

'Sex workers won't be criminalised'

WCD Ministry clarifies on the Anti-Human Trafficking Bill passed by Lok Sabha

STAFF REPORTER

NEW DELHI

The Women and Child Development Ministry on Monday sought to defend its Anti-Human Trafficking Bill, and asserted that the proposed law did not criminalise consenting adult sex workers and migrants.

The clarification comes at a time the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018, is expected to be tabled in the Rajya Sabha after it was passed in the Lok Sabha last week. The Congress and Left parties have demanded that the Bill be put through legislative scrutiny and be sent to a Standing Committee.

"The Bill is clear in excluding consenting adults from its purview. While it criminalises trafficking for the purpose of pushing a woman into sex work, it does not

Maneka says sorry

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The Minister for Women and Child Development Maneka Gandhi apologised for using the term "other ones" for transgenders in the Lok Sabha last week during a discussion on the Anti-Human Trafficking Bill.

punish the act itself. At no point is the victim held as a criminal, or detained against his/ her will...The Bill does not criminalise migration *per se...*," according to a statement issued by the Ministry.

Facing criticism

The proposed legislation has faced criticism from several quarters, including UN experts, for conflating traffick-

"I sincerely apologise...I did not "snigger", I was embarrassed at my own lack of knowledge. I was not aware of the official terminology for the transgender community. In future, all official communication will use the term TGs," she tweeted.

ing with sex work and migration.

Maria Grazia Giammarinoro, special rapporteur on trafficking in persons, and Urmila Boola, special rapporteur on contemporary forms of slavery, recently criticised the Bill for addressing trafficking through a criminal law perspective instead of complementing it with a human-rights based and victim-centred ap-

proach. They said that it promoted "rescue raids" by the police as well as institutionalisation of victims in the name of rehabilitation, and that certain vague provisions would lead to "blanket criminalisation of activities that do not necessarily relate to trafficking."

The Ministry maintained that the Bill went beyond legislation and gave "primacy to victims' rights of privacy and dignity", and adhered to various international standards such as the Global Compact for Safe, Orderly and Regular Migration, the United Nations Office on Drugs and Crime Model Law against Trafficking in Persons, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) recommended Principles and Guidelines on Human Rights and Human Trafficking.