

Minutes of In-House Meeting on Human Trafficking and Child Care Institutions

An in-house meeting was held on 12 July, 2021, in Room No. 508 of the Commission under the chairpersonship of Justice Shri Arun Kumar Mishra, Hon'ble Chairperson, NHRC, to discuss the issues of 'Human Trafficking' and 'Child Care Institutions'. Senior officials of the Commission including Justice M.M. Kumar, Hon'ble Member; Shri Bimbadhar Pradhan, SG; Smt. Anita Sinha, JS; Dr. M.D.S. Tyagi, JD(R) and Dr. Seemi Azam, RO, attended the meeting. Smt. Karuna Bishnoi, NHRC's Special Monitor on Rights of Children and Shri Ajeet Singh, NHRC's Special Monitor on Human Trafficking joined the meeting virtually. Legal and domain expert Adv. Shri Anant Kumar Asthana also joined as a special invitee to provide his inputs during the meeting.

In the meeting, brief presentations were made on the subject of 'Human Trafficking' and 'Child Care Institutions' by the concerned JRCs, namely, Ms. Chandrali Sarkar and Ms. Diana Thomas, respectively. This was followed by comments and inputs of the three domain experts who were present in the meeting.

The major points emanated from the meeting are as follows: -

Human Trafficking: -

- a. To recommend for revival of the Anti-Human Trafficking Units (AHTUs), if disrupted due to the pandemic
- b. Setting up of AHTUs in all trafficking-prone areas and monitoring to ensure their effective functioning.
- c. Data on re-trafficked victims and promote deliberation how to combat re-trafficking.
- d. Emphasis should be laid on provision of vaccination in shelter homes without requirement of official IDS.
- e. To monitor and provide guidelines for the improvement of shelter homes.
- f. Data on incidences of child marriages in the country during the pandemic should be gathered.

Child Care Institutes: -

- a. Multi-layered inspection mechanism of CCIs is already provided for; the need, then, is to examine whether these layers of inspection are functioning effectively or not.
- b. Any initiatives concerning children in CCIs and improving the status of CCIs in India will require collaborative efforts between NHRC, MoWCD and NCPCR/SCPCRs.
- c. Best practices of CCIs from across the country should be captured and disseminated for pan-India implementation.
- d. Feedback should be sought on Advisory 1.0 and Advisory on 2.0 on the Rights of Children issued by the Commission to identify the problem areas at the earliest.
- e. The issue of incarceration of children in jails and establishment of Places of Safety within jails should be addressed.

Smt. Karuna Bishnoi, who couldn't share her comments during the meeting due to connectivity issue, was directed by H(CP) to provide her inputs in written. Accordingly, major points emanating from her written submissions are as follows:

- a. To prevent trafficking of children, community based child protection mechanisms, including Village-level Child Protection Committees have to be empowered; the DCPUs need to act on this.
- b. There is a need for strengthened coordination between police, MWCD and MHA (AHTUs) and qualitative analysis of what happens to missing children who are not found within four months as cases are transferred to AHTUs. This is an area where no information is available in the public domain as to what happens to these children. It is proposed that the NHRC Research Study on Missing Children (NRSMC) will examine this aspect to enhance understanding on these issues.
- c. Restoration of children often does not take place in a timely manner; whether the proceedings of CWCs and JJBs are being carried out through digital mode during the pandemic and if not, whether this has resulted in continued detention of children needs to be reviewed and feedback has to be sought from the states as recommended in the NHRC Advisory.
- d. A major weakness and a violation of children's rights to voice their lived experiences in CCIs is the lack of adequate space for the children to communicate in a fearless manner. Children in a majority of CCIs are unable to access Childline (1098 helpline) for various reasons. All Inspection authorities should investigate this and provide specific feedback on the functioning of this aspect, along with feedback from children themselves. NHRC may ask MWCD of actions taken to mainstream this aspect, how it is monitoring the impact of their directions to States, what issues have emerged from reports from the states.
