, Government of Chhattisgarh,** to the inaugural session and all other resource persons and participants to the day's event. The conference commenced with the opening remarks by **Prof. Dr. V. C. Vivekanandan, Vice-Chancellor, HNLU,** who introduced Hon'ble Chairperson, Shri Justice V. Ramasubramanian, NHRC, to the audience, referencing his work in law and literature. Prof. (Dr.) Vivekanandan emphasised the evolving nature of human trafficking, particularly in the digital era, where technology can be both an enabler and a deterrent. He highlighted the global complexities of migration, exploitation, and trafficking networks, stressing the need for awareness, policy intervention, and technological safeguards to combat these issues effectively.

Highlighting the objective of the conference, **Dr. Debmita Mondal, Project Director of the event and Assistant Professor, HNLU,** outlined the agenda of the conference and introduced the two technical sessions and their relevance in countering human trafficking through the increased use of technology as a deterrent.

The Guest of Honour, **Smt. R. Shangeetha, Secretary & Commissioner, Excise, Commercial Tax (Excise) Department, Government of Chhattisgarh**, emphasised the role of law enforcement, rehabilitation programs, and modern technology, including AI and cyber tools, in tackling trafficking networks. With 18 years of administrative experience, Smt. Shangeetha highlighted real-life trafficking cases in Jammu & Kashmir, emphasising how many victims do not realise they are being exploited, and women and children are taken chiefly for domestic work and labour work. She talked about key initiatives adopted by the Government of Chhattisgarh, including Muskaan Project – whereby around 2,900 children have been rescued, 124 Child-Friendly Corners established and also that though the number of human trafficking cases reported and registered in the State is high, the conviction rate is very low around 2 out of 352 cases. She urged law students to raise awareness and assist in legal enforcement.

The Chief Guest, **Shri Justice V. Ramasubramanian, Hon'ble Chairperson, NHRC,** New Delhi, delivered his address emphasising key international and national efforts to combat human trafficking. He highlighted the alarming rise of human trafficking in the digital age, where many predators are active online daily, and how modern technology enables traffickers to operate across borders with anonymity and efficiency. International initiatives, like the declaration of January 11 as Human Trafficking Awareness Day, where #WearBlueDay is trending, were also discussed. He also drew attention to the data that nearly 50 million people are trafficked worldwide, and forced sexual exploitation of these traffickers generates $173 billion annually. Highlighting India's Statistics as reported in the National Crime Bureau (NCB) 2022 Report, Justice Ramasubramanian remarked that though 2,250 trafficking cases are under investigation, 81%

of the acquittal rate is due to legal loopholes. Quoting provisions from the Constitution of India, Bharatiya Nyaya Sanhita, 2023, Immoral Trafficking Act, POCSO Act (2012), Prohibition of Child Marriage Act 2006, Bonded Labor Act 1976, Prevention of Human Smuggling Act and from international conventions like the UN Convention on Transnational Organized Crimes, bilateral agreement with Bangladesh, he highlighted that there are enough legislative endeavors to prevent and prohibit human trafficking in India. Though specific attempts like The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018, have failed to become law, the major challenge India faces is in the enforcement of law. He identified five key forms or motives for human trafficking in his address, including Sexual Exploitation, Forced Labor, Organ Trafficking, Illicit Adoption of Children, Forced Marriage, etc. Technology's role in human trafficking as an enabler is because of facilitating anonymity for traffickers, providing encrypted communication,

and enabling undetected crimes through which remote digital control over victims can be established. Shredding light on how the European Union Agency for Law Enforcement (2020) identified two online recruitment strategies - Hook Fishing (Active) – False job advertisements and Net Fishing (Passive) – Mass online targeting, he stressed on the importance of preventive measures where technology is devised as a tool for detection, prevention and prohibition of human trafficking in digital era. Such measures can be as advised by the UN Office

on Drugs and Crime (UNODC) based on strict privacy settings on social media, avoidance of suspicious friend requests & job offers, not oversharing personal data, reporting suspicious ads, keeping records (screenshots) of conversations, etc. His address also focused on global Anti-Trafficking initiatives, the role of ICAT (Inter-Agency Coordination Against Trafficking) – A UNGA-mandated policy forum, the role of Tech Against Trafficking (TAT) – An international initiative with 260 digital tools to combat trafficking in bringing an end to issues relating to trafficking.

Session 1: Role of the Internet in Facilitating Human Trafficking and Migrant Smuggling – A Legal and Regulatory Perspective

The session explored how the internet is increasingly being used to facilitate human trafficking (HT) and migrant smuggling, blurring geographical boundaries and complicating law enforcement efforts. Discussions highlighted legal and regulatory challenges and gaps in the enforcement of laws.

Ms. Bhamathi Balasubramaniam, IAS Retd. Former Member, Central Administrative Tribunal. (Chair)

Ms. Balasubramanian highlighted in her address how the internet has blurred the traditional distinctions between source, transit, and destination in human trafficking. She focused on the concept of digital trafficking. She argued that movement/ mobility is not an essential criterion for human trafficking as the same can be the mental mobility of the victim. Elaborating that trafficking is a form of modern slavery, manifesting in both labour and sexual exploitation, she discussed case studies where, in Northeast India, girls were trafficked as child soldiers. Unlike a few decades back when traffickers physically targeted vulnerable villages, now online methods are being used. She also highlighted that migrant smuggling is growing at national, inter-state, and transnational levels, and the internet is facilitating the merging of these categories. Ms. Balasubramanian pointed out a significant conceptual difference between trafficking and smuggling, which is that while smuggling involves consent, trafficking is often influenced by duress and deception. She said existing legal provisions like the Immoral Traffic (Prevention) Act, 1956 and the Information Technology Act, 2000, do not adequately address online trafficking. She also focused on a case study of how Punjab's unmonitored "donkey routes" lead to illegal migration to Europe.
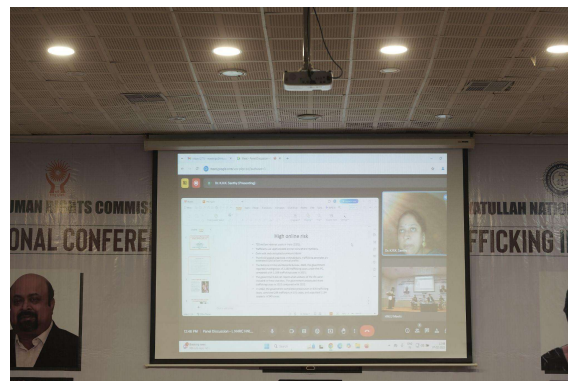
Dr. Sanjeev Shukla, Inspector-General of Police, Bilaspur Range. (Co-Chair)

Dr. Sanjeev Shukla, with his vast experience in handling cases relating to human trafficking in the Jashpur district in Chhattisgarh, highlighted the fact that human trafficking is a significant issue in Chhattisgarh, with 427 reported cases but a more substantial number of unreported cases. He said that the primary reasons for non-reporting include parental consent, poverty, and lack of awareness. According to him, trafficking in minors (children) happens because it's more straightforward to engage children in domestic work, as bonded labor in agriculture, brick kilns, and other sectors, and sometimes they end up in forced marriages and prostitution. Often, the cycle of trafficking and re-trafficking persists due to inadequate victim rehabilitation. He discussed multiple real-life instances from Chhattisgarh showing how victims repeatedly fall into trafficking due to system and societal failures.

Dr. K.V.K. Santhy, Professor of Law, NALSAR University of Law, Hyderabad.

Prof. Santhy, in her presentation, pointed out that India ranks third globally in human trafficking crimes, but the NCRB data is incomplete and does not reflect the full scale of the problem. According to her, the worst forms of child slavery are emerging, especially in digital spaces, where even parents in India and abroad are normalising online abuse under the misconception that "nothing is happening physically." This is heightened by the lack of cooperation from Internet Service Providers (ISPs), which hinders investigations, as many servers are outside India. One of the reasons for the high acquittal rate (81%) in cases filed was pointed out by Prof. Santhy was due to improper case registration where cases were registered as kidnapping instead of trafficking. She also claimed that Anti-Human Trafficking Units (AHTUs) are not functioning effectively in all states, and the government initiatives are insufficient, with low funding allocated for anti-trafficking efforts. She also highlighted that victims rescued are often re-trafficked due to inadequate long-term support and emphasised the need for appropriate victim support, with rehabilitation schemes and counselling. About human trafficking in the digital era, Prof. Santhy discussed case studies from European nations like France, Belgium, Poland, and Bulgaria that have placed legal duties on ISPs to monitor and report trafficking-related activities, something India lacks.

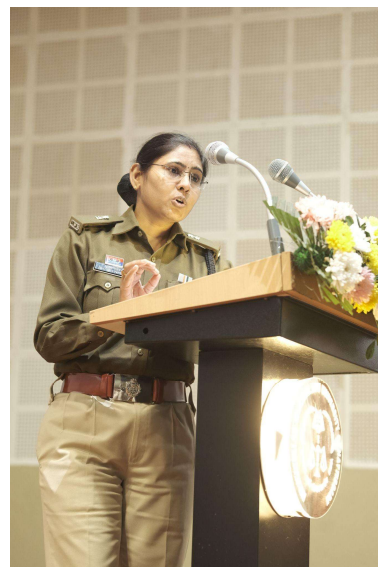**Mr. Kirtan Rathore, Additional Superintendent of Police, Raipur.**

Mr. Rathore's focus in his address was on Chhattisgarh, and he stated how the anti-human trafficking unit in Jashpur is proactive and most of the victims were rescued from Delhi. According to him, Raipur, the state capital of Chhattisgarh, has fewer trafficking cases. However, inter-state trafficking is prevalent. He highlighted a case from Korba district where three minor girls were trafficked under false pretences. When FIR was registered, 11 offenders were arrested. Finally, the court sentenced two to life imprisonment, one to 14 years of rigorous imprisonment, and 5 years of imprisonment to one. This is one example of successful law enforcement where justice was served by ensuring the perpetrators are not left free to roam after engaging in such heinous crimes.

Smt. Pratibha Tiwari, Additional Superintendent of Police, Mahasamund.

Smt. Pritabha Tiwari addressed in her talk the fact that human trafficking may end in multiple crimes like rape, unpaid labour, organ trade, etc. Technology has increased the potential of human trafficking through luring through fake job offers, love traps via dating apps and other such manipulative techniques. These crimes are untraceable as the payments in lieu of trafficking are made through crypto transactions and other digital payments. Her presentation focused on how digital tools can be used to track victims and how emerging technologies like artificial intelligence (AI), big data, and face recognition can aid law enforcement agencies. Smt. Pratibha highlighted the main challenges faced by police are identification of victim, access to evidence where encrypted messaging services are used and thereby no access to private conversation between victim and offender(Love trap cases), cryptocurrencies are used for payment instead of traceable

online account transactions, perpetrators do fake documentations, the challenge of maintaining victims' privacy during the enquiry, investigation, trial and post-judgement, many legal platforms are misused by traffickers to track, collect information and contact potential victims.

All the resource persons in session one agreed on the urgent need for enhanced legal frameworks, digital interventions, and more vigorous enforcement mechanisms. The way forward includes:

- Strengthening cybercrime and human trafficking units with trained personnel.
- International cooperation for better tracking and prosecution.

- Stricter internet intermediary liability and regulations to monitor and report online trafficking activities.
- A victim-centred approach, ensuring rehabilitation and preventing re-trafficking.

The session highlighted that technology, law enforcement bodies, and victim support agencies must work together to combat online-facilitated human trafficking and migrant smuggling effectively.

SESSION 2: Preventive Strategies Against Human Trafficking: Role of Technology, Law Enforcement Agencies, Victim Support and Community Engagement

Dr. Manish Mishra, Joint Director, Chhattisgarh Human Rights Commission (Chair)

Dr. Manish Mishra, in his address, introduced several human rights issues that are of contemporary relevance, and human trafficking in the digital era is one such issue that the NHRC and different state human rights commissions have been working tirelessly on. He highlighted in his talk that trafficking in human beings is an unfortunate practice that has been carried out for centuries. Initially, labourers were trafficked for industrial work. Further, several migrant workers travelled across the country after the harvesting season to find other work. However, many of these workers were detained by contractors, and they were kept in inhumane conditions, without food facilities or wages. These days, issues of migrant smuggling happen because people, through illegal means, arrive in different countries for better opportunities and living conditions. So, one of the major causes of migrant smuggling and human trafficking is one's economic conditions. Poverty drives these workers to seek work elsewhere and become vulnerable to such offences. A person's need for money may eventually turn into a person's helplessness, leading to them becoming trafficked. Similarly, some individuals may go abroad to work illegally, where, upon being caught, they are deported back. He stated that labour exploitation (specifically bonded labour) involves four categories of people: the family of the labourer, the labourer themself, the middleman, and the employer of such labour work.

Emphasising the role of technology, Dr. Manish highlighted that technology can be used to monitor the nature of work and working hours. Focusing on a recent case study of a rice factory where a trafficked child was allegedly employed, he highlighted how the verification of identification cards through technologies like scannable barcode or others could be a potential tool for ensuring minors are not employed in hazardous works as well as their identities can be established to ensure they are not coerced to work after being trafficked. In the internet era, a well-connected network through artificial intelligence and other software can reduce the time taken for identification of legitimate workers (noting their details and place of employment and period of such employment), identification of the trafficked victim whenever needed, notification of missing persons identified thereby to the police and other agencies, and finally, quicker enforcement of the law. Talking about the role of the Chhattisgarh State Human Rights Commission, he shared how

CG HRC conducts frequent meetings and inspections in cooperation with district administration to track such cases of trafficking from time to time.

Dr. Purushotam Chandrakar, Member, Child Welfare Committee Raipur (Co-chair).

Dr. Purushotam focused on the role of Child Welfare Committees (CWC) in dealing with returnees of trafficking who are minors. He explained how CWC has branches across the states in every district, and Balyan Kalyan Smamitis (child welfare committee) and children's homes also play an essential role in child welfare. The main reasons for child trafficking are for child marriage, to prepare them as child soldiers, and for adoption, reproductive purposes, etc. Bal Kalyan Samiti is comprised of members from different fields who are experts in their fields. It mainly includes health workers, women, child specialists, educationists, and counsellors. Police officers, child welfare police officers (CWPO), district child protection officers (DCPOs), government servants, NGOs, social workers, doctors, a child himself/ herself, any case through the governmental portal, responsible citizens, district administration, or school principals can file complaints before CWC or may suo moto accept such complaints. Dr. Manish highlighted how, recently under Operation Muskaan, children were found and presented before the CWC, where they explained how they went to work with their family members in different states and were eventually split from their families. These children were provided counselling and kept in child homes till the time their families could be identified and contacted.

Ms. Pallabi Ghosh, Founder and Director, Impact and Dialogue Foundation (Kolkata).

Ms. Pallabi started her address by mentioning how dealing with issues of human trafficking is an occupation that needs to use the heart, not the mind. She explained most people in society are very privileged and have a limited idea of how terrible human trafficking as an offence can be. She emphasised rehabilitation strategies to prevent being trafficked again are crucial, and support groups should aid survivors. Community capacity must be built by training and fostering a diverse community, making them accountable for preventive anti-human trafficking strategies and increasing awareness regarding this crime. She identified how children and women from the northeast region of India are subjected to re-trafficking even after being rescued for initial times. Her advice was for law enforcement agencies as well as NGOs working with anti-human trafficking to map such villages prone to repeated human trafficking to protect vulnerable communities and ensure that skill-building is practical and effective so that returnees of trafficking do not fall prey to the trafficking cycle again for money or jobs. Monitoring should happen through local-level village bodies to ensure early interventions where vulnerable houses are mapped, to identify their needs, and to help them tackle their problems. Thus, prevention should happen at primary, secondary and tertiary levels. As a part of strategies for victim support, counselling of victims should be

mandatory to help them with reasons that trigger terrible memories from being trafficked; victim blaming needs to stop as societal practice and emergency numbers and police numbers must be made available.

Mr. Ritesh Kumar, Child Protection Consultant, UNICEF (Raipur).

In this address, Mr. Ritesh mentioned that in international conventions like the UN Convention on the Rights of the Child (UNCRC), it has been recognised that the responsibility of protecting children from trafficking falls on the government. But non-governmental organizations like UNICEF can work parallel with the government to tackle the heinous crime of trafficking in children in specific and human trafficking. In states like Chhattisgarh, women and children, especially of minority communities, are most vulnerable to trafficking because of their socio-economic conditions and limited access to education and employment. The general tactics used by traffickers can include violence and threat, lies and false promises, befriending and romance. According to him, strategies for prevention should include understanding priority areas where trafficking happens, implementation of legal measures and conducting awareness campaigns, institutional interventions to rehabilitate victims, and support groups to facilitate returnees join back mainstream societies fully. He highlighted how survivor support and institutional services can be built by providing one stop centers where residential care (112 Child Care institutions (CCIs) are functional in 22 districts of the Chhattisgarh for children), counselling services and skill building for newer opportunities can be done simultaneously. Non-institutional services generally include sponsorships for Children in need of care & protection (CNCP), repatriation of juvenile justice fund for child returnees. Some of the policies in work in Chhattisgarh mentioned by him includes Chhattisgarh Baal Kosh under Section 105 of the Juvenile Justice Act, Rehabilitation Policy for Children in Street Situation 2022: Rescue and rehabilitation support with one time financial support of 4000/- post rescue and benefits of with other government Schemes (More than 350 children have been rescued under CISS Policy and 92 children are covered under Sponsorship Program) and .Chhattisgarh Victim compensation Scheme 2011 by Home Department where compensation range from 10 thousand to 10 lakhs.

Prof. (Dr.) Vishnu Konoorayar, Professor of Law, HNLU.

Prof. Vishnu began his talk by highlighting that human trafficking is a humanitarian disaster and is categorised as a crime against humanity. He discussed the international obligations of India under various conventions and treaties to prevent and prohibit human trafficking. Categorizing human trafficking as the modern form of slavery, he cited international reports which stated India does not fully meet the global minimum standards for the elimination of trafficking but has taken significant steps.

The panellists in technical session 2 agreed on the need to relook and re-strategize rehabilitation strategies and victim support schemes against

victims' re-trafficking and create a robust framework through government and non-governmental cooperation to prevent such crimes.

In the valedictory session, **Shri Joginder Singh, Registrar (Law), NHRC** emphasised on the global reach of technology has led to an increase in human trafficking. He summarised how victims are often from marginalised communities exploited for labor, sexual exploitation, and illegal

adoption. While it is imperative to fight against such heinous crime, it cannot be done by a single entity alone but instead requires collaboration from all stakeholders. A collaborative approach to tackling human trafficking in the digital era is the key, and community engagement and victim support are also important pillars of this fight. A victim-centred approach must be taken to ensure returnees are rescued and they can rebuild their lives. He concluded that technology is a double-edged sword. While it increases vulnerability, it also provides hope in tracking victims and combatting this crime.

I. NATIONAL HUMAN RIGHTS COMMISSION, NEW DELHI

1. Shri Justice V. Ramasubramanian, Hon'ble Chairperson, NHRC
2. Shri Joginder Singh, Registrar (Law), NHRC
3. Dr. (Ms.) Rajul Raikwar, Consultant Research, PRP&P Division, NHRC
4. Ms. Saptaparni Majumdar, Junior Research Consultant, NHRC.

II. LIST OF RESOURCE PERSONS/PANELISTS

1. Smt. R. Shangeetha, Secretary & Commissioner, Excise, Commercial Tax (Excise) Department, Government of Chhattisgarh,
2. Ms. Bhamathi Balasubramaniam, IAS Retd. Former Member, Central Administrative Tribunal.
3. Dr. Manish Mishra, Joint Director, Chhattisgarh Human Rights Commission.
4. Dr. Sanjeev Shukla, Inspector-General of Police, Bilaspur Range.
5. Dr. K.V.K. Santhy, Professor of Law, NALSAR University of Law, Hyderabad.
6. Mr. Kirtan Rathore, Additional Superintendent of Police, Raipur.
7. Smt. Pratibha Tiwari, Additional Superintendent of Police, Mahasamund.
8. Dr. Purushotam Chandrakar, Member, Child Welfare Committee (Raipur).
9. Ms. Pallabi Ghosh, Founder and Director, Impact and Dialogue Foundation (Kolkata).
10. Mr. Ritesh Kumar, Child Protection Specialist, UNICEF (Raipur).
11. Prof. (Dr.) Vishnu Konoorayar, Professor of Law, HNLU.

III. LIST OF REPRESENTATIVES FROM HIDAYATULLAH NATIONAL LAW UNIVERSITY, RAIPUR.

1. Prof. Dr. V. C. Vivekanandan, Hon'ble Vice Chancellor, Hidayatullah National Law University.
2. Dr. Deepak Kumar Srivastava, Registrar I/C, HNLU.
3. Prof. Dr. Yogendra Srivastava, Dean PG and Controller of Examination, HNLU.
4. Dr. Debmita Mondal, Project Director of the event and Assistant Professor, HNLU.
5. Dr. Priyanka Dhar, Assistant Professor, HNLU.
6. Dr. Kiran Kori, Assistant Professor, HNLU.
7. Dr. Atul Jaybhaye, Assistant Professor, HNLU.
8. Mr. Jeevan Sagar, Assistant Professor, HNLU.
9. Ms. Garima Panwar, Assistant Professor, HNLU.

More than 200 participants, including students, research scholars, faculties, head of departments from HNLU as well as local universities like Kalinga University, Shri Rawatpura Sarkar University, ITM University participated as the audience in the one-day event.