



India

- Population: 1.26 billion
- GDP per capita (in US dollars): 1,581
- Federal regime
- Human development index (HDI): 0.609 (130th rank among 187 countries)
- Gender inequality index (GII): 0.563 (130th rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 38 on a scale from 0 (highly corrupt) to 100 (very clean)

- No official national statistics on prostitution.
- In 2012, there were over 500,000 victims of sexual exploitation in Mumbai, 40% of which were children (*IBNLive*, March 14th 2012).
- According to UNICEF, 1.2 million were trafficked in India.
- The Immoral Traffic Prevention Act penalizes “visible” prostitution (soliciting and prostitution in public places). Prostitution is tolerated as long as the prostituted person is older than 18 and acts “voluntarily” and away from the public.
- Section 370 of the Indian Penal Code provides for penalties of seven years to life imprisonment for sexual exploitation.
- The Indian government does not report the statistics on the number of trafficking convictions.
- 2014 was a year of debate on the legislation of prostitution.
- A serious problem of corruption exists.
- There are difficulties in eradicating the Devadasi system (sacred prostitutions), which has been illegal since 1988.
- Country of origin, transit, and destination for victims of sex trafficking.
- Indian victims are often children of ethnic and religious minorities, Dalits (untouchables), or from poor areas especially in eastern Bengal.
- Foreign victims in India are mostly from Nepal, Bangladesh, and Afghanistan.

Prostitution is legal in India under certain conditions. The Immoral Traffic Prevention Act (ITPA) of 1986 penalizes procuring, running a brothel, forcing a person into prostitution, soliciting and prostitution in public places. Prostitution is tolerated in private places.

According to the 2015 U.S. Department of State Report on Trafficking in Persons, several million women and children are victims of sex trafficking in India. Women are mostly young girls from Nepal, Afghanistan, and Bangladesh. Destinations for this traffic are Calcutta, Mumbai, Delhi, and Gujarat. Sex trafficking of children in hotels and vehicles is expanding, rather than in traditional red light districts.

The Indian government continues to fund housing and rehabilitation services for victims of trafficking. However, NGOs working with trafficked persons consider government action to be unproportional to the amount of trafficking taking place in India.

In order to help female victims of sex trafficking, the government funds the Ujjwala program. However, according to NGOs, the funds allocated to this program have been decreasing. They note that access to health care service is inconsistent and insufficient with the number of shelters being too low. The latter, run by the government or NGOs, face a lack of resources and trained personnel. NGOs are primarily funded by donations, though some receive government subsidies, which are slow to arrive. The government has not put specific measures in place to fight against sex tourism involving children.

Corruption remains a major problem in the fight against sexual exploitation. Some police officers actually warn brothel owners of raids in advance, preventing rescue missions from succeeding. Procurers are informed of police raids in advance and if they are arrested, they are usually released quickly. In May 2014, a prostitution ring involving children was dismantled, with several police officers arrested in Pondicherry for complicity.

Child and Teenage Prostitution

It is illegal in India to pay a minor for sex, encourage them into prostitution, or sell or buy a minor for purposes of sexual exploitation. The penalty is up to 10 years in prison with a fine. Still, 1.2 million children are trafficked according to UNICEF. Sex tourism involving children is particularly important.

NGOs report the presence of children in “red light districts” of major cities, but trafficking occurs in both rural and urban areas alike. According to the July 2015 report from the United Nations Office against Drugs and Crime (UNODC), trafficking of children for sexual exploitation is increasing, although no official statistics are available.

Prostituted children are sometimes abducted in neighboring countries or sold by their parents. The high amount of poverty in India, along with the lack of education and economic opportunity, leads parents to view their children as a source of income. A number of children are also born in red light districts. Trapped in deplorable conditions, children are encouraged to take drugs, which cause adverse effects on their physical and mental development. Kamathipura, the prostitution district of Mumbai, is one of the largest in the country. From the outset of British forces in India in 1947, thousands of children became victims of trafficking for purposes of prostitution in this district. These children, who are as young as six years old, are imprisoned in brothels and cages in secret rooms behind trapdoors or false walls. A child’s rights advocacy group estimated that 40% of the country’s prostituted persons are of school age. These children suffer torture, violence, and humiliation and are likely to be affected by HIV/AIDS.

Following the earthquake of May 2015 in Nepal, many children were abducted, sold, or taken to India to be sexually exploited. Despite the prominence of teenage prostitution becoming a major social problem in India, the subject remains taboo and is rarely addressed by the media.

Sexual Exploitation Justified by Religion

In 2014, the Indian Supreme Court, seized by the association SL Foundation, condemned a temple in southern India for operating Devadasi, a form of traditional prostitution that was allowed until 1988. The Supreme Court found that despite its illegality, this system continues, mainly in remote rural areas. The Supreme Court ordered the government and the National Commission for Women to take effective action to stop these practices.

This practice is similar to human sacrifice. Girls are “dedicated” to the temple, considered “married” to the deity. They are sent to the temple at the age of five and become sex slaves when they reach puberty. The Devadasi (literally translating to “servants of god”) are sold to rich men or priests. They often end up in brothels.

Each year, girls from poor families are condemned to be sexually exploited for the rest of their lives after being forced to “marry” to a deity. Their life expectancy is very low compared to the national average.

Dalit women (untouchables) are traditionally most vulnerable to trafficking justified by religion. Poverty and religious superstitions explain the persistence of such practices. For many parents, think that giving their child to a deity will bring luck and prosperity to their families and their villages.

Male Prostitution

Male prostitution in India is very diverse: gigolos, masseurs, escorts... While many poorly educated masseurs are trafficked, escorts are generally from the region where they practice prostitution and are more educated. Some of them prostitute themselves to wealthy women. Saunas, massage parlors, and spas have become well known places for prostitution.

Indian traditions play a large role in the prevalence of male prostitution. In the states of Bihar and Uttar Pradesh, Laundas dancers are part of traditional ceremonies. These are young effeminate men aged 15 to 25 and transvestite women. In the past, they were hired to dance at weddings by families that could not afford more expensive dancers. Hiring Laundas dancers are now widespread in all social classes. Coming from poor families, often from West Bengal, these men go to the states of Bihar and Uttar Pradesh during the wedding season to work in local orchestras for several months. This tradition has become synonymous with sexual exploitation. During ceremonies, Laundas are often victims of sexual assault and can risk losing their lives by defending themselves. Because of their mobility and the high amount of partners and unprotected sex, they have an increased risk of being infected by HIV/AIDS.

In Indian society, young effeminate boys are marginalized and mistreated, making them particularly vulnerable to prostitution as a means to survive.

Male prostitution is considered invisible in Indian society. While a prostituted child and female can benefit from government programs, there are no policies to help rehabilitate prostituted males and there does not appear to be any government interest in helping.

The Debate on the Legalization of Prostitution

The year of 2014 was marked by a debate on the legalization of prostitution in India.

Some feminist organizations advocate the establishment of a regulationist system. They argue that banning prostitution will not stop its existence and that legalizing prostitution would more effectively combat human trafficking and procuring. Their arguments favor a regulationist system in which prostituted persons would be protected by labor law; the legalization of prostitution would help stop the spread of HIV/AIDS and other STIs and would ensure better living conditions for prostituted persons and their children. Brothels would be regulated and prostituted persons could file complaints against violent clients. The number of rapes would decrease. Proponents of a regulationist system defend the idea that such a system would have a positive impact on public health, crime, and poverty.

In September 2014, a group of Indian intellectuals – writers, and Dalit activists – sent a petition to the Chief Minister of the State of Karnataka defending the legalization of prostitution to curb sexual atrocities suffered by prostituted persons.

The Indian Supreme Court established a panel to examine the existing legislation on prostitution and its implementation. In November 2014, the National Women’s Commission made recommendations on changing the ITPA. This was a proposal for legalizing prostitution.

Associations advocating for the rehabilitation of prostituted persons expressed their opposition for this proposal. The activist Pravin Patkar, whose NGO *Prerana* works with prostituted persons, published an article against the proposal. She stressed that the current law punishes exploiters and suggested that legalizing the sex trafficking would decriminalize trafficking, brothels, and procuring. She also talked about the plight of children (40% of prostituted persons), persons living with HIV/AIDS, and illegal immigrants in the context of legal prostitution. Would they be allowed to practice prostitution? Or would they continue to practice illegally? If the government wants to rehabilitate victims, Pakar thinks that they should already be working actively to do so.

The NGO *Apne Aap* also opposes legalization, arguing that it would lead to an increase in the demand for sexual services, encouraging trafficking. *Apne Aap* leads a campaign called “*Cool men don’t buy sex*”, which aims to reduce demand for sexual services. However it is unlikely that prostitution will be legalized any time soon, as there are no politicians defending this position.

Governmental and Community Initiatives

In 2013, the Government of West Bengal announced the creation of rehabilitation centers in Calcutta for older prostituted persons and abandoned children of prostituted persons. This initiative is part of the plan of the West Bengal government to reintegrate older prostituted persons in Calcutta. Many former prostituted persons live in poverty after giving up

prostitution because of their age. This program includes housing, a medical care, and food at low prices. These centers should be able to accommodate 200 people of the 750 identified as in need of assistance by the local authorities. However, the completion of such initiatives is not without difficulty. A similar project had to be abandoned in another city, following the opposition of the local population.

Prerana, founded in 1986 by Patkar, is an example of a humanitarian initiative to rehabilitate prostituted children. Prerana runs several shelters in the prostitution quarter of Mumbai and has helped 10,000 children between 1986 and 2014. The main objective of this NGO is the security and development of these children. The four night centers welcome 250 children every night, organize activities, enroll children in schools, and provide medical care for those in need.

Apne Aap is present in many red light districts. It offers classes in community centers for daughters of prostituted persons and helps integrate them into school. This NGO also organizes income-generating activities for prostituted persons. It is associated with the jewelry designer Rosena Sammi to create a line of accessories called “Who’s sari now?”, manufactured by prostituted persons in these centers.

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