

Engagement of lived experience in international policy and programming in human trafficking and modern slavery: reflections from India, Bangladesh and Nepal.*

*Regional report for the project *Promising practices in the engagement of people with lived experience to address modern slavery and human trafficking*

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Introduction

The purpose of this research was to gather evidence of the best practices in survivor engagement within international development policy and programming on modern slavery worldwide. Commissioned by the UK government's Foreign, Commonwealth and Development Office (FCDO), this report assesses the nature and effectiveness of survivor engagement in international policy and programming from the South Asian perspective. The study was led by an independent development consultant with strong research experience in various aspects of modern slavery across the South Asian region.

This report sets out the main findings from research informed by four human trafficking and modern slavery experts across different regions of India and two other professionals from Nepal and Bangladesh, respectively. It was also enriched by an intensive all-women survivors' focus group discussion (FGD) remotely done in India. The survivors, based on their lived experiences, shared how survivor engagement both in policy and programmes operates on the ground, discussing the challenges and what they have been able to achieve.

Given the researcher's experience of working across South Asia as a journalist and researcher on topics including human trafficking and gender violence, it was evident early in this research that organisations had to be carefully selected for participation. Survivor engagement in South Asia is largely an NGO-driven process. Unlike the sex workers' groups that have benefited from the years of activism since the early eighties and have leaders championing human and labour rights, there are no human trafficking survivor groups widely known in South Asia. This is because the concept of survivor engagement in policy and programming in this area is nascent, and survivors have not achieved the level of empowerment and professional practice required to perform leadership roles. Those with lived experience of trafficking largely remain as simply beneficiaries of programmes/interventions of various NGOs that rescue them. So, it was important for this study to consider professionals with solid expertise and understanding of policies and who have experience of designing programmes, to ask about the potential for survivor-engaged practice.

All the participants were initially contacted through an email, and after they agreed to participate, a video call was scheduled to further explain the research objectives before of the actual interview. The initial round of discussions allowed the researcher to assess the participants' knowledge of the subject, their ability to express themselves in English and the feasibility of doing the interview online. It also provided an opportunity for the participants to ask questions and familiarise themselves with the researcher. For example, the participant from Bangladesh who didn't have a strong command of English was delighted to learn that the researcher could understand Bengali and requested that he speak in both English and Bengali during the interview.

The initial discussion with the participants also paved the way for a very informative focus group discussion which occurred later in the research process. It was through one of the original interviewees that the researcher learnt about the existence of an active survivors' group in West Bengal. Later the same participant provided invaluable support by reaching out to her network and then mobilising survivors' from this group for an online focus group discussion (FGD). As with the interviews, all those involved in the focus group were given an explanation about the purpose of this research and the questions were translated into the local language; all five survivors enthusiastically participated and signed the consent form. The FGD was done in Bengali language and was moderated by the participant who helped organise the FGD. Previous experiences conducting FGDs in the region suggest that these discussions can have a meaningful result only if the participants are familiar with and comfortable communicating with the moderator. In the researcher's experience, the FGD conducted for this research was of very high quality as the survivors were very professional in their conduct and had deep knowledge of the subject. The moderator was neutral, friendly, and probed the participants to think critically before responding to technical questions.

The study also highlighted the limitations of conducting research of this nature online. Some participants had only a functional knowledge of English, so contextualising the information during the transcription was a lengthy process. Generally, during face-to-face meetings such doubts can be cleared immediately. Further, survivors speak with emotions and convey many things in non-verbal ways. These things are never properly captured online. The interview with the participant from Bangladesh was severely disrupted due to electricity failure and loss of internet connection at their end. A lot of information could not be gathered. Overall, one of the key learnings from the research process is that despite the advancement of technology it is not ideal to do such sensitive research online as participants do not readily have access to the internet and smartphones especially if they live in remote areas.

Key findings

i. Treat survivors as equal partners

An NGO leader from Nepal stressed dignity, respect, and equality as three main indicators to ensure meaningful participation of survivors in both policy and programming. The participant called for accountability in power relations between NGOs and survivors' groups. The participant criticised the tendency of NGOs to treat survivors as target communities or beneficiaries rather than treating them as equal partners. Emphasising that survivors' interests and safety should be prioritised while designing policies and programmes, the participant said that efforts should be made to create an enabling environment for survivors.

“Even while designing policies, we must keep survivors' needs at heart, they come from different backgrounds, and when we are making policies, we need to be very careful about how you draft it, what kind of language is used — and the policy needs to be put in proper perspective by consulting the survivors themselves. There will be different sets of challenges when it comes to different survivors so consulting them is important.” — executive director of NGO in Nepal.

The executive director of an India-based NGO underlined that for survivor engagement to be an effective process, there must be “transparency” and “authenticity” between survivors and the civil society organisations that have been advocating on their behalf at the policy level. The participant underlined that it is imperative for the survivors to lead the process and to be kept informed. It must be acknowledged that survivors' socio-economic background is generally different, with very low levels of formal education available; hence they might lack a holistic understanding of issues that confront them. As survivors gain leadership skills and exposure, they might have their own views on certain issues, which might be fundamentally different from those of an ally organisation that might have mentored them in the first place. For example, some survivors' groups are against all forms of sex work and call for the criminalisation of sex work which might be different from the position held by an ally organisation that might view sex work from wider labour rights and human rights perspectives. When such differences arise, they must be handled sensibly.

“In this sector, there is a tendency by the NGOs to act like saviours or rescuers, and they treat survivors like helpless victims. When you are engaging with survivors and working in their leadership, they grow. They develop their agency, self-esteem, and outlook, so the conflict with NGOs begins to emerge. Expressing disagreements and bringing out conflict is as important as much as looking at alignments, resonances, and empathy. The disagreements need to be projected transparently, authentically, and respectfully” — director of NGO in India.

A participant from the UN said that survivors are not even consulted while designing a programme. The assessment of the needs of the survivors are overlooked. She said,

“in our desperate attempt to change their world, we miss out talking to survivors and listening to their concerns to assess their needs. We need to counsel them and show a lot of affection. We should not push them into something which they are not ready for”.

Another NGO leader from South India argued that for survivor engagement to be meaningful, this must lead to changes in policy, and policy-makers must be informed about the on-the-ground realities. The participant recommended creating an enabling environment with enough ‘facilitation’, ‘motivation’, ‘encouragement’ and ‘capacity building’ for the survivors, which can be useful in designing a survivor engagement programme.

ii. Stigma and backlash

All participants of the research — professionals and survivors — said that tackling social stigma, particularly for women survivors, is one of the most challenging barriers in survivors’ engagement and reintegration processes. The survivors said that they face stigma and backlash at many levels, particularly in their own families, in the community and even at the hands of law enforcement agencies. The issue of stigma is severely gendered.

One participant who works across the north and east Indian states of Bihar and Chhattisgarh explained: the term “survivor” itself attracts stigma and often re-victimises the survivors. She points out that survivors come from different backgrounds and there are layers of abuse that a survivor goes through; the treatment of survivors post-rescue is very gendered. Girl survivors face extreme stigma and abuse, the families refuse to accept girls and at times, girls themselves do not want to go back to their families. However, the reintegration process for boys is much easier, and they do not face any stigma. The point has been echoed by the participants from Bangladesh:

“Acceptance by the families and communities is another barrier. From my experience I can tell you 80 percent of women and girls face stigma and shame, but this is not the case for the boys, even if he is sexually abused” – Senior officer at UNICEF.

Survivors said that community backlash can be severe when they become a part of an advocacy programme and try to educate the community on harmful cultural norms like child marriage or suspected cases of spam marriages which could potentially make the woman vulnerable to human trafficking and modern slavery. Community awareness work by survivors can meet with violence and abuse. The survivors are seen as suspicious by their community, and the community often misinterprets their peer outreach work. The community’s attitude is that survivors remain victims and should not try to act in an empowered way. There is a deliberate attempt to shame them. One survivor from the FGD said,

“We face much stigma in our community. Because of our work, we go to various training programmes in different states, but the stigma is something that we must constantly deal with, and it is a huge challenge. The general assumption is that our character is bad, so we were trafficked. When we step out for advocacy work, they assume that we are out to do bad things”.

iii. Sensitising the law enforcement bodies

One of the significant barriers to effective survivor engagement in programmes is the insensitivity of law enforcement and judicial systems towards survivors of human trafficking. Ensuring a swift and cooperative justice system means more women will be motivated to participate in survivor engagement programmes. Several participants raised the insensitivity of the criminal justice system and the judiciary in dealing with cases of human trafficking and modern slavery. They called for policy action to make the law enforcement more accountable. Traditional social norms inform the conventional police response and attitude, and it is women who are blamed squarely for their predicament.

The president of an anti-trafficking organisation taking part in this research said that the primary focus of their survivor engagement programme has been to involve survivors in making the criminal justice system friendly and empathetic towards the survivors. A responsive criminal justice system protects the survivors from unscrupulous agents. It gives them the strength and confidence to deal with other negative social fall-out like stigma and unacceptance in the community. The participant argued,

“When a victim of human trafficking or domestic violence goes to the police station, she is usually not treated with dignity and respect. Because she is a woman and poor, she is made to feel that she is responsible for her situation. The judges or the judiciary in general use terminologies which is insensitive for them and when she goes for medical check-up, she might face untold harassment and humiliation”.

One of the promising examples of practice and learning in relation to survivor engagement has been the creation of a programme run by survivors called *Mahila Mitra* (friends of women) by the NGO Vasavya Mahila Mandali (VMM) in the state of Andhra Pradesh. The programme involves training survivors about their legal rights and how to navigate through the criminal justice system. The survivors conduct workshops for police personnel on how to deal with victims of human trafficking in a friendly manner. Around 134 survivors work with the police force and assist them in gathering information from the victims of human trafficking. The aim is to make the police more sensitive towards survivors. The programme has been so successful that it is running in over 12,000 police stations in the southern Indian state of Andhra Pradesh.

iv. Peer support and survivors’ collectives

All NGO leaders representing India, Nepal and Bangladesh categorically stated that peer-to-peer support goes a long way in building the resilience of survivors. For example, the participants of the focus group discussions argued that if they acted alone to demand access to welfare schemes or justice, they were not very successful, but when they worked collectively, their voices were heard.

“We realised that we collectively demanded our rights, and spoke in one voice; it made a difference. So, we reached out to other survivors and explained that if we fight for our rights collectively, we are likely to be successful” — Survivor based in India.

A participant from the UN agency suggested that partner organisations and donors should make more efforts to include survivors in their interventions. She added that they should be adequately compensated for their time even if they might not possess the requisite professional qualifications or skills. The positive outcome of such engagement is that the survivors take ownership of the issues, gain experience, and become good leaders. An NGO leader from Nepal added,

“When survivors talk among themselves, they form camaraderie, and confidence gives a sense of hope. They begin to relate with others and realise there are others like her in a similar situation and that way a collective is created. They derive strength from each other. It helps them to overcome trauma and build resilience.”

This point was strongly supported by the survivors’ groups in the focus group discussion where there were several examples provided of how forming collectives enabled collective demands for their rights, e.g. victim compensation or putting pressure on the law enforcing agencies:

“It is not possible to create awareness alone or with a small group of women, it needs bigger numbers and stronger voices. Hence we create groups not just at the local or national level but collaborate with survivors’ alliance to make the movement strong and to be capable enough to fight for our rights globally so that every survivor of human trafficking, wherever she is, can get justice and her human rights.”

v. Selective listening

Most programmes are donor-centric and are designed in haste to get activities off the ground. Leaders of participating NGOs complained that donors’ and government agencies’ attitudes towards survivors are a barrier to survivors’ engagement in programmes and policy. Survivors are treated as tools for data collection and are soon forgotten afterwards. One survivor remarked,

“Despite our participation, in global forums, research etc, the reports are never shared with us. We are forgotten as soon as the seminar or the research is over. We never get any feedback about what really happened, what was the outcome, or what action plans have been envisaged ... so nothing is shared with us. So, the very forums that use us later dump us as well.”

Such attitudes from international organisations are tantamount to silencing their voice and even undermining their dignity. The point has been underpinned by other interviewees who argued that suppressing the survivor’s voice leads to uneven or inconsistent survivor engagement in the context of human trafficking and modern slavery. Development professionals and other stakeholders systematically silence survivors’ voices, and in most cases, survivors are not even represented in any international, national, or regional level meetings. The top-down approach to survivors’ engagement issues poses a significant barrier. The second point, raised earlier about methodology, is the importance of in-person meetings compared to online forums. Most survivors do not speak English, which is a barrier, but they convey many things through emotions, the meaning of which is lost when meetings are held online. Internet disruptions can further complicate matters.

“We see in many consultations when survivors speak, they come out emotionally, and the others feel that it’s a disturbance. You must learn to respect the emotional aspect of the survivors. Winning the trust of survivors and confidence takes time before they speak with you. You cannot interview a survivor suddenly online.” — President of an NGO in India.

vi. Survivor engagement should not re-victimize the person

Survivor engagement is a sensitive process; wrong actions can re-victimise. Participants provided several examples where attempts at survivor engagement did more harm than good.

Participants explained that in the South Asian context, the words “survivors” and “victims” are used interchangeably. Though the term survivor is widely used in the development sector, victims remain victims because of the hurdles they face in getting access to the criminal justice system and the systematic harassment they face in society. The use of terminology also depends on donors, for example, a project by Plan International used the term VOCSAT (Victims of Commercial Sex workers and Trafficking) to refer to survivors. One participant said,

“By using such language (‘survivors’ and ‘victims’), we’re labelling them. The stigma stays with them. People say, “oh, she or he has survived this, or they have been a victim of this crime or this abuse”— then they’re labelled for life.”

The participant from Nepal said workshops involving survivor participation should be carefully managed as they often involve storytelling by survivors to showcase the success of a programme by NGOs. Such exercises, she cautioned, often lead to the re-victimization of the survivor.

Another important learning from the interviews is that utmost caution should be exercised in designing psychosocial counselling for survivors of human trafficking and modern slavery. A senior UN representative said,

“what is perceived to be right by development experts can go horribly wrong with survivors. Whilst a lot of importance is given to psychosocial counselling in the design of programmes, there is very little understanding of how such sessions can benefit the survivors of human trafficking, sexual abuse and other forms of modern slavery.”

She cited an example of an incident where mental health professionals were flown to counsel survivors of sexual abuse. Still, the sessions went terribly wrong as the counsellors were ignorant of the background of the girls who come from rural areas and could not resonate with them. She stressed, “don’t do it for the sake of doing it; understand the needs of the survivors, give her space and time.”

There was a consensus that whilst survivor engagement within programmes and policy is important; it should be done in a way that it does not impact negatively. A participant remarked, “it should be survivor-centric rather than donor-centric.”

Analysis and conclusions

It is clear from the interviews conducted for this research that the term “survivor engagement” as a concept is not wholly understood in South Asia. It remains an evolving process even for the UN agencies that work both at policy and design of survivor-oriented programmes at grassroots level. Existing survivor engagement practices and processes have been donor-centric — more “for” rather than “about” survivors — the genuinely participatory approach is missing.

A director of an India-based NGO *Sanjog*, cautioned that whilst survivor voice in programmes and policy is extremely important, it cannot however be the “sole competing voice”, and an over-emphasis on their lived experience can undermine the goals and objectives of any programme. The participant’s point is very relevant in the South Asian context, as survivors generally come from poorer and remote regions. Most of them, when trafficked, are very young and generally lack the confidence, skills and experience to deal with survivor engagement programmes. These factors make survivors’ engagement in policy and programmes a difficult task. Hence the role of the local NGOs becomes critically important in training survivors with skills and exposure before they can engage in any advocacy. The local NGOs owing to their years of experience working in areas of human trafficking at the grassroots possess a contextual understanding of the challenges that survivors face. From the interviews conducted for this research, it is observed that they have used their knowledge for advocacy in policy by mobilising survivors, training them, and even setting up survivors’ collectives.

Training survivors effectively is, therefore, critical for the success of any survivor engagement programme. From the examples provided by NGO leaders, it becomes evident that there is a direct correlation between survivors’ training and achieving positive outcomes. Survivors can be central stakeholders on many issues — particularly victim compensation, reintegration processes, awareness or combating stigma, but their involvement needs to go higher than this. A director of an NGO from South India participating in this research argued that the lack of survivors in high-level committee meetings on human trafficking means there is no effective survivor engagement. The focus should be on result-oriented participation. For that to happen, the survivor must be trained adequately to acquire knowledge on the subject matter. They should be armed with evidence-based data and an understanding of tools for effective advocacy on policy matters.

The focus group discussion provided examples of how investment in survivors’ training can influence policy outcomes. The discussions revealed that survivors had filed at least three public interest litigations (PIL) on critical issues delinking victim compensation from prosecution, demanding community-based rehabilitation over shelter homes-based rehabilitation, legal aid and justice. In one PIL, the survivors called for efficient interstate investigation so that the survivors get justice and traffickers are apprehended. The survivors have been further campaigning for the passage of the Trafficking in Persons Bill (2016) in the Indian parliament. The Bill was translated and broken down into visuals to help survivors understand the objectives of the Bill. The examples underline the crucial role that local NGOs play in capacity building and developing leadership qualities of survivors.

All participants identified the role of survivors' collectives as one of the effective tools for community-based peer-to-peer support. The survivors' collectives represent safe spaces within which a survivor can vent their frustration regarding their marginalisation and seek help to strategize collectively. This was strongly articulated in the focus groups discussion where the participants provided remarkable examples about how by forming a collective, they have been able to amplify their voice and demand rights and services like victim compensation or filing a complaint about the police that were earlier not easy to get due to non-cooperation by the authorities.

The focus group discussion further demonstrated how survivors involved in collectives enjoyed enhanced self-esteem, resilience and deep knowledge of issues around human trafficking. A myriad of challenges – social, economic, and political — require different levels of advocacy. What is inspiring is that survivors are actively campaigning on all fronts at local, national, and global levels and, in the process, are experiencing a new level of empowerment. As one survivor puts it, “given from where I come from, it has been a remarkable turnaround. Today I am a confident woman ready to take up any challenges as far as the survivors' issues are concerned.” The confidence levels of these survivors demonstrate that leadership development is important for sustaining survivor engagement programmes, and there is an urgent need for more global funding directed at leadership development.

The interviews with the professionals also underlined the shortcomings of how global development programmes are designed in the global south. There is often no link between the donors, policymakers and those working at the grassroots level. Programmes are informed by a few case studies, which can be misleading because such programmes are not adequately evaluated. The participants state the lack of evidence-based data and government support as the key reasons for inconsistent survivor engagement in national and international policy and programmes.

The role of the media was strongly questioned by survivors and other experts in this study. They alleged that the focus of international reporting has been on highlighting victims' distress and conflating all survivors with sex workers, thus sensationalising or blowing human trafficking cases out of proportion. Such reporting can be problematic as it further stigmatises the community. The survivors said that positive stories of survivor engagement, e.g. about their activism and empowerment should also find space in the media.

On the question of safeguarding, all participants said this was not generally a priority issue, but confirmed that the consent of survivors should always be taken before engaging a person in any survivor engagement programme. However, taking a cue from the best practices of the UN, as stated by participants, it was recognised that safeguarding protocols should be constantly adapted in the local context. One participant cautioned that obsession with safeguarding protocols could lead to suppressing the voice of the survivor, and it is for the survivor to decide what is safe for them rather than that judgement being imposed.

Finally, it must be noted that in the context of South Asia, economic empowerment and livelihood opportunities remain the priority, so global programming must look at how approaches to survivor engagement programmes can also tackle the issue of economic empowerment simultaneously. Participants of the focus group discussion complained that despite their empowerment and high level of engagement for survivors' causes, they struggle to find stable income-generating opportunities. The senior official from UNICEF cited an example of one programme that won global accolades. The *Beti Zindabad Bakery*, set up with the support of the local state government, trained survivors on baking skills and helped them set up a bakery. However, such successful programmes, though a good model, remain rare and are difficult to replicate elsewhere. This kind of programming requires significant resources and investment and, above all, the support of the local government, which is hard to come by and not all governments in the region can afford it.



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