

Crossing Boundaries

CROSS-BORDER MOBILITY OF BOYS BETWEEN BANGLADESH & INDIA
- AN EXPLORATIVE STUDY



TEAM OF CROSSING BOUNDARIES

PARAMITA BANERJEE

Chief Researcher

PINAKI ROY

Co Researcher

ROOP SEN

Concept, Framework & Editing

UMA CHATTERJEE

Design Controller

SABIR AHMED

Project Manager

ANUSTOOP BHATTACHARYA

Finance Controller

100 WATTS DESIGN STUDIO

Designers

SADIA NASRIN

Coordinator

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PREFACE

In south Asia, Groupe Developpement supports NGOs to offer assistance to single migrant children, children who are trafficked or smuggled across borders since 2003. With the European Commission, Groupe Developpement supports a regional case management programme (for migrant, smuggled and/or trafficked children) implemented by NGOs across India, Bangladesh and Nepal. Also, it supports national consortium programmes in India and Bangladesh specifically to address local and national child protection issues.

Discourses on trans-national movement of children between Bangladesh, Nepal and India are usually restricted to trafficking, and usually for purposes of prostitution. Very few NGOs like Praajak in West Bengal and BNWLA in Bangladesh have been conscious about the needs of Bangladeshi boys found in India. Irregular, informal and/or illegal trans-national movement in children, that is not for purposes of trafficking assumes implications that are far more complex than

when children have moved or migrated within national borders, we learnt. It is in response to the need for collating such experiential knowledge of those who are directly involved in handling cases of such boys, and sharing it with a concerned wider audience, that we commissioned this research.

We are hopeful that this publication will be useful to all those who have a direct, indirect and implied stake in protection of rights of Bangladeshi boys in India. I thank Sanjog, the researchers – Paramita Banerjee and Pinaki Roy, NGOs and all others who contributed towards this research. We are grateful to the European Commission and OAK Foundation for having supported this research initiative.

Roop Sen
Regional Director
Groupe Developpement

Protection, not correction

Trans-national mobility of single migrant children and adolescents is sometimes read as victimisation of children, and at other times as crime. This may sound strange, but that's what seems to be the case when children and adolescents from Bangladesh are smuggled or trafficked into India, or when children may have crossed borders for various reasons, none of which are necessarily of criminal intent.

When girls from Bangladesh are rescued from brothels, they are treated as victims of trafficking but when boys of Bangladeshi origin are found in other situations (as street children, or intercepted at the border), they are treated mostly as transgressors of law. This results in differences in treatment by the law and justice systems. No one in offices of power or those who have been involved in deciding on such matters seems to have an explanation or reason for this.

There is perhaps an explanation to this. As long as children have been brought by someone else, been entrapped and sold off into prostitution, they are treated as victims. But when they are adolescent boys, who have crossed boundaries between the two countries to work, earn or any other social reason, they are punished so that they do not repeat transgressions of migration laws.

This research set out to study the nature of trans-national mobility in boys from Bangladesh to India from the realities of those boys who have been found/ apprehended or intercepted for crossing international boundaries without permission. Given that there are probably a much larger population of single migrant boys from Bangladesh in India and because of lack of case details available in State or NGO records, resulting in the lack of corroborative evidence – this research has not been able to conclusively determine whether there is any significant incidence in trafficking of boys between Bangladesh and India. What, however, is fairly conclusive is that there are many children and adolescents who cross borders with or without knowledge of the significance and implications of the legal border between the two countries and who are smuggled across borders by intermediaries, but are not victims of trafficking.

India and Bangladesh do not have any bilateral instruments on trans-national informal/irregular and therefore illegal movement of any kind. Both countries are determined to uphold the Convention on the Rights of the Child and their

national laws are equally committed to treating children with respect and dignity, and meeting them with justice. What needs to be affirmed is that these commitments apply to all children, regardless of their nationality. Bangladeshi children in India should have the same rights as Indian children do, and Indian children in Bangladesh should have the same rights as Bangladeshi children do. Boys and girls, trafficked children and smuggled children must be seen as children in need of care and protection, not correction.

Uma Chatterjee
Executive Director
Sanjog

FROM THE RESEARCHERS' DESK

‘Imagine there are no countries’

The title comprises, as some would be able to connect, lines from the song ‘Imagine’ – a global hit by John Lennon that the teenagers of the 1970s belonging to the urbanised socio-economic middle classes grew up with. A song that has withstood the test of time to inspire adolescents and youth from this socio-economic milieu till date to dream of a world that is without boundaries; a world with only global citizens. The catch, however, is that such imagination may be inspiring, but to actually believe that national boundaries do not matter – or to be unaware about the significance of international borders – can create knots that might take a considerable time span to unravel. Time-lags allowing prime time to slip through one’s fingers as one writhes simultaneously in anger and hopelessness.

As we went on meeting boys in different government Homes in West Bengal, Delhi and Mumbai; superintendents and social workers in these Homes; Child Welfare Committee members and relevant government officials; NGO and INGO representatives in charge of child protection desks/ trafficking in human beings/ repatriation issues; families in Bangladesh crying their hearts out for lost sons, often unaware that they are in a Boys’ Home somewhere in India – this song from my adolescent and youth kept ringing in my head louder and louder. International borders are strictly adult creations – why should children suffer because of them? This is a question that formulated itself through the recently concluded study on the cross-border mobility of boys between Bangladesh and India. It is also a question that has remained unanswered.

The mobility of boys across the Indo-Bangladesh border is a reality

This exploratory study was challenging from many angles: paucity of organised data from any quarter needed us to define the nature of this study as a pilot one, rather than a full-fledged research based on evidence already available. The aim was more to generate data, rather than investigating available information in depth and inferring at length from such investigation. Time and resource constraints, combined with the geopolitical sensitivity of Indo-Bangladesh border issues, prompted us to delimit our study to boys who are/have been in State custody this side of the border in West Bengal, Mumbai and Delhi within the time period of January 2007 – August 2010 (as the study started in September 2010); families of such boys in Bangladesh (when traceable), and Bangladeshi boys repatriated through State processes. The issue of Indian boys in Bangladesh was simply left wide open for investigation, since even anecdotal references were conspicuous by their absence.

The exploration has probably left us with more questions than we had started with, but now we have solid, organised information to back those questions – with which we hope to engage national and international agencies at both State and non-State levels to delve into those questions and look for answers in their policies and programmes. For the hardest truth that has come to light in blinding clarity is that the mobility of boys across the Indo-Bangladesh border is a reality – a reality obfuscated enough to leave loopholes and lacunae in policies, programmes and efforts that often make such boys lose valuable time doing nothing, making it that much more difficult for them to get back into the mainstream of life. This must change.

And, I believe that such change is possible. A belief that grew from the enthusiastic support received from a large number of individuals who form a wide spectrum of stakeholders on the issue. On behalf of the research team, I would like to thank them all: all our respondents (listed as an annex) from government and non-government agencies who took time off from their overloaded schedules

to respond to our queries: senior bureaucrats and IPS officers; superintendents and social workers in State-run Boys' Homes; Child Welfare Committee members in Delhi and Mumbai; members of the Anti Human Trafficking Unit in Maharashtra; representatives of national and international non-governmental agencies on both sides of the border; representatives of all the partner organisations who gave up weekly holidays and worked overtime to help us manage our near-impossible time schedule. Special thanks to the Sanjog team; the project management team of Groupe Developement both in India and Bangladesh; the admin and finance desks for their continued behind-the-screen support.

I want to mention some people individually: Roop (Sen) and Uma (Chatterjee) who absorbed everything from angry outbursts to exhausted failures leading to missed deadlines and continued to input ideas in a million different ways. Sayantani (Dutta) who not only had me living in her home in Delhi, but took extraordinary care of me during that period – though she was not connected with this research in any capacity other than being my co-researcher's wife and a fellow traveller in development research; my mother – Professor Gitasree Banerjee – who as usual took complete care of the home front while I travelled; my daughter – Neelanjasa Mulkherjee – who put up with my absence while she prepared for her school-leaving examination. To Pinaki (Roy), of course, my fellow researcher in this study – his magnificent organising skills (among others) made it possible to fit all that we could within the time schedule we could afford; his meticulous internet search has hugely enriched our desk research and his analytical and writing skills have added much value to this report.

My sincere and special thanks to our two advisors for this research: Mr S Suresh Kumar, IAS, Joint Secretary, Ministry of Home Affairs, Government of India; and Mr P V Rama Sastry, IPS, Senior Anti-corruption Specialist, UNODC. Without their help, many doors would not have opened – which would have adversely impacted the depth of the research findings.

But most of all, our thanks to the boys and their families – whose narratives remain embossed in our minds and will egg us on to try and get things moving as this report is disseminated. That and only that can justify the time and emotions they shared with us.

Paramita Banerjee
Principal Researcher
Sanjog

Shadow Lines/Shadow Lives

How does one highlight an issue that is invisible? Can the State machinery and the powerful in a country of a billion people be moved by the plight of a few thousand children, especially when the children may be from another country?

During my student days, I had once stepped out of my hostel to find a hundred odd sparrows desperately trying to save a baby sparrow that had been picked up from its nest by a crow. Despite their numbers, the crow was oblivious to the sparrows. Seeing that the baby was still alive, I ran towards the crow, throwing stones at it and shouting at the top of my voice with the hope that together with the efforts of the sparrows, I would be able to save one life. The crow's reaction to my antics was to fly to a taller tree and quickly gobble up the baby. The incident was an important lesson in my life. Twelve years on – the helplessness that I had felt is still etched in me. For the sparrows, despite their numbers, their size had made them redundant against the crow, and my size was redundant because I was unequipped to deal with the crow.

My first reaction to the offer of assisting in this research was a mix of excitement and trepidation. Excitement because I knew that the body of work on the issue was still at its formative state and trepidation because I was aware that I was likely to meet many children for whom childhood had no meaning and mothers for whom I would have no answers. Would the research bring about any change in their lives? I was scared that I would again be left with a feeling of helplessness.

I have been associated with counter trafficking initiatives, directly or indirectly, for the last six years. It has been a journey full of despair, hope, thrill and fulfilment. While working on this issue I have met amazingly strong-willed women and men who have selflessly dedicated themselves to the cause; I have met people who mean well but have developed bloated egos, who rather than engaging with an open mind with the issue that they had espoused to champion, have got lost in their self; I have also met many people for whom the issue is another money-making opportunity; I have met people who are completely resigned to their plight – stoical – unaware of their basic rights as humans and citizens of a democratic nation; but mostly I have met people who have turned a blind eye to worst kinds of human exploitation. Through all these

interactions, I have come to believe that people engaged on this issue – like people from any walk of life – usually have definite constructs through which they view everyday issues around them. While the analysis of root causes of a problem or actions for addressing it may vary significantly from person to person, for most people the construct that guides the responses to the problem – once formed – is difficult to change quickly.

Questions about why the paradigm of trafficking in India has almost solely been defined by commercial sexual exploitation or why there has been so little engagement with issues of boys within the trafficking discourse in the country have baffled me for some time. I see in this research an opportunity to begin explorations on these questions. I know that our explorations in themselves would not bring about any dramatic change in the lives of the boys or their families with whom we could speak, but our small effort, I hope, would contribute in some way towards igniting an interest in more people from within NGOs, international agencies, media, academia, and the government, to explore the issues brought up by the research further, and to find effective remedial action for expanding the scope of engagement within Child Protection initiatives in the region.

While, thinking of my ineffectiveness against the crow, I have often justified to myself that I should not have intervened in the first place, as I was trying to interfere in the natural order of things. This may be true – though debatable – for the animal kingdom, but we cannot afford to have a similar outlook to life within Human Society. If our ancestors had taken this stance two centuries ago then it would still be a norm for many women in our Society to be burnt alive at their husband's funeral pyres.

While this section of our journey comes to an end, I must thank Paramita, my co-traveller for this research – for leading this journey. I must also thank Sanjog and Groupe Developpement for their support without which the research would not see the light of day. The colleagues and friends working on the issue of trafficking in West Bengal, Delhi, Mumbai and Bangladesh who provided selfless support deserve special thanks. Last but most importantly I am grateful to the

The violations of rights, the personal tragedies, the exploitations and insensitivities that we came across are all real – but there is nothing new about them – they have just been invisible because not many of us have bothered to look.

scores of boys and their families in India and Bangladesh who welcomed us into their lives and readily shared what were often tragic and traumatic turns in their lives.

As we sit down to write down our findings, many voices resonate in my mind, that of a 11 year old boy at a Child Welfare Committee (CWC) office in Delhi, asking us if a written testimony from his previous employer in Bangladesh would make it possible for him to work in Delhi. Of a 16 year old boy at a Government Home in West Bengal on the verge of tears, asking us if we thought that his crime was that grave to elicit the punishment that he has got; he was a student of class VIII in Bangladesh and had 'taken permission' from BSF sentries to visit a fair on the Indian side just across his village, but has been locked up in India for the last 3 years because he was apprehended by a new shift of border guards, while returning home. A group of Bangladeshi boys locked up in another Government Home in West Bengal, fighting their tears while singing songs about Hindu - Muslim unity and the longing to see one's mother. Of the 8 year old boy at a Government Home in Mumbai whose parents are under trial as illegal migrants from Bangladesh, unable to give us his address in Bangladesh; saying instead that he has heard that he was born in a hospital in Koparkhairane (Navi Mumbai).

A child rights activist in Delhi had emphatically told us, 'Why should children suffer because of borders that are creations of adults?' For me this question holds the key towards any engagement on the issues that we have tried to highlight in this research. The violations of rights, the personal tragedies, the exploitations and

insensitivities that we came across are all real – but there is nothing new about them – they have just been invisible because not many of us have bothered to look. The challenge before all of us is to find ways to ensure that we are equipped appropriately to try and bring about the necessary attitudinal and systemic changes that have to come in order to see any real change at the ground level. Much of the journey is still left, it would only be meaningful if more of us are shaken enough to join the effort. Only then would this research have some meaning...

Pinaki Roy

Co-researcher

Sanjog

FUDGED FRONTIERS¹

While cross-border issues between India and Bangladesh have been at the centre of political imagination, public and media debates for decades in both countries – the specific aspects covered by this research are still largely invisible. The research attempts to bring forth certain subaltern realities that exist within the margins that have by and large been overlooked by policy-makers and civil society in both countries. This chapter tries to give an overview of the geopolitical, legal and socio-economic realities that influence the lens through which Indo-Bangladesh relations are seen today and establish that the focal issues for this research get drowned within the louder din that exists regarding cross-border issues between the two countries.

At the crux of the relations between the two countries lies the Radcliffe Line – the International Border demarcated by an Englishman, Sir Cyril Radcliffe, in just six weeks – with a mandate for ascertaining the contiguous areas of Muslims and Non-Muslims. Arbitrariness is the predominant feature of this partition because

it was almost impossible to maintain a Muslim-Hindu divide geographically. Thus the border that separates Bangladesh from India ‘ran through the Bengali heartland, separating tens of millions of Bengalis on the one side from tens of millions of Bengalis on the other’². This arbitrary exercise has created several historical legacies; it has been witness to some of the most significant human migrations and movements of refugees in the history of humankind and has resulted in a rare instance where it is not uncommon to find living dwellings being separated by an international border, where the kitchen of a house may fall in Bangladesh and the bedroom in India. Like in any other international border, nationalistic fervour along with issues like smuggling, illegal migration etc have been the main concerns in the public domain of both countries. Over the last decade or so issues of trade, terrorism and other security concerns have been projected as the dominant prisms through which Indian policy towards Bangladesh have been defined.

¹ In view of the limited time available the desk research for this research has been completely sourced from documents and materials available openly in the internet.

² *Population Movement in the Fluid, Fragile and Contentious Borderland between Bangladesh and India*, Rita Afsar, Senior Research Fellow, Bangladesh Institute of Development Studies (BIDS), 2008, page 3

The issue of illegal migration from Bangladesh to India has been the most sensitive political issue in both countries. While mindsets on the issue for many have arguably been moulded as a legacy of the politics that led to the Partition of India, a lot of the arguments that can be heard on the issue resonate with the tug of war between liberal and protectionist, nationalist or right wing voices against immigration that one hears in Europe, US and elsewhere in the world.

Even though the people-to-people contact between the two countries have been severely curtailed compared to the pre-1965 Indo-Pak war era, when instances of Bangladeshi residents from the southern areas of the west bank of the river Padma travelling to Kolkata and its suburbs for work, rather than going to Dhaka, was common – Bangladeshis still form a significant percentage of foreign tourists coming to India. As per the statistics released by the Ministry of Tourism in India, more than half a million Bangladeshis had visited India with visas in 2008, making Bangladesh the third highest source country for foreign tourist arrivals in India, constituting 10.06 % of all tourist arrivals in India during that year.³

The issue of illegal migration from Bangladesh to India has been the most sensitive political issue in both countries. While mindsets on the issue for many have arguably been moulded as a legacy of the politics that led to the Partition of India, a lot of the arguments that can be heard on the issue resonate with the tug of war between liberal and protectionist, nationalist or right wing voices against immigration that one hears in Europe, US and elsewhere in the world. The Census of India 2001 Report on migration (D-Series) shows that about 6,051,965

persons who live in India were born in other Asian countries, out of which more than 56% (3,742,883) were from Bangladesh.⁴ Moreover, despite the denial of the Bangladeshi government about migration of its citizens to India, the 1991 Census Report of Bangladesh mentioned about a unique phenomenon of missing population, estimated initially at 10 million and subsequently at 8 million, of whom 1.73 million are Hindus, and 6.27 million are Muslims (Ray, 2002).⁵ The first official statement from the Government of India regarding the extent of migration of Bangladeshi citizens into India came on 6 May, 1997, when the former Union Home Minister Mr Indrajit Gupta announced in the Indian Parliament that there were nearly 10 million undocumented immigrants, largely from Bangladesh, residing in India'.⁶ However, the first official action to deport illegal migrants from Bangladesh came much earlier 'in 1992 when the Narsima Rao government undertook the Operation Push Back as part of an action plan on the issue. While the Operation Push Back had to be withdrawn in the face of an international standoff between the two countries and more importantly for certain domestic political exigencies, during the hearing of a Public Interest Petition filed by a lawyer O.P. Saxena representing the All India Lawyers Forum

³ *Tourism Statistics at a Glance 2008*, Ministry of Tourism, Government of India, Table 7, page 8

⁴ *Bangladeshi Migration to West Bengal: A Cause of Concern*, Jyoti Parimal Sarkar; Research Scholar, Centre for the Study of Regional Development, JNU, pages 1-2

⁵ *Op cit* (quoted in), Rita Afsar, page 5

⁶ Quoted from Ramachandran (1999:236) quoting *The Times of India*, 1997, in *Politics and Origin of the India-Bangladesh Border Fence*, Rizwana Shamshad, Monash Asia Institute, Monash University, page 4 [This paper was presented to the 17th Biennial Conference of the Asian Studies Association of Australia in Melbourne 1-3 July 2008]

for Civil Liberties (AIFCL), the bench of the Chief Justice and two other Justices of the Supreme Court of India have gone on record, saying that the ‘Bangladeshi migrants were eating into the economy of the country and have to a large extent become a security threat’. Given that there is so little objective information available in the public domain on the reality of cross-border issues between India and Bangladesh, it would be interesting to explore the true extent of the information available to the Honourable Supreme Court of India on which this above observation was based. The bench also criticised the Union Government for being indifferent to resolve the issue and recommended that the government take exemplary steps to tackle the illegal migration, including deportation.⁷ It is also interesting to observe that there is little or no concern or initiatives against similar mobility of citizens from Nepal, a country till recently the only Hindu nation in the world, whose porous border with India have also been known to have been used for anti-national activities against India.

Everything said and done – the linguistic, cultural, ethnic similarities of residents of contiguous areas along both sides of the border, combined with the ‘difficulties in identifying illegal immigrants when many poor Indians do not carry identity papers, and (the existence of) a highly compromised system of obtaining official documentation effectively puts on fast-track the process of an illegal immigrant becoming a citizen with voting rights’⁸ makes this a problem that has few parallels in the world. While illegal migration from Bangladesh to India for economic reasons attracts most attention in the public domain, the fact that millions of Bengalis on both sides of the border, whether Hindu or Muslim, still have relatives who are citizens of what since 1947 have become a foreign land, is often forgotten. Given the strict visa regimes or even the inaccessibility of consular services (while there is only one Bangladeshi Deputy High Commission in West Bengal, In Bangladesh there is an Indian High Commission in Dhaka and a Deputy High Commission in Rajshahi) making cross-border travel using well established yet illegal smuggling networks a more practical and cheaper option – especially for the poor who live away from the urban centres that have consular services. With regard to economic migration, although the precise numbers involved cannot be given, anecdotal evidence suggests that substantial numbers of Bangladeshis cross into West Bengal (which shares the largest border with Bangladesh) every day to work as daily wage labour, returning routinely to their Bangladeshi villages near the border at the end of the day or after a short period.⁹ The fact of the matter is that illegal immigrants from

Bangladesh do get jobs in places like West Bengal, Assam and major metros like Delhi, Mumbai and Bangalore. They work as rickshaw pullers, construction workers, petty traders, maids, etc. The popular belief is that employers recruit them because they are willing to work hard, at odd hours for less money and are open to taking up the most arduous tasks that the locals are not willing to take up. But the fact that there is a strong migratory trend of Bengalis from West Bengal to the same places, like Delhi, Mumbai, Bangalore and beyond, often engaging in the same occupations as the Bangladeshi immigrants, complicates the issue further. This has ‘seriously undermined the Indian State’s efforts to expel Bangladeshis who are able to extend their stay in India by maintaining that they are Indian citizens. Correspondingly it has considerably weakened the rights of poor Muslim Indian residents who have been mistakenly labelled as ‘Bangladeshis’ and thereby face the constant risk of being deported.’¹⁰ ‘The “migration industry” (Castles, Stephen and Mark J Miller 2003; *The Age of Migration: International Population Movements in the Modern World*) is crucial in escalating these new transnational flows in South Asia as well as blurring the distinction between labour migration, irregular migration, and trafficking. In this case, it involves a well-organised network of *dalals* in Bangladesh and India – ‘manpower’ agencies, recruiters, touts, brokers, ‘travel’ agents, and their employees or contacts in many Bangladeshi villages. *Dalals* find, or pretend to find, employment for migrants and facilitate movement into and through India for substantial sums of money . . . Compared to the Middle East, less money has to be paid to brokers for migrating to India, and the possibilities of long-term settlement are much higher. Therefore, it is not surprising that many marginal Bangladeshi families – women, children, and men – end up in different parts of this country.’¹¹ ‘Bangladesh’s unrelenting stance that “there are no illegal immigrants from Bangladesh to India” has added another out-of-the-ordinary dimension to these workings. Like India, Bangladesh has refused to accept the transnational migrants as its citizens because they do not possess the “right” documents to establish their citizenship in this neighbouring country... As a result, a mass of individuals has emerged who are increasingly perceived as undesirable and unwanted by their countries of origin and destination. They cannot be strictly classified as “undocumented”, “irregular” or “illegal” migrants because they have been documented (even if in a haphazard manner) and certainly integrated in both countries. Thus their lived realities are tied closely to these countries.’¹²

⁷ *Ibid*, page 7

⁸ *Refugee Review Tribunal*, Australia, Response Number IND 17537, 22nd September, 2005, page 4

⁹ ‘Indifference, Impotence and Intolerance: Transnational Bangladeshis in India’, Sujata Ramachandran, *Global Migration Perspectives*, No. 42, Global Commission on International Migration, September 2005, pages 4-5

¹⁰ *Ibid*, pages 9-10

¹¹ *Ibid*, pages 6-7

¹² *Op cit*, Sujata Ramachandran, pages 10-11

The institutional system allowing such migration is deeply entrenched. According to Lin & Paul (1995) for the unofficial border crossings without legal documents specific ‘non-passport border crossings’ are used where, owing to a steady stream of bribes, the *dalals*, i.e. agents/touts enjoy a special relationship with inspectors on both sides at two points along the border between Bangladesh and West Bengal. For these services the respective agents charge fees on both sides of the border. In 1976, for example, for a typical crossing of a family of four from Bangladesh to India, the agent charged Taka 400 – 600 in Bangladesh before beginning the journey, and the corresponding agent in India charged another Rs 400 – 600.¹³ Surprisingly the information received during the field work of this research revealed that the starting rates have not really changed much in the last three decades despite the construction of a border fence by India. ‘The onerous task of detecting Bangladeshis has been assigned to the Border Security Forces at the border, and within the country to the poorly equipped local police and Foreigners Regional Registration Offices’.¹⁴ However, anecdotes of corrupt practices, hand in glove involvement and bribe taking by officials from these agencies were constant features in community interactions during the field work for this research on both sides of the border.

Trade has been another pillar of engagement between the two countries. While the formal trade relations are beginning to emerge from its nascent stage, illegal trade along the border has been thriving for long. Pathania (2003) has argued that Bangladesh’s thriving leather and processed meat industry is booming due to cattle smuggling from India at a throw-away price and then exported to the Middle Eastern countries at almost 3-4 times the cost price. On a monthly basis, value of the smuggled cattle from West Bengal is worked out from Indian sources at about US\$ 0.5 million . . . Official estimates from India suggest that the value of goods annually smuggled to Bangladesh from north-east India alone exceeded Rs 20 billion or US\$ 450 million (Kalyan Barooah, 2002). It is often assumed that at least 40 to 50% of the economies of both India and Bangladesh are black (*The Daily Star*, 21 May 2002; Confederation of Indian Industry, Press Release November 2000).¹⁵ According to a report by the Central Law Commission of India on the Foreigners (Amendment) Bill, 2000 – the clandestine cross-border trade between India and Bangladesh was estimated at US\$ 5 billion (annually).¹⁶ Cross-border traders from both countries point out the minimal level of risks involved in informal trading, due largely to bribes paid on a recurring basis to border security agencies and the low levels of

finer imposed on confiscated goods. Much of the trade is one-sided, insofar as goods move from India to Bangladesh and the balance of payments is offset through remittances by Bangladeshi immigrants living in India.¹⁷

The illicit trade in cattle typifies the complexity of the cross-border relationships owing to historical legacies. Bangladesh has a large market for beef and is also known to export beef to the Middle Eastern countries. India has the largest bovine population in the world. Owing to the Holy Status of the cow amongst Hindus, cow slaughter has been a fault line in the communal relationship between Hindus and Muslims in the country. Cow protection has been one of the main rallying points for Hindu reformist movements like the Arya Samaj and records of communal riots triggered by real or imagined incidents of cow slaughter have been documented since the late 19th Century in many parts of the country. The matter was even contentious at the time of the drafting of the Indian Constitution and the ban on cow slaughter was placed in the Directive Principles of State Policy as a matter of compromise. Many states in India have laws that ban cow slaughter, yet attempts by the central government some years ago to bring about a blanket ban on cow slaughter was met with stiff resistance and eventually shelved. Thus, while export of cattle to Bangladesh may make perfect economic sense – religious, economic and political factors make it impossible for any government to support it openly. The ensuing black market trade on cattle has contributed significantly to the criminalisation of trade at the border.

The informal capital markets straddling the borders is so well integrated that remittances reach various parts of Bangladesh the same day, at favourable exchange rates and with lower transaction costs compared to formal channels. In the 2006 fiscal year, remittances earned by Bangladeshi migrants from all over the world was equivalent to US\$ 4.8 billion (Bangladesh Bank, 2007) and the foreign currency reserve of the country was US\$ 3.4 billion. Moreover, Bangladesh does not publish remittance data from India; in the absence of formal recording from the recipient country and in the context of high prevalence of informal nature of remittance transfer – it is difficult to ascertain the magnitude of remittances. Cross-border informal migration and trading is facilitated by a well-developed network of capital markets or private forms of banking known as hundi or hawala, based on trust and personal acquaintance on both sides of the border help in transferring remittances at the quickest time with least transaction cost.¹⁸

¹³ ‘Bangladeshi Migrants in Delhi: Social Insecurity, State Power and Captive Vote Banks’, Sharat B Lin & Madan C Paul, *Bulletin of Concerned Asian Scholars*, Volume 27, No. 1 / Jan – Mar. 1995, page 8

¹⁴ *Op cit*, Sujata Ramachandran, page 8

¹⁵ *Op cit*, Rita Afsar, page 14

¹⁶ Report by the Central Law Commission of India on the Foreigners (Amendment) Bill, 2000, page 7 (3.6)

¹⁷ *Op cit*, Sujata Ramachandran, page 6

¹⁸ *Op cit*, Rita Afsar, pages 13-14

The only significant response from the Indian State to counter issues of illegal migration and smuggling have been the construction of a fence along the entire stretch of the International Border wherever possible and deportations of illegal migrants. The Government's seriousness about the fence was demonstrated by the fact that it spent Rs 2404.7 million for fencing the Bangladesh border during 2004-5.¹⁹ With regard to deportations, 'during the year 2003, 18,801 Bangladeshis were deported by the Government of India and in the previous year, the number was 6,394 (Government of India, 2005).²⁰ According to a status paper filed by the Government of West Bengal in January 1999 in the Supreme Court in response to a petition – 5,70,000 illegal Bangladeshi migrants have been pushed back from the state between 1972 and 1998. According to the document, intercepted infiltrators were summarily pushed back till 1997, but it was claimed that this practice has since been discontinued; yet instances of recent push backs of Bangladeshi citizens apprehended in India by BSF in the presence of civil authorities in West Bengal were narrated frequently by victims themselves during the course of the research. It was also clear that illegal immigrants from Bangladesh apprehended in Delhi and Mumbai are regularly deported through the International Border at West Bengal. At least in Mumbai the Special Branch (I) is tasked with this responsibility of identifying, arresting and deporting illegal migrants from Bangladesh. Since there is no record of such persons (men, women and children) being repatriated, it would be safe to deduce that push back is the method of deportation still in use and that many such persons would naturally be pushed back from West Bengal as it is the most accessible international border from Mumbai.

It is clear that the legal provisions geared to address the various facets of the issue have not proved very useful; have added further confusion at times even. At a bilateral level, the Government of India, as a matter of policy, has agreed that Bangladeshis who have entered India before 25th March, 1971 would ultimately become Indian citizens (vide Indira – Mujib Agreement 1974 and the Assam Accord 1985). But all those who came on or after that date without valid travel documents or without lawful authority or overstayed after validly entering into India would be considered illegal migrants.²¹ In Bangladesh, 'once the Pakistani / Bangladeshi people cross the border of India, they have to give up their Pakistani / Bangladeshi citizenship and lose their property rights on land and other assets under the Enemy Property (Custody and Regulation) Act, 1965 in Pakistan, which continued to be operative under the new nomenclature

called the Bangladesh Vesting of Property and Assets (VPA) Order, 1972, after the establishment of Bangladesh (Fernandes, 2005)'.²²

In India it is the Foreigners Act 1946, which is the main legislation that governs the entry and departure of foreigners into and from India. Other Acts relevant to the issue are Passport (Entry into India) Act, 1920; Registration of Foreigners Act, 1939; The Immigrants (Expulsion from Assam) Act, 1950; and the Illegal Migrants (Determination by Tribunals) Act, 1983.²³ A number of Orders relevant to the matter have also been issued by the Government of India from time to time. 'The powers to identify, detect and deport illegal migrants residing in various parts of the country have been delegated under Foreigners Act to the State Governments and Union Territory Administrations.'²⁴

The unrestricted power of the executive to remove foreigners was first confirmed by the Supreme Court in 1958, where it held that: 'The Foreigners Act confers the power to expel foreigners from India. It vests the Central Government with absolute and unfettered discretion and, as there is no provision fettering this discretion in the Constitution, an unrestricted right to expel remains.' Furthermore, while exercising this vast executive discretion, any foreigner may be deported without the executive being burdened to give a reason for the deportation. Thus, there is no need for the executive to comply with any form of extended process or for giving a hearing to the person to be deported.²⁵ Nevertheless, 'foreigners are entitled to some degree of constitutional protection while in India. These include the protection of the equality clause [Article 14] and the life, liberty and due process provisions [Article 21] of the Indian Constitution. While Article 14 guarantees equality before the law and the equal treatment of the law, classifications of persons into separate and distinct classes based on intelligible differentia with a nexus to the object of the classification are allowed. Thus, the executive may distinguish between classes or descriptions of foreigners and deal with them differently. It follows that a foreigner discriminated by State action as against another foreigner of the same class or description has a valid constitutional cause for action. Article 21 protects any person from the deprivation of his life or personal liberty except according to procedure established by law. From a rather staid interpretation of this provision, the Supreme Court has radically reinterpreted Article 21 to include a substantive due process of law to be followed for any State action impinging on life and personal liberty. Foreigners enjoy the protection of Article 21 in two ways:

¹⁹ *Op cit*, Rizwana Shamshad, pages 10-11

²⁰ *Ibid*, page 9

²¹ *Op cit*, Report by the Central Law Commission of India, page 6 (3.3)

²² *Op cit*, Jyoti Parimal Sarkar, page 2

²³ *Op cit*, Report by the Central Law Commission of India, page 20

²⁴ *Ibid*, pages 9-10 (3.15)

²⁵ *The Law, Policy and Practice of Refugee Protection In India*, Bhairav Acharya, 2004, pages 3-4

(a) they are equally entitled to the right against deprivation of life or bodily integrity and dignity, and (b) to a certain extent, the right against executive action sans procedural due process accrues to them. However, cases which suggest a due process for deportation have to be confined to their own facts. Indian courts have generally upheld deportation orders passed in contravention of the *audi alteram partem* principle.²⁶

The Law Commission Report, however, admits that, 'deportation of millions of Bangladeshis illegally staying in India is no more a practical proposition because unilateral action on the part of India cannot alone achieve any result. A new legislation is, therefore, needed to ensure a just, fair, practical and expeditious approach to the detection of illegal migrants and to declare them as Stateless persons without voting rights and without right to acquire immovable property'.²⁷ The report also states that, 'it is impossible to prosecute all migrants and secure a conviction in respect of each one under the Foreigners Act. Thereafter, to push them back is all the more difficult keeping in view the International Law and Conventions. The Union Government may possibly need to enter into an international agreement with the Government of Bangladesh for simplifying the procedure governing repatriation of Bangladeshi nationals who are illegally staying in India.'²⁸

In December 1992, 'the government of Bangladesh relented to allow the repatriation of a limited number of Bangladeshi migrants under Operation Pushback, and even these were subjected to detailed screening by the Bangladesh Rifles, the paramilitary border guard charged with checking the repatriation of illegal Bangladeshi migrants back from India'.²⁹ Since then, there have been some arrangements at the ground level agreed upon between the Border Security Force (BSF) and the Border Guards Bangladesh (BGB) (previously known as Bangladesh Rifles or BDR) with respect to handing over of illegal migrants. Some of these arrangements are: 'a) Persons convicted by courts would be accepted on the basis of verification of nationality by respective prescribed authorities. b) Persons apprehended in the process of inadvertent or deliberate border crossing would be accepted immediately on the basis of disclosures. After verification, they would be accepted within 3 days. c) All other categories of illegal entrants would be handed over within 7-15 days depending on the place of arrest and place of claimed domicile after required verification. ...In 1997, instructions were issued on the deportation of illegal migrants from

Bangladesh, which were as follows: (a) the nationals of Bangladesh intercepted at the border, while crossing into India unauthorisedly, would immediately be sent back by BSF. (b) Nationals, detected as unauthorisedly living in India, would be deported after they are served deportation order by competent authority of the concerned State government. These instructions were reviewed in 1998 by the Government of India and the following decisions were communicated to the State Governments and Union Territory Administrations for compliance. (a) While identifying and detecting such migrants, the State Governments would send details of residential address etc claimed by the suspect to the government of the concerned state (of which he claims to be a resident, being an Indian national) for verification and report within 30 days. (b) During this period, the competent authority will ensure his detention (by obtaining permission of the court, if necessary) for deportation. (c) If no report is received within this period, the competent authority would take action to deport illegal migrant. (d) Advance information about the movement of deportees under police escort from one state to another would be given by the State from where they are being sent to the concerned State Police'.³⁰ A simple statistics reported in an Indian newspaper in April 2010 sheds light towards the efficacy of the above measures: the Government of Assam alone has spent Rs 410 million between January 2001 and December 2009 in identifying 33,922 foreigners, of whom just 174 could be deported back to Bangladesh.³¹

While the Indian State has been accused of paranoia, treating all Bangladeshi migrants as potential terrorists and security risks, and enacting unimaginative, ineffective and somewhat draconian measures to deal with the issue – denial has characterised the responses on the part of the Bangladeshi State. Official records in Bangladesh show that Saudi Arabia, UAE, Kuwait, Qatar, Oman, Iraq, Libya, Bahrain, Iran, Malaysia, South Korea, Singapore, Maldives, Hong Kong and Brunei are some of the major countries of destination for Bangladeshi migrant workers. While it is understandable that a government cannot be expected to keep data on illegal migrations by its citizens, rather than acknowledging the issue as real, there has been a tendency in some quarters in Bangladesh to project it as part of a pogrom by certain elements in India to push Bengali speaking Indian Muslims into the country. However, on 11th May 2010, the High Court Division of the Supreme Court of Bangladesh in a case presided over by Justice A H M Shamsuddin Chowdhury ordered the Bangladeshi Foreign Ministry to inform the Court within 10 days, the fate of Bangladeshi nationals

²⁶ *Op cit*, Bhairav Acharya, page 4

²⁷ *Op cit*, Report by the Central Law Commission of India, pages 13-15 (6.4, VII)

²⁸ *Op cit*, Report by the Central Law Commission of India, pages 19-20

²⁹ *Op cit*, Sharat B Lin & Madan C Paul, page 19

³⁰ *Op cit*, Report by the Central Law Commission of India, pages 16-17

³¹ *Op cit*, Report by the Central Law Commission of India, pages 17-18

in Indian jails and about the steps that the executive was intending to take to obtain their return. Earlier in March 2009, the High Court had granted two weeks time for concrete steps by the executive regarding a case of 156 Bangladeshi citizens languishing in the Behrampore Jail of the Murshidabad district in West Bengal, which had been reported by a leading Bengali daily, *Pratham Alo* in February 2009.³² Such political sensitivity of these issues has probably meant that not many out-of-the-box solutions have been officially explored by the government in either country to address these issues at least in the public domain.

Papers written on the issue have explored alternative possibilities, though. 'There have been debates whether this cross-border migration problem should be left totally in the hands of the States in the two countries or should larger society also take responsibility in deciding the status of such movement. There also arise questions whether these migrants should be regarded as refugees or as illegal migrants or as politically naturalised citizens.'³³ Another recent study has revealed that issuing work permits (to Bangladeshi migrants) have the support of the people of Assam³⁴ (a state where illegal migration from Bangladesh has traditionally been one of the most politically contentious issues). It has also been suggested that 'it is clear that no barbed wire and draconian legal measures so far could stop cross-border population movements. Given the economic bottom-line, political sensitivity, cultural and socio-religious complications, the opening of a legal channel of migration may be considered as the most feasible option. It also raises the question of how best to manage it. In this regard it may be worthwhile to consider allowing entry of migrants and providing them a free pass that would entitle them to have minimum wage and other entitlements accessible to an Indian daily or contractual labour while at work. Like Thailand's MoUs (Memorandum of Understanding) with Burma, Cambodia, and Laos that enable migrant workers in Thailand to receive equal wages and benefits, and has a provision of security money to the tune of 15% of their wages to assure returns and provide funds for development in migrant areas of origin – a similar MoU could be drawn between Bangladesh and India'.³⁵ As of now, there is no formal mechanism that allows guest workers from Bangladesh to come to work in India. At the same time, it is also a fact that illegal migrants from Bangladesh are able to find work across India. While this makes illegal migration from Bangladesh to India an inevitable reality, what has not emerged is any debate on if the government of India is loosing out in any way due to its lack of engagement on the issue. The fact is that Bangladesh has tremendous strategic significance for the Indian State, given the important role the country

can play in improving access to the North Eastern States and for sourcing gas finds in the Bay of Bengal. Given the heavy dependence of the Bangladeshi State on expatriate remittances, formalisation of labour migration processes between the two countries would create significant new revenue sources for both countries and create a more comprehensive basis for cementing relationships between the two. All these, however, continue to be in the realm of possibilities without any impact on the lives of the masses on both sides of the border.

In all the policy documents, papers, articles and news clippings accessed as part of the literature review for this Research, children have been by and large absent. In reality, however, children feature prominently in this 'adult world'. While instances of trafficking of Bangladeshi girls for commercial sexual exploitation in India and of Bangladeshi boys through India for being used as jockeys in camel racing in the Middle East (subsequently banned there) have received significant attention from the civil society in the region, other vulnerabilities, as will be revealed in the subsequent sections, are yet to be addressed in any coherent manner. Children, especially young boys living near the international border are prone to be used as couriers in the cross-border smuggling. Bangladeshi families often migrate as a unit; while the decision to migrate is taken by adults, consequences are often borne by children as well. We would also see cases of both Bangladeshi and Indian boys inadvertently crossing the border and ending up incarcerated in government Homes for years. There are boys who have crossed the border knowingly – but without any knowledge of the illegality of their action. Then there are Stateless boys in India, who were once street children in Bangladesh and have got caught after their wanderlust brought them to India, with little chance of returning to the country of their birth and with less chance of gaining naturalised citizenship rights in the country where they currently live.

But there is a ray of hope, if one looks at how Bangladeshi girls and women who have been victims of trafficking in India have got treated. Till recently, victims of trafficking from Bangladesh rescued from brothels in India would typically be charged under section 14 of the Foreigners Act and made to serve a sentence for entering India without any valid documents. In many cases the survivors were 'pushed back' in the middle of the night into Bangladesh after the completion of their sentence, putting them again in extremely vulnerable conditions. Campaigns by civil society organisations at that time, saying that such a practice was victimising a person who was already a victim, helped to

³² <http://www.asianews.it/news-en/Activists-and-High-Court-against-the-illegal-detention-of-Bangladeshis-in-India-18417.html>

³³ *Op cit*, Jyoti Parimal Sarkar, page 2

³⁴ *Bangladeshi illegal migration into Assam: Issues and concerns at the field*. Dr. Namrata Goswami, Institute of Defence Studies and Analyses, New Delhi, 2010, page 6

³⁵ *Op cit*, Rita Afsar, page 17

bring about changes in procedure in both the countries. The first repatriations began in the late 1990s largely due to efforts of NGOs like BNWLA (Bangladesh National Women Lawyers' Association) and Sanlaap, SLARTC (Socio-Legal Aid Research Training Centre) and All Bengal Women's Union (in West Bengal). A repatriation process evolved, involving Deputy High Commissions in West Bengal interviewing survivors to attest their identity, with supporting information from BNWLA on the family identification report from Bangladesh. Almost concurrently, Praajak (an NGO in West Bengal) also followed the same arrangement with BNWLA for repatriation of boys, their role endorsed unofficially by the State. STOP, an NGO in Delhi, played a similar role in coordination with BNWLA and the Bangladesh High Commission in Delhi for verification of identity of victims. This relatively simple process, however, became more stringent concurrently with the politicisation of issues of Operation Push Back, as also due to the increased number of cases that began to come to the limelight. A more organised approach where verification of nationality and authorisation for repatriation was more controlled and beyond the powers of the Deputy High Commissions or the High Commission was deemed necessary.

The Home Department in West Bengal became a pioneer in this regard since they were the first in 2007 to set up a Standard Operating Procedure (SOP) for 'Deportation/Repatriation of the Foreigner Specially for Bangladeshi (Children)'. Subsequently, UNICEF in Bangladesh and India have taken up the issue and have facilitated two rounds of consultations between officials and civil society representatives of both countries, leading to the formulation of task forces against human trafficking in both Bangladesh and India (in West Bengal and Maharashtra). A new SOP that is more child-friendly has also been put to use. While there are still many gaps and challenges in the present repatriation process, at least in West Bengal many boys have been repatriated through this system.

Under the UNICEF initiative, the Bangladesh government has also formulated an SOP in 2010. On the Indian side, SOPs have only been formulated by West Bengal and Maharashtra governments, with no public engagement of the Central Government on the issue. In West Bengal there seems to be certain confusions at the operational level because it seems that 2 SOPs, one initiated by the Home Department and the other by the Directorate of Social Welfare/ Department of Women & Child Development (with support from UNICEF) are being used. In West Bengal, Bangladeshi children and adults who may or may not have been victims of trafficking have been repatriated following the SOP;

in Maharashtra so far only victims of trafficking have been repatriated using the SOP. Also owing to the geographical contiguity between Bangladesh and West Bengal all repatriations have been done through the land border, but in Maharashtra all repatriations so far have been by air making it a much more expensive process.

But despite the SOPs, there is still another fundamental problem: under Indian law a person is recognised to be trafficked only if she has been forced into prostitution. While section 366 B of the Indian Penal Code can be used to determine that a girl from Bangladesh has been trafficked into India, there are no such legal mechanisms available for Bangladeshi boys to be considered as victims, hence whenever identified and whatever their circumstances of coming to India may be, they are usually charged under Section 14 of the Foreigners Act and made to undergo a period of sentencing. The situation till recently was not very different in Bangladesh either, but a new Bill that adopts a wider definition of trafficking is all set to become a law there. In India, too, the section 7-M of the Foreigners (Amendment) Bill, 2000, categorically mentions that no male below the age of 16 years or a female shall be detained under this section.³⁶ Respecting the rights of each other's children can emerge as one of the mutual confidence and trust building measures between both countries – this is one of the messages expected to emerge from the findings of this research for policy makers and civil society members in both countries.

³⁶ Foreigners (Amendment) Bill, 2000, page 8



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I was with these three other older boys from our village . . . for sightseeing . . . I wanted to have some tea, but they did not want any. So, I went to a nearby teashop for some tea and biscuits. When I paid – there was great commotion. I couldn't understand what everyone got so excited about. Someone asked me where I lived and I told them the name of my village. Then he asked where I had got that taka from and I said that I'd saved it from my salary at the cycle garage where I worked . . . I was getting impatient and asked for my change. But an elderly person told me that I had to go with him. He would not tell me where; nor would he listen to my request of letting me go and find my friends . . . He almost dragged me to a police station . . . Only after the police told me could I understand that I was in India.

A 14-year old boy in Shubhayan Boys Home, Dakshin Dinajpur district, West Bengal

He has already spent more than 2 years in that Home.



THE RESEARCH CONTEXT

Rationale

As mentioned in the previous chapter, cross-border mobility in children and adolescents between Bangladesh and India is usually recorded from the perspective of trafficking, with particular focus on sex trafficking in girls. However, there has been a steady, if not growing, incidence of boys crossing borders between Bangladesh and India. NGOs in India and Bangladesh possess anecdotal evidence related to Bangladeshi boys in India. There have been newspaper reports now and then, mentioning the repatriation of boys from India to Bangladesh. There are passing references in different types of published documents to such movement of boys also. The (draft) *Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour* published in 2008 by the Ministry of Labour and Employment, Government of India, for instance, refers to Bangladeshi children migrating/ being trafficked to India for work.³⁷ The use of the term children instead of 'girls' is significant; especially since the types of work such children are engaged in mentions not just domestic work, but tea stalls and *dhabas* (roadside eateries, typically those on highways, frequented by

truckers, where one customarily experiences boys working – not girls) also. There are other such documents, scanned in course of this research (list provided as an annexure), which also mention such movement in the passing. But, there is no literature that focuses specifically on this issue. Nor is there an understanding on the nature of the phenomenon; the nature of interventions by NGOs in assisting boys who move across the border; policy and legal implications; and the way boys crossing borders are impacted. Correspondingly, there is practically no information on the reverse trend – Indian boys in Bangladesh.

This research was conceived to inquire into the issues mentioned above regarding Bangladeshi boys crossing over to India, as also to explore the reverse trend. Through such exploration and enquiry, this research sought to contribute to the broad objective of ensuring the rights of children and adolescents, with specific focus on the right to protection – including that of being vulnerable to/ facing trafficking, sexual abuse and exploitation.

³⁷ (Draft) *Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour*, Ministry of Labour and Employment, Government of India, 2008, Introduction, page 3

This research was conceived to inquire into the phenomenon of Bangladeshi boys in India, as also to explore the reverse trend - with special focus on the boys' right to protection.

Goal and Objectives

The primary goal of this research, therefore, was to explore the phenomenon of cross-border mobility of boys between Bangladesh and India, so as to build an understanding among the stakeholders on the issue – thereby informing State and NGO child protection policies and interventions. In particular, to inform policies and systems, which facilitate repatriation of boys across countries and suggest strategies to address vulnerabilities of boys to smuggling, trafficking and other forms of abuse, violence and exploitation.

To achieve that goal, specific objectives were articulated as:

1. To explore the phenomenon of cross-border mobility of boys between Bangladesh and India, with specific focus on the following probe areas:
 - a. The nature and extent of concrete data available with State and non-State agencies
 - b. The profile of boys who move across borders
 - c. Triggers that lead to such movement
 - d. The overall experience of boys crossing borders
2. To explore the extent of trafficking and/or smuggling of boys involved in this movement – explore the process and identify consequences of this movement.
3. To identify legal and other policy implications, its impact; the effectiveness and impact of repatriation
4. To offer a set of recommendations for the State and non-State actors to initiate policies and intervention on trafficking in boys

Research Questions and Methodology

As noted above, this exploratory research was based on the following hypotheses:

- a) There is insufficiency of organised data on the extent of cross-border mobility of boys between Bangladesh and India
- b) There is lack of in-depth understanding of this phenomenon, which is a direct corollary of the above, implying that the following are not clear at policy and programmatic levels:
 - i. The profile of the boys who cross the border
 - ii. The triggers that cause such movement
 - iii. The processes involved in such movement
 - iv. The overall experience of the boys who cross over and the implications on their life situations
 - v. The extent of trafficking/smuggling of boys across the Indo-Bangladesh borders and its impact
- c) The extent to which the two countries have policies and programmes to guide and facilitate the repatriation and rehabilitation of boys who cross over both at the State and non-State levels, is inadequate

Research questions were formulated to examine these hypotheses and the methodology was determined accordingly. Given the nature of the research questions, as also certain limitations described later in this section, the methodology was largely qualitative – consisting of in-depth interviews and focus group discussions (FGD) with a wide range of stakeholders detailed later in this chapter.

The research tools, however, were developed to ensure that quantitative information can be drawn from the interactions described above. Data available with INGOs, NGOs and the Boys' Homes visited were examined where possible, to facilitate such quantitative inferences. Also, an extensive desk research of documents relevant for this phenomenon-spanning government policies, protocols and reports; INGO and NGO reports and publications; independent research reports; as also newspaper articles and reports were scanned to lend credence to the hypothesis on the paucity of data. Qualitative findings also were further refined through careful ethnographic observations – for all the respondent groups concerned. protocols

It also needs to be mentioned in this context that the nature of the study almost automatically resulted in some elements of action research being incorporated, which are described in details later in this report. One pertinent example, to clarify the point, would be re-connecting some of the families in Bangladesh with their boys in India – since the research team met both.

Limitations

As mentioned in the notes from the researchers, this was more an exploratory study than a full-fledged research owing to several factors – the most significant among them being the hypothesis that there is paucity of data on the phenomenon, which would render it impossible to set up this research on a broad enough database. It was necessary to restrict this study to boys within the fold of State systems on either side of the border, to ensure that it did not degenerate into a witch hunt for Bangladeshi boys in Indian nooks and corners, or vice versa. In the course of the study, however, the research team did get to interact with boys who had been informally brought back from India to Bangladesh through independent family initiatives.

Time and resource constraints necessitated the research to be temporally limited to January 2007 to August 2010 (since it commenced from September 2010) and geographically limited to West Bengal, Delhi and Mumbai. This choice of locations, however, was not guided merely by convenience – but by careful examination of whatever data was available, which clearly indicated a concentration of such boys in these locations.

While every other government-run Boys' Home in West Bengal was accessible, Ananda Ashram remained beyond the scope of this research due to the unfortunate demise of a Bangladeshi boy there at the time when the research

team was doing its field work. Some of the Bangladeshi inmates in the Boys' Homes visited could not be interacted with, owing to a variety of reasons that may be encapsulated as:

- not being 'court free', i.e. still serving a sentence
- being unwell
- need to be produced to the JJB at the time of the research team's visit
- being unwilling to talk
- superintendents refusing to allow interactions (without assigning any reasons for that)

Not all the government officials and police personnel that the research team wanted to interact with could be accessed – sometimes because of unavoidable circumstances, sometimes because they did not want to. Superintendents of a couple of Boys' Homes in West Bengal were absent on the day of the research team's visit, for example. The Deputy Commissioner of the Women and Child Development Department in Maharashtra, who also heads the anti-human trafficking task force of the state, was called by the concerned Minister for a meeting on the day the research team was scheduled to meet him. There were flat refusals also.

Interactions with families and boys in Bangladesh were limited by geographical distances and traceability. Interactions with relevant government officials could not be organised at all in that country. In desk research also, which was largely internet based, documents/ references from Bangladesh were hardly available, if compared to publications from India that could be located. One of the reasons could be that Bangladeshi publications being largely in Bengali, remain out of the purview of internet references. It could also be because such publications do not exist. Whatever the reason, scanning Bangladeshi documents/reports/literature related to the issue has remained restricted. Government perspectives could not be assessed through direct interactions either.

Despite these limitations, however, this exploratory research has yielded findings – quantitative and qualitative – rich enough to engage stakeholders in examining the loopholes that allow gross violation of the rights of boys who have crossed the border between Bangladesh and India. The findings are also humane enough to elicit questions from a larger audience not directly connected with the issue. The entire report is expected to offer a substantiation of this claim, but a snapshot of the interactions in different geographical spaces is presented here as a pointer to the wide range that was covered.

The Spectrum of Interactions

The data generated by this research covers a total of 336 Bangladeshi boys, among whom 71 could be directly interacted with, as detailed below:

- 45 boys spread across 5 government Boys' Homes in West Bengal – in-depth interviews with each one
- 6 boys in Delhi – 2 met when they were presented to the CWC (Child Welfare Committee) after being intercepted at the New Delhi Railway Station by concerned NGOs – in-depth interviews; brief interactions with 4 boys in the largest government-run Children's Home in Delhi
- 5 boys in Mumbai – brief interactions with 3 boys in Umarghadi Home and 2 boys in Mankhurd Home
- 6 boys officially repatriated prior to this research being undertaken
- 9 boys informally returned from India prior to the commencement of this research

Apart from them, direct interactions were also held with the following:

- 2 Indian boys currently in a State-run Boys' Home in Jessore, Bangladesh
- 26 families in Bangladesh with boys in India awaiting repatriation (spread across boys lodged in different Boys' Homes in West Bengal, covering both boys interviewed or not)
- 2 families in Bangladesh with boys who were repatriated from India, but are back in India
- 1 family in Bangladesh with a missing boy who is suspected to be in India

Beyond the boys and their families were other stakeholders in both Bangladesh and India with whom either in-depth interviews or focus group discussions (FGDs) were held, as mentioned before. Such stakeholders represent:

- Superintendents and/or Juvenile Social Workers of State-run Children's/ Boys' Homes in Delhi, Mumbai and West Bengal – 1 Home in Delhi; 2 in Mumbai and 5 in West Bengal
- Government officials in India involved in the repatriation process of Bangladeshi boys – IAS and state civil service officers in charge of relevant ministries/ departments like Home, Social Welfare and Women and Child Development (which are clubbed together in West Bengal) at both union and state levels
- Relevant police personnel from Mumbai and Kolkata – both IPS officers and state cadre ranks, directly involved with the anti human trafficking

task force in these states or in charge of repatriation / deportation of Bangladeshi nationals, including children, from India

- INGO and NGO personnel in both Bangladesh and India:
 - working with street children on either side of the border
 - implementing anti-trafficking programmes on either side of the border
 - involved with the repatriation process of Bangladeshi boys
- Families of boys currently living in different State-run Homes in India – with a focus on families of boys interacted with in course of this research

Disaggregated, the 265 with whom no direct interactions could be held represent the following:

- 51 Bangladeshi boys repatriated by Praajak from India between January 2007 and August 2010 (total number of boys repatriated during this period was 57; 6 such boys were met with in Bangladesh)
- 18 Bangladeshi boys in Ananda Ashram Boys' Home, Murshidabad district, West Bengal, who remained inaccessible to the research team
- 13 Bangladeshi boys at the Dhruvashram Boys' Home in Kolkata, West Bengal – present at the time of the research being conducted – with whom no direct interactions were possible (of the 15 Bangladeshi boys lodged there, interactions could be held with only 2)
- 21 Bangladeshi boys who had managed to escape a few months prior to this research being started, mentioned by boys interviewed in the Korak Boys' Home, Jalpaiguri district, West Bengal
- 157 boys handled by the Umarghadi Children's Home in Mumbai, Maharashtra as per records (other than those with whom direct interactions could be held)
- 4 Bangladeshi boys who introduced themselves as Bangladeshis to the researchers at the Alipur Children's Home in Delhi, but could not be interviewed (of the 8 who had self-identified as Bangladeshi, interactions were possible only with 4)
- 1 boy in the Shubhayan Boys' Home, Dakshin Dinajpur district, West Bengal – present at the time of the research, but could not be interviewed

Some boys referred to by different stakeholders have not been included in this list of 336 boys, for those who mentioned these boys could not offer any specific data. However, the reference to 3 Bangladeshi boys intercepted by outreach workers of Don Bosco, which is also a Childline partner, in Sealdah and Howrah stations tallied with many a boy's account of crossing the border at Beniapole and travelling to Sealdah by train, and then moving to Howrah to board a train for Delhi or Mumbai. Two such boys, brothers who had travelled

separately within a year of each other, were informally restored to relatives who live in North 24 Parganas district, West Bengal, in a village close to the border. This had happened in 2005 and 2006 – beyond the time limit of the research, but worth mentioning to indicate that organisations working with street children were not necessarily aware of the procedure to be followed with a Bangladeshi child. A third one, intercepted in 2009, however, has been duly produced to the JJB (Juvenile Justice Board), as is the custom in India and was lodged in Dhrubashram at the time of this research. A pointer to an increased knowledge about the formal procedure to be followed.

Another case was mentioned by the state appointed lawyer in the JJB of Delhi: a Bangladeshi boy who had been brought over by adults from his country and engaged as domestic labour in a Delhi household. He was later forced by the same adults to drug the members of his employer's family to aid larceny by his countrymen. This became a talking point in the Delhi press in 2005 – till he was sent back with a Bangladesh Biman pilot through coordination with STOP in Delhi and BNWLA (Bangladesh National Women Lawyers' Association) in Dhaka. The records of the Observation Home for boys managed by Prayas were checked to corroborate this account – but it was not possible to trace him in Bangladesh since the records here did not mention his family address and BNWLA could not readily locate the details of a case handled half a decade ago.

Other such references were there in course of conversations with different stakeholders in India and Bangladesh, which do not strictly constitute a database – but definitely contributed in enriching the research team's understanding of the phenomenon of cross-border mobility of boys between Bangladesh and India.

The Research Process

A brief detour into the way the research happened is necessary before the context setting is completed, for the wide spectrum presented above would remain unexplained otherwise. Initially, the research was conceived as a focused study of the following:

- NGOs associated with repatriating Bangladeshi boys in West Bengal, Delhi, Mumbai and Bangladesh
- NGOs working with street children in the same geographical locations
- INGOs working on child protection issues, with a focus on migration and mobility, on both sides of the border
- Bangladeshi boys in government-run Homes for the boys in Kolkata, Delhi and Mumbai
- Superintendents and/or Juvenile Social Workers (JSW) of these Homes
- Relevant government officials in Bangladesh and India (at both state and Union levels for the latter)
- Boys repatriated during the time period defined for the study
- A sample of families of Bangladeshi boys in India
- Indian boys in Bangladesh, if traceable

The scope of the research, however, grew considerably as the journey began. Kolkata was expanded to include all six government-run Boys' Homes in West Bengal when Praajak, the nodal agency for the repatriation of non-Indian boys in West Bengal, mentioned that the profiles of boys in different Homes were different and interactions in each would be necessary to capture the varying realities. This was the case, indeed, as this report would reflect, but to illustrate the point – had the Homes in the districts of Dakshin and Uttar Dinajpur (Shubhayan located in Balurghat and Suryaday located in Raigunj, respectively) – the aspect of boys crossing over for social reasons like visiting a relative or pandal hopping during the Durga pujas – a major festival of Hindu Bengalis – would remain undiscovered. The fact that Ananda Ashram in Behrampur, Murshidabad district, could not be accessed may have limited the findings of this study in terms of boys intercepted during cow smuggling in particular, since that district is infamous for this activity and boys are usually placed in the Home of the district where they are intercepted.

Delhi and Mumbai happened mostly as planned, but the cooperation of the CWC (Child Welfare Committee) of East Delhi helped the research team interact with two Bangladeshi boys who had just been intercepted at the New Delhi railway station by an NGO (Sathi) working there. Interactions with these boys corroborated what boys in West Bengal had already said: that many of them came to India without knowing it was an offence, which is why many of them reveal their nationality when asked – little aware of the consequences. The referral of these boys to the Alipur Children's Home, the biggest run by the Delhi government, also eased the passage of this research team into that Home.

The scope was considerably expanded in Bangladesh, for assisting NGOs helped the research team reach not just repatriated boys and families of boys currently in India – but also families of repatriated boys back in India; boys who had been informally returned and/or pushed back to Bangladesh; boys who had been intercepted at the border by the BGB (Bangladesh Border Guards,

previously BDR – Bangladesh Rifles) and brought back to their families. This exposure triangulated findings from the Indian side – that cross-border mobility is a wide enough phenomenon and that the mechanisms for repatriation of boys are not standardised at all. This expansion of the scope also brought the research team in contact with boys whose narratives indicate that they had been trafficked for cheap labour.

The expansion in the number of boys interacted with in West Bengal (through visiting 5 of the 6 Homes, instead of just 2 accessible from Kolkata as initially planned) also implied that larger number of families of such boys were met with in Bangladesh. This helped in substantiating the narratives of the boys, along with exposing the research team to differing attitudes that families had in terms of getting their boys back: there were families that had spent sums of money they could ill afford to facilitate their boy's return without any results, side by side with families that spent time crying and cursing their luck without any knowledge of where their boy was and what they could do to restore that lost child.

The extensiveness of the spectrum of respondents is important from a couple of perspectives that have added depth to the research findings:

- a. The geographical spread allowed the researchers to cover Bangladeshi boys moving into India from different districts of Bangladesh, not all of which were bordering districts, so that it became possible to capture varying realities and experiences – both from the boys and the families
- b. Interactions with other stakeholders have helped the researchers gain an insight into the indifference/non-involvement that prevails in both State and civil society initiatives towards protection of the rights of boys moving between Bangladesh and India





“

Do you want to hear what the BSF officer told me? I was at his feet, pleading to be released. Told him that he was like my father and begged him to have mercy. He kicked me hard and said, ‘What have you come to India for, faggot? To be buggered?’ Tell me – a man as old as my father, is this how he should talk to a 15-year old boy?

*An 18-year old in Shubhayan Home for Boys, Balurghat,
Dakshin Dinajpur District, West Bengal*

He has spent three years in India already. Had gone to Delhi to work. Has lost Rs 30,000/- to the Indian agent, apart from Rs 3,000/- given to the agent as ‘fee’. At 15, he was under the impression that these agents are authorised to help people cross the border.

CAUGHT AT CROSSROADS: THE BOYS

Boys who Cross Borders: Profiles and Predicaments

The array of boys interacted with in course of this research, whose numbers have been provided in the previous chapter, constitute the backbone of this research. This chapter captures the realities as narrated by the boys – sometimes in their own voices, sometimes as case studies, but mostly in the form of the researchers’ amalgamated analyses of myriad truths that came to the fore through the boys’ accounts. Overall, five major triggers/ reasons were identified for Bangladeshi boys travelling to India:

- economic trigger – the need / desire for income earning, combined with the perception/experience that India offers greater scope for higher earnings
- wanderlust – the perception of India as a great place that houses Bollywood stars, cricketing idols and pilgrimages; combined with the spirit of adventure
- social visits – to relatives living in India and/or for experiencing socio-religious festivals like the Durga puja, or a fair
- being lost – crossing over without realising that he has trespassed across an international border
- moving with the family – boys crossing over with their families, mostly without knowing the reason, though in one case the boy had mentioned the intention of transiting through India to Pakistan

The three Indian locations studied in this research – West Bengal, Delhi and Mumbai – offered interesting differences in the profiles of the boys in terms of the triggers. Boys driven by economic triggers were found in all three locations, and so were boys who had moved into India with their families. In contrast, boys who had crossed over for social visits, or had entered India without realising it, were found only in West Bengal. Boys who had adventurously travelled to India

were also found only in West Bengal – though they had travelled to other parts of India and had at times been intercepted elsewhere also. This last phenomenon was true mostly about boys who had already been in the streets in Bangladesh, who travelled together in a group.

These details immediately indicate the following:

- Boys who had crossed over without realising it were in west Bengal only, as their unwitting trespassing was facilitated by the socio-cultural and demographic affinity of Bangladesh with West Bengal in particular, as also by the existence of stretches of open border where fencing is impossible either because of the lay of the land (river borders or houses lying across both countries, as explained in Chapter 1). These boys had mostly been intercepted by the BSF when they were returning, with the exception of one who had been identified by local residents when he paid for his tea with Bangladeshi taka and was handed over to the local police station.
- Boys crossing over for social reasons were also found only in West Bengal, and that too in the two northern districts of Uttar and Dakshin Dinajpur. Both are near the Hili border, which is unfenced because the contiguity of houses across the border makes fencing impossible. The narratives of these boys clearly revealed that such crossing over was quite a frequent affair; some of them had done the same many times before – often with the ‘permission’ of the BSF and were at a loss to understand why they had been intercepted on their way back.
- Boys who had adventurously crossed over to India to visit Mumbai (to catch a glimpse of Bollywood stars or the cricket icon Sachin Tendulkar) or to visit Ajmer Sharif (a celebrated Muslim shrine also visited by Hindus) had been intercepted elsewhere, but were found in West Bengal only. Their identity was only understood as Bengali, not as Bangladeshi, so that they were sent to West Bengal for family restoration. Their nationality was only clearly identified in West Bengal, where the commonality of the language made improved communication possible between the boys and the Juvenile Social Workers of the Homes. Their narratives point to a gap in the system in states outside West Bengal, where the language barrier constitutes a significant block in early identification and speedy repatriation – a finding variously substantiated during the study.
- The same phenomenon may also be interpreted to indicate that they revealed their identity after much counselling in West Bengal, identifying themselves as Bengali-speaking Indian children when intercepted because they were aware of committing a crime. Groups of street boys who had come to India out of wanderlust denied any such awareness, but the accounts of Home Superintendents and/or JSWs stressed that these boys had not revealed their nationality both because of the language problem, as also out of fear. In fact, some of them had assumed Hindu Bengali names to camouflage their nationality.
- Boys who travelled for income-earning opportunities were found in all three locations, but there were significant differences in their interception patterns. Those in West Bengal were all intercepted by the BSF when they were returning to Bangladesh after working in India for some time. Those in Delhi and Mumbai, however, had either been hauled up in course of police raids in localities supposedly housing illegal Bangladeshi immigrants or through raids conducted by the Labour Department against child labour employers. At least one such boy had also been intercepted at the New Delhi railway station on arrival by an NGO working there to identify unaccompanied children in the station and organise safe custody for them. Interactions with outreach workers of this NGO confirmed that they sometimes intercepted Bangladeshi children at railway stations in Delhi – though the frequency was stated to be about once in three months. The fact that they readily identified themselves as Bangladeshi could be interpreted as an indication of their being innocent about the criminal nature of their movement – as claimed by an overwhelming majority of the boys met. Such innocence was also experienced firsthand by the researchers and corroborated by adult stakeholders – though not about boys from the streets.
- Boys who had travelled with their families were also found in all three locations, depending upon where they had been intercepted. Those in Delhi and Mumbai had all been intercepted through police raids on slums identified as illegal Bangladeshi settlements. But those in West Bengal had been intercepted at the time of their entry, with the exception of one boy who was intercepted somewhere near Delhi with his family, but has somehow become separated from the rest of his family members.

As indicated already, corroborations of what was learnt from the boys in India were obtained through the accounts of Superintendents and/or Juvenile Social Workers in West Bengal Homes; family members of boys in Bangladesh; relevant NGO and INGO personnel in both India and Bangladesh; some relevant

government officials in India. Relevant facts about the adult stakeholders, however, have been presented in a later chapter. The following sections in this chapter present the profiles and predicaments of Bangladeshi boys in India from different perspectives that reflect trends and patterns (or the lack of them) in their cross-border movement. It may be relevant here once more to reiterate that all Bangladeshi boys met in India were boys who are under State custody. Boys met in Bangladesh have been profiled separately, since – as already mentioned – the Bangladesh leg of the research also exposed the research team to a wider cross section of boys who had not necessarily been part of the State system.

Geographical Locations in Bangladesh (of boys in India during the research)

This section captures the details of where the boys had come from, with a view to discerning if any particular districts have more or less frequency of cross-border mobility of Bangladeshi boys into India. Such details could not, however, be sourced from all the boys interacted with since some of the younger ones (aged between 7 and 10) could not specify their locations. One young boy aged 7, housed in one of the Mumbai Homes, even claimed that he was born in a slum area of Navi Mumbai – probably a pointer to the fact that his family had been intercepted after spending considerable time in the city. In another Mumbai Home, one young boy of eight identified himself as a Bangladeshi, but named a district in Assam, India as his home – making it impossible for the research team to clearly understand whether his family had already migrated to Assam, from Bangladesh and spent some time there, prior to travelling to Mumbai – where they were intercepted. Source districts in Bangladesh, when identified by boys, have been presented in the following table in alphabetical order.

This table reveals quite a few significant points noted below:

- Boys from 20 out of the 64 districts of Bangladesh were in India with whom the researchers could directly interact. The geographical spread of the districts reflects that boys from all corners of Bangladesh cross over to India, which is not surprising since Bangladesh is almost entirely surrounded by India – except one small border with Myanmar. What is to be noted, though, is that the north-eastern borders shared with the states of Tripura and Assam remained beyond the scope of this study – but boys from districts (Gaibandha, Kurigram, Nilfamari, Noakhali, Rangpur) that are nearer these states were found in West Bengal, Delhi or Mumbai. All these boys had crossed over through borders shared with West Bengal, rather than through

Sl No	District	Division	Number of boys from the district
1	Barishal	Barishal	2
2	Bogura	Rajshahi	2
3	Cox's Bazaar	Chittagong	1
4	Dhaka	Dhaka	3
5	Dinajpur	Rangpur	8
6	Faridpur	Dhaka	2
7	Gaibandha	Rangpur	1
8	Gazipur	Dhaka	1
9	Joypurhat	Rajshahi	3
10	Jessore	Jessore	3
11	Kurigram	Rangpur	3
12	Kushtiya	Khulna	1
13	Natore	Rajshahi	1
14	Nayagaon	Rajshahi	1
15	Nilfamari	Rangpur	1
16	Noakhali	Chittagong	1
17	Satkhira	Khulna	1
18	Shariyatpur	Dhaka	1
19	Tangail	Dhaka	1
20	Thakurgaon	Rangpur	13

borders that were nearer their homes – a phenomenon that deserves further in-depth and extended enquiry.

- There were also boys from districts that are not really near any border, like the districts of Barishal, Bogura, Chittagong, Dhaka, Gaibandha, Gazipur, Faridpur, Nilfamari, Tangail – indicating that crossing over is not restricted only to districts that border India. What is important, however, is that those travelling from districts away from the border had entered India either for economic reasons or for visiting India. The phenomenon of crossing over for social reasons was restricted to bordering districts only, and was found to be more common in the northern districts of Dinajpur and Thakurgaon in particular.
- The limitations within which this study was conducted does not allow any generalised conclusions to be inferred – but it is an interesting feature that the maximum number of boys who could identify their source districts were from Dinajpur (8) and Thakurgaon (13). Both are districts with sizeable Hindu populations with Dinajpur having nearly 21% Hindus and Thakurgaon

having almost 27% Hindus as per the 2001 census of Bangladesh, against a national average of 9.6% Hindus. Of the 21 boys from these districts, about 50% were Hindus – but the notable thing is that boys of both religions had travelled together, whether for social reasons or economic ones.

Points of Entry and Interception

The next table captures the points of entry into India and points of interception – which were sometimes the same or adjacent locations, and at times far away from their points of entry. It needs to be noted that there were boys who could mention both their points of entry and interception; some could mention only one and some could not identify either. These realities are reflective of the fact that not all boys entering India are clear about where to go and how to go – lending credence to what many of them had claimed: that they were not aware of committing a crime, and sometimes not even aware that they were straying into another country. In addition, the table below also depicts interesting differences between the movements of boys from the southern and central parts of Bangladesh and those from the northern areas, as also in the patterns of their interception – which was not necessarily near their entry point.

Of the 32 boys who could mention at least one among the entry and interception points – an overwhelming 22 had mentioned Hili as the point of entry. This is not really surprising given the absurdity of that border, which cannot be fenced since people literally have houses with bedrooms in one country and kitchens in another. But, it is notable that not only boys from the district of Dinajpur where Hili is, or from neighbouring districts of Nilfamari and Thakurgaon had crossed over through Hili. Boys from districts far away from this northern township, like Barishal, Bogura, Dhaka, Kushtiya etc had also used the Hili border – pointing to a popular awareness of this border being most easily accessible, which was also confirmed by the boys during interactions.

The fact that not all the boys living in districts close to the Hili border had accessed that as the entry point tell another notable story: these were all boys who had entered India for relatively innocuous social reasons. Most of them had come to visit relatives living this side of the border – a practice they were well exposed to either because they had themselves done it before or had experienced adults in the family doing it. Further corroboration of their claim that they were not aware of committing a crime, though they knew they were entering India – a sentiment that Home authorities in West Bengal agreed with.

(Interactions with Superintendents and/or JSWs in Delhi and Mumbai Homes were not as elaborate as in West Bengal, since their engagement with Bangladeshi boys was found to be less – could be because of the language barrier, combined with their non-involvement in the repatriation process of the boys.) There was no

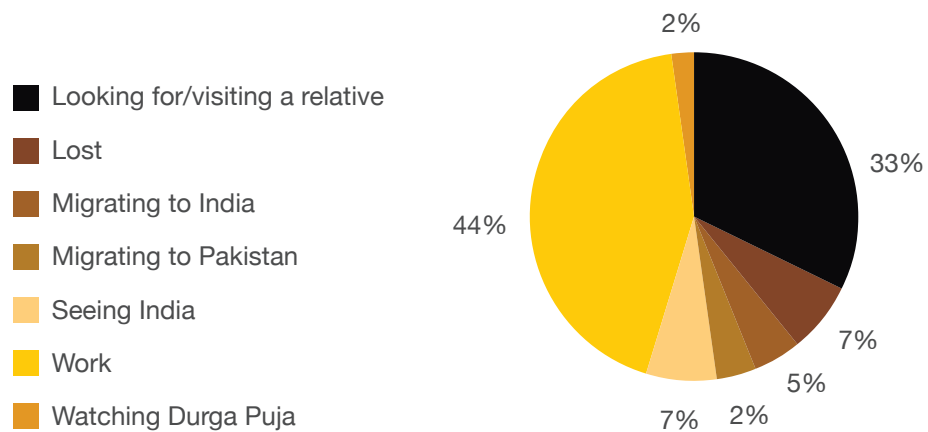
SI No	Source	Point of Crossing	Point of Interception
1	Jessore	Munshipur (Bangladesh) Mahakhola (Nadia, WB)	Nagpur
2	Cox's Bazaar	Not Known	Delhi
3	Maymansingh	Not Known	Babughat, Kolkata
4	Satkhira	Not known	Not known
5	Thakurgaon	Hili	Hili
6	Thakurgaon	Hili	Hili
7	Thakurgaon	Hili	Hili
8	Thakurgaon	Hili	Hili
9	Thakurgaon	Hili	Hili
10	Thakurgaon	Hili	Hili
11	Thakurgaon	Hili	Islampur
12	Kushtiya	Hili	Hili
13	Dinajpur	Hili	Hili
14	Barishal	Hili	Hili
15	Barishal	Hili	Hili
16	Barishal	Hili	Hili
17	Bogura	Hili	Hili
18	Shariyatpur	Hili	Hili
19	Dinajpur	Hili	Hili
20	Dinajpur	Hili	Hili
21	Dianjpur	Hili	Hili
22	Dinajpur	Hili	Hili
23	Dinajpur	Hili	Hili
24	Kurigram	Dinhata	Dinhata
25	Kurigram	Dinhata	Dinhata
26	Dhaka	Hili	Balurghat
27	Thakurgaon	Haldibari	Not known
28	Shantahar	Hili	Not known
29	Faridpur	Dinhata	Dinhata
30	Kurigram	Morakutti	Not known
31	Nilfamari	Hili	Delhi
32	Dhaka	Beniapole	Kozhikode

scope, however, to triangulate this through any form of case documents, since the documents maintained are not detailed case studies – but contain minimal information, which has been discussed in detail in a later chapter.

Triggers for entry into India

The major triggers have been encapsulated earlier in this chapter, but the following graph depicts the comparative percentages. These relative ratios, in turn, indicate economic reasons to be the most dominating one, with social factors coming a close second.

As clearly visible from the pie chart, the need for income earning and the belief



that India offers better income-earning opportunities lead to work being the most significant trigger behind boys crossing the border. It is also to be noted in this connection that the 2 boys who had mentioned migrating to India as the trigger were younger boys who had been migrating with their respective families. It is, thus, not unjustifiable to infer that their trigger would also have been the hope of better income earning. Taken together, then, work or income earning was the trigger for crossing the border in 49% cases.

The second largest trigger (33%) has been looking for a relative – in most cases an elder brother or an uncle – who had come here earlier and got disconnected from the family, or visiting relatives living this side of the border. In-depth interviews with the boys indicated that all of their relatives living in India were Indian citizens who had been here since before the partition – highlighting the artificiality of the Radcliffe line yet again. The same is also stressed by the fact of some of the boys straying into India without even knowing that they were crossing an international border. They are the ones who called themselves ‘lost’, describing at length how scared they were to have realised that they were in India – unsure about their chances of ever going back. Such possibilities are heightened by the presence of townships and villages of the same name on both sides of the border. Islampur is a case in point – there is one on each side of the border, just as both countries have a town called Hili – the result of the same town being partitioned into two. It was discovered through interactions with the boys that many of them did not know that they were crossing the border; some knew they were coming to India, but had no idea they were committing a crime; only 4 of the 71 boys interviewed in India knew that they were doing something wrong when they crossed the border without proper documents.

No number of barbed wires, fences or machine guns, it is clear, can stop the movement of the desperately poor to where they think they may find food and shelter.

Education and Employment

The next two graphs reflect the educational status of the boys at the time of crossing over, along with their engagement in economic activities prior to entering India. When combined with the previous pie chart depicting work and social visits to be the two most common triggers, it becomes clear that it is mostly school dropouts already engaged in economic activities who cross over to India – whether for work or for other reasons.

It is to be noted that of the 13% who were still studying when they had crossed over and been intercepted, most were in the formal education system – studying in classes VI – X. Only 2 such boys were studying in the Madrasa system. Also, all these boys except two had entered India for social reasons explained before. The remaining two had come to India in a spirit of adventure in the term gap after their annual examinations, little knowing that their formal education would be jeopardised because of their wanderlust.

Another point to note is that among the dropouts, most had dropped out in class V or VI, which is around the age of 12/13. More than 50% of those who had never been enrolled had already been living in the streets in Bangladesh since before they decided to cross over to India. Nearly 90% of the boys who had crossed over to India had either never been a part of any formal education

system, or were school dropouts at the time of crossing over.

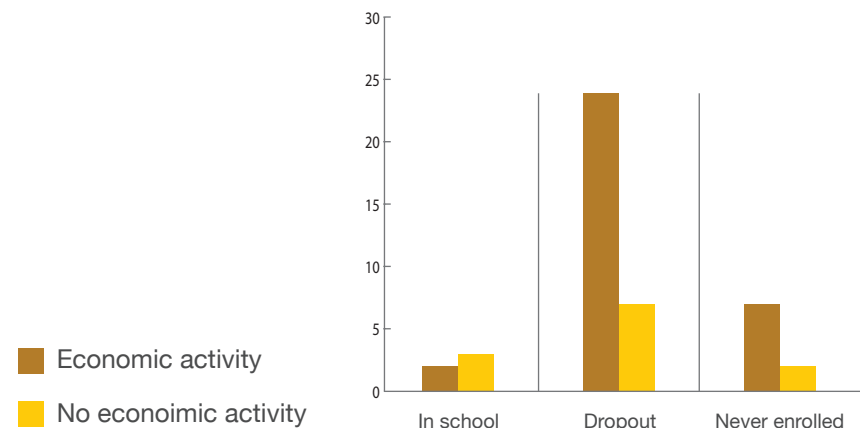
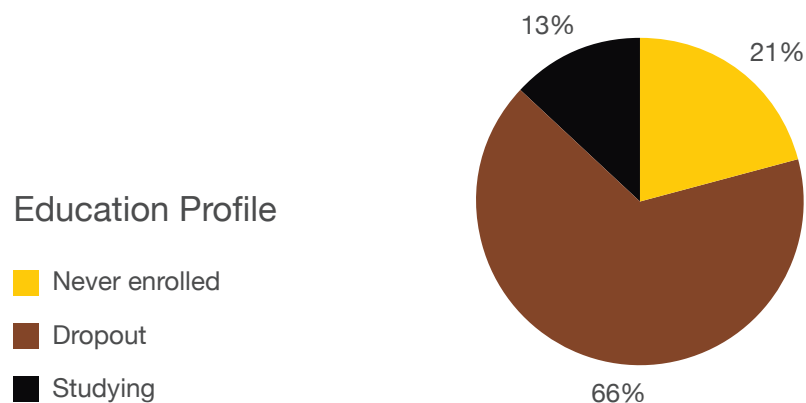
The next graph reflects the correlations between never enrolled/ dropout boys and engagement in economic activities – indicating that such a correspondence cannot really be inferred simplistically.

It may be problematic to draw an obvious linkage between being out of the formal education system and being engaged in economic activities. Nearly 77.5% of dropouts were already involved in economic activities – but almost 23% were not. Slightly more than 22% of those never enrolled were also not into economic activities – while 40% of those still in school were. These irregularities may well be indicative of the need for income earning on the one hand, needing also students to be engaged, and the lack of opportunities on the other, so that those who had never been part of the formal education system and dropouts were also not earning an income – prompting them to look for such opportunities across the border.

Engagement in economic activities was found to be of 2 kinds: independent income earning and involvement in family agricultural work or business.

Among those engaged in some kind of economic activity – slightly more than 18% were engaged in family agricultural activities or business while more than 81% were engaged in independent income-earning work.

Education Profile

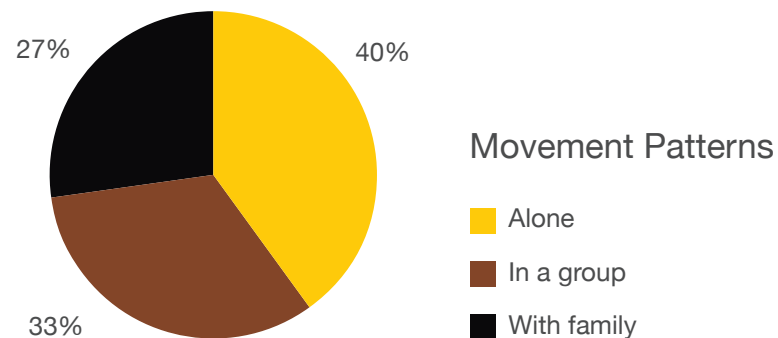


Patterns of Mobility

This chart reflects that unaccompanied single migration is the most common phenomenon in itself, followed by crossing the border with friends or neighbours. While single migrant boys represent the entire spectrum of the triggers mentioned earlier, boys moving in groups had crossed over either for income earning or for social visits to relatives or festivals. Boys who had migrated with their families were mostly young boys aged between 7 and 10 and could not specify the reason for moving into India. However, there were boys who were travelling with extended family members or community adults in search of work in India who had mentioned that the adults had not mentioned any risk being involved in the journey.

The profile of the boys would remain incomplete without mentioning the adults who gain financially from their movements across the border. Every boy who had crossed over in search of work had to pay one or two agents for doing so. About 60% of those who had crossed over to India in a spirit of adventure had to pay agents also. Such payment occurs both during entry and for return, as per the narratives of the boys. The system is to pay the Bangladeshi agent in BDT and the Indian agent in INR, with the 'fees' ranging from BDT 600 to INR 6,000.

Eight boys who had worked in Delhi prior to being intercepted when they were returning to their country complained of their entire earning being taken away by the Indian agent who was supposed to facilitate their crossing back to Bangladesh – leading the boys to suspect that the agent had deliberately alerted the BSF. The money was taken under the pretext of safekeeping till they had crossed over and the amount ranged from INR 10,000 to INR 40,000 as per the boys. What they mentioned about the period of their working in Delhi and the kind of money they earned every week/ month would match up to the amount they claimed they had with them when they were returning.



Overall, interactions with the boys reflected that the phenomenon of Bangladeshi boys crossing over to India happen beyond the definition of trafficking for commercial sexual exploitation and/or forced/bonded labour. Much of such movement is deliberate – though not always with full awareness about the consequences of such action.

None of the boys in India could be clearly identified as being victims of trafficking, but it became clear that there were adults benefitting from their movements. The agents/ touts on both sides of the border who facilitate the crossing over against cash payment were mentioned by close to 80% of the boys. Extended family members and community adults motivating boys to accompany them for employment in India were also mentioned as a significant phenomenon – though the boys could not pinpoint if such adults gained financially from their employers for bringing these boys.

The need/desire to earn a good income was found to be the most common trigger for coming to India and the type of work these boys would engage in are all menial jobs in the unorganised sector – construction work; working in brick kilns; zari (embroidery with metal threads) work and working as apprentices in gold and silver sweatshops were mentioned.

Consequences of Crossing the Boundary

India is a signatory to the UNCRC (United Nations Child Rights Convention), and has also ratified it – committing itself to protecting the rights of all children. However, Bangladeshi boys who enter India without valid papers face a wide range of adverse situations, leading to violations of their rights in different ways – signifying that the State of India fails to live up to its own commitment insofar as these boys are concerned. In this section, some such major consequences that are contrary to the principles of child rights have been encapsulated:

1. The period of stay in Homes were found to be varying between a fortnight to over 5 years, with the majority spending anything between 6 months to 3 years. Such long-term incarceration of children is in itself a violation. This becomes even more complicated because the boys are not sure of how long they would have to spend before they can return home. All the boys interacted with expressed an urgency to return, combined with feelings of uncertainty and hopelessness. Psychological effects of spending a considerable period of time with such anxiety and sadness are well known. Especially since these boys are young to adolescent and deeply miss being with their families (except for the few boys who had already been disconnected from their families before travelling to India). It is significant that more than 30% of the boys interviewed had already spent three years or more in incarceration – a quantum not at all statistically insignificant.
2. None of the boys were aware of the procedural steps involved; had no idea of the approximate time their repatriation might take and this makes their situation even more difficult to cope with. After spending a year or more in India – these boys become restive and start doubting that they would ever be able to return to their country of birth. This contributes further to their feelings of despair.
3. Boys who were still part of the formal education system when they were intercepted have been forced to lose significant time out of it. In none of the Homes visited can the boys attend school beyond Class IV/V, since they would have to travel out for that – which they are not allowed to do. (Schools are run inside the compounds up to class IV/V). This would only make it harder for these boys to reintegrate back into the main stream, even if they

manage to return to the formal education system. For older boys studying in classes VIII – X at the time of interception, returning to schools would become very difficult after spending two – three – or more years in India.

4. Most boys complained about the BSF abusing them physically through severe beatings and humiliate them with questionably foul language in addition – though no such complaints were made about the Home authorities and personnel. One boy, intercepted in Nagpur, however, had referred to being punished so severely for some mistake of his that he had to be treated for his festering wound in the chest when he was sent to West Bengal.

Boys who Cross Borders: Voices

As in any other research dealing with human subjects, the picture is never complete without the human subjectivity with all its dimensions being centre staged. The more marginalised the population group concerned, the more pertinent this need is, for the way a marginalised group experiences reality may be significantly different from the way a privileged segment experiences that same reality. To give one easily identifiable example, adolescents belonging to urban middle-class families and having the benefit of secondary education have the scope to learn about international borders and the norms for travel therein – both through their school texts and through the family ambience (which might include holidaying in foreign countries). This is in sharp contrast to the majority of the boys being referred to in this study – with most of them being either early dropouts or never enrolled in the formal education system, it is hardly surprising that these boys were largely unaware of committing a crime even when they knew they were crossing the border. These two groups of adolescents, thus, experience crossing an international border, maybe even the same Indo-Bangladesh border, very differently.

Keeping this in mind, an attempt has been made here to capture some of the narratives of the boys in their voices to offer to the reader a glimpse into their experience of crossing the boundaries. It would also become clear in this section as to how adult machinations remain incomprehensible to children, even when they are condemned to facing the consequences of such machinations.

One could start with the narrative of a 14-year old boy currently lodged in the Korak Boys' Home in Jalpaiguri. He shared with the researchers in great details how he had bought land for his parents and put his younger siblings into schools

with the money he earned through helping his elder brother's cattle trade. As he described what his specific task was – collecting the cattle from the Indian side, counting them, making the payment and then guide the cattle across a river at night – the researchers realised that he did not even understand that he was involved in smuggling across international borders – a crime that draws serious punishment on Indian soil at least. He was helping his elder brother's 'business' as the brother had stopped taking care of the family after his marriage. So, this youngster had to take charge at the ripe age of 12, since his father suffered from asthma and was too unwell to engage in any regular income-earning activities. The boy proudly said that his elder brother paid him well – he used to earn Taka 10,000/- or more a month, which is how he could do all that he did for his family, apart from putting food on the table. The elder brother had even managed to get this boy a fee-book from a school somewhere in the Murshidabad district, which had helped him escape interception twice before – even when apprehended by the BSF as he waited for the cattle supplier to arrive. The last time, he got caught in a crossfire between the BSF and the BGB and in his nervousness to escape gunshots – that all-important fee-book must have slipped out of his pocket, leading to his interception and incarceration.

This boy's narrative captures three very important elements presaged in Chapter 2 of this report:

1. Owing to the larger geopolitics of the two countries, especially West Bengal and Bangladesh, regular movement across the border – legal and/or illegal – is experienced as such an everyday affair that its criminal implications escape popular understanding, especially of the poor and marginalised – children included. This contributes significantly to the vulnerability of marginalised children for whom income-earning is indispensable.
2. Corruption and/or lapses by the border guards on both sides contribute to such regularity being maintained, even when it is illegal and allow smuggling of various goods – including large-scale cattle smuggling – to flourish. The use of children in such smuggling activities is another risk-inducing element for them.
3. Measures for ensuring the rights of poor and marginalised children is inadequate in Bangladesh (as also in India, though not captured in course of this research since the focus was different), needing such children to get involved in myriad income-earning activities, including smuggling.

Each of these points is also corroborated by the accounts of the other boys. A boy from Nilfamari district in northern Bangladesh, who had managed to travel all the way to Delhi in search of a better income, before he was deserted by his adult companions after all his money had been spent – leading to his being intercepted in the New Delhi railway station – offers another classic example. Unaware of his fate as he waited to be produced before the CWC, he kept chatting casually with the two researchers – happy to find them speaking in Bengali. His primary query was about the type of work he could get and the kind of money he could earn. When informed that he would not be able to work here since this was a different country, he thought that was because he was only 14. 'If I go back to Nilfamari and get a certificate from the owner of the sweetshop where I worked, stating that I was already out of school and working for the last 2 years – can I then come back and work here?' A query as innocent as it is condemning – bringing into sharp relief the failure of an adult world that cannot feed and educate this boy, but can punish him for a crime not even comprehensible to him.

The implications of such innocent or not-so-innocent crossing the boundary are manifold and often sinister, as recounted by a group of 4 Hindu boys from Thakurgaon district, also in northern Bangladesh who had crossed over to visit a fair happening on the other side of the border. They had even taken permission from the BSF when they came – a sharp pointer to the regularity of such movement. 'That time the guards were Bengali; they allowed us to come – but asked us to return by 4 in the afternoon. We lost track of time and were returning around 6.30/7 in the evening. The shift had changed by then. There were different guards in the BSF post, who were not Bengali also. They refused to listen to us.' These boys were in school – studying between classes VII and X. After spending 3 years in India and still waiting for their repatriation order – they are angry young adults today who have lost all faith in the adult world, along with any hope for a bright future. 'We just want to go back – even if to only beg on the streets' – is how they expressed their feelings. While all the boys very clearly stated that there was no beating and punishment at the Home, nor any discrimination, most of them also mentioned being severely beaten up by the BSF and/or the police. Some 6 of these boys were intercepted on their way back to Bangladesh after working for 9 months in Delhi and had Rs 10,000 – 40,000/- of earnings with them. This money was handed over to the Indian agent under his instruction; it was to be returned after the boys had crossed over. These boys are convinced that the Indian agent deliberately informed the BSF about them so that he could disappear with all the money. This chapter cannot be completed without mentioning that not everything

in the boys' world is bleak. There was this group of 4 boys – all street boys in Bangladesh, who became friends in Barishal where they worked. Currently lodged in the Shubhayan Home, they shared in great details how adventurous a journey it had been for them to travel all the way from Barishal to Hili and cross over to the Indian part of Hili. Their excitement was in sharp contrast to the hopelessness of the other boys – probably because they had no families to go back to.

All the boys also mentioned that they were treated well by everyone at the Home; some of the older boys went to the extent of saying bluntly that the Home authorities tried everything they could to organise repatriation – but Bangladesh never responded. There were moments of an embarrassed smile on one 16 year old boy's lips at the Suryaday Home, and loud guffaws by the others when the lead researcher spotted a tattoo the boy wore on his forearm with a girl's name embossed into a heart sign. But, at the end of the day – what has remained most sharply with the researchers are the tears for their families; their eager scribbling of mobile numbers in Bangladesh on being told that the researchers would visit Bangladesh soon in course of this research; and the collective request by most of the boys to visit their families and get their family members to talk to them over the mobile.

Boys who have Returned

As if the predicaments of Bangladeshi boys still in India during this research were not enough, the Bangladesh leg of the study brought to light even more severe situations faced by boys who had been in India once or more, but have returned/ been repatriated by the time this study was conducted. A total of 11 such boys were interviewed in course of this research. As already mentioned, they represent a cross section of boys, some among whom had been repatriated through State systems while some others had returned independently/ through informal channels. Some of the details gathered from them that point out the gaps in relevant policies, as also in the implementation of whatever procedural directives exist, are cited below:

- a. Of them, 4 were repatriated from West Bengal between 2008 and 2009 following the procedure that is being practised now – involving both governmental and non-governmental agencies. One of these boys is the son of a policeman in Bangladesh. He was preparing for his school leaving examinations at that



time and got to spend 2 years here under the strangest of circumstances. He had gone to stroll along the river Padma with four other classmates for a breather. They got into a boat for a river ride and the boatman took them to a delta in the middle of the river. He and another boy got off the boat to take pictures of the place on their mobiles and were intercepted by the BSF, while the three on the boat managed to escape. Apparently, that delta was in Indian territory. His case emphasises once more how sometimes Bangladeshi boys stray into Indian soil without even realising it and end up paying a price far too heavy for the 'crime' they had committed.

- b. One of them had been involved in cattle smuggling and was in Dumdum Jail throughout his three and a half years' stay in India, despite being slightly over 16 when caught. He went back in 2008 through the police and his family

The absence of any bilateral specific policy for the repatriation of Bangladeshi boys who enter India without the necessary documents lead to their return journeys being varied, and sometimes harrowing. In the absence of any rehabilitation support, some of them are forced to go back to India for income earning – thereby exposing themselves to the same risks all over again.

had to collect him from the police station in his area. His experiences reveal another gross violation of a child's right to protection.

- c. Five 13-year old boys from the same school had gone to India and were retrieved by family members through informal means – probably by paying money to the agents involved, who had them under custody. The boys mentioned that they had not faced anyone from the BDR or the BSF either when they went or when they came back. The case of these boys indicate lapses in border policing, which is in sharp contrast to many instances where they were experienced to be over zealous in punishing Bangladeshi boys who had no intention of migrating illegally to India.
- d. One boy had gone to India and managed to return after being forced to work under an extremely exploitative situation. This happened in 2010 and this 16-year old spent two and a half months in India. This could well be a case of trafficking for cheap/forced labour, for the agent who had helped the boy cross over to India had also put him in touch with his exploitative employer. He never came within the State system during his stay or return.
- e. Two boys had crossed over with others in 2007 and were intercepted by the police in Kaliyachak of Maldah district. They were made to sign papers stating that they were 20 even when they were all aged between 16 and 17 at that time. As a result, they were never produced to the JJB, but tried in

an adult Court, resulting in their being sentenced to rigorous imprisonment for a year and a half – after which they were pushed back with a seal on their hands, stamped by the Police Superintendent of Maldah district. This case is illustrative of the physical abuse and psychological humiliation that Bangladeshi boys in India may have to face.

- f. Two more boys had been repatriated in 2005, but as per neighbours and family members – they have gone back to India and work in Ahmedabad, Gujarat. Both boys had crossed the border with their parents and had spent their time in India in Bongaon jail with their mothers as they were only 6/7 years old then. Even at the time of the interactions, not just the boys – but their entire families were said to be in Ahmedabad. Only the elderly grandmother of one of the boys was at home, who confirmed that both families were accustomed to going to India and coming back – a practice necessitated by the scope of better income earning in India.

These details clearly reveal that the absence of any bilateral specific policy for the repatriation of Bangladeshi boys who enter India without the necessary documents lead to their return journeys being varied, and sometimes harrowing. In the absence of any rehabilitation support, some of them are forced to go back to India for income earning – thereby exposing themselves to the same risks all over again.

Indian Boys in Bangladesh

This chapter cannot be concluded without mentioning those on the other side of the fence – two Indian boys residing in a government Boys' Home in Jessore, Bangladesh – the only representatives of a phenomenon not even talked about. As mentioned in Chapter 1 of this report, much of the polemics around cross-border mobility between Bangladesh and India both at the government and the civil society level have remained restricted mostly to Bangladeshis in India; the other possibility is conspicuously absent in dialogues – almost as if it never happens.

It is true that illegal movement of people from India to Bangladesh is possibly far less than the reverse of it, given the geopolitical situation of the two countries. It is the picture of a geographically large, socially freer and economically shining India that pulls the starving from Bangladesh just as much as the adventurous adolescent. This is not just borne by the huge number of Bangladeshis who visit India as tourists and come for medical treatment – but was stressed by the boys interacted with as well. No similar glory is attached to Bangladesh in popular discourse, so that such triggers are definitely less. But, the reality of the partition being drawn across the heartland of Bengal remains; West Bengal loses the significance of its name without the corresponding East Bengal, which is now Bangladesh. So, it is unlikely that there will be no movements whatsoever.

This conjecture was also supported by the boys who had come to visit relatives, or watch a fair, or the Durga puja. They had all mentioned that relatives from this side also went to visit them – underlining that adult movement was so regular on both sides that they had never had reasons to imagine that there was any element of crime involved in it. People living along the border between West Bengal and Bangladesh are well aware of it, though it has hardly found any space within deliberations of government or civil society actors.

Further, the obscurity of the Radcliffe line also is a contributing factor – if Bangladeshi boys can enter India without realising that they are crossing the border, it can happen to Indian boys as well. The two boys in the Kishore Unnayan Kendra – a State-run Home for boys in Jessore – are living proof that such incidents happen. Aged 17 and 14 now – these two brothers have already spent 9 years in Bangladesh, the first 6 years in the BNWLA shelter and the last 3 years in the Jessore Home. The elder brother could give all the names and addresses correctly – his father's, his mother's and even his maternal grandparents', since that is where their mother apparently lives now.

Their story is shrouded in mystery: their mother had asked them to go with a man they had seen only once before; he was to take them to their maternal grandparents' house in the South 24 Parganas district. They used to live near Basirhat in North 24 Parganas. As per the brothers, instead of taking them to their maternal grandparents' house, the man brought them to Beniapole and disappeared after asking the boys to wait in a room of a three-storied house. They got fidgety after a while and walked out – they realised they had crossed the border only when police caught them. Their case was supposedly flashed in newspapers and their mother had come once to meet them. As per the boys, their mother could not take them back as she did not carry any letter from the Chairman of the Union Parishad (equivalent of a Panchayat Pradhan in India) endorsing that she was their mother. Home authorities could not specify why she had not/ could not take the boys back – but apparently subsequent attempts at getting in touch with her has yielded no results. 'She is no longer interested in taking them back as she has seen that they are well taken care of' – is how the Home authorities put it. No government official from either country has ever visited them. In the absence of an established repatriation protocol, the Home authorities have not done anything beyond 'trying to contact the mother on the mobile'.

The boys wanted to continue studies, but had to give that up as they cannot go to school – because they are not supposed to go out. But the reason thereof was not clear; no one could specify whether they are booked under any law. One of them has learnt electrical work and the other electronics, but they are not sure when they will be allowed to go out and put those skills into practice for earning and income. Nor do they know if they can ever come back – though they dream they will.





The uniformed men who caught me when I was trying to cross the border at Beniapole hit me so hard that I had an ugly-looking wound on my right leg. An older boy who used to unload apples from trucks allowed me to stay with him and nursed my wound. Don't know what I'd have done without him.

A 15-year old in Alipur Children's Home, Delhi

He has spent about a year at the Home and is not keen to return to Bangladesh. The Home authorities had not identified him as a Bangladeshi; he introduced himself as one.

SCYLLA AND THE CHARYBDIS: THE FINDINGS

Scylla and Charybdis were a sea hazard in the Strait of Messina between Sicily and the Italian mainland. Scylla was a rock shoal (described as a six-headed sea monster) on the Italian side of the strait and Charybdis was a whirlpool off the coast of Sicily. They were said to be located close enough to each other so that they posed an inescapable threat to passing sailors; avoiding Charybdis meant passing too closely to Scylla and vice versa. An attempt at analysing the policy frameworks and provisions that exist for the repatriation of boys who happen to cross the border between Bangladesh and India has left the researchers with the realisation that such boys are similarly caught between the frying pan and the fire. This chapter offers evidence to justify this observation in the light of some of the lacunae that became clear in course of this study.

Lacunae 1

There is insufficiency of organised data on the extent of cross-border mobility

of boys between Bangladesh and India

Evidence generated in course of this research

- i. West Bengal has organised data on repatriation of boys since September 2009 – request for data prior to that period was either met with the response that only the data of the previous and current years are maintained, or it was clearly stated that systematic data about boys was not maintained prior to the latest SOP (Standard Operating Procedure) being introduced.
- ii. The Umakhadi Children's Home in Mumbai has a record of 157 boys being handed over to different custodians, but no record whatsoever of what happened to them henceforth.
- iii. The AHTU (Anti Human Trafficking Unit) Task Force members in Maharashtra acknowledged that neither had they handled the repatriation of any Bangladeshi boy in 12 months of their functioning, nor were they aware of what happened with such boys.

- iv. A highly placed civil servant in the Union ministry acknowledged that no organised data exist about Bangladeshis – adults or children – except for girls rescued from red light areas/ abusive domestic labour situations.
- v. All attempts to get access to records of deportation/ repatriation of Bangladeshi boys from Delhi during the research period proved a failure, beyond the records of the Observation Home for Boys managed by Prayas. Relevant police officers refused to give the researchers an appointment despite a reference call from a very senior bureaucrat in the Home Ministry.
- vi. Interactions with concerned NGO personnel on both sides of the border revealed that they had an overall impression about the issues detailed here, but most of them do not maintain data in an organised and detailed manner to be able to draw informed conclusions on the basis of evidence. The details provided in Chapter 3 here were collected directly by the researchers through interactions with the boys.

Lacunae 2

There is lack of in-depth understanding of this phenomenon, which is a direct corollary of the above, implying that the following are not clear at policy and programmatic levels:

- a) The profile of the boys who cross the border
- b) The triggers that cause such movement
- c) The processes involved in such movement
- d) The overall experience of the boys who cross over and the implications on their life situations
- e) The extent of trafficking/smuggling of boys across the Indo-Bangladesh borders and its impact

Evidence gathered through this research

- i. Only the Superintendents and Juvenile Social Workers (JSW) of the Boys' Homes in West Bengal furnished a fair understanding of the circumstances under which boys from Bangladesh cross over to India – which were subsequently triangulated through in-depth interviews with the boys. Both the Children's Homes visited in Mumbai reflected complete disinterest in

profiling the boys beyond their age and educational status when brought to the Home. No detailed case files were available, nor were JSWs forthcoming with any details. Both Superintendents cited language barrier as the reason behind the same. The Superintendent and a JSW of the Alipur Children's Home in Delhi had mentioned the presence of 2 Bangladeshi boys, while 8 boys identified themselves as Bangladeshis to the researchers – further adding that there were 3 more, who did not want to identify as Bangladeshi. No data/ records in this Home were made accessible to the researchers as the office was being painted.

- ii. In both Delhi and Mumbai – 'Bangali' (i.e. Bengali, which means both 'from Bengal' and 'Bengali speaking') stands for anyone who speaks in Bengali – the difference between a Bengali speaking person from West Bengal and one from Bangladesh in terms of their being in India hardly surfaces. In both places, the request to meet and talk with Bangladeshi boys led to older boys being told: 'Bangali ladko ko bulao' (Call the Bengali boys) and the researchers had to talk to the boys to sift the Bangladeshi boys from those hailing from West Bengal. The collapsing of these identities was epitomised by an incident in one of the Homes in Mumbai, where one of the researchers kept being referred to as a Bangladeshi by a CWC member and the Superintendent, despite clarifying several times that she was a Bengali from West Bengal. Under these circumstances, it is hardly to be expected that any degree of understanding about the profiles of the boys from Bangladesh and their triggers for coming to India are understood.
- iii. This invisibilisation and lack of concern for Bangladeshi boys in Delhi and Mumbai was triangulated by the fact that no boys repatriated from these two cities could be met during the research – since no information about their whereabouts were available. In the face of such indifference, any understanding is hardly to be expected.
- iv. As mentioned in the last point about the first finding – since involved NGOs do not adequately organise or analyse their data – their overall idea falls short of becoming in-depth understanding. This is further facilitated by a high turnover rate of NGO personnel.
- v. There were other pointers to some degree of lack of involvement on the part of the concerned NGOs. Their role on both sides of the border is more or less restricted to following up on procedural aspects, including home identification (in Bangladesh) and escorting the child for repatriation (on both

sides of the border). Just to refer to a couple of examples (of which there are more) of deeper involvement with the boys being absent/inadequate:

- a. A rather young boy of 8 is lodged in the Korak Boys' Home in Jalpaiguri. He had crossed over with his mother and sister, both of whom are in the Balurghat jail (the sister is with the mother as she is very young) in Dakshin Dinajpur district. In three years of his being in India, the boy has only visited his mother once, since there is quite a distance between his Home in one district and the jail where his mother is, which is in another district. There is a government boys' Home in the same town as the jail, but no effort has been made by the NGO acting as the nodal agency for repatriation to get the boy shifted there – which might enable this young child to visit his mother more often.
 - b. Most of the families awaiting the repatriation of their boys were not aware about where the boys were – they got the information from the researchers. This was true even about boys whose home identification was over or in the process, implying that the nodal agency in Bangladesh was already involved in the process. This, too, is an indication of lack of humanitarian involvement – which would explain why no detailed data about the issues raised was readily available.
- vi. All the INGOs interacted with in Bangladesh, including UNICEF, admitted that focus on cross-border mobility of boys between Bangladesh and India was not on the priority list of any of them. There is a wide range of programmes against trafficking in human beings, on child protection and on child labour. But, they are either restricted to girls only (anti-trafficking programmes), or restricted within national boundaries – thereby leaving boys crossing boundaries beyond their purview. This, too, is an indicator of lack of understanding of the phenomenon – which, in turn, is one of the principal factors behind the inadequacy of organised data.

Lacunae 3

The extent to which the two countries have policies and programmes to guide and facilitate the repatriation and rehabilitation of boys who cross over both at the State and non-State levels, is inadequate.

Evidence gathered through this research

- i. The evidence for the first two lacunae is in itself a pointer to the inadequacy of policies and programmes at both State and non-State levels for boys who

move across borders. Has there been specific policies and programmes – there would have been organised data with the government as reports/surveys/assessments; and with NGOs and INGOs as reports and MIS.

- ii. In the absence of specific programmes – there is no question of marked budget allocation for the repatriation, reintegration and rehabilitation of boys who cross borders. While there was no specific response to this from the government sector, all the INGOs interacted with on both sides of the border acknowledged that this was not one of their priority areas.
- iii. The fact that entirely different systems and processes are followed in West Bengal and Mumbai are indicative of a standardised policy not being there. To reiterate – Bangladeshi boys intercepted in West Bengal are booked under Section 14 of the Foreigners Act and produced to the JJB (Juvenile Justice Board) as JCLs (Juveniles in Conflict with Law) and are sentenced. In Mumbai, on the other hand, they are treated as CNCP (Children in Need of Care and Protection) and produced to the CWC (Child Welfare Committee) – thereby recognising their victim status. However, in West Bengal, repatriation data about boys thus brought under the State system are available 2009 onwards, but no such information is available from Mumbai.
- iv. Arbitrary sentences and freak incidents in West Bengal also indicate that the boys are dependent on the specific JJB members' understanding of a situation, rather than their sentencing being guided by specific laws and provisions. Four Bangladeshi boys of the same age-group had crossed the border together – three of them Hindu and one Muslim. Their purpose was to visit a fair this side of the border and they had no idea that they were committing a crime, since movement across the border is quite regular in that region in northern Bengal. The three Hindu boys were sentenced for 4 months each while the Muslim boy was sentenced for 2 years. The researchers were left wondering if there was a communal bias in this judgment – for the boys were in the dark about the reasons behind this difference in their sentences.
- v. The procedural systems that have now been put in place in West Bengal are also quite recent. This was mentioned by Superintendents and Juvenile Social Workers of Boys' Homes in the state. This was also triangulated by the accounts of Bangladeshi boys who had been in India, but have returned/ been repatriated. Some of the details gathered from them that point out the gaps in relevant policies, as also in the implementation of whatever procedural directives exist, are explained in the last chapter.

- vi. Every Bangladeshi family awaiting the repatriation of a boy interacted with in course of this research mentioned that they have had to pay money to the police, if the police have been in touch with them for home identification. None of them was sure whether the police were within their rights to ask for this money, or they were just taking bribes. The families have paid in the hope of the boy being repatriated fast. There was at least one case where the family had got in touch with the police themselves when their son went missing. The police took money from them for investigating – but did not get the family to lodge even a missing diary.
- vii. Boys who move across the borders between India and Bangladesh may not be victims of trafficking as per the narrow definition of trafficking adopted by both the countries – but smuggling them across the border is an organised crime involving adults who gain financially from facilitating such movements. No reference to any agent being caught, tried and punished was heard of during this research.

This disparate picture explains why responses to queries about policies about the repatriation of Bangladeshi boys received only tight-lipped responses or refusals from police officials. It also explains why boys crossing boundaries are caught between the Scylla and the Charybdis. If they are Bangladeshi boys in India they are either booked under Section 14 of the Foreigners Act, sentenced and then await repatriation following a long and arduous process that takes years sometimes (as in West Bengal); or they are just handed over to the Special Branch (I) with no news of them being available after that (as in Mumbai). Beyond these are boys who do not come into the State system at all – who have largely remained beyond the scope of this research. Even those who do get repatriated following a proper procedure – if they had run away due to poverty in search of work, they simply get back to square one, in the absence of any rehabilitation packages for them. Had they come in simply for adventure, or without knowing – irreversible time lapses make it difficult, if not impossible, to put their life back on the same track of regularity again. And – if they happen to be Indian boys in Bangladesh, they remain forgotten as the country is in denial of anything like that happening.

Major Findings: India

In the light of the lacunae highlighted and the evidence offered, major findings from this study may be encapsulated as follows:

1. The SOP for rescue and repatriation of cross-border victims of trafficking for commercial sexual exploitation in Maharashtra and West Bengal mention ‘children’ rather than girls – but the procedure mentioned there is applied to Bangladeshi boys only in West Bengal; not in Maharashtra. Delhi has not yet developed any SOP. Bangladesh also does not have a SOP for the repatriation of Indian boys there. Bilateral signing of the SOP is stuck as the Bangladesh government refuses to sign SOP with different states in India – insisting that the SOP must be between the federal governments of the two countries, but the Union government in India has not made any movement towards that.
2. State-run Boys’ Homes in Mumbai only maintain records of boys being handed over to the Special Branch (I) of the Mumbai police – making it impossible to trace proper repatriation. Special Branch (I), Mumbai Police confirmed that boys are handed over to the BSF at the border – who are expected to ‘hand them over’ to the BGB (Border Guards Bangladesh, previously BDR – Bangladesh Rifles). The research team has met boys in Bangladesh who had been handed over in this manner and NGOs in both West Bengal and Bangladesh mentioned this with reference to specific incidents.
3. Delhi shelter homes were found to lack capacity/motivation to elicit information from the boys about their origins. In Mumbai, too, there is a collapsing of identities between boys from West Bengal and Bangladesh. In both states, ‘Bengali boys’ include both and the concerned personnel were found lacking in their efforts towards segregating the two. The dearth of Bengali speaking social workers, absence of any assistance from NGOs, lack of proper counselling facilities – all of these contribute to this state of affairs. Lack of overall accountability in the system and the absence of a SOP applicable also to boys allow this to happen.
4. The repatriation process being followed in WB is lengthy and cumbersome, involving different government departments and personnel. No coordination mechanism for shelter home authorities in India to communicate directly with agencies in Bangladesh to expedite the repatriation process. Dependence on only one NGO to facilitate the process, which seems inadequate.
5. There are cases of children who come across the borders without necessarily understanding the implications of the border. Sometimes, they are not even aware that they have crossed an international border, and yet are considered as children in conflict with the law, and ‘sentenced’ (in West Bengal).

The Curious Case of Shanto Karmakar (name changed)

Shanto, now 17, is lodged in the Suryaday Home in Raigunj, Uttar Dinajpur district, West Bengal. He is an Indian citizen by birth, with his immediate and extended family living in a block of the same district – barely 10 kilometres from the Home. He went to Delhi with a group of boys of his age – a group comprising both Bangladeshi and Indian boys as such friendships are common in this area. When several of this group were intercepted on their way back, Shanto was among them. He was advised by the police to identify himself as a Bangladeshi – supposedly to facilitate an early reintegration with his family. Accordingly, he furnished a Muslim name and a non-existent address in Bangladesh. Much later, when the report from Bangladesh arrived as ‘address not found’ did Shanto get sufficiently agitated to spill the beans to Home authorities. His identity has since been proved; his family members are in regular touch – but Shanto is still at the Home, for the police of that block have failed to send a report on his home verification. He has now spent two and a half years at Suryaday!

6. Boys from the age of 12 onwards in poverty stricken families migrate illegally into India for employment. The smuggling network at the border, allegedly including a few corrupt border police, facilitates their entry. However, they are apprehended at the time of return, significant amounts of money are taken away. Boys allege this is a conspiracy between the touts/ agents and the border police. (This was narrated by boys in the age-group of 14 – 18, apprehended 2 – 3 years ago, in WB Boys' Homes and was corroborated by Juvenile Social Workers (JSWs) in 4 government-run Boys' Homes in WB). The research team did not hear about any serious crackdown on corruption (amongst the border police) regarding cross-border smuggling in children, persons or goods – which indicates a lack of anti-corruption measures at the border.
7. Children are reunified with their families with no other assistance in rehabilitation.
8. Street boys from Bangladesh already disconnected from their families become Stateless children when they cross over to India and own up their nationality, but their families remain untraceable.
9. Boys reported violence and abuse, including the use of sexually abusive language, by BSF personnel and police. There were also references to physical and sexual abuse of younger boys by older ones in the shelter homes by repatriated boys – though a change towards the better was also mentioned. (This research could not explore this aspect further).
10. There were cases of trafficking found. But no scope of prosecution of traffickers or assistance to victims (services, protection from traffickers) that are otherwise offered to girls.
11. Lack of records, data, information across systems – leading to non-estimation of the number of children actually suffering because of lacunae in policies and programmes and loss of evidence.

The implications of these findings are many and varied, some of which have been listed below:

- a. The prevailing perception that boys cannot be victims of commercial sexual exploitation allows two states of India to follow two different repatriation/ deportation mechanisms – which is discriminatory against boys. They are made to face different consequences for the same action – if apprehended in Mumbai, there is no fixed procedure for their repatriation, though in West Bengal there is.
- b. The lack of a SOP applicable across India also allows trafficked/ smuggled boys in West Bengal to be doubly victimised since they are treated as JCLs.
- c. The absence of any SOP for victims of trafficking for forced/ bonded labour leaves boys and Bangladeshi girls who may be smuggled or trafficked for forced labour outside the scope of victim assistance for repatriation.
- d. As a sovereign nation State, Bangladesh is entitled to demanding the involvement of the Union government of India in the formalisation of an SOP. Further, signing of SOPs between states of India and Bangladesh may lead to non-uniformity in process, and would further leave ambiguity in situations where Bangladeshi children and trafficked victims may be rescued in other states (other than the current states involved).
- e. Specifically in Mumbai, the non-maintenance of records of handover of Bangladeshi boys to appropriate custody is a violation of children's right to protection. In the absence of proper escorts and handover procedures, the fate of Bangladeshi boys deported from Mumbai remains entirely unknown to relevant authorities. There is no surety that all of them reach their families safely. They may be abused/ killed/ smuggled back.
- f. Loss of prime time through long periods of incarceration, with boys remaining outside the formal education system – a violation of their right to development, along with other mental health problems that may result from long-term confinement. Also, such loss of prime time make their reintegration into the mainstream that much more difficult. The impact of their mistake becomes disproportionate to the 'offence' they commit – boys have said.
- g. The pressing need for escape from starvation/ poverty, combined with the prevalent social perception of boys as providers and responsible for augmenting their family income, make boys vulnerable to economic exploitation by adult perpetrators of the organised crime of human smuggling. While they are punished, adults gaining financially from facilitating the movement of these boys remain unpunished. Lack of policy and weak implementation of existing provisions thereby encourage the proliferation of the organised crime of smuggling human beings across the Indo-Bangladesh border.

- h. Lack of rehabilitation support force boys to return in the face of poverty and starvation – which is certainly against the best interest of the child, but is also contrary to State interests since their repatriation/ deportation becomes a waste of time and resources.
- i. The plight of children who are becoming Stateless is a serious concern. Boys who identify themselves as Bangladeshi with no families being traced in Bangladesh lose all citizenship rights since neither their country of birth nor their destination country accept them as its own. The future of such boys is bleak, encouraging them to escape and drop out from the mainstream of life – not to refer to the trauma and hopelessness they experience as they spend years after years in incarceration.
- j. Boys have reported being physically hurt and psychologically traumatised by BSF and police atrocities; the possibility of sexual abuse by BSF could not be ruled out, the ill effects of which are well known.
- k. The overall lack of documentation results in policies being unresponsive since information and evidence that would guide deliberations in policy formulation are lacking.

Major Findings: Bangladesh

While many of the findings from the Indian side are also relevant for Bangladesh, there are a few developments that relate specifically to Bangladesh, which have been captured here.

- A task force has recently been set up and an SOP has been formulated to address the issue of human trafficking. At the time of the research, Bangladesh was in the process of formulating a new law that recognises a wider connotation of trafficking beyond just Commercial Sexual Exploitation and includes girls and boys, women and men within its fold.
- There may be resistance in some official quarters about existence of illegal migration from Bangladesh to India, but the phenomenon is widely acknowledged by the masses.
- Poor people in Bangladesh usually do not access police stations to file a GD for a missing child. Visits to families with missing children (some of whom are in India) revealed that even the poorest families usually spend a

lot of money in looking for the child despite not going to the police to lodge a GD.

- It was also discovered through interactions with these families that when the police do come for home investigations – they always demand money and the families keep paying in the hope of expediting the process of their child's return.
- In many cases, the families still did not know where in India their boy is, despite NGOs and police in Bangladesh being in touch with these families for Home Investigation. On many occasions, specific news about the boy's location was shared with the family first time by the research team – pointing to a lack of engagement not just on the part of the police, but also of NGOs concerned.
- As claimed by Superintendents and JSWs in boys' Homes in India – the police in Bangladesh take a long time in sending a Home Identification Report. This was corroborated during the research by the child protection officer of UNICEF, Bangladesh; as also by families.
- Contrary to the oft-heard claim in India that Bangladeshi boys cross over to India because their families do not care for them – all 46 families interacted with were found to be extremely keen to receive their child back, with many of them spending money they can ill afford to expedite the process. Their lack of knowledge about the exact procedure and lack of faith in the police – combined with the inadequate presence of localised NGOs involved in the task result in wasted resources and time.

A boy was caught on 16th April 2008 and his trial got over in February 2009. He was given a total sentence of 2 years. After interception, he was kept imprisoned in Islampur jail (WB) for the first 9 months. The imprisonment in Islampur jail was not considered at the time of sentencing and the boy is still languishing in Indian custody. By end 2010 his father has spent more than 2 lakh taka in trying to get him released.

On 17th November 2008, 3 friends came across to India through the Kiladanga border (WB), and had stayed in a relative's house for 4 days. Their village is visible from the border, just ½ a kilometer from the border point. On their way back a BSF man hit one of the boys with a stick and he fell and was caught. He got a 4 month sentence but he was still languishing in a Home in November 2010.



“

As I've already mentioned, I was not even aware that coming to India was a crime. But tell me – even if I'd known, I was only a boy of 14 – was it such a serious offence that my life will be ruined like this?

A 17-year old boy in Suryaday Boys' Home, Raigunj, Uttar Dinajpur district, West Bengal

He was studying in Class VIII when he was intercepted on his way back from visiting relatives. After spending 3 years awaiting repatriation, he has lost all hope of ever returning to formal education.



LIGHT AT THE END OF THE TUNNEL: WAY FORWARD

As mentioned right at the outset, this research has resulted in raising more questions than finding answers – but then, that is only to be expected from an exploratory study, which was undertaken because of the paucity of organised data about the phenomenon under consideration. What the research has managed to achieve, as pointed out in the previous chapter, is to gather some evidence to indicate that cross-border mobility of boys between Bangladesh and India is a reality which has received scant attention, leading to the existence of a set of gaps and lapses existing at policy and programmatic levels in both countries. These inadequacies result in boys being caught in situations of serious violations of their rights as children, which should be a matter of concern for all the stakeholders of child rights at State and non-State levels. On the basis of these findings and their implications, this study can draw certain inferences towards the way forward, which are presented in this chapter in three sections.

A. Focus Areas for Further Research

1. A systematic study facilitated by State agencies and conducted by an independent research agency/ team needs to be undertaken on a larger scale – focusing on a five year period between 2005 and 2010. Facilitation/ commissioning by State agencies is required to allow the research to access government data, much of which remained beyond the scope of this research. The five year period needs to be covered to understand trends, as also to study the differences – if any – that have come into force with the new SOP designed by UNICEF and headed by the Department of Women and Child Development – Social Welfare, as opposed to a previous SOP formulated in 2005, which was headed by the Department of Home. This study may initially be limited to West Bengal, to be carried out at a later stage in Mumbai, Delhi and other states – identified on the basis of the

accounts of repatriated boys/ boys awaiting repatriation about the cities in India where Bangladeshi boys go in search of work.

2. This study should have a wide scope to yield substantial quantitative analyses, along with a focus on qualitative aspects in order to capture the experiences of the boys who cross borders, so that specific areas where their rights are violated can be identified, along with the factors and actors of such violations. Such identification would guide policy formulation and programmatic decisions at both State and non-State levels.
3. A separate study focused specifically on abuse and exploitation faced by the boys – including cases of sexual abuse and exploitation needs to be commissioned to an agency/ team experienced in doing psychosocial studies with boys, especially on issues that may be traumatising. As mentioned before, there were references by the boys interviewed to abuse by the BSF and the police, as also by employers – but probing for sexual abuse and exploitation remained beyond this research, since that requires separate, specialised enquiry methods.
4. A separate study – also facilitated/ commissioned by the Ministry of Women and Child Development, Government of India – needs to be undertaken to probe the presence of Indian boys in Bangladesh, their status and future. As of now, this phenomenon is entirely invisibilised – thereby making it impossible for this to be brought within policy and programmatic purview without first generating data on it. The two Indian boys met in Jessore during this research only indicate that the phenomenon exists, though hardly ever talked about.

B. Policy and Programmatic Recommendations

State Agencies

1. The primary responsibility at the policy level for the Government of India and the Government of Bangladesh is to engage in bilateral discussions to include boys who move across the borders within the parameters of Children in Need of Care and Protection, so that standardised repatriation processes can be set up for them – as has been set up for girls, and is being followed in West Bengal with reference to boys also. In the absence of any such agreement, processes followed remain varying from state to state in India, with no definite protocols being there for the repatriation of Indian boys in Bangladesh – whatever their numbers.
2. It was learnt during this research that the Bangladesh Government is in the process of formulating an anti-trafficking law that would be broader-based than the current one, bringing both boys and adults within its purview. The dialogue process proposed above may become more relevant after that. However, not all the boys would still be included – since there are cases of crossing the borders unawares, or on one's own in a spirit of adventure or in search of work. It is, therefore, important to define the terms of reference in such a manner that all such boys are treated as victims of human smuggling or ignorance – rather than as JCLs – and treated as Children in Need of Care and Protection.
3. Victim assistance programmes need to be developed and implemented by relevant departments of the governments in both the countries for these boys – so that proper rehabilitation of repatriated boys is possible. This is necessary both for boys who are losing out on their years of study because of incarceration in the other country, and for boys who had crossed the border in search of better income-earning opportunities. Such victim assistance programmes should include specific budget allocation for the repatriation process; schooling opportunities for boys while they await repatriation; and economic support to the family on the other side of the border. For street boys with no families to go back to, both governments should have specific schemes to ensure their rights to grow up as citizens of their own country – rather than becoming nameless children marked 'Stateless'. In absence of such schemes, or in cases where such schemes cannot be applied for whatever reasons – processes of granting naturalised citizenship may be considered, but that would necessitate a much larger policy level discourse.
4. Child Labour laws and provisions applicable to Indian children should automatically be applicable to Bangladeshi child labour in India – keeping the child in the centre, rather than her/his nationality. In this connection, more stringent measures and their implementation by relevant enforcement agencies may be considered against the actors of these organised crimes, who facilitate the movement of boys across borders in exchange of money and often act as suppliers of cheap child labour also – other than duping the boys into losing all their money when they are returning after earning in India for a period of time. However, it would be important to bring in such stringency with strict caveats that would ensure that these powers are not misused by enforcement agencies in torturing, even killing, innocent

citizens of either country, but are used only against the perpetrators of the organised crime of human smuggling and trafficking.

5. Home superintendents and JSWs in India have suggested that the two countries jointly develop a protocol which would allow Bangladeshi children in India to have direct access to diplomats of their country stationed here. This could facilitate the process of documenting the boy's family address and landmarks with minimum mistakes, so that Home Identification in Bangladesh becomes easier.
6. Superintendents and JSWs have also suggested that provisions are made to broadcast/telecast the news of Bangladeshi boys in India, which would make it easier for their families to get in touch with them, thereby expediting the process of repatriation.
7. Various stakeholders have suggested the creation of a facility at the border for children of both countries who may knowingly or inadvertently cross the border without valid papers. The facility would be a symbol of friendship between the 2 countries and relevant officials and authorised NGO workers from both countries can interact with the children directly and ensure a speedy repatriation.

Donors/INGOs

1. UNICEF in particular, and other agencies working in the field of child protection need to bring boys crossing the borders within the parameters of their child protection programmes, recognising them as victims of child rights abuse in multiple ways, needing assistance. Bilateral agencies like the UNICEF need to engage with the governments of both countries to bring in this change in the current scenario, along with extending the limits of their own programmatic priorities. Much of the measures suggested above are currently facilitated/ economically supported by such agencies in both the countries and that is why their role would be crucial.
2. Victim assistance programmes currently in place in Bangladesh need to be extended to boys returning from India – whether from child labour situations or otherwise – and be implemented in coordination with agencies involved with the repatriation process of such boys. It is particularly important that there is donor coordination in this regard so that resources are not duplicated. For instance, if one agency is investing in survivor support, another agency might focus on repatriation assistance – rather than survivor support also.
3. It would also be important for donor agencies/ INGOs to involve a broad network of small, localised NGOs in Bangladesh for repatriation and rehabilitation processes so that support and monitoring is readily available to the boy and his family – rather than their having to depend on city-based NGOs (often Dhaka-based) for help, which mostly remains beyond the means of poor families from different villages or urban slums in different districts.

National and Localised NGOs

1. It has been specifically suggested by Superintendents and Juvenile Social Workers of government-run Boys' Homes in West Bengal that direct contact with a broad network of localised, rural NGOs in Bangladesh would help in expediting the process of repatriation. Such NGOs could be informed once the repatriation process has been started this side of the border to facilitate the home verification process that side – so that the time for that report generation could be minimised. On the Indian side, however, strategies could only be considered once more data has been generated about the presence of Indian boys in Bangladesh.
2. Such localised NGOs in Bangladesh need to implement a case management approach (which would need donor agencies/ INGOs to invest in such a programme) to generate specific data on the repatriation process of each boy handled by them – so that area-specific facilitating factors and stumbling blocks can be identified, recorded and then used for advocacy with the government for taking appropriate measures towards strengthening the facilitating factors and eliminating the hurdles.
3. Indian NGOs involved with repatriation of boys need to be put in touch with such a network for following up on the processes that side, also from a case management approach to generate similar data this side of the border – for later engagement with the State for advocacy and lobbying. There also needs to be coordination among NGOs in different states of India handling the repatriation of boys to learn from each other and identify common advocacy and lobbying points.
4. Organisations working with street children in Bangladesh need to lobby for custodial rights of Bangladeshi boys in India who were already disconnected with their families prior to crossing over to India. They need to have programmes specifically for the repatriation and rehabilitation of such boys in their own country, so that they do not have to languish as Stateless children in their country of destination.

What this research has actually brought to light, though in a miniscule way, is that the right to migration across international borders for food and work is a right restricted to the educated and well-to-do. The poor and the marginalised are left with hazardous journeys only – for their need may be far more acute than that of their middle-class counterparts, but the resources accessible for legalising such movement is far less. Such resources include even the knowledge and understanding of the significance of international borders.

5. Organisations working on issues of safe migration need to have programmes and social communication materials for children on the significance of international borders – even the ones that seem artificial as in some cases between India and Bangladesh, legal requirements for travelling across such borders, and the risks involved in crossing without fulfilling those requirements. These need to become part of the non-formal education processes carried out with street and other marginalised children. In fact, a long-term strategy for lobbying with the government to include such communication materials in school education for classes V to X would be worthwhile, as suggested by the varied profile of the boys met in course of this research.

What this research has actually brought to light, though in a miniscule way, is that the right to migration across international borders for food and work is a right restricted to the educated and well-to-do. The poor and the marginalised are left with hazardous journeys only – for their need may be far more acute than that of their middle-class counterparts, but the resources accessible for legalising

such movement is far less. Such resources include even the knowledge and understanding of the significance of international borders. When it comes to children, the story is far grimmer – for we have no system in either country to make children aware of the significance of international borders, citizenship, moving across borders and similar issues at an early age – but get them to suffer when they do. An unjust price, indeed, for children to pay for a division of the world that they have nothing to do with. This is why, it is imperative to identify action points that can visibilise this hitherto unaddressed issue and advocate for the necessary changes to be made at policy and programmatic levels. On that note, this report ends with two very concrete sets of suggestions (which are not separate from the ones already shared): one articulated by a senior bureaucrat in the Home Ministry, Government of India, who was a technical advisor to this research, and the other a set of action points specifically culled for the NCPCR (National Council for the Protection of Child Rights):

Recommendations by the Technical Advisor (Mr S Suresh Kumar, IAS, Joint Secretary, Police Modernisation, Ministry of Home Affairs, Government of India)

The process of handling the children across borders can be done at three levels with appropriate advocacy for these levels:

LEVEL	WHAT NEEDS TO BE DONE	WHO NEEDS TO MOVE	DETAILS
STRATEGIC	Have bilateral agreement with Bangladesh and Nepal. We already have a Mutual Legal Assistance Treaty (MLAT) between India and Bangladesh and the MLAT between India and Nepal is pending on Nepal side. Both of these have been negotiated by the Ministry of Home Affairs. We can hence build on this current goodwill for bilateral agreements with our neighbouring countries on trafficking and rescue of cross-border children. However, this initiative has to be taken up by the WCD Ministry as the Governments of Bangladesh and Nepal are keen to have this agreement.	<ol style="list-style-type: none"> 1. Ministry of Women and Child Development. 2. National Commission for the Protection of Child Rights. 3. Anti Human Trafficking Units under the Centre-State Division of the 4\54HA 4. Ministry of External Affairs (North and the BSM Divisions) 	<ul style="list-style-type: none"> Advocacy through various well-meaning individuals like the members of the National Advisory Council (NAC), Media, INGOs and Civil Society in Delhi. Seminars to publicise the trauma, abuse that children who cross the border face. Denial and Business as Usual approaches among key stakeholders needs to be addressed by sensitisation.
TACTICAL	Have a Joint Working Group (JWG) of officials from both countries as an outcome of the bilateral agreement to meet once in a quarter	<ol style="list-style-type: none"> a) Ministry of WCD b) Ministry of External Affairs c) NCPCR d) NGOs involved in anti-trafficking and child protection initiatives 	<p>The JWG will:</p> <ul style="list-style-type: none"> Develop and standardise SOPs regarding identification of children, addresses of parents, minimisation of institutional safe custody, safe and protected repatriation. Tackle individual cases which are long pending due to various reasons.
OPERATIONAL	Develop common platforms between NGOs working on both sides of the border to: <ol style="list-style-type: none"> 1. Aid and assist in cases relating to repatriation of children back to their home country 2. Identify traffickers/ human smugglers/ facilitators of illegal movement so that they can be brought to justice 3. Develop a common information platform for exchange of information 	<ol style="list-style-type: none"> 1. NGOs involved. 2. State Governments in India 	<ul style="list-style-type: none"> Collect information regarding such cases, exchange information with cross-border NGOs for faster verification. Visit children in Shelter Homes to counsel and shelter them from abuse and mentally prepare them for their return. Make advocacy rounds to reduce systemic delays occurring so that fast track repatriation is possible. Assist in vocational skill development for children.

Action Points NCPCR

Learnings	Suggestions to the NCPCR
<p>A. That not all children who cross borders between India and Bangladesh are trafficked victims, that the flow is not unidirectional</p>	<ol style="list-style-type: none"> 1. We urge the NCPCR to recommend for inclusion of ‘children of foreign nationality’ in the Juvenile Justice Act, India. We urge the NCPCR to recommend that children of foreign nationality be treated as children in need of care and protection and not children in conflict with law – in recognition of the fact that children and adolescents who cross the border are either street children who are mobile and cross borders without any understanding of the border, children in border adjoining villages who stray across the border or poverty-stricken adolescents who cross the border in search of work and are often oblivious about the implication of the border and its relevance. 2. The NCPCR should seek information from the Ministry of External Affairs on the incidence of Indian children and adolescents in Bangladesh and check on what systems and processes are in place for repatriation of such children. The NCPCR may also seek alternative or shadow reports from NGOs that work on trafficking in children. (Since Groupe Developpement has partners in Bangladesh, it could seek a shadow report from NGOs in Bangladesh with substantiating evidence of all such information).
<p>B. That children are still subject to ‘push back’ across the border</p>	<ol style="list-style-type: none"> 1. We strongly urge the NCPCR to condemn all acts of ‘pushing children across the border’ as gross child rights violations and in contradiction with the commitments towards UNCRC. We urge the NCPCR to target the campaign particularly towards the judiciary and law enforcement in Maharashtra, West Bengal and Delhi.
<p>C. That barriers in language and diction often delay processes of home and family identification, and given the need for close cooperation and coordination between NGOs and government officials</p>	<ol style="list-style-type: none"> 1. We urge the NCPCR to recommend to the Ministry of External Affairs and through them the Indian High Commission in Dhaka to create a special list of organisations and activists involved in repatriation of children for relaxation in VISA permissions.
<p>D. That there is lack of information databases in all Observation Homes or Short-stay Homes where Bangladeshi children are kept</p>	<ol style="list-style-type: none"> 1. We urge the NCPCR to recommend the concerned ministries and authorities to standardise information bases, and create channels of using information with concerned counterparts in Bangladesh for effective case management and speedy return of children. 2. We urge the NCPCR to make special visits, based on this report, to visit Shelter Homes where children are kept for 3 years or more, to lend special significance to the concerns.

ANNEXES

Annex 1

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Annex 2

Research Tools

Research Tool 1: For GD Project Management Personnel

Overall probe area common to all:

1. Whether any elements of trafficking/ any other form of exploitation have been noted/ inferred/ felt/ intuited
2. Observations about relevant policies/ legal provisions
3. Inputs on probable information sources – State agencies and NGOs/ CBOs

A. Focus Group Discussion with: Project Manager and Project Officer, Sanyukt Project; and Data Manager

Probe Points:

1. Data available about Bangladeshi boys being handled by Praajak, a partner NGO in project Sanyukt; nodal agency for repatriation of boys recognised by the Government of West Bengal
2. Project management experiences of identification and repatriation processes
3. Successes and challenges – thoughts/ recommendations for overcoming the hurdles

B. In-depth Interview with Project Manager, Sanjog Bangladesh Project

Probe Points:

1. Information available on cross-border mobility of boys
2. Their profiles and any other details
3. Project management experiences of identification, repatriation and reintegration processes on both sides of the border
4. Successes and challenges – thoughts/ recommendations for overcoming the hurdles

Research Tool 2: For Praajak Personnel

Overall probe area common to all:

1. Whether any elements of trafficking/any other form of exploitation have been noted/ inferred/ felt/ intuited
2. Observations about relevant policies/ legal provisions
3. Inputs on probable information sources – State agencies and NGOs/ CBOs

A. In-depth Interview with the Director

Probe Points:

1. Why the specific homes were selected initially – how it changed and where does it stand now
2. Experiences of working with and repatriation processes of Bangladeshi boys
3. Cases of trafficking – indicators and differences with non-trafficked cases
4. Trends/ patterns/ profiles
5. Discrimination of Bangladeshi boys – why and how
6. Attitude towards BNWLA
7. Insights; successes; challenges; suggestions/recommendations

Special Request:

- Facilitating an interview with an ex-employee who was handling repatriation

B. Focus Group Discussion with Sanyukt staff

Probe Points:

1. Actual data of Bangladeshi boys handled between January 2007 and August 2010
2. Profile of boys – triggers for mobility – persons and processes involved in crossing the border (both times) – expectations from organisations on either side of the border – overall experience of boys
3. Any information of trafficking/ commercial gains accruing to some for facilitating cross-border mobility
4. Differences in behaviour/ attitudes among Indian and Bangladeshi boys in government homes
5. Overall experience of boys
6. Repatriation processes – successes and challenges – with special focus on stakeholders involved
7. Information on repatriated boys – follow-ups, if any
8. Insights/ recommendations/ suggestions

C. In-depth Interview with two ex-employees of Praajak who were in charge of repatriation

Probe Points:

1. Experiences of identification and repatriation processes of Bangladeshi boys as a Praajak staff
2. Trends/ patterns/ profiles
3. Insights; successes; challenges; suggestions/recommendations

Research Tool 3: For other NGOs (partner or otherwise)

Note: In-depth interviews and/or focus group discussions will be held depending on the relevance of these techniques. IDIs if only one person is relevant/ available; FGDs if a group of people are involved/available and both when necessary/ possible

Overall probe area common to all:

1. Whether any elements of trafficking/ any other form of exploitation have been noted/ inferred/ felt/ intuited
2. Observations about relevant policies/ legal provisions
3. Inputs on probable information sources – State agencies and NGOs/ CBOs

Probe Points:

1. Actual data of Bangladeshi boys handled between January 2007 and August 2010
2. Experiences of working with and repatriation processes of Bangladeshi boys
3. Extent and depth of involvement – organisationally and across staff levels
4. If identification is part of the organisation's activities – how is that done
5. Profile of boys – triggers for mobility – persons and processes involved in crossing the border (both times) – expectations from organisations on either side of the border – overall experience of boys
6. Cases of trafficking – indicators and differences with non-trafficked cases
7. Any information of trafficking/ commercial gains accruing to some for facilitating cross-border mobility
8. Difference between Indian and Bangladeshi boys – if any
9. Discrimination of Bangladeshi boys, if at all – why and how; by whom
10. Attitude towards other stakeholders
11. Insights; successes; challenges; suggestions/ recommendations

Research Tool 4: For Government personnel (bureaucrats/ police/ BSF/ other officials/ JJB members/ CWC members)

Overall probe area common to all:

1. Process of identification – who does it and how
2. Whether any elements of trafficking/ any other form of exploitation have been noted/ inferred/ felt/ intuited
3. Observations about relevant policies/ legal provisions
4. Inputs on probable information sources – State agencies and NGOs/ CBOs
5. SOPs – commonalities and differences/ why 3 SOPs in 3 different states
6. Plans for 'Stateless' boys
7. Push-back policy/ information/ lack of it

Other Probe Points:

1. Actual data of Bangladeshi boys handled between January 2007 and August 2010
2. Experiences of identification of and repatriation processes of Bangladeshi boys
3. Extent and depth of involvement – organisationally and across staff levels
4. Profile of boys – triggers for mobility – persons and processes involved in crossing the border (both times) – expectations from organisations on either side of the border – overall experience of boys
5. Cases of trafficking – indicators and differences with non-trafficked cases
6. Any information of trafficking/ commercial gains accruing to some for facilitating cross-border mobility
7. Difference between Indian and Bangladeshi boys – if any
8. Discrimination of Bangladeshi boys, if at all – why and how; by whom
9. Attitude towards other stakeholders - special focus on non-State agencies
10. Insights; successes; challenges; suggestions/ recommendations

Research Tool 5: Probe points for Bangladesh NGOs and GO

Overall probe area common to all:

1. Procedure – details of the process as they implement/ undergo it
2. Successes and challenges – coordination and networking among NGOs and GO-NGO
3. Attitude towards Indian State and non-State agencies with regard to repatriation of Bangladeshi boys
4. Comments on/ experience of/ insights on the AHTU Joint Task Force
5. Perception of the triggers for crossing over, profile of boys who cross over, destinations, activities this side

6. Perception of elements of trafficking/ exploitation by adults – including sexual abuse and exploitation
7. Legal/ policy framework for repatriation – same for girls and boys? Challenges/ knots?
8. Perceptions about Bangladeshi street boys/ boys with families untraceable who may cross over
9. Indian boys in Bangladesh? – all possible details

Special emphasis: convergences and divergences between State-authorised NGOs and others

Additional Probe points for Aparajeyo Bangladesh (an NGO working with street children)

1. Role of the organisation and other organisations working with street children in repatriating street boys/boys with families untraceable
2. Role of the State for such boys
3. Experiences with boys accessing AB services/ centres moving across and returning
4. Do boys ever contact AB for help from India?

Special emphasis: differences in attitude towards Bangladeshi government and Indian government in terms of boys who may become Stateless because of untraceable families?

Research Tool 6: For Repatriated boys

1. Profile: age when crossed; intercepted and repatriated; point of crossing and point of interception; period of stay in India – beyond the State system and within the State system; trigger for crossing over; knowledge of that being a crime
2. Overall experiences – in India and in Bangladesh with regard to the repatriation process
3. Return to India? If yes, why and how? If not, why?
4. Recommendations/suggestions

Research Tool 7: For Families of Boys Awaiting Repatriation

1. Are they aware of the boy being in India? In touch? If so, how? If not, why?

2. If yes, why did he go? How did he go?
3. Are they at all interested in restoring the boy? Why? (for either yes or no)
4. Have they taken any steps to get him back? Details . . . Received assistance from?
5. If not, are they willing to take any steps? Do they need any help? Who do they think can help them? How will they approach these individuals/agencies?
6. Were they in touch with the boy while he was in India before being intercepted? How?
7. Were they receiving money from him?
8. If they have been trying to restore the boy, where have they faced hurdles? Why do they think it takes so long?
9. Perceptions on triggers
10. Trafficking/ abuse and exploitation in the process/ financial benefits for any?
11. Perceptions on the roles played/ ought to be played by State and non-State agencies in Bangladesh and India

Research Tool 8: For BGB (previously BDR)

1. Role in preventing crossover and facilitating repatriation
2. Perception on triggers and profiles of boys who cross over
3. Coordination issues with BSF and DIB
4. Indian boys crossing over?

Research Tool 9: For Police

1. Home investigation – details of process and protocols; budgetary allocations; challenges; special cell/ department?
2. Indian boys in Bangladesh? Provisions/protocols; procedures – identification to repatriation
3. Suggestions/recommendations

Annex 3

Field Schedule

India:

Date	Organisation	Person/s Met	Activities
6.09.2010	GD, Kolkata	Regional Director; Manager, Sanjog Bangladesh Project	Overall Design Finalisation
23.09.2010	GD, Kolkata	Manager and Officer, Sanyukt Project; Data Manager	Data collection and experience sharing
27.09.2010	Praajak, Kolkata	Director Sanyukt Project Team	IDI FGD
	GD, Kolkata	Regional Director	Discussion on tools
28.09.2010	Don Bosco Ashalayam, Kolkata	3 Coordinators (Sealdah, Howrah, Childline), 4 Social Workers	FGD
29.09.2010	Kishalay, Barasat	Superintendent 2 Bangladeshi boys	IDI IDI
01.10.2010	SW-WCD, Kolkata	RRRI Officer	IDI
08.10.2010	District Administration, North 24 Parganas, Barasat Ex-Praajak person, Barasat	ADM (T); DPO, ICDS; Superintendent, Kishalay Ex-employee of Praajak (handled repatriation)	FGD, Data on Dhrubashram IDI
11.10.2010	Dhrubashram, Ariadaha	JSW 2 Bangladeshi boys	IDI IDI
13.10.2010	Dhrubashram, Ariadaha	Superintendent	IDI
23.10.2010	CBI, New Delhi	P V Rama Sastry, IPS	Discussions for access to relevant police personnel
	Ministry of Home, Gol, New Delhi	S Suresh Kumar, IAS	Discussions on his role as technical advisor; information sources and access
24.10.2010	Shakti Vahini, New Delhi	Ravi Kant, Director	Discussions on data and linkages with other relevant organisations
04.11.2010	West Bengal Police	IG, South Bengal and IG 2, CID	IDI
09.11.2010	Suryaday, Raigunj	In-charge, Repatriation and 8 Bangladeshi boys	IDI, FGD

Date	Organisation	Person/s Met	Activities
10.11.2010	Shubhayan, Balurghat	1 JSW; In-charge, Repatriation and 27 Bangladeshi boys	FGD
11.11.2010	Korak, Jalpaiguri	7 Bangladeshi boys	FGD
12.11.2010	Jalpaiguri Welfare Organisation – Collaborator, Jalpaiguri Childline	Sudip Bhadra, Volunteer with experience of offering psychosocial support to Bangladeshi boys in Korak	IDI
22.11.2010	1. Child Welfare Committee, Mumbai City 2. Umarghadi Boys' Observation Home 3. Childline, Mumbai	a. Dr Shaila, Mhatre, Chairperson b. A Jadhav, Superintendent c. 3 Bangladeshi boys d. Madhavi Mhatre, ex-Coordinator	IDI IDI IDI Also, data collection of Bangladeshi boys in Umarghadi Boys' Observation Home from March 2007; linkages with Mankhurd Boys' Home; present Coordinator - Childline, Mumbai; and Repatriation Task Force, SW-WCD, Government of Maharashtra
23.11.2010	1. Umarghadi Boys' Home 2. David Sassoon Special Home for Boys	a. Mr Kale, Superintendent	Completion of data collection IDI
24.11.2010	3. Department of Women and Child Development, Government of Maharashtra (office in Pune)	Mr Pawanikar, Prasad Laxman Tathe, Shubhangini Kajale – Members, AHTU	FGD
25.11.2010	1. Child Welfare Committee, Mumbai Suburban 2. Mankhurd Boys' Home 3. Mumbai Police	a. Indumati Jagtap, Member b. Mr Aware, Superintendent c. 2 Bangladeshi boys d. Vineet Agarwal, Additional Commissioner, Mumbai Central e. Madhukar Gavit, Additional Commissioner of Police, Special Branch f. D Y Dal, Senior Inspector, In-charge, Special Branch (I)	IDI IDI IDI IDI IDI IDI

Bangladesh:

Date	Organisation	Person/s Met	Activities
22.01.2011	Rights Jessore	Director & Sanjog Project Team	FGD
23.01.2011	Rights Jessore (facilitated by) BNWLA	Families of 4 boys currently in India awaiting repatriation Person in Jessore	FGD Planning meeting
24.01.2011	BNWLA (facilitated by)	3 boys repatriated from India and their family members 2 Indian boys lodged in a Children's Home in Jessore	IDI IDI
25.01.2011	Rights Jessore (facilitated by)	Family members of 1 boy currently in India awaiting repatriation 5 boys who had crossed over to India and were informally returned; their teachers, neighbours and family members	FGD FGD
26.01.2011	Aparajeyo Bangladesh (facilitated by)	Meeting with representatives from 10 organisations working with children (including AB)	FGD
27.01.2011	Aparajeyo Bangladesh and BNWLA (facilitated by)	Family members of 1 missing boy believed to be in India 1 boy repatriated from India Neighbours and family members of 2 boys who had been repatriated from India, but are back in India	FGD IDI FGD
29.01.2011	ACD (facilitated by)	1 boy who had been engaged as child labour in India and has returned on his own and mother 2 boys who had been pushed back from India and family members Family members of 3 boys currently in India awaiting repatriation Sub-Inspector, Bangladesh Police, City Special Branch (Rajshahi), in charge of doing Home Investigation for boys to be repatriated	IDI IDI, FGD FGD IDI
30.01.2011	ACD (facilitated by)	Family members of 3 boys currently in India awaiting repatriation 1 boy repatriated from India	FGD IDI
31.01.2011	OED (facilitated by)	Family members of 13 boys currently in India awaiting repatriation	FGD

Date	Organisation	Person/s Met	Activities
01.02.2011	OED (facilitated by)	Family members of 1 boy currently in India awaiting repatriation	FGD
02.02.2011	GD, BCO Save the Children, Sweden-Denmark	Travel to Dhaka – PR from Thakurgaon; PB from Kolkata Sadia, Foysal Firozul Islam Milon, Programme Coordinator, Child Protection Programme	Experience sharing on his field trips between 22nd January and 1st February Planning for meetings between 2nd and 6th February Finalisation of plans for 2nd – 6th February Logistical planning and clarifications IDI
03.02.2011	ILO, Dhaka UNICEF, Dhaka WINROCK, Dhaka	Hasina Begum, Programme Officer, Child Labour Shabnaaz Zahereen, Associate Project Officer, Children at Risk, Child Protection Section Sara Piazzano, Chief of Party, Action for Combating Trafficking in Persons (ACT) Programme; Dipta Rakshit, Programme Manager, Survivor Services, ACT Programme; A Y M Nazmus Sadat, Monitoring & Evaluation Specialist, ACT Programme	IDI IDI FGD
04.02.2011	Family Visit – Maguradangi village, PO + PS – Pangsa, Rajbari district Family Visit – Krishnardangi village, PO – Kunjanagar, PS – Nagarbandha, Faridpur district	Md Suman Sheikh – uncle of Shariful Sheikh, currently in Dhrubashram, his mother and other family members Parents, Uncle, Eldest brother and other family members of Ranjit Biswas, currently in Shubhayan	FGD
05.02.2011	Family Visit – Ananda Nagar, Uttar Badda, Dhaka BNWLA Dhaka Ahsaniya Mission	Renu Bewa – mother of Amir Hussain, currently in Dhrubashram Dipti Baul, and 4 other members of Repatriation and Reintegration units Rowshon Ara, Project Coordinator, Preventing Violence against Women through Empowerment, Programmes Division; Sharmen Shahria Ferdush, Programme Officer; Masud Rana, Officer, Human Resource and Social Justice Section	IDI FGD FGD
06.02.2011	Aparajeyo Bangladesh	Eric Triphorpe, Programme Director; Basudeb Moitra, Project Coordinator, Sanjog; Md Ekramul Kabir, Programme Coordinator, Children in Conflict with Law	FGD

Groupe Developpement, a French international NGO, promotes integrated, responsible and sustainable development to ensure people's right to life, not basic survival. It supports local associations in delivering innovative responses to the challenges of poverty and exclusion. Its specific areas of work include promoting livelihoods, social enterprises, ethical tourism development, economic programmes for agronomy and related livelihoods and protection of children's rights, especially to prevent sexual abuse, violence and exploitation of children. With a presence in 40 countries, Groupe Developpement also facilitates knowledge and skills sharing through North/South and South/South exchanges.

Website:

www.groupe-developpement.org

Sanjog, a technical resource organisation, develops resource programmes for NGOs to build gender equity and social justice. It is committed to strengthening civil society initiatives that work on childhood and adolescence, to build their capacities in psychosocial programming. It promotes convergence of resources and building multi-stakeholder alliances for greater impact. Supported by Groupe Developpement, the organisation emerged as a response to sectoral needs and gaps in psychosocial programming to address abuse, violence and exploitation of children.

Sanjog India

50 E, Hazra Road, Kolkata 700 019
West Bengal, India
E: sanjog.in@gmail.com

Sanjog Bangladesh

House #37 (2nd Floor, Right Side), Road #6, Block D
Niketan R/A, Gulshan 1, Dhaka 1212, Bangladesh
E: sanjog.bangladesh09@gmail.com



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