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Principal Distt and Sessions

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HANDOUT - I

Key Takeaways from the Session

1. Challenges and Modalities in Human Trafficking Cases

- Understanding the complexities involved in the trial of human trafficking cases and find out the ways to come out of it.

2. Prioritization of Human Trafficking Cases

- To prioritize human trafficking cases in daily case management to ensure efficient and just outcomes.

HANDOUT - I1

Bottlenecks in Expeditious Disposal of Cases:

1. Pendency of Bails in One Forum
2. Delay in Framing of Charges
3. Prolonged recording of Testimonies
4. Heavily Loaded Courts
5. Frequent Adjournments
6. Roles of Various Stakeholders:
 - a) Lawyers
 - b) Prosecution Agency
 - c) Staff
 - d) Judges
7. Impact of Media Trials

HANDOUT - III

Handout for Learning Activity

Participants are impressed upon to share “one tip for effective case management in human trafficking cases “. One member from each table will read it for all of them.

HANDOUT - IV

Identify three case management challenges presented in the fact pattern

For each challenge, identify one strategy to be adopted by the judge

One group leader of each group will present them to the house.

FACT PATTERN

John and his associates, Karim, Harishand Victor, operate a crime syndicate with headquarters in New York. The syndicate floats an online advertisement in India inviting applications for positions at Voyage, an hospitality company, offering an attractive salary.

Mohan, Abdullah, Sonal and Razia are from Maharashtra. They respond to the Voyage advertisement and are hired. Sonal, a single parent, takes her 14-year-old daughter "X" with her to

Kolkata using fake documents provided by Voyage. Razia also goes to Kolkata.

On reaching Kolkata, they meet Karim who coerces all three into engaging in pornography which is recorded and uploaded on the internet. John creates a WhatsApp group where members can access the images on payment through online transfer or cryptocurrency. Razia is forced into prostitution by Harish.

When Razia, Sonal, and X attempt to flee, they are threatened and told that their families will be informed about the pornography and the images will be posted on social networking sites and public websites. After 6 months, Sonal shares her ordeal with a lady she befriended in the neighborhood. The lady informs the police and the three victims are rescued.

An investigation ensues. During raids at three apartments in Kolkata, police seize laptops, hard-drives, mobile phones containing WhatsApp

messages, and videos. They arrest Harish and Karim who confess during investigation.

The investigation reveals that Mohan was trafficked by the syndicate to Bahrain for forced labour at a construction site supervised by another trafficking organization. Mohan's passport was taken away. Victor trafficked Abdullah to Albania where he died after a month. The autopsy report ascertained during the investigation indicates that his kidneys and lungs had been removed ante mortem.

Victor is arrested trying to enter India two days after the arrest of Harish and Karim. On learning of the arrests, John goes underground. The police raise a red corner notice. Six months later, John is arrested in New York and held by authorities.

A charge sheet against all four accused is submitted within the statutory period, pending ongoing investigation. After some days, Harish is bailed out and absconds.

The prosecution interviews Razia, Sonal, and X. They are all frightened and reluctant to testify at trial. X has not spoken for months.

The Indian authorities learn that the trafficking organization in Bahrain is under investigation and Mohan has been released to the custody of his cousin, a guest worker in Bahrain. Mohan is willing to testify at trial but does not want to return to India.