



## Trafficking in Persons Report

The U.S. State Department has released the **Trafficking in Persons (TIP) report** for 2019. India continued to be placed in Tier-2 on the country trafficking scale.

- The U.S. State Department report has used the [International Labour Organisation \(ILO\)](#) data.

### Finding of the Report

- There are 25 million adults and children suffering from labour and sex trafficking all over the world. In 77% of the cases, victims are trafficked within their own countries of residence, rather than across borders.
- The number of victims trafficked domestically was high compared to foreign victims being trafficked in all regions of the world except Western and Central Europe, the Middle East, and certain East Asian countries.
  - Victims of sex trafficking were more likely to be trafficked across borders while victims of forced labour were typically exploited within their own countries.
- The report stresses on the implementation of the Palermo Protocol. The countries need building **legal frameworks** to prosecute traffickers and provide care for survivors.

### Palermo protocols

The Palermo protocols are three protocols that were adopted by the United Nations to supplement the 2000 Convention against Transnational Organized Crime (the Palermo Convention). These protocols and convention fall within the jurisdiction of the United Nations Office on Drugs and Crime.

They are:

- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; and
- The Protocol against the Smuggling of Migrants by Land, Sea and Air.
- The Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition

### Categorisation of Countries

- The categorisation is based not on the magnitude of a country's trafficking problem but on efforts to meet minimum standards for the elimination of human trafficking.
- The report contains country narratives and category designations for all countries, including the U.S.
- The countries are designated on the three-tier system:
  - **Tier 1 countries** are those countries whose governments fully comply with the Trafficking Victims Protection Act (TVPA) minimum standards.

- **Tier 2 countries are** those countries whose governments do not fully comply with a TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.
- **Tier 2 watchlist countries** are those countries, whose governments do not fully comply with the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards and:
  - The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
  - There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
  - The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.
- **Tier 3 countries** whose governments do not fully comply with the minimum standards and are not making significant efforts to do so.
- There are also a few "**Special Cases**" such as Yemen, where the civil conflict and humanitarian crisis make gaining information difficult, and Sint Maarten where the devastation caused by Hurricane Irma has made reporting difficult.

## India's Position

- **India is placed in Tier 2:** The government demonstrated overall increasing efforts compared to the previous reporting period. The report highlights efforts by the government to crack down on trafficking and convicting traffickers.
  - The government took some action following reports of government complicity in forced labour and sex trafficking, although the **systemic failure to address forced labour and sex trafficking** in government-run and government-funded shelter homes remained a serious problem. The report also highlighted the government's failures in this regard.
  - **Recommendations for India:** It includes amending the definition of trafficking in Section 370 of the Penal Code to **include forced labour trafficking and ensure that force, fraud, or coercion are not required to prove a child sex trafficking offence,**
  - To establish **Anti-Human Trafficking Units** in all districts with dedicated funding and clear mandates.