APPROACHES TO COMBATING HUMAN TRAFFICKING IN NORTHEAST INDIA

by

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Introduction

As a Master’s student at the University of Florida, I am nearing the completion of my degree in the Sustainable Development for Practitioners (MDP) program with a concentration in Gender and Development. As a requirement of the degree program I identified human trafficking as a key development-related problem, and designed a Field Practicum to be carried out under the leadership of an organization located in Meghalaya, India. This practicum allowed me the opportunity to work for eleven weeks as a volunteer consultant with Impulse, an impressive non-governmental organization (NGO) whose counter-trafficking efforts extend throughout the northeast region of India and are recognized as a much needed innovation to fighting an increasingly pervasive human rights issue. This crime, also commonly referred to as modern-day slavery, is a highly complex and hidden problem that has a large number of driving influences which fuel the incredibly profitable trade in human beings. The complexity of the problem also creates a number of entry points for counter-trafficking initiatives that engage a broad and diverse range of stakeholders on a number of scales.

Given my interest in gender and development, the issue of modern slavery had special appeal to me. While human trafficking is, by no means, solely confined to the global south, it does thrive in many less developed countries. This is due to a confluence of factors such as poverty, weak governance (at a state and local level), a large population, low levels of
education that cut off upward mobility and, when present, the low status of women and girls. This is the case in India where gender bias against women and girls is high, and the rate of trafficking in women and children is expanding at an alarming speed, largely for sexual purposes (A Report on Trafficking in Women and Children in India 2002- 2003, 2003, p. 1).

This paper begins by examining the scope of human trafficking on a global scale and quickly follows to examine the complexity of modern slavery within India broadly, and the northeast specifically. The next section will briefly describe the evolution of Impulse’s work in relation to human trafficking before moving on to an cursory examination of Impulse’s innovative approach to countering trafficking that is now known as the Meghalaya Model. I will follow this by discussing my contributions to various projects and directives undertaken in the arenas of Prevention, Rescue, Survivor Rehabilitation and Criminal Prosecution. This section will also highlight both my deliverables to the organization as well as the skills that I have honed during this experience. I will conclude with an assessment of strengths and weaknesses of the organization and its regional partnership.

**Human Trafficking on a Global Scale**

Slavery has been a feature of a number of civilizations throughout history, but many people would be surprised to know that there are currently more slaves alive today than were ever trafficked via the transatlantic slave
 Trafficking in humans is estimated to garner thirty-two billion dollars annually, making it the third most profitable enterprise in the world behind the illicit trade of drugs and weapons (Sabyan, Tanneeru & Smith, 2011). The actual number of contemporary slaves is estimated to be between ten and thirty million, with some estimates ranging as high as two-hundred million (Bales, 1999, p. 8-9; Tanneeru, 2011). The reasons for the large range of these figures highlight some of the complexity involved in tracking human trafficking. The first difficulty in calculating an adequate estimate is fairly straightforward – traffickers hide their crimes, and slaves are typically isolated, and their mobility restricted, to prevent calling attention to their situation. The other major impediment to determining a fair estimate is that the definition of human trafficking varies widely and, depending on how narrow or broadly it is defined, the estimates quickly change.

Slavery, broadly defined, is the exploitation of a human being against their will and for profit in a situation where the individual victim has no control to leave the situation. A legal definition put forward by the United Nations, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children defines human trafficking as, "The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a
minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs” (A Report on Trafficking of Women and Children in India, 2002-2003, 2003, p. 2-3).

Despite the long history that humans have in enslaving each other, there are several differences between modern day slavery and the type of slavery that was utilized in the slave economy of the United States. The largest distinction is the cost of human life. It used to be that a slave was a major investment that cost the purchaser the equivalent of roughly $40,000 in today’s currency, whereas now, the average price of a human being is less than $100 (Sabyan, Tanneeru & Smith, 2011). The International Labor Office estimates that the average profit per forced laborer is thirteen-thousand dollars annually (A Global Alliance Against Forced Labour: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and rights at Work 2005, p. 55). This figure varies widely depending on the type of exploitation; for example, a female sex slave purchased for one-hundred and fifty dollars and resold repeatedly each night can garner profits of ten-thousand dollars a month at very little cost (purchase price and daily food) (Bales, 2005, p. 4-5). Given the low cost and high profits of slavery it is no longer profitable to protect the life of the slave, since it is cheaper to buy a new one than it would be to pay for medical care and risk exposure of the slaveholder’s crime. Similarly, victims are often murdered or re-trafficked if they become an inconvenience to the slaveholder.
Human Trafficking in India and the Northeast

India is one of the countries that is most plagued by human trafficking and is an excellent environment for criminals involved in profiting from slavery. As of 2005, India was home to an estimated eighteen-to-twenty million slaves (Bales, Understanding Global Slavery: A Reader, 2005, p. 184). In addition to being a source of slaves, the nation is also a destination site and transit hub for victims being transported from neighboring countries and from one Indian state to another (Hameed, Hlatshwayo, Tanner, Türker, & Yang, 2010, p. 11). The drivers of human trafficking in India are similar to those present elsewhere and include poverty; gender bias (resulting in low status, a diminished regard for women’s rights, and low levels of education for girls); natural disasters; caste discrimination; conflict; weak governance; and high demand for sex and cheap labor (Hameed, Hlatshwayo, Tanner, Türker, & Yang, 2010, p. 39).

While the northeast of India does not have a strong caste system in place like the rest of India, it does share the other factors above which are
compounded by the growing road system and the demand for sex by truck drivers who are often involved in the transport of victims (Combating Trafficking of Women and Children in South Asia: Country Paper India, 2002, pp. 44-45). Furthermore, ninety-five percent of the northeast shares porous international borders that are supposed to be patrolled by low-level guards, many of which accept bribes or ignore trafficking across the borders. Law enforcement and the government’s response in general have been weak in addressing human trafficking. Police officials have been found to be accepting money to warn brothels of impending raids or otherwise protecting traffickers (Trafficking in Persons Report, 2005, p. 124). The main sectors for victims to be trafficked into are commercial sex work, bonded labor, domestic servitude, entertainment (as camel jockeys or circus performers), or as child beggars. Children are thought to comprise 15-30% of all victims in India’s commercial sex field but are also forced to work in agriculture, mining, brick-making and other jobs (Bales, 1999, pp. 8-9; Lehti & Aromaa, 2006, p. 209). There is also an increase in sex tourists from the United States, Europe and other western countries that is fueling the demand for women and children as sex slaves (Trafficking in Persons Report, 2005, p. 122).

**Impulse NGO and the MDP Practicum**

Non-governmental organizations present an opportunity to combat human trafficking within India from a number of entry points that attempt to either prevent the crime, or reduce its impacts by intervening to rescue, and
reintegrate victims. From personal experience, I discovered that due to the high level of danger involved, few organizations are willing to help in the prosecution of traffickers. One organization that takes on all of these approaches is Impulse NGO. The small organization was started in 1986 in the northeastern state of Meghalaya, and began with a focus on improving livelihood strategies, bolstering children’s rights, and empowering local communities through education. About ten years ago the organization was asked to do a study on local child labor which revealed the extent of human trafficking in the state. This led Impulse to expand its mission and, as the organization evolved in this area, the Team Leader, Hasina Kharbhiih, grew to understand that a larger impact could be achieved by integrating various sectors and addressing the entire problem instead of just one facet, such as prevention.

This led to the evolution of a new approach that came to be known as the *Meghalaya Model* which recognizes the benefits of engaging stakeholders from a number of fields including the media, law enforcement, government, as well as various other types of organizations throughout the region to coordinate efforts and relay information to each other. When a woman or child is reported missing, Impulse (or the partner NGO receiving the initial information) informs the media and partners, and works with the police to file an official report. When the victim is located, the NGO in the survivor’s home state makes contact
with the family to determine their willingness and ability to accept them back.\(^1\) This approach has been systematized into the NGO’s anti-trafficking efforts, made possible due to the strong relationships that have been cultivated between Impulse and various stakeholders throughout the region.

Each of the states that officially make up the northeast region, as well as West Bengal, now has a vetted NGO that partners with Impulse on anti-trafficking projects (see above map for partner locations). The NGOs in the partnership (hereafter referred to as the network) have been chosen based on

\(^1\) The media are not given information of a sensitive nature that could identify the missing person as a trafficking victim. Also, given the potential stigma that trafficking victims often suffer, families are given counseling to help them come to terms with the situation. When a family is unwilling or unable to allow the victim to return home, other arrangements are made for the survivor that include temporary shelter and education.
their locations, qualifications, expertise, reliability and dedication to addressing the problem. In addition to these primary partners, Impulse also maintains relationships with a long list of individuals and agencies including civil society organizations, local development institutions, faith-based organizations, and volunteer associations whose interests, at least occasionally, align with Impulse’s, allowing for ad hoc collaboration. Impulse also has ongoing relationships with specific media outlets and reporters that result in a consistent exchange wherein the NGO notifies the media partner of an activity they are carrying out in the state, and that media partner in turn publishes a piece on what the initiative is about. This bolsters the potential impacts of the network while also reinforcing the partners’ commitment to the arrangement, given that they receive an equal share of the publicity. Similarly, the guaranteed presence of the news media also helps to ensure that government and law enforcement officials that are invited to the events attend and participate.

This system of integrating the various sectors and stakeholders resulted in Hasina Kharbhiih being awarded an Ashoka Fellowship for the Meghalaya Model. I discovered Impulse through the Ashoka website while researching field site options for my practicum requirement. After several months of exchanging emails it was determined that I would travel to the northeastern

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2 The Ashoka Fellowship is awarded to individuals who have been recognized as social entrepreneurs that utilize innovative solutions to address social problems with creativity, compassion and a commitment to collaboration.
3 [https://www.ashoka.org/fellows](https://www.ashoka.org/fellows)
Indian state of Meghalaya to work under the leadership of Hasina Kharbhih, to advance the counter-trafficking efforts of Impulse.

For eleven weeks in the summer of 2011, I worked on a number of projects that related to the day-to-day administration of the organization as well as several projects that were directed at combating human trafficking. With the strong networking partnership that Impulse leads, it was possible for me to work with stakeholders from multiple scales including international funding agencies, state government officials, members of the media, law enforcement, civil society organizations, volunteer associations, other non-governmental organizations and the private sector. My time with Impulse afforded me the opportunity to develop and hone a number of skills that are necessary for a development practitioner. I also had the good fortune of working in a number of different thematic cross-cutting areas that include policy; law enforcement; armed conflict; tourism as development; sex tourism; education; and child labor. During this time I traveled throughout the northeast and contributed to a number of counter-trafficking projects targeted at preventing the crime, rescuing and providing rehabilitative services to the victim, and strengthening the chances of prosecution.
Grant Application for Impulse Case Information Centre

Impulse has also created an information hub, known as the Impulse Case Information Centre, used by the partner NGOs to collaborate with each other in the investigation of individual cases of human trafficking. Given that law enforcement agencies throughout the country have considerable difficulty in coordinating with each other across state boundaries, these investigations by the NGO network are often the best hope of rescue for trafficking victims (Trafficking in Persons Report, 2005, p. 123). The cases are typically brought to the attention of the Impulse network by the family members of a missing person, or by the police. The details of the case are relayed to the NGO partners and include information on the victim, the circumstances of the case, the person(s) suspected of being responsible, and any information related to where the victim may be. For example, the uncle of a young woman may come in to report that his niece left home after interviewing for a job in a neighboring state, and that he has not heard from her since she left. Details of the victim and the job recruiter are passed on to the regional partners, and the NGO in the identified state is contacted to develop a case file. The NGOs then work together, with media and law enforcement (when police are not suspected of being involved) to compile information about the missing person. If and when the victim is located, the NGO in the home state makes contact with the family to see if they will accept the victim home.4 The NGO partners facilitate

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4 This is an important consideration given the stigma that is often levied on victims of trafficking, especially those who were trafficked for sex.
repatriation and assist with protective services for the survivor when needed. Counseling is offered to the family and victims to enable a successful repatriation and reintegration into the family and community. Shelter is provided, on a short term basis, to victims who are refused by their families. Vocational training is often offered to the survivors, to help insulate them against the vulnerability of being re-trafficked by providing them with the means of earning an income.

Case Information Centre investigations are a slow process in which details are relayed through a series of phone calls and emails. This method is an immense time burden, in that cases are reported and updated at all hours so NGO staff frequently has to go to their respective offices in the middle of the night to access information for the purposes of communicating it to partners. This is especially the case when an emergency arises such as a report of trafficking from a witness with information on where a victim or victim(s) can be located for rescue.

In order to improve and scale up the Case Information Centre, I was asked to submit a grant application for the highly competitive Japanese Award for the Most Innovative Development Project administered by the Global Development Network.5 The proposal is to create a database to which each NGO partner would have real-time access so that information can be

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5 I completed the majority of the application while I was still in Meghalaya; however there were two questions for which I needed specific information from the Team Leader in order to answer. When I did not get a response prior to my departure I submitted the partial application and the remaining two questions were answered by the Team Leader so I am not the sole author of the proposal.
immediately accessible without the heavy time burden that currently exists. With cases compiled in one database, it also presents the opportunity for collecting much needed data on the nature and scale of trafficking in the region that will be used to inform legal policy and anti-trafficking practice. Given the potential for police involvement and corruption, law enforcement will not have direct access to the database but will be given appropriate information to aid in investigations and prosecutions.

The award is currently under review, but the proposal has been selected from over two-hundred and fifty submissions and is now one of five finalists. The first prize of $30,000 will be awarded to the organization that is selected by a jury at the 13th Annual GDN Global Development Conference in Budapest. If Impulse is granted this award, the project will automatically be under review for an additional $200,000 grant from the Japan Social Development Fund. Being able to scale up this initiative that focuses on rescuing and repatriating victims, linking them to rehabilitative services, and collecting information to aid both the prosecution and prevention of human trafficking, would be a major step for combating slavery in the region.

**UN.GIFT Safe Tourism Initiative**

The project that I was most involved with was a major initiative focused on safeguarding vulnerable women and children from exploitation and trafficking that can coincide with tourism. The project, *Encouraging*

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Responsible Tourism in North East India by Engaging Stakeholders, is implemented by Impulse with a $50,000 grant from the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), and evolved from a national directive by the Indian Ministry of Tourism, with support from the United Nations Office on Drugs and Crime, Save the Children, India and the Pacific Asia Travel Association as a reaction to the increase in sex tourists from western countries. The goal of the project is to have each state in the northeast adapt their tourism policies (or create them if none exist) to add provisions that guard against exploitation and slavery, while seeking adherence from the private sector, via tourism associations, on a Code of Conduct to guide their business practices in this regard. It is also intended to increase awareness of the crime, and integrate the tourism sector into efforts to combat trafficking by notifying law enforcement of suspicious activities and refusing to profit from them. For that reason, the project addresses not just prevention, but rescue and prosecution as well.

While the northeast does not have the massive sex tourism business that is present in other locations of India such as Goa or Kerala, there is concern that it may increase with the region’s integration into the national tourism sector. The first phase of the project was to travel to each of the northeast states and collaborate with stakeholders from the public and private sphere to identify the needs and desires of the respective states, as well as to inform them of the project’s goals. A ten-point action plan was drafted at the end of each meeting, highlighting the main concerns of the collective participants.
This plan was then passed on to the state’s ministry of tourism. The project had been going on for some time before my arrival but I was able to travel to Mizoram for one of the last meetings in this early phase, the State Consultation on Responsible Tourism in Mizoram. With very little notice I was asked to give a long presentation on a variety of topics, including the legal definition of human trafficking in India, the history of the UN.GIFT initiative, and the need to engage the tourism sector to protect both vulnerable populations as well as tourists and local communities.

At the end of the day-long consultation I, and two other individuals from Impulse, facilitated a multi-stakeholder collaboration to draft the ten point action plan for Mizoram (see below). Due to a breakdown in communication among the network partners, a key government official was not present so we stayed an extra day to have a private meeting with the Minister of Tourism. Our meeting began with a discussion of the events of the day before, followed by our turning over a hard copy of the Ten Point Action Plan. We attempted to engage him in conversation about the ten points but he politely refused, saying that he would read the document later but that he did not believe that the state is host to sex tourism. He produced tourism brochures and spoke fondly of the beauty and culture of the state before my asking my opinion, as an outsider, of Mizoram. I answered by agreeing with him that the state is incredibly beautiful, but that I had concerns that Mizoram would become more vulnerable as the other states in the region and country amended their tourism policies, leaving opportunistic criminals and tourists to seek out states that were not similarly
protected. Our meeting remained polite and a few minutes later he stood to let us know it was time for us to leave his office.

### Ten Point Action Plan on the follow up of the Code of Conduct on Safe and Honorable Tourism:

1. The safe and responsible tourism policy needs to be approved and implemented by state government.
2. The government should allocate more resources to promote tourism in Mizoram with special focus on adventure and rural tourism.
3. The Tourism Department needs to be given more authority in all tourism related matters.
4. All businesses, individuals and organizations in the hospitality sector should be registered under the Tourism Department.
5. Proper registration and training of locals and village residents involved in hospitality sector should be implemented. Trainings should inform the guides on how to ensure the safety of tourists as well as inform locals on their rights and how to prevent trafficking.
6. Identification of routes/destinations for tourists should be developed, mapped and promoted.
7. The Police Department should be the nodal organization in charge of tourist security.
8. Establishments that cater to tourists should be trained and sensitized on the safe and honorable tourism policy and on how to report violations.
9. Awareness generation/campaign on a micro, mezzo [meso] and macro level that promotes sensitization (micro/mezzo), capacity building (micro/mezzo), monitoring (macro) and implementation (macro).
10. An apex body of stakeholders (including the government, NGOs, law enforcement agencies, those from the hospitality sector and social service providers) should be developed to monitor the 9 points above. Stakeholders should work in consultation with the tourism department.
   - The apex body will:
     - Lobby the government
     - Monitor and act on violations of the policy
     - Act as a vigilance cell

*In conclusion it should be ensured that the implementation of the above points should cover the psychological, social and economic aspects of the people and should be eco-friendly.*
When we returned to Meghalaya I wrote a six-month interim report for the donor agency, to disclose all activities to date, obstacles to success, and actions to follow in the next six months. I also edited a one-hundred and thirty-six page toolkit that was compiled for NGO partners that were collaborating in their respective states. The toolkit included concept notes, draft invitations for various stakeholder groups, as well as program schedule templates and other materials. I was not able to discern how many of the NGOs had received the toolkit prior to their initial consultations but the slimmed down version that resulted from my editing was given to Hasina Kharbhieh for distribution to the states who had yet to carry out their first phase consultations.

When the project was originally proposed, there was a capacity building component that involved returning to each state to train business owners and management staff of various privately owned tourism enterprises on what their businesses can do to comply with the law and national Code of Conduct, and how to train their staff in this regard. Unfortunately, delays with the national

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**Deliverables for UN.GIFT Safe Tourism**

- Researched, prepared and carried out three public presentations
- Drafted the Pledge to adhere to the Code of Conduct that was signed in two states and will be used throughout the northeast
- Documentation for two state consultations
- Wrote interim report for funding agency
- Assisted in event planning and networking
- Co-facilitated multi-stakeholder collaboration
government resulted in the absence of training materials, so the second phase was adapted to lay the groundwork for future trainings by engaging the private sector to get the stakeholders to understand the law, the Code of Conduct, and the importance of preventing exploitation and sex tourism. Assam was the first state to host a *Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism*, followed by a similar meeting in Sikkim three weeks later.

In preparation for the Assam consultation, I helped to create the program schedule and concept note, and created a presentation directed at individuals who profit from the tourism sector. The public presentation included information related to legal consequences that could arise from failing to comply with the Code of Conduct, as well as how adherence is good for the sustainability of their businesses. I gave the same talk at the consultation meeting in Sikkim, and documented both of the events (see Annex 1 and 2). Additionally, the attendees at both consultation meetings signed the Pledge to adhere to the National Code of Conduct that I drafted.

**Symposium for Peace and the Prevention of Exploitation**

As stated earlier, the northeast must also contend with internal and external violent conflicts (see map below) that fuel human trafficking in the area. These conflicts promote violence and a breakdown of social order leaving large numbers of vulnerable and displaced people in dire circumstances that traffickers are able to exploit.
Source: (South Asia: Conflicts without Borders: Sub-National and Transnational Conflict-Affected Areas)
To address the needs of vulnerable women and children in this context, I did a Logistical Framework Analysis and drafted a project proposal to the U.S. Consulate General for a grant to fund an initiative that could incorporate peace building. In the application, I proposed a project to hold a two day conference titled, the *Symposium for Peace and the Prevention of Exploitation*, to be hosted in Guwahati, Assam. The two day event will include stakeholders representing law enforcement, the media, civil society, partner NGOs, and seven or eight select women. These women, from throughout the region, will be nominated by Impulse’s partners and affiliates for their willingness to talk candidly about their personal experiences with armed conflict, to provide attendees with an understanding of the linkages between violent turmoil, and exploitation and human trafficking. This project is intended to be a needs assessment, in that the group of women will share their knowledge in order to inform the attendees of what their organizations can do to link services to the affected communities, as well as protect those vulnerable to sharing the same experiences (see Impact Pathway diagram below).

In a cross between a focus group and a panel discussion, these women will reflect on how armed conflict has affected them and their families in relation to a number of thematic areas. These panels will be facilitated by special guest speakers with expertise in the area being discussed. The guest
speakers will, in their own sessions, provide technical knowledge to serve as a bridge to the experiential knowledge offered by the women. These short lecture sessions will be specifically aimed at different stakeholder groups to inspire them to take on broader roles and increased responsibility in relation to conflict-affected women and children.

One of the intentions is for the symposium to aid in prevention of trafficking by identifying vulnerable populations and making them aware of the tactics that may be used to enslave them. This is in addition to assisting in the rehabilitation of survivors through the extension of social services, and in increasing prosecutions of traffickers by linking them to legal aid. The impact of my direct efforts is that the proposal was awarded a $10,000 grant by the
U.S. Consulate General; however, the event has not yet been carried forward. I have drafted invitations for each stakeholder group, that have been tailored to what we are asking of them as well as what we hope they will gain from the event. Similarly the program schedule has been finalized, based on the initial acceptance of guest speakers, but is subject to adjustment. At this point, the *Symposium for Peace and the Prevention of Exploitation* is a finalized package awaiting someone at Impulse to carry it forward.

**Training of Trainers: Assamese Law Enforcement**

As mentioned earlier, human trafficking is enabled by weak governance and insufficient policing. The lack of effective law enforcement is due to more than just situations of corruption, and difficulties arising in inter-state investigations; it is also due to a lack of understanding of the relevant laws, and a lack of sensitivity toward the situation in general. Impulse NGO has taken a strong lead in training both border security officers, and members of law enforcement throughout the northeast region.

Given this history, Impulse was asked to lead a one-day capacity building session in Guwahati, Assam to aid in the training of the leaders of the first five (of an eventual fourteen) police units whose sole task is investigating cases of human trafficking. The session was held on July 4, 2011 with roughly thirty-five police officers in attendance. I prepared a presentation for the officers to describe the scale of slavery in the region, as well as the factors that drive it in
the northeast. The goals of this training session were to increase awareness of how to identify victims, what laws apply to actors in the trafficking chain, the social services that are afforded to survivors, and the need to be sensitive in their treatment of them. To that end, the project approached human trafficking from the standpoints of prevention, rescue, rehabilitation and prosecution.

The training style of the NGO was not very interactive, and the officers were not engaged, so I created two participatory activities (though only one was utilized) to allow them to apply what they had learned earlier in the day about trafficking laws and the social protections they afford to victims. The first group activity was a case study that asked the officers what their course of action would be if an eighteen-year-old female were found in a local hotel, in distress, and claiming that she was forced to have sex with various men by a pimp that was also present. The goal of the activity was for the officers to work together and report back on who they would and wouldn’t arrest under the various legal statutes, but the process revealed that they were not aware of the legal age of adults and therefore did not know who to contact for victim support, which depends on whether or not the victim is a child or adult. The activity ended up taking over an hour as this question became a central debate of the participants who were confused by various Indian laws that define legal minors differently. For example, the Child Labour (Protection and Regulation) Act of 1986 states that a child is a person that has not reached their fifteenth birthday whereas the Juvenile Justice (Care and Protection) Act of 2000 states that it is someone that hasn't reached their nineteenth birthday (A Report on
Trafficking in Women and Children in India 2002-2003, 2003, p. 159). The Indian Penal Code declares the legal age of sexual consent for a girl to be sixteen, while also recognizing a girl as a minor if she is under eighteen when being trafficked across state borders, and under twenty-one if she is being brought to India from somewhere else (A Report on Trafficking in Women and Children in India 2002-2003, 2003, p. 88; 243). The police officers attending the Training of Trainers session clearly struggled to find consensus until each law was examined individually.

**Frontline Defenders Grant**

The only NGO in Impulse’s network that touches upon the prosecution of traffickers is Impulse. This is due to the danger involved in investigating and presenting a threat to criminals who are often highly organized and connected. However, if prosecutions do not take place, counter-trafficking efforts will never have a sustainable impact because there is nothing to prevent traffickers from enslaving more victims. It is for this reason that Hasina Kharbhiih feels it is important to be an example to other NGOs that the process of aiding in the prosecution of traffickers is worthwhile. In the past however, one investigation that began as a search for a young woman that answered a job advertisement, resulted in the investigation of a wealthy large-business owner. In response, individuals connected to, and employed by, the trafficker began stalking and harassing the staff of the NGO, primarily Ms. Kharbhiih. Eventually the situation
spun out of control, resulting in death threats and an assault against her, and Frontline Defenders paid to remove her from the country for her own safety.

While the immediate danger is over, court cases are ongoing and the small NGO is having a difficult time being able to absorb legal fees and harassment. To address this issue I conducted extensive research that included interviewing Ms. Kharbhiih and reviewing court documents, correspondences, news clippings and other materials. With this information I drafted a grant request to Frontline Defenders seeking funds for her legal counsel in the hope that the money could relieve considerable time burdens that were occurring due to attempting to handle case-related work without involving lawyers. Successful prosecution of the individuals that attacked and harassed the Impulse team would empower other NGOs in the network to get more involved in criminal investigations and prosecutions, which in turn would lead to a reduction in trafficking. Frontline responded by sending a representative to the office who interviewed Ms. Kharbhiih and myself. The last update I received regarding this grant was that it is still under review.

**Impulse NGO: Looking Forward**

I am enormously grateful for the opportunity to work with Impulse during the summer of 2011. Being welcomed as a colleague I was able to both travel throughout the northeast, while also working very closely with Hasina Kharbhiih, the head of the organization. This access allowed me to observe the strengths and weaknesses of the partner network and the organization itself. The
partnership enables Impulse NGO to seek out larger projects and receive more funding due to the ability to scale up proposed projects across the northeast. Partners receive some of this funding and share the workload while also receiving capacity building through Impulse as needed. However, there are challenges inherent in the partnership such as the problem of individual egos and reliance on partners to deliver the work promised.

Another challenge that I see emerging is the splintering of Impulse into two legal entities, the NGO, and a new for-profit company, Impulse Social Enterprises, which will link the NGO’s livelihood initiatives to various markets. Proceeds will support the efforts of the non-profit NGO. In addition to the structural adjustment, Impulse NGO will be losing its charismatic Team Leader, Hasina Kharbhiah, and the organization has no one in line to replace her. Without the passion and enormous social capital of Ms. Kharbhiah, I am concerned that the NGO will lose some of its effectiveness and reputation during this transition.

Conclusion

During the eleven weeks of my field practicum in India I worked on a variety of multifaceted counter-trafficking initiatives that engaged a variety of stakeholders in the public and private sphere. In addition to seeing how a development organization is run from an administrative perspective, I also witnessed the enormous benefits of networking within the development community to bring about increased funding, to scale up initiatives, and to
share costs among partners. I traveled to a number of states in the region and honed a number of skills while contributing to the organization in various ways to support their work. By working within an NGO that is aware of the complexity of human trafficking and is willing to develop its approaches in a holistic manner, I was able to work in and witness a number of counter-trafficking projects and contribute to the organization, while also undertaking a field practicum that was both enriching and rewarding.
Works Cited


Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism

Guwahati, Assam

July 2, 2011

Organized by Impulse NGO Network & Tour Operators Association of Assam

Supported by UN.GIFT

Documentation by:
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University of Florida
## Program Schedule:

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Activity</th>
<th>Presenter/Moderator</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:30-10:00</td>
<td>Registration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10:00-10:15</td>
<td>Overview of the day’s session and reason TOAA is endorsing the Code of Conduct</td>
<td>Welcome address and note on TOAA’s collaboration with Impulse</td>
<td>Tridib Sarma, <strong>Tour Operators Association of Assam</strong></td>
</tr>
<tr>
<td>10:15-10:35</td>
<td>Look East Policy, its implications on the North East region and how tourism can increase human trafficking and exploitation; project overview and the purpose of TOT</td>
<td>Inauguration Note on the Training of Trainers to Encourage Responsible Tourism in the North East</td>
<td>Hasina Kharbhih, <strong>Impulse NGO Network</strong></td>
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<tr>
<td>10:35-10:40</td>
<td></td>
<td>Address by Assam Tourism Department Official</td>
<td>Monalisa Goswami, <strong>Assam Tourism Department</strong></td>
</tr>
<tr>
<td>10:40-10:55</td>
<td>How members of the media can promote safe tourism practices and play a role in monitoring the Code of Conduct</td>
<td>Media’s Role in Promoting Safe Tourism</td>
<td>Mrinal Talukdar, <strong>Independent Reporter</strong></td>
</tr>
<tr>
<td>10:55-11:15</td>
<td>Showing of film on child trafficking for sex tourism</td>
<td>Tea / Coffee Break</td>
<td></td>
</tr>
<tr>
<td>11:15-11:25</td>
<td>Overview of the Code of Conduct and reasons to endorse it</td>
<td>National Code of Conduct for Safe and Honorable Tourism</td>
<td>Kristen Augustine, <strong>Impulse NGO Network</strong></td>
</tr>
<tr>
<td>11:25-11:35</td>
<td>Laws regarding human trafficking and the rights of the child</td>
<td>ITPA and the Juvenile Justice Act</td>
<td>Rosanna Lyndogh, <strong>Impulse NGO Network</strong></td>
</tr>
<tr>
<td>11:35-1:00</td>
<td>How to implement the Code of Conduct for various groups in the tourism industry (hoteliers, tour operators etc.)</td>
<td>Business Session (with feedback from attendees)</td>
<td>Impulse Team</td>
</tr>
<tr>
<td>1:00-2:00</td>
<td></td>
<td>Lunch Break</td>
<td></td>
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<tr>
<td>2:00-2:35</td>
<td>Continued…</td>
<td>Business Session (with feedback from attendees)</td>
<td>Impulse Team</td>
</tr>
<tr>
<td>2:35-2:55</td>
<td>Tourism in Assam and the need to network together to promote safe tourism</td>
<td>Safe Tourism in Assam</td>
<td>Dr. Rajeeb Sharma, <strong>Global Organization for Life Development</strong></td>
</tr>
<tr>
<td>2:55-3:45</td>
<td>Collaborative discussion with stakeholders of tourism industry to understand potential gaps and problems with implementing the COC as well as feedback on future Training of Trainers sessions</td>
<td>Group discussion and Signing of Pledge</td>
<td>All attendees</td>
</tr>
<tr>
<td>3:45-4:15</td>
<td></td>
<td>Press Conference</td>
<td></td>
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<tr>
<td>4:15-4:20</td>
<td>Closing Remarks and Tea</td>
<td></td>
<td>Hasina Kharbhih, <strong>Impulse NGO Network</strong></td>
</tr>
</tbody>
</table>
Welcome Address and Master’s Ceremony by Tridib Sarma

The Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism began with Tridib Sarma, the President of the Tour Operators Association of Assam, welcoming the participants in attendance and thanking the members of Impulse NGO Network while they were each presented with traditional Khadas. To begin the consultation Mr. Sarma spoke of the increasing rate of tourism in Assam and how its potential will only be realized if both tourists and vulnerable members of local communities are protected through measures such as the Code of Conduct (COC). He then stated that the Code of Conduct has the full backing of the Tour Operators Association of Assam and that, on behalf of the organization, he was pleased to work with Impulse NGO Network on the initiative.

Inauguration Note by Hasina Kharbhiih

Ms. Hasina Kharbhiih, Team Leader of Impulse NGO Network, opened her presentation by reminding the participants in attendance of the previous consultation a Talk for Change for Making Tourism Sustainable, Equitable and Just regional consultation (held on the 4th of February, 2011) in which a collaborative Ten Point Action Plan was created calling for the Code of Conduct to be implemented with the support of the private sector. Ms. Kharbhiih followed with a brief overview of the day’s events which included discussions on the objectives of the COC, how to implement it and potential challenges that might be incurred along the way. She then highlighted some of the objectives
of the initiative which included creating a regional tourism policy that protects women and children from human trafficking and exploitation in the tourism industry. She went on to describe the origin of the project, *Encouraging Responsible Tourism in North East India by Engaging Stakeholders*, and its goals of increasing political commitment and the capacity of member states and stakeholders; mobilizing resources to implement the action required to combat human trafficking and exploitation in the tourism sector; and increasing support to victims of human trafficking through NGOs and other service providers. Ms. Kharbhih spoke on the critical importance of the private sector collaborating with NGOs and the Tourism Department to ensure the protection of women and children from sex tourism by implementing the Code of Conduct and extended her thanks to Ms. Deepa Laskar, Regional Director for the North East, Ministry of Tourism, Government of India, for the support she has given. She concluded her presentation by reviewing the objectives of the COC and describing the responsibilities that come with its implementation.

**Address by Ms. Monalisa Goswami**

Ms. Monalisa Goswami, Director of the Department of Tourism in Assam, spoke of the state government’s long-standing commitment to safe and honorable tourism. Ms. Goswami iterated the need to insist on safety freedom from exploitation, even in rural tourism, for both visitors and local populations alike. The speaker then agreed Ms. Kharbhih’s statement that it is essential for the government, the private sector and NGOs to work together on this initiative and
that the Tourism Department Government of is now in the process of registering all tour operators in the state. She concluded by emphasizing the need to train the industry’s private sector on ways to ensure safe and honorable tourism and extended her intended support to such action.

The Media’s Role in Promoting Safe Tourism by Mrinal Talukdar

Mr. Mrinal Talukdar, an independent reporter, spoke about his experiences on reporting about human trafficking and the challenges of the news media to responsibly and effectively tackle the issue. He explained that the media is generally unresponsive to the issue of human trafficking due to a desire to report on more sensational attention-grabbing events, in part, because it is increasingly difficult to capture the attention of readers and viewers. Another constraint that limits more in-depth coverage of human trafficking stories is the fact that reporters must work on deadlines and are often rushed to complete the story without adequate time to properly research and convey the account in a sensitive manner. This problem is compounded by the fact that members of the media are not always adequately educated on the laws and are often confused by the terminology or legal specifics. Mr. Talukdar concluded his talk by emphasizing the critical need for journalists to become more informed with help from NGOs such as Impulse that has created a handbook to guide journalists when writing about human trafficking.
The National Code of Conduct and the Tourism Industry by Kristen Augustine

Ms. Kristen Augustine, a volunteer with Impulse NGO Network, delivered a presentation on the need for the implementation of the Code of Conduct in Assam to help protect against the human trafficking and exploitation of women and children for the purpose of sex tourism. Her lecture included information on how the COC, by ensuring safe and honorable tourism, will also help the tourism industry in Assam to attract the right kind of tourists and ensure the sustainability of private businesses as well as the industry sector as a whole. Ms. Augustine included legal reasons for adhering to the Code of Conduct by highlighting the legal ramifications of permitting certain illegal activities to occur on the premises of a lodging facility such as the suspension of a hotel’s permit. To conclude, Ms. Augustine then emphasized the pivotal role that the private tourism sector has in safeguarding against exploitative tourism and suggested ways that private businesses can help to promote safe tourism in Assam.

The Law Relating to Human Trafficking in India by Rosanna Lyndogh

Ms. Rosanna Lyndoh Project Manager of Impulse NGO Network, provided the attendees with detailed information on the law relating to human trafficking in India. This included information on Article 23(1) of the Constitution of India that prohibits human trafficking and forced labor, the Immoral Traffic Prevention Act of 1956 which focuses on human trafficking for the purposes of
sexual exploitation, the Juvenile Justice Act which states that the legal age of adulthood is 19 and lastly, the Indian Penal Code as it relates to human trafficking. Ms. Lyndogh then concluded with examples of related offenses and the laws that they would be charged under and how the tourism sector can network with law enforcement in reporting about any crimes relating to trafficking of children and women.

**Business Session led by Hasina Kharbhiih and facilitated by Impulse Team**

The Business Session of the program included a detailed review of the Code of Conduct in its entirety, beginning with the importance of putting safety at the center of India’s burgeoning tourism trade. The Code of Conduct’s objectives were again reviewed as was the applicability of the document to all those working in the tourism sector. Ms. Kharbhiih then discussed in great detail, the guidelines for the tourism industry summed up under the five general topics:

1) Information and training of personnel
2) Public awareness and guest notification
3) Regulated use of premises and official equipment
4) Ethical business practices and marketing
5) Implementation and Monitoring

The speaker then went on to describe means and methods of implementing the Code of Conduct for different types of businesses operating in the tourism sector and again touched on the legal ramifications for allowing certain illegal activities to take place. After providing an in depth presentation on all aspects
of the COC, Ms. Kharbhih then concluded with examples of how the Code can help to protect tourists as well as local residents and communities alike.

**Feedback from Group Discussions**

Throughout the day there were lively discussions on a wide range of issues related to implementing the Code of Conduct, challenges with moving forward, and suggestions for increasing the safety tourists and women and children from the threat that tourism can bring. Some of the key points are as follows:

1. **The need to improve the transportation sector:** This topic came up multiple times bringing with it suggestions that drivers wear uniforms; have a photo identification card with their license and permit displayed in their taxi; and lastly that the Transportation Department create a regional permit valid throughout the North East region to streamline and make the process affordable, as well as to regulate all drivers through one registration system.

2. **Marketing Safe Tourism:** Consensus was reached that promotions for tourism in the North East of India, including Assam, should be packaged with the concept of safe and honorable tourism. This will not only promote responsible practices in the tourism industry but will additionally serve to notify sex offenders that they are not welcome while also creating peace of mind for tourists interested in visiting the area. Recommendations included providing key messages on brochures, public
service announcement films and IEC materials distributed by airlines and displayed in airports.

- **Tourism Helpline:** It was suggested, and reinforced by other attendees, that a toll-free helpline be created to assist with all matters related to tourism. The number should be linked to law enforcement in order to report crimes or violations of the Code of Conduct while also serving as a source of information on sight-seeing and other tourism activities in the area.

- **An Umbrella Organization for Assam’s Tourism Industry:** The fact that there is not an umbrella organization that oversees the entire tourism industry was underscored repeatedly with strong suggestions that one be created. It was felt that bringing each sector of the industry (hotels, guest houses, transportation, tour operators etc.) under the supervision of one organization would dramatically increase the number of businesses implementing the Code of Conduct and adhering to its guidelines.

- **Adding the COC to Academic Curriculums:** It was suggested that the Code of Conduct should be taught to students attending college for hospitality and tourism so that it becomes a standard for all graduates.

- **Training for the Tourism Industry:** Throughout the day the need for sensitization and training of members of the tourism industry was strongly suggested by a number of attendees. The purpose of the training would be to create more awareness about responsible business
practices as well as include methods for effectively implementing all aspects of the Code of Conduct.

Results

Due to the invaluable support of Mr. Tridib Sarma of the Tour Operators Association of Assam, thirty-one members of the private tourism sector became signatories to the Pledge to Implement the Code of Conduct for Safe and Honorable Tourism. With this act, Assam has become the first state in India to move forward with the implementation of the Code of Conduct.

Press Conference

At the conclusion of the Consultation Meeting a press conference was held with reporters from print and television news representing Dainik Janambhumi, NETV, Shillong Times, Times of India, and Hindustan Times. Mr. Tridib Sarma explained how the consultation meeting was centered on Safety, one of the seven pillars of tourism as defined by the Government of India’s National Tourism Policy. He went on to state that Assam has a burgeoning tourism industry, with forty lakhs tourists in the last year, but that this potential can lead to other difficulties. To this end he spoke of the need to take preventative measures, such as the implementation of the Code of Conduct, before Assam is plagued with problems such as sex tourism and widespread insecurity of tourists, local communities and women and children. To conclude, Mr. Sarma stated that on behalf of the Tour Operators of Assam he was pleased to work
toward the implementation of the Code of Conduct and was happy that Assam was the first state to take this step.

Ms. Hasina Kharbhih then addressed the journalists in attendance explaining that Impulse NGO Network has recognized the growing potential of tourism in the area and the great vulnerability to women and children that often accompanies it and, as such, was motivated to incorporate tourism into its initiatives as a means to combat human trafficking. After briefly reviewing the history of the project and its activities to date, Ms. Kharbhih described the Code of Conduct and shared with the press the signed Pledge and its contents. To conclude the session she shared her excitement that the members of TOAA have taken the monumental step forward to turn the Code of Conduct into an actual policy to help ensure safe and honorable tourism in the North East.

**Suggestions**

It is imperative that the Government of India take swift action to finalize the Training Kit that accompanies the Code of Conduct to enable follow up training sessions to provide the private sector with the knowledge and skills to effectively implement the Code and help ensure safe and honorable tourism in the North East of India. It is also recommended that the Tourism Department Government of Assam collaborate with the private sector, NGOs and other relevant Government Departments. We also strongly suggest a promotion campaign to bring public awareness of the initiative while also promoting tourism in the region. Lastly we wish to endorse the creation of an umbrella
organization to oversee all sectors in the tourism industry, from hotels and tour operators to transportation services and event organizers, in order to have a cohesive sector making regulation and information delivery much easier.
Sub- Annexes

1. Code of Conduct adopted by the Government of India

2. Pledge to Implement the Code of Conduct for Safe and Honorable Tourism

3. Signed Pledge (scanned)

4. Signatories of the Code of Conduct (scanned)

5. Participant List
CODE OF CONDUCT

FOR

SAFE & HONOURABLE TOURISM

ADOPTED ON

1st JULY 2010

UNODC
United Nations Office on Drugs and Crime

PATA
Pacific Asia Travel Association

SAVE
The Children India
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1. SAFE AND HONORABLE TOURISM

2. APPLICABILITY

3. GUIDELINES FOR THE TRAVEL AND TOURISM INDUSTRY

4. KEY MESSAGES FOR AWARENESS BUILDING AND DISSEMINATION
SAFE AND HONORABLE TOURISM

To leverage the burgeoning global travel and trade and in keeping with the Indian tourism industry’s objective of positioning India as a global tourism brand, the Ministry of Tourism has strategically outlined in its policy the central principle of, ‘Atithi Devo Bhava’ (Guest is God). In stating this, is evident the commitment of Indian tourism to ensure that every tourist in India is physically invigorated, mentally rejuvenated, culturally enriched and spiritually elevated.

To meet this objective and at the core of the National tourism policy of 2002 is outlined the seven pillars of tourism, Swagat (Welcome), Soochana (Information), Suvidha (Facilitation), Suraksha (Safety), Sahyog (Cooperation), Samrachanam (Infrastructure Development) and Safai (cleanliness).

‘Safe and Honourable Tourism’ aims to strengthen the critical pillar of ‘Suraksha’ (Safety) and ensure that Indian tourism follows international standards of safe tourism practices, applicable for both tourists and local residents i.e local people and communities who may be impacted by tourism in some way. Its central objective is to ensure that tourism activities are undertaken, integrating the need to protect the dignity, safety and the right to freedom from exploitation of all tourists and local residents involved in or impacted by tourism. In today’s scenario, following safety guidelines is not just about adhering to the provisions of the seven pillars but also implies good business. As the demand from travellers for safe and secure tourism services increases, this code will assist signatories to build capacities among their services chains and personnel so as to be able to respond to this demand.

SPECIFIC OBJECTIVES -

This code is a guideline of conduct to enable the Indian travel and tourism industry to:

1. Encourage tourism activities to be undertaken with respect for basic rights like dignity, safety and freedom from exploitation of both tourists and local residents i.e people and communities who may be impacted by tourism in some way.
2. Aid the prevention of prostitution, sex tourism and forms of sexual exploitations like assaults and molestations in tourism to safeguard the safety of persons, in particular women and children.
3. To enhance prevention of activities like forced or involuntary drug use, manipulated and incorrect information, cultural and social intolerance which could increase vulnerability to crime.
APPLICABILITY:

This code of conduct shall be applicable to all the owners, suppliers, contractors, employees of the travel and tour sector including hotels, restaurants, lodges, guest houses, tour agents, entertainment establishments etc. In addition it shall be applicable to service providers like event management organizations, entertainment providers, transport operators like taxis, buses, tour guides and other services or agencies associated with the tourism sector. This is not a legally binding instrument but a set of guidelines for the tourism industry. In addition to these guidelines, included in this code are key messages that signatories are encouraged to use.

GUIDELINES FOR THE TOURISM INDUSTRY -

1. Information & training of personnel:
   - Management will take up measures to build awareness and train staff on the guidelines of this code and appropriate legal provisions to enhance vigilance and to ensure that personnel act in a manner that promotes the safety of tourists, local residents and their own staff.
   - All hotels and tour operators shall train and maintain two persons as focal points to ensure that all safety norms and guidelines of this code are adhered to. The officers shall provide correct information to tourists, like information on Child lines- 1098, Women Help lines- 1091, local police helpline 100 and also act as a liaison officer with agencies such as the local police station, immigration authorities, civil society partners working in this area, child and women welfare committees etc.
   - In case of an incidence of exploitation, personnel shall be sensitized to report correct information to the appropriate authorities act in cooperation with law enforcement agencies, other agencies providing care and support and take necessary action to protect the interests of the individual whose rights are violated.
   - Organizations will promote awareness on the code among service providers affiliated to their business such as vendors, contractors, taxi drivers, tour guides, event management companies etc.
   - In case of misconduct by a staff member or personnel of a service provider, signatories of the code will commit themselves to act in an unbiased manner, reporting the incidence to appropriate authorities and protecting the interests of the individual whose rights are violated.
   - Identified victims shall not be treated as criminals. They should be identified as persons in need of care, protection and should be provided with legal, medical, psycho- social and any other assistance without delay.
2. **Public awareness and guest notification:**
   - Messages of intolerance to any form of exploitation must be made evident in appropriate places visible to guests/clients, employees and other visitors. Guests and clients must also be provided information through the company’s website, brochures, tickets, bills, in-room/in-flight communication etc on issues related to commercial sexual exploitation such as sex tourism, prostitution, pornography, forms of sexual assaults, molestations and key messages elaborated in this code.
   - In order to enhance tolerance for social and cultural norms, signatories of this code must take action to provide information available to their best knowledge on local social and cultural beliefs and norms. Knowledge and tolerance for different social and cultural norms will allow tourists to dress, conduct themselves and respect local beliefs helping them to adjust and thereby reducing the vulnerabilities they might face as foreigners to a particular destination.
   - Signatories of the code are encouraged to assist tourists with guidance on safety tips applicable to the specific city/place like places to visit, timings for visits, right dressing and precautions against moving alone, and against accepting eatables and favors from unknown persons etc. Guests and clients shall be cautioned against solicitations from touts, non-regulated tourism operators and encouraged to consult the website of the Tourism Ministry and other authorized websites.
   - Signatories will ensure that a clause is included in registration papers seeking commitment of the tourist to act in a manner that respects the dignity and rights of local residents and also to conduct themselves in a manner that shall aid the tourist’s own protection against exploitation.

3. **Regulated use of premises and official equipment:**
   - Management/owners are encouraged to prohibit usage of the organization’s premises for use or abuse of illicit substances, sexual violations and of company equipment for viewing, storage, distribution, promotion or use of material which could increase vulnerability to exploitations of the nature mentioned in this code.
   - Individuals under the permitted age shall not be allowed permission in to restricted areas like bars and pubs.
   - Tourism service providers shall verify and maintain a record of details pertaining to tourists, personnel and service providers like address, contact details etc and also commit themselves to maintaining confidentiality.
   - Internet usage that promotes, seeks any contacts for sex tourism and other sexual services, for search of pornographic material and/or to solicit the sale and purchase of illicit substances shall be prohibited.
4. **Ethical business practices and marketing:**
   - Management/owners shall ensure that all contracts with business partners, suppliers and franchise agreements bear a clause seeking commitment to provisions of the ‘Code of conduct for Safe and Honorable Tourism’ in their businesses.
   - Any tourism enterprise or service provider found to act in a manner that undermines the safety of persons outlined in this code may be blacklisted.
   - Sexually explicit images or concepts/images that may compromise the safety of individuals shall not be used for marketing purposes. An unambiguous company policy shall be set up to ensure that marketing and advertising does not support the promotion of sexual exploitation or promotion of sexually explicit images.
   - Signatories are encouraged to patronize vendors and service providers who are committed to adhering to the provisions of this code.

5. **Implementation and Monitoring:**
   - All signatories are required to maintain an annual report on ‘Code of conduct for Safe and Honourable Tourism’ and submit it to a designated authority.
   - Management/owners shall report on:
     - Training and capacity building initiatives carried out for personnel/staff.
     - Means adopted to raise awareness on safety among guests, personnel and service providers.

**KEY MESSAGES FOR AWARENESS BUILDING AND DISSEMINATION**

**Enhancing safety and security of all tourists**

- All signatories of the code are committed to act in a manner that protects the dignity and freedom against exploitation of persons especially women and children and facilitate prevention of incidences of sexual molestation, harassment of their guests and provide assistance in case of an untoward incident.
- In case of exploitation please call the Child line- 1098, Women Help lines-1091 and/or contact relevant authorities like the police or travel and tour operators.
- Like in many places in the rest of the world tourists are encouraged to follow some basic and practical safety tips such as to remain with a group
or meet new people in public places, not to accept items from persons
whom they have befriended recently, be wary of unexpected, unknown
persons coming to their hotel room, never open the door to unsolicited
room service or maintenance people etc.

- Tourists are encouraged to understand local social, cultural norms and
beliefs and are encouraged to conduct themselves in a manner that
respects these beliefs.
- Tourists must always take the advice of more than one person when
seeking information on places to visit, shopping places, local customs,
beliefs and norms and remain vigilant on accepting completed
documents. Tourists are encouraged to seek information from
Government of India recognized information centers and visit the Ministry
of Tourism’s websites.
- Indecent Representation of Women (Prohibition) Act, 1986, Section 2 (c) -
Indecent representation of women means the depiction in any manner of
the figure of a woman, her form or body or any part thereof in such a way
as to have the effect of being indecent, or derogatory to, or denigrating a
woman or is likely to deprave, corrupt or injure the public morality or
morals.
- Kidnapping or abducting in order to subject person to grievous hurt,
slavery, etc. is an offence under Section 367 of the Indian Penal Code.
- Assault or criminal force to woman with intent to outrage her modesty is
an offence under Section 354 of the Indian Penal Code.
- Punishment for rape offences shall not be less than seven years but which
may be for life or for a term which may extend to ten years as the case
may be, according to Section 376 of the Indian Penal Code.

Enhancing safety of local people -

- People across the world dress, eat and live differently and follow different
values and norms. Tourists are encouraged to respect the local people
and must commit themselves to acting in adherence to local laws.
- Signatories to the code maintain zero tolerance to acts of sexual
exploitations, including commercial sexual exploitation like prostitution,
sex tourism and trafficking of persons for it.
- Many tourists believe that they are protected by anonymity and thus laws
are more easily violated. Any guest, staff, partner linked to this agency
found to be indulging in exploitations outlined in this code or supporting
it shall be reported to an appropriate authority.
- A few alarming trends that have emerged in recent years are sexual
exploitation through sex tourism, paedophilia, prostitution in pilgrim
towns and other tourist destinations, cross border trafficking.¹

• According to studies conducted by the Ministry of Women and Child Development, there are 3 million commercial sex workers in India, of which an estimated 40% are children.¹

• Human trafficking is a crime against humanity. It involves an act of recruiting, transporting, transferring, harbouring or receiving a person through use of force, coercion or other means, for the purpose of exploiting them. The consent of a victim of trafficking in persons to the intended exploitation is irrelevant irrespective of age.²

• Sexual relationship with a child amounts to rape according to the Indian Penal Code and is punishable with imprisonment of minimum 7 years which can even be extended to life imprisonment.

• Acquiring or inducing any person (irrespective of age or sex) for prostitution or causing a person to be taken for prostitution is an offence under Section 5 of Immoral Traffic Prevention Act 1956 and with a punishment of 3-7 years.

• It is a myth that sexual intercourse with a virgin or a minor will cure STI or prevent HIV. It only spreads the disease further.

• Abetment to crime amounts to committing the crime itself.

• Victims of exploitation are not criminals. They are persons in need of care, protection, legal, medical and psychological assistance.

• Under section 7 of Immoral Traffic Prevention Act, 1956, letting out a hotel or any part there off for prostitution is an offence for which the license of the hotel can be suspended.

• Publishing or transmitting or causing to be published or transmitted, material in any electronic form which depicts children engaged in sexually explicit act or induces children to online relationship with one or more children for and on sexually explicit act is an offence under section 67(b) of the Information Technology (Amendment) Act 2008.

• Narcotics Drugs and Psychotropic Substances (NDPS) Act- Engaging in the production, manufacture, possession, sale, purchase, transportation, warehousing, concealment, use or consumption, import inter-state, export inter-state, import in to India, export from India or transhipment, of narcotic drugs or psychotropic substances is an offence expect for scientific and medical reasons. Punishment for the offence may imply imprisonment, fine or both.

• Handling or letting out any premises for the carrying on of any of the above mentioned activities in an offence under the NDPS act.

• According to the National Security Act, 1980, the Central Government or the state Government has the power to act against any person with a view to prevent him from acting in any manner prejudicial to the defence of India, the relations of India with foreign powers or the security of India.

• The Foreigners (Amendment) Act, 2004 - If a foreigner to the country acts in violations of the conditions of the valid visa issued to him for his

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entry and stay in India, shall be punished with imprisonment for a term which may extend to five years and shall also be liable to fine. If he has entered in to a bond then his bond shall be fortified.
Sub-Annex 3: Pledge

Pledge to Implement the Code of Conduct for Safe and Honorable Tourism

We the undersigned, as representatives of the tourism industry, do hereby declare our commitment to implement in our places of business, the Code of Conduct for Safe and Honorable Tourism that was adopted on July 1, 2010 by the Government of India.

Consequently, we will take the necessary actions towards incorporating into our operations the following criteria:

- Informing and training of all personnel on the Code of Conduct.
- Creating public and industry awareness of the Code of Conduct.
- Regulating the use of premises and official equipment to prohibit sex tourism and the exploitation of women and children, or the promotion thereof.
- Enact ethical business practices and marketing.
- The implementation and monitoring of the practices outlined in the Code of Conduct.

By signing this Pledge we are committing ourselves to initiate the necessary actions related to the fulfillment of these criteria within a period of three months from the signing of this Pledge. Furthermore, the companies we represent will be open to the monitoring of these actions, and upon reporting on the Code of Conduct’s implementation, will facilitate and support follow-up visits by an authorized third party.

We acknowledge that breaching the Code of Conduct for Safe and Honorable Tourism may result in blacklisting and criminal action if laws have been violated.
Pledge to Implement the Code of Conduct for Safe and Honorable Tourism

We the undersigned, as representatives of the tourism industry, do hereby declare our commitment to implement in our places of business, the Code of Conduct for Safe and Honorable Tourism that was adopted on July 1, 2010 by the Government of India.

Consequently, we will take the necessary actions towards incorporating into our operations the following criteria:

- Informing and training of all personnel on the Code of Conduct.
- Creating public and industry awareness of the Code of Conduct.
- Regulating the use of premises and official equipment to prohibit sex tourism and the exploitation of women and children, or the promotion thereof.
- Enact ethical business practices and marketing.
- The implementation and monitoring of the practices outlined in the Code of Conduct.

By signing this Pledge we are committing ourselves to initiate the necessary actions related to the fulfillment of these criteria within a period of three months from the signing of this Pledge. Furthermore, the companies we represent will be open to the monitoring of these actions, and upon reporting on the Code of Conduct’s implementation, will facilitate and support follow-up visits by an authorized third party.

We acknowledge that breaching the Code of Conduct for Safe and Honorable Tourism may result in blacklisting and criminal action if laws have been violated.
Sub-Annex 5: Signatories of the Pledge to Implement the Code of Conduct

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Representative Name</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 KOVELI TOURS &amp; TRAVELS</td>
<td>ARIJIT PURKAYASTHA</td>
<td></td>
</tr>
<tr>
<td>2 NETWORK TRAVELS</td>
<td>HEMANTA DAS</td>
<td></td>
</tr>
<tr>
<td>3 HOTEL RIALTO</td>
<td>SACHIN GOSWAMI</td>
<td></td>
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<tr>
<td>4</td>
<td></td>
<td></td>
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<tr>
<td>5 SAROTHI TOURISM</td>
<td>UTPAL SAUKIA</td>
<td></td>
</tr>
<tr>
<td>6 TRAVEL STATION</td>
<td>ABHIJIT DUTTA</td>
<td></td>
</tr>
<tr>
<td>7 MY VOYAGE</td>
<td>APARUP SAUKIA</td>
<td></td>
</tr>
<tr>
<td>8 DARJEELONG HOLIDAY</td>
<td>RAJU NAJOY</td>
<td></td>
</tr>
<tr>
<td>9 ABHIJIT BHUYAN - SGB ROUTE SPA RESORT</td>
<td>TRIDIB SARINA</td>
<td></td>
</tr>
<tr>
<td>10 Brahmaputra Resorts Pvt Ltd</td>
<td>Tridib Sarina</td>
<td></td>
</tr>
<tr>
<td>11 Shiva Pena - Prabhakar Homestay</td>
<td>Shiva Pena</td>
<td></td>
</tr>
<tr>
<td>12 Sundarab Noy - Sambalpur Tourism</td>
<td>Sundarab Noy</td>
<td></td>
</tr>
<tr>
<td>13 Pratibhata College Ltd</td>
<td>B.K. Astakary</td>
<td></td>
</tr>
<tr>
<td>14 Landmark Tours &amp; Travels</td>
<td>RANJEET NAS</td>
<td></td>
</tr>
<tr>
<td>15 Value My Trip Travels Pvt Ltd</td>
<td>Dipankar Bhattachari</td>
<td></td>
</tr>
<tr>
<td>16 Manas Ever Welfare Society (MEWS)</td>
<td>Prabashaditya (Aama)</td>
<td></td>
</tr>
<tr>
<td>17 Blue-Hill Travels (India) Ltd</td>
<td>HIRSHIKESH DUTTA</td>
<td></td>
</tr>
<tr>
<td>18 Manas Ever Welfare Society (MEWS)</td>
<td>Sanjeeb Parmar</td>
<td></td>
</tr>
<tr>
<td>19 NETWORK TRAVELS</td>
<td>CHINE BANERJEE</td>
<td></td>
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<tr>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Eco Tourism Society of North East</td>
<td>Dinesh Das</td>
<td></td>
</tr>
<tr>
<td>22 Eco Tourism Society of North East</td>
<td>Prasanta Das</td>
<td></td>
</tr>
<tr>
<td>23 Student of M.T.M 4th Form</td>
<td>Prabhat Kumar</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Student of M.T.M 4th Form</td>
<td>MANNOST KARAN</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27 Student of M.T.M 4th Form, STARC</td>
<td>Udayan Das</td>
<td></td>
</tr>
<tr>
<td>28 Landmark Tourist Travels</td>
<td>Anwandal Das</td>
<td></td>
</tr>
<tr>
<td>29 Brahmaputra Jungle Resort</td>
<td>Pranjal Pranjan Bortha</td>
<td></td>
</tr>
<tr>
<td>30 Nature-Hunt Tours 'N' Travels</td>
<td>Dhruvajit Bordoloi</td>
<td></td>
</tr>
</tbody>
</table>

Signing this document certifies that I have read and understood the Code of Conduct for Safe and Honorable Tourism, and all that it entails, and am committed to implementing it in my place of business.
<table>
<thead>
<tr>
<th>Company Name</th>
<th>Representative Name</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association for Rural Development</td>
<td>Deputy Secretary</td>
<td>December</td>
</tr>
</tbody>
</table>

Signing this document certifies that I have read and understood the *Code of Conduct for Safe and Honorable Tourism*, and all that it entails, and am committed to implementing it in my place of business.
Sub-Annex 6: Participant List

<table>
<thead>
<tr>
<th>SL.NO</th>
<th>DESIGNATION/ AFFILIATION/ STATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Director</td>
</tr>
<tr>
<td></td>
<td>Department of Tourism</td>
</tr>
<tr>
<td></td>
<td>Government of Assam, Guwahati</td>
</tr>
<tr>
<td>2</td>
<td>Voluntary Trip Travels Pvt.Ltd</td>
</tr>
<tr>
<td>3</td>
<td>Executive Director</td>
</tr>
<tr>
<td></td>
<td>Landmark Tour &amp; Travels, Landmark Hotel</td>
</tr>
<tr>
<td>4</td>
<td>General Manager</td>
</tr>
<tr>
<td></td>
<td>Hotel Rialto &amp; Destination North East</td>
</tr>
<tr>
<td></td>
<td>Guwahati</td>
</tr>
<tr>
<td>5</td>
<td>Director Hotel Rajmahal</td>
</tr>
<tr>
<td></td>
<td>Guwahati - 781001</td>
</tr>
<tr>
<td>6</td>
<td>Confucious Restaurant</td>
</tr>
<tr>
<td></td>
<td>Guwahati</td>
</tr>
<tr>
<td>7</td>
<td>Assam Holidays</td>
</tr>
<tr>
<td></td>
<td>Guwahati</td>
</tr>
<tr>
<td>8</td>
<td>Natural Holidays</td>
</tr>
<tr>
<td></td>
<td>Amadnagar, Guwahati</td>
</tr>
<tr>
<td>9</td>
<td>General Manager</td>
</tr>
<tr>
<td></td>
<td>Hotel Gateway Grandeur</td>
</tr>
<tr>
<td></td>
<td>Christian Basti, Guwahati</td>
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<td>10</td>
<td>Prabhakar Homestay</td>
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<td></td>
<td>Krishnanagar, Chandmari</td>
</tr>
<tr>
<td>11</td>
<td>Journalist</td>
</tr>
<tr>
<td></td>
<td>Pub Sarani, Ghty</td>
</tr>
<tr>
<td>12</td>
<td>Regional Director ( North East)</td>
</tr>
<tr>
<td></td>
<td>India Tourism, Guwahati</td>
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<tr>
<td></td>
<td>Ministry of Tourism</td>
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<tr>
<td></td>
<td>Government of India</td>
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<tr>
<td></td>
<td>Guwahati</td>
</tr>
<tr>
<td>13</td>
<td>Hasina Kharbhbih</td>
</tr>
<tr>
<td></td>
<td>Team Leader, Impulse NGO Network</td>
</tr>
<tr>
<td>14</td>
<td>Retd.Group General Manager (Oil India Ltd) Partner of M/s My Voyage, Guwahati</td>
</tr>
<tr>
<td>15</td>
<td>Entrepreneur</td>
</tr>
<tr>
<td></td>
<td>Partner M/s My Voyage, Guwahati</td>
</tr>
<tr>
<td>16</td>
<td>Blue-Hill Travels (India) Ltd</td>
</tr>
<tr>
<td>17</td>
<td>Manas Ever Welfare Society (MEWS)</td>
</tr>
<tr>
<td></td>
<td>Manas National Park</td>
</tr>
<tr>
<td>18</td>
<td>Network Travel, Guwahati</td>
</tr>
<tr>
<td>19</td>
<td>Eco Tourism Society of North East</td>
</tr>
<tr>
<td>20</td>
<td>Public Relation Officer,</td>
</tr>
<tr>
<td></td>
<td>Eco Tourism Society of North East</td>
</tr>
<tr>
<td>21</td>
<td>Member Eco Tourism Society of North East</td>
</tr>
<tr>
<td>22</td>
<td>Managing Partner, Nature-Hunt Tours N Treks</td>
</tr>
<tr>
<td>23</td>
<td>Nature-Hunt Eco Camp.Kaziranga</td>
</tr>
<tr>
<td></td>
<td>Name and Details</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>24.</td>
<td>Network Travel, Guwahati</td>
</tr>
</tbody>
</table>
| 25. | Vice President  
Manas Ever Welfare Society,  
Manas National Park, Bansbari, Bask |
| 26. | Manager (S&M)  
Hotel Alithi  
Paltanbazar, Guwahati |
| 27. | Resident Manager  
Hotel Atithi  
PaltaBazar, Guwahati |
| 28. | Koyeli Tours & Travels & Iora- the Retreat  
Guwahati |
| 29. | Network Travels, Guwahati Secf – TOAA  
Guwahati |
| 30. | Hotel Raj Mahal  
Guwahati |
| 31. | Student of STARC Pursuing MTM 4th Semester  
Guwahati |
| 32. | Student of SRATC pursuing MTM 4th Semester  
Guwahati |
| 33. | Student of STARC MTM 4th Semester  
Guwahati |
| 34. | Student of STARC MTM 4th Semester  
Guwahati |
| 35. | Student of STARC MTM 4th Semester  
Guwahati |
| 36. | Executive, Landmark Tours & Travels  
Guwahati |
| 37. | Manager  
Brahmaputra Jungle Resort |
| 38. | Managing Director  
Brahmaputra Jungle Resort |
| 39. | Travel Station  
Guwahati |
| 40. | D’TRENZ TOURS  
Fatasil Ambani |
| 41. | Arohan Group  
Ali, Ghty |
| 42. | Silk Route SPA Resort  
Panbazar, Guwahati |
| 43. | Senior Faculty Member  
Dept. of Tourism Management  
Pragjyotish College  
Guwahati, Assam |
| 44. | Principal Correspondent  
Hindustan Times  
Guwahati |
| 45. | Reporter  
Times of India  
Guwahati |
| 46. | Reporter  
Shillong Times Pvt.Ltd  
Guwahati |
| 47. | Staff Reporter  
GUWAHATI |
| 48. | Staff Reporter  
NE TV |
<p>| 49. | Rosanna Lyngdoh |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 50. | Kristen Augustine  
  | Impulse NGO Network |
| 51. | The League of Adventurists, U.K. |
| 52. | Reporter |
Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism

July 22<sup>nd</sup> and 23<sup>rd</sup>, 2011

Sikkim

Organized by Impulse NGO Network
in collaboration with
The West District Tourism Society & West District Zilla Panchayat

Supported by: UNGIFT

Documentation by:
Kristen Augustine
Masters Student in Sustainable Development for Practitioners
University of Florida

&

With translations provided by:
Hasina Kharbhia
Team Leader, Impulse NGO Network

West Sikkim Tourism Society
&
West District Zilla Panchayat
# Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism

**July 22nd and 23rd, 2011**  
Sikkim

## Program Schedule:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Activity</th>
<th>Presenter/Moderator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overview of the day’s session and reason West Sikkim Tourism Society and West District Zilla Panchayat is endorsing the Code of Conduct</td>
<td>Welcome address and note on West Sikkim Tourism Society and West District Zilla Panchayat collaboration with Impulse</td>
<td>Shri. N.K. Subba, President, West District Tourism Society; Chairman, Sikkim Development Corporation</td>
</tr>
<tr>
<td></td>
<td>Offering of Khada to the Guests</td>
<td></td>
</tr>
<tr>
<td>Look East Policy, its implications on the North East region and how tourism can increase human trafficking and exploitation; project overview and the purpose of TOT</td>
<td>Inauguration Note on the Training of Trainers to Encourage Responsible Tourism in the North East</td>
<td>Hasina Kharbhih, <em>Impulse NGO Network</em></td>
</tr>
<tr>
<td></td>
<td>Ecotourism in Sikkim</td>
<td>Dr. Angabalan, DFO Eco Tourism</td>
</tr>
</tbody>
</table>
| Sikkim’s unique offerings to ecotourists | National Code of Conduct for Safe and Honorable Tourism  
Open Discussion | Kristen Augustine, *Impulse NGO Network* &  
Hasina Kharbhih, Team Leader, *Impulse NGO Network* |
| Showing of MTV Exit film ‘Sold’ Film: SOLD |  |  |
| How Human Trafficking has penetrated within the country and the causes that led to its growth. | Causes of Human Trafficking, Global and North East Scenario  
Open Discussion | Rosanna Lyngdoh, *Impulse NGO Network* |
| Eco Tourism in Sikkim | Address by the Guests of Honour | Smti. Karma Suki Bhutia, Zilla Parishad Adhakshya  
Shri. S. Pradhan, District Magistrate West |
<p>|  | Address by the Chief Guest | Shri. G.M Gurung, Adviser Tourism, Civil Aviation Department, Government of Sikkim |
|  | Vote of Thanks | Mingma Wangdi, Assistant Director of West Sikkim, Department of Tourism |
|  | End of Session &amp; Lunch |  |</p>
<table>
<thead>
<tr>
<th>Topic</th>
<th>Activity</th>
<th>Presenter/Moderator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welcome Address</td>
<td>Shri. N.K. Subba, President, West District Tourism Society; Chairman Sikkim Development Corporation</td>
<td></td>
</tr>
<tr>
<td>Summary of day one activities</td>
<td>Hasina Kharbhiih, Team Leader, Impulse NGO Network</td>
<td></td>
</tr>
<tr>
<td>Laws regarding human trafficking and the rights of the child</td>
<td>ITPA and the Juvenile Justice Act Open Discussion</td>
<td>Dr. Doma Bhutia (Advocate)</td>
</tr>
<tr>
<td>Ways to enrich the experiences of tourists visiting Sikkim</td>
<td>Enriching the Ecotourism Experience in Sikkim</td>
<td>Dr. Angabalan, DFO Eco Tourism</td>
</tr>
<tr>
<td>Impulse NGO Network’s past experience working with bamboo housing and ways to use it to attract architectural tourists</td>
<td>Using Traditional Bamboo Housing to Attract Architectural Tourism</td>
<td>Hasina Kharbhiih, Team Leader, Impulse NGO Network</td>
</tr>
<tr>
<td>Collaborative discussion with stakeholders of tourism industry to understand potential gaps and problems with implementing the COC as well as feedback on future Training of Trainers sessions</td>
<td>Group discussion</td>
<td>All attendees</td>
</tr>
<tr>
<td>Address by the Chief Guest</td>
<td>Shri. S.B Subedi, Advisor, Power &amp; Energy Department.</td>
<td></td>
</tr>
<tr>
<td>Vote of Thanks</td>
<td>Mingma Wangdi, Assistant Director of West Sikkim, Department of Tourism</td>
<td></td>
</tr>
<tr>
<td>End of Session &amp; Lunch</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Introduction by Sushil Tamang

Mr. Sushil Tamang gave a warm greeting to each of the special guests in attendance and welcomed the participants to the consultation meeting. He noted that the event was organized by Impulse NGO Network, in collaboration with West Sikkim Tourism Society and West District Zilla Panchayat in partnership with HOPE, the Human Rights Law Network of Sikkim and Sikkim Express and with the generous financial support of UN.GIFT. He then introduced the purpose of the Consultation Meeting for the Code of Conduct on Safe and Honorable Tourism by discussing the growth of the tourism industry and the fact that ecotourism in Sikkim is increasing due to the many features the state has to offer to travelers. Mr. Tamang mentioned the potential benefits received by communities such as job creation but warned that there is also the potential for darker consequences of tourism, such as an increase in the flesh trade that is currently plaguing Goa, Kerala and Rajasthan. He concluded by stating that the point of coming together today is to combat human trafficking and the exploitation of women and children by implementing the Code of Conduct and promoting safe and honorable tourism in Sikkim.

Welcome Address by Shri. N.K. Subba, President of West District Tourism Society & Chairman of Sikkim Development Corporation

After a warm introduction by Mr. Tamang, Shri. N.K. Subba, the President of the West District Tourism Society and Chairman of the Sikkim Development Corporation, addressed the crowd saying that he is pleased to be able to partner with Impulse NGO Network on this important event. He has seen the growth of tourism in Sikkim over the years and feels that there is a great need to incorporate measures that protect tourists and local communities into current business practices. To this end, he believes that it is important to bring together the various stakeholders to work together on the implementation of the Code of Conduct to encourage better tourism business and protect the communities and people working in the tourism sector. Mr. Subba also noted the importance of strategic follow up action to standardize the practices of the private sector actors including hoteliers, travel and tour operators and those running home stays. He went on to say that this uniformity will help to encourage tourism in Sikkim and make it more sustainable. He concluded by emphasizing the need for good coordination as well as awareness and training of the private sector stakeholders. Shri. N.K. Subba then graciously presented traditional khadas to the organizers of the event as well as the chief and honored guests.
Inauguration Note and History of the Initiative by Hasina Kharbhih, Team Leader, Impulse NGO Network

Ms. Hasina Kharbhih began her presentation by giving her heartfelt thanks to Shri. N.K. Subba, the West District Tourism Society, and the West District Zilla Panchayat for their partnership in organizing the two-day event and also gave her thanks to Chief Guests, the guests of honor and the participants for their kind attendance. Ms. Kharbhih then gave an overview of the background of the Impulse NGO Network project, *Encouraging Responsible Tourism in the North East by Engaging Stakeholders*, funded by UN.GIFT with technical support from Equations, ECPAT, the Government of India and the state governments. She spoke of the need to incorporate the private sector, the government, NGOs and stakeholders in the process of defining the path for tourism and ensuring that training on the Code of Conduct is provided to all actors in the tourism sector and that its implementation is monitored and annually reported. Ms. Kharbhih discussed the history and main objectives of the national Code of Conduct to protect local communities and tourists from the dangers that can accompany the benefits of the tourism industry. She concluded by advising the participants of the link between recent policies, such as the Look East Policy, that promote tourism but also inadvertently expose women and children to the risk of human trafficking and exploitation.

Ecotourism in Sikkim by Dr. Angabalan, DFO Eco Tourism

Dr. Angabalan opened his presentation by providing both the Government of India’s definition of ecotourism, and the definition provided by the draft Ecotourism policy of Sikkim that goes further to include the specific objectives of learning about, admiring and conserving nature as well as the local people’s cultures and welfare. He then talked about the many attractions that Sikkim offers including its biodiversity, various cultures and traditions. To showcase the natural beauty of the state’s many ecosystems and flora and fauna he then displayed a number of photographs while detailing the natural assets that are available here. To conclude his presentation he spoke of the importance of ensuring that Sikkim’s tourism is in line with the draft policy and that the tourism sector takes steps to ensure that guests are learning from their visits, that the natural and social environments are being protected and that the well-being of the local people are being improved through these interactions.
The National Code of Conduct and the Tourism Industry by Kristen Augustine, Impulse NGO Network

Ms. Kristen Augustine, a volunteer with Impulse NGO Network, delivered a presentation on why it is beneficial for businesses to implement the Code of Conduct for Safe and Honorable Tourism. She discussed the importance of maintaining an impeccable reputation for both the individual businesses and the community in order to attract the right kind of tourists. This includes prohibiting drug use and commercial sex on the premises, as well as protecting visitors from unnecessary harm and exploitation. Ms. Augustine then advised the group on the dangers of sex tourism in that it is accompanied by organized crime, violence, drugs, human trafficking, commercial sexual exploitation and public health consequences for the community. To conclude her presentation she spoke about the pivotal role that the tourism industry has in preventing sex tourism from taking hold in Sikkim and some steps that individuals in this sector can do to protect their communities.

Safe Tourism in Sikkim and the National Code of Conduct presented by Hasina Kharbhiih, Team Leader, Impulse NGO Network

Ms. Hasina Kharbhiih began her presentation by remarking on the comments made by previous speakers in which she noted her appreciation for the inclusion of social welfare in Sikkim’s ecotourism policy. She discussed the potential of home stays and handicrafts as livelihood initiatives that should be incorporated into the tourism experience in the state. She went on to note that currently it is not local artisans that are benefiting from the tourist trade in the area since most souvenirs are imported from China. She agreed with Dr. Angabalan’s contention that tourists must learn from the communities and cultures that they visit and that doing so will add to their experiences and increase their safety as they travel. Ms. Kharbhiih discussed the importance of having an apex body that would incorporate all sectors of tourism throughout the state creating one source of reliable information for all actors in the industry.

She then gave a presentation on the history of the Code of Conduct, adopted by the Government of India on July 1, 2010 and how the current initiative to bring it to the North East was developed by Impulse with the generous support of UN.GIFT. Ms. Kharbhiih conveyed the extreme importance of protecting the young women working in the tourism sector in hotels, home stays and restaurants or as tour operators in the growing ecotourism sector. In order to enact and enforce the regulations necessary to protect vulnerable groups, such
as these women and the local communities visited by tourists, political commitment and the joint collaboration of private businesses, the government and NGOs are needed. Impulse’s Team Leader discussed the provisions of the Code of Conduct to: provide information and training to personnel and service providers; to create public awareness and notify guests that exploitation will not be tolerated; to ensure the regulated use of premises and office equipment to prevent their use for purposes that exploit women or children; to conduct business ethically and not utilize sexually explicit images or concepts in marketing; and finally, to submit an annual report detailing the implementation and monitoring of the Code by its signatories.

Ms. Kharbhih concluded her presentation by detailing the way forward in adopting and implementing the Code of Conduct in the private tourism sector of Sikkim. She gave details on how to follow up with funding from the Government of Sikkim and the National Government and offered the support of Impulse NGO Network in following up with these efforts.

**Showing of Film ‘Sold’ an MTV Exit Special**

Impulse NGO Network commenced a showing of the film *Sold* narrated by Lara Dutta. The short film details the experiences of a number of survivors of human trafficking in South Asia for the purposes of labor or sexual exploitation. Victims as young as eleven told their tragic stories of being deceived by individuals they trusted and then sold into modern day slavery. Feedback from participants described how they were shocked and moved by the stories encapsulated in the film.

**Causes of Human Trafficking in the North East by Rosanna Lyndogh, Project Manager, Impulse NGO Network**

Ms. Rosanna Lyndogh began her presentation with the United Nations’ definition of human trafficking to provide an understanding of what it is before proceeding with specific information. She continued by describing the global human trafficking scenario followed by the scenarios in Asia, India and finally in North East India which serves as both a source, transit and destination point for human trafficking victims. Ms. Lyndogh summarized some of the factors that drive this situation such as ethnic and armed conflicts, economic impoverishment, environmental degradation, proximity to borders and the Look East Policy. Women and children are most vulnerable to this type of exploitation due to gender inequality and the passive nature of the young. She described the methods that traffickers use to entrap their victims and keep them enslaved and detailed some of the ways that victims are transported in
the North East. Ms. Lyndogh then concluded her presentation by discussing some of the health consequences faced by victims such as an increased risk of sexually transmitted diseases and hazardous working conditions.

Address by Guest of Honor Shri. S. Pradhan, District Magistrate West

Shri. S. Pradhan opened his address by remarking that sex tourism is not a severe or urgent problem in Sikkim at the moment but that prevention measures must immediately be brought forward to prevent it from occurring. He warned against being complacent in thinking that the problem doesn’t already exist on some level in the state and reminded the audience of a number of recent incidents including one involving the human trafficking of children for the purposes of sexual exploitation. Shri. Pradhan conveyed his thoughts that the Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism was coming at the right time and that it is very important that Sikkim does not get burdened with the reputation for being a destination for sex tourists. He felt that drivers must be properly advised and able to convey cultural norms to tourists so that they understand how to behave properly when visiting the conservative state. Shri. Pradhan then concluded his address by expressing the strength of political will and the support that the government of Sikkim will happily extend to the implementation of the Code of Conduct.

Address by Guest of Honor Smti. Karma Suki Bhutia, Zila Parishad Adhadkshya

Smti. Karma Suki Bhutia extended her gratitude to Impulse NGO Network for coming to West Sikkim and said that she is happy to see the discussion on responsible tourism taking place. She explained that Sikkim’s beauty, natural resources, and simple way of life must be protected for the future. Mrs. Bhutia recognized that trafficking of women and children is taking place in Sikkim and that the Code of Conduct for Safe and Honorable Tourism is an important measure in preventing the expansion of this criminal activity. She noted that it is also a tool for organizing the stakeholders involved in the tourism sector and feels that local communities must also be incorporated to promote economic growth from tourism. Mrs. Bhutia concluded by emphasizing the need for skills training to build the capacity of the private sector, especially for drivers, and that she looks forward to the assistance to be provided by Impulse NGO Network which she feels will go a long way in the proper implementation of the Code of Conduct.

Address by Chief Guest Shri. G.M. Gurung, Adviser Tourism, Civil Aviation Department, Government of Sikkim
Shri. G.M. Gurung expressed his gratitude to the organizers of the event and extended his welcome to the other guests in attendance. He then went on to describe how tourism has flourished since he first began working in the industry in the 1990’s and the timing is right to further promote tourism in the state. Shri. Gurung noted that there are a lot of stakeholders in tourism and a lot of considerations to take into account. He noted the key role of the transportation sector and how vital it is that information provided to tourists by drivers is accurate and honorable. The government of Sikkim has notified the Code of Conduct calling for all units in tourism to bring it forward and he extends his gratitude for Impulse’s role in organizing the previous state consultations that helped motivate the government to take this action. Shri. Gurung explained that West Sikkim is one area of the state that actively promotes tourism and, as such, there is a need to realize that local people will be hurt if sex tourism takes over. He then shared his experiences with traveling to areas that were rife with sex tourism and that, as a traveler, he did not want to be in those areas and would not like to return to them. He concluded his address by advocating for training for at all levels, including the ground level where it is especially important.

At the conclusion of Shri. Gurung’s remarks, Smti. Mingma Wangdi gave the Vote of Thanks and the session concluded.

**Day Two of the Consultation Meeting on the Code of Conduct for Safe and Honorable Tourism**

**Welcome Address by Shri. N.K. Subba, President of West District Tourism Society & Chairman of Sikkim Development Corporation**

Shri. N.K. Subba opened the second day of the Consultation Meeting for the Code of Conduct on Safe and Honorable Tourism by noting how the successful deliberations of the first day are providing a road map on how to effectively implement the Code of Conduct. He explained that there is a great importance for the stakeholders to understand the relevant laws that serve to protect the people of Sikkim as well as tourists. Mr. Subba described his happiness that the members of the West Sikkim Tourism Society have agreed to carry forward and sign the Code of Conduct. He looks forward to the capacity building and training that will follow through a standardization of implementation and further hopes that Impulse NGO Network will be able to assist the West Sikkim Tourism Society and its members to make tourism safe and sustainable. Shri. Subba and Chief Guest Subedi then presented traditional khadas to the special guests in attendance.
Summary of Day One by Hasina Kharbhih

Ms. Hasina Kharbhih of Impulse NGO Network provided a brief summation of the previous day’s discussions and presentations as a review to repeat guests and an introduction to new guests. The summary discussed the key topics that were presented on the day before and then presented a short introduction of the activities scheduled for the day.

ITPA and the Juvenile Justice Act by Dr. Doma Bhutia, Human Rights Law Network of Sikkim

Dr. Doma Bhutia of the Human Rights Law Network of Sikkim discussed the legal provisions related to human trafficking in India. She started by relaying that the national constitution, under Article 23(1) prohibits human trafficking and forced labor and then moved on to give the background of the Immoral Traffic in Women and Girls Act of 1956 which she explained was revised in 1986 to make it applicable to all persons, regardless of gender, who are trafficked for sexual exploitation. She further explained that the objectives of the ITPA are to prevent trafficking by criminalizing the act and punishing traffickers as well as to shift the emphasis to penalizing clients/pimps/brothel owners and providing rehabilitative care to the survivors. Ms. Bhutia then went on to discuss the legal ramifications of partaking in the sex trade, such as losing one’s hotel license for allowing prostitution to occur on the premises. She concluded her presentation by relaying information on how to report criminal activities related to the Code of Conduct to the appropriate authorities.

Enriching the Ecotourism Experience in Sikkim by Dr. Angabalan, DFO Eco-Tourism

At the request of the event organizers Dr. S. Angabalan kindly reviewed his presentation from the day before and elaborated on a number of points about Sikkim’s natural assets and ways to enrich the experiences of tourists visiting West Sikkim. He advised the audience that tourists do not travel to West Sikkim to see concrete buildings, they travel to see traditional housing types and the ways that the local cultures experience life. He went on to describe the relationship of the Sikkimese to bamboo which is used for a number of purposes such as food and housing and that outsiders should be shown how the plant is processed in its various ways. This led to Dr. Angabalan describing a number of ways to truly enrich the experiences of tourists by involving them in local traditions such as dances and rituals because doing so will add meaning to their journey as opposed to merely getting the same dry information and statistics about the region that they could find in books. Dr. Angabalan also
discussed his work in marketing local products and selecting villages to promote to travelers seeking village tourism options and encouraged the members of the tourism industry in attendance to concept Sikkim’s ecotourism in innovative ways.

Using Traditional Bamboo Housing to Attract Architectural Tourism presented by Hasina Kharbhiih, Team Leader, Impulse NGO Network

Inspired by Dr. Angabalan discussion about the relationship between the Sikkim people and bamboo, Ms. Hasina Kharbhiih gave a presentation on a project being undertaken by Impulse NGO Network. The project involved the design of a new facility to be a center for the organization’s work in Shillong. The project promotes traditional design and the reintroduction of bamboo housing in Meghalaya due to its cultural history and being an eco-friendly alternative to concrete structures. Ms. Kharbhiih displayed photographs of the architectural designs and revealed plans to have the structures built by local women using locally grown bamboo. She encouraged partnering with the Center for Bamboo Technology in Guwahati, a supporter of the project, to take up similar endeavors to promote ecotourism by giving travelers the option of staying in traditionally constructed bamboo hotels. Ms. Kharbhiih concluded by advising the audience that such projects are an attraction for architectural tourists and students of architecture which can bring individual and institutional travelers to Sikkim.

Address by Guest of Honor Shri. S.B. Subedi, Advisor, Power & Energy Department

Guest of Honor Shri. S.B. Subedi opened his address by noting that he has learned a lot from listening to the day’s deliberations on implementing the Code of Conduct. He feels that it is critical for the stakeholders to organize themselves through a focal point to help empower them to implement the Code of Conduct effectively. Mr. Subedi then went on to explain that tourism can have both positive and negative impacts on the local communities and it is therefore important to take preventative measures to protect the communities made vulnerable by tourism. He concluded by stating that the Code of Conduct and other protective measures should not be limited to just West Sikkim but should instead be incorporated throughout the state.

Moderation provided by Shri. Sushil Tamang, Darap Ecotourism Committee

Our warmest thanks go out to Shri. Sushil Tamang who graciously served as moderator over the two day consultation. During this time he also spoke
eloquently on a number of issues pertinent to the event. He noted that the urban settings of West Sikkim are changing due to the increasing number of concrete buildings being constructed, such as in nearby Pelling, that is having an effect on architectural tourism, cultural tourism and the natural landscape. He spoke of the importance of understanding that ecotourism involves being responsible to nature as well as to local people and for that reason it is necessary to ensure the participation of local communities. He explained that it is vital to standardize business practices in home stays to cut down on the disparity in pricing that can injure the sustainability of tourism. Mr. Tamang also noted that there is a lack of trained manpower in the tourism sector of West Sikkim and that it is essential that those working in the industry receive training and capacity building to ensure that they can effectively implement the Code of Conduct into their business practices.

**Open Discussions**

Throughout the day, participants were invited to share questions, comments, concerns and suggestions about implementing the Code of Conduct for Safe and Honorable Tourism. During these discussions a comment was presented regarding the speaker’s doubt that Sikkim has a problem with human trafficking due to the high rate of literacy and education and number of job opportunities. The speaker acknowledged that tourism may bring with it a potential threat, especially in terms of home stays, but doubted the need for enacting the Code of Conduct. Ms. Hasina Kharbhiih responded that Impulse NGO Network has worked hand in hand with the law enforcement of Sikkim and has written the handbook that has been used for the last eight years to train the police force on human trafficking and she can guarantee that Sikkim does have a human trafficking problem. She continued to say that the numbers given through official sources skew the true figures because cases are reported in the states that victims are identified, and not in the states in which they are taken from. She also related a number of cases that Impulse has worked on that involved girls from Nepal being trafficked to the capital of Sikkim. She concluded her remarks by emphasizing the need to prevent human trafficking and sex tourism as a way to protect women and children from being exploited in the tourism industry.

Mrs. Mingma Wangdi, the Assistant Director for West Sikkim’s Department of Tourism, informed the group of a number of initiatives being undertaken by the government of Sikkim such as training programs for taxi drivers to sensitize them on how to behave, dress and speak to visitors. She intimated that each vehicle is required to have a trash receptacle and CDs with information for
visitors in various languages in the event that the driver cannot effectively communicate information about the locality in the traveler’s language. The government will also be providing a register for tourists to give feedback through the Tourist Police. Additionally efforts are underway to assist in capacity building for hoteliers, drivers, tourist guides and handicraft workers.

Ms. Kharbhih suggested that the government of Sikkim might benefit from reviewing the national government’s training handbook for taxi drivers that covers many of the same issues and also recommends that law enforcement be included in tourism related crimes as the Tourist Police lack the same level of knowledge and authority.

Suggestions were put forward that the most important features of a driver are their manner and discipline and that more should be done to reward excellent drivers such as an award to be presented at the State Tourism Day to the driver who, based on tourist feedback, excels in his profession.

A comment was made by Sushil Tamang that many agreed with that advocated training the public on safe and honorable tourism through events similar to this consultation meeting. He also noted the need for constant vigilance by organizations in monitor the tourism sector’s adherence to the Code of the Conduct.

Concerns regarding the funding to implement the Code of Conduct and provide training were voiced and Ms. Hasina Kharbhih explained that Impulse NGO Network can involve the United Nations, the Government of India, and the state partners in assisting in whatever ways are possible. She advised that there is a need to have the same standards for training in each state and that the Government of India has stated that it will financially support the training but only on the kit they are designing. She further stated that the training kit evolved over three years with feedback taken from each state to ensure that individual state’s needs and situations are considered.

There was a suggestion that schools incorporate the concepts of safe and honorable tourism into the sex education and/or hospitality management curriculum to bring awareness of sex tourism, the dangers that arise with it and how to avoid its occurrence. Mention was made of the state’s capacity building training institute that provides a number of skills to those in the hospitality sector but that there are problems connecting these trained students with local jobs.
As a result of these open discussions it was determined by the participants that the best way to move forward with the implementation of the Code of Conduct is by:

- Creating an apex body to oversee all of the districts in Sikkim
- Training drivers on how to conduct themselves properly with tourists
- Creating and distributing materials that promote safe and honorable tourism in Sikkim
- Standardizing home stays to prevent tourists from being exploited and to protect the local communities, as well as those working in the home stays
- Providing effective training to all actors in the tourism industry on how to carry forward the Code of Conduct in their own respective workplaces

Vote of Thanks by Smti. Mingma Wangdi, Assistant Director of West Sikkim, Department of Tourism

Smti. Mingma Wangdi graciously performed the Vote of Thanks for both days of the Consultation Meeting for the Code of Conduct on Safe and Honorable Tourism. In it she noted the contributions of Impulse NGO Network, its collaborators the West District Tourism Society, and the West District Zilla Panchayat, the state partners HOPE, and Human Rights Law Network (Sikkim) as well as the media partners Sikkim Express, and the West Sikkim Press Club. She made note of the generous financial support provided by UN.GIFT and thanked all of the participants for their attendance and contributions to the event.
Sub- Annex 1: National Code of Conduct for Safe and Honorable Tourism

अदुल्य!भारत

Incredible!India

CODE OF CONDUCT
FOR
SAFE & HONOURABLE TOURISM

ADOPTED ON
1st JULY 2010
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2. APPLICABILITY

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4. KEY MESSAGES FOR AWARENESS BUILDING AND DISSEMINATION

SAFE AND HONORABLE TOURISM:-
To leverage the burgeoning global travel and trade and in keeping with the Indian tourism industry’s objective of positioning India as a global tourism brand, the Ministry of Tourism has strategically outlined in its policy the central principle of, ‘Atithi Devo Bhava’ (Guest is God). In stating this, is evident the commitment of Indian tourism to ensure that every tourist in India is physically invigorated, mentally rejuvenated, culturally enriched and spiritually elevated.

To meet this objective and at the core of the National tourism policy of 2002 is outlined the seven pillars of tourism, *Swagat* (Welcome), *Soochana* (Information), *Suvidha* (Facilitation), *Suraksha* (Safety), *Sahyog* (Cooperation), *Samrachanam* (Infrastructure Development) and *Safai* (cleanliness).

’Safe and Honourable Tourism’ aims to strengthen the critical pillar of ‘Suraksha’ (Safety) and ensure that Indian tourism follows international standards of safe tourism practices, applicable for both tourists and local residents i.e local people and communities who may be impacted by tourism in some way. Its central objective is to ensure that tourism activities are undertaken, integrating the need to protect the dignity, safety and the right to freedom from exploitation of all tourists and local residents involved in or impacted by tourism. In today’s scenario, following safety guidelines is not just about adhering to the provisions of the seven pillars but also implies good business. As the demand from travellers for safe and secure tourism services increases, this code will assist signatories to build capacities among their services chains and personnel so as to be able to respond to this demand.

**SPECIFIC OBJECTIVES**

This code is a guideline of conduct to enable the Indian travel and tourism industry to:

1. Encourage tourism activities to be undertaken with respect for basic rights like dignity, safety and freedom from exploitation of both tourists and local residents i.e. people and communities who may be impacted by tourism in some way.
2. Aid the prevention of prostitution, sex tourism and forms of sexual exploitations like assaults and molestations in tourism to safeguard the safety of persons, in particular women and children.
3. To enhance prevention of activities like forced or involuntary drug use, manipulated and incorrect information, cultural and social intolerance which could increase vulnerability to crime.
APPLICABILITY:

This code of conduct shall be applicable to all the owners, suppliers, contractors, employees of the travel and tour sector including hotels, restaurants, lodges, guest houses, tour agents, entertainment establishments etc. In addition it shall be applicable to service providers like event management organizations, entertainment providers, transport operators like taxis, buses, tour guides and other services or agencies associated with the tourism sector. This is not a legally binding instrument but a set of guidelines for the tourism industry. In addition to these guidelines, included in this code are key messages that signatories are encouraged to use.

GUIDELINES FOR THE TOURISM INDUSTRY -

1. Information & training of personnel:
   - Management will take up measures to build awareness and train staff on the guidelines of this code and appropriate legal provisions to enhance vigilance and to ensure that personnel act in a manner that promotes the safety of tourists, local residents and their own staff.
   - All hotels and tour operators shall train and maintain two persons as focal points to ensure that all safety norms and guidelines of this code are adhered to. The officers shall provide correct information to tourists, like information on Child lines- 1098, Women Help lines- 1091, local police helpline 100 and also act as a liaison officer with agencies such as the local police station, immigration authorities, civil society partners working in this area, child and women welfare committees etc.
   - In case of an incidence of exploitation, personnel shall be sensitized to report correct information to the appropriate authorities act in cooperation with law enforcement agencies, other agencies providing care and support and take necessary action to protect the interests of the individual whose rights are violated.
   - Organizations will promote awareness on the code among service providers affiliated to their business such as vendors, contractors, taxi drivers, tour guides, event management companies etc.
   - In case of misconduct by a staff member or personnel of a service provider, signatories of the code will commit themselves to act in an unbiased manner, reporting the incidence to appropriate authorities and protecting the interests of the individual whose rights are violated.
   - Identified victims shall not be treated as criminals. They should be identified as persons in need of care, protection and should be provided with legal, medical, psycho-social and any other assistance without delay.
2. Public awareness and guest notification:

- Messages of intolerance to any form of exploitation must be made evident in appropriate places visible to guests/clients, employees and other visitors. Guests and clients must also be provided information through the company’s website, brochures, tickets, bills, in-room/in-flight communication etc on issues related to commercial sexual exploitation such as sex tourism, prostitution, pornography, forms of sexual assaults, molestations and key messages elaborated in this code.

- In order to enhance tolerance for social and cultural norms, signatories of this code must take action to provide information available to their best knowledge on local social and cultural beliefs and norms. Knowledge and tolerance for different social and cultural norms will allow tourists to dress, conduct themselves and respect local beliefs helping them to adjust and thereby reducing the vulnerabilities they might face as foreigners to a particular destination.

- Signatories of the code are encouraged to assist tourists with guidance on safety tips applicable to the specific city/place like places to visit, timings for visits, right dressing and precautions against moving alone, and against accepting eatables and favors from unknown persons etc. Guests and clients shall be cautioned against solicitations from touts, non-regulated tourism operators and encouraged to consult the website of the Tourism Ministry and other authorized websites.

- Signatories will ensure that a clause is included in registration papers seeking commitment of the tourist to act in a manner that respects the dignity and rights of local residents and also to conduct themselves in a manner that shall aid the tourist’s own protection against exploitation.

3. Regulated use of premises and official equipment:

- Management/owners are encouraged to prohibit usage of the organization’s premises for use or abuse of illicit substances, sexual violations and of company equipment for viewing, storage, distribution, promotion or use of material which could increase vulnerability to exploitations of the nature mentioned in this code.

- Individuals under the permitted age shall not be allowed permission in to restricted areas like bars and pubs.

- Tourism service providers shall verify and maintain a record of details pertaining to tourists, personnel and service providers like address, contact details etc and also commit themselves to maintaining confidentiality.

- Internet usage that promotes, seeks any contacts for sex tourism and other sexual services, for search of pornographic material and/or to solicit the sale and purchase of illicit substances shall be prohibited.

4. Ethical business practices and marketing:

- Management/owners shall ensure that all contracts with business partners, suppliers and franchise agreements bear a clause seeking commitment to provisions of the ‘Code of conduct for Safe and Honorable Tourism’ in their businesses.
Any tourism enterprise or service provider found to act in a manner that undermines the safety of persons outlined in this code may be blacklisted.

Sexually explicit images or concepts/images that may compromise the safety of individuals shall not be used for marketing purposes. An unambiguous company policy shall be set up to ensure that marketing and advertising does not support the promotion of sexual exploitation or promotion of sexually explicit images.

Signatories are encouraged to patronize vendors and service providers who are committed to adhering to the provisions of this code.

5. Implementation and Monitoring:
   - All signatories are required to maintain an annual report on ‘Code of conduct for Safe and Honourable Tourism’ and submit it to a designated authority.
   - Management/owners shall report on:
     - Training and capacity building initiatives carried out for personnel/staff.
     - Means adopted to raise awareness on safety among guests, personnel and service providers.

KEY MESSAGES FOR AWARENESS BUILDING AND DISSEMINATION-

Enhancing safety and security of all tourists -

- All signatories of the code are committed to act in a manner that protects the dignity and freedom against exploitation of persons especially women and children and facilitate prevention of incidences of sexual molestation, harassment of their guests and provide assistance in case of an untoward incident.
- In case of exploitation please call the Child line- 1098, Women Help lines- 1091 and/or contact relevant authorities like the police or travel and tour operators.
- Like in many places in the rest of the world tourists are encouraged to follow some basic and practical safety tips such as to remain with a group or meet new people in public places, not to accept items from persons whom they have befriended recently, be wary of unexpected, unknown persons coming to their hotel room, never open the door to unsolicited room service or maintenance people etc.
- Tourists are encouraged to understand local social, cultural norms and beliefs and are encouraged to conduct themselves in a manner that respects these beliefs.
- Tourists must always take the advice of more than one person when seeking information on places to visit, shopping places, local customs, beliefs and norms and remain vigilant on accepting completed documents. Tourists are encouraged to seek information from Government of India recognized information centers and visit the Ministry of Tourism’s websites.
• Indecent Representation of Women (Prohibition) Act, 1986, Section 2 (c) - Indecent representation of women means the depiction in any manner of the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to, or denigrating a woman or is likely to deprave, corrupt or injure the public morality or morals.
• Kidnapping or abducting in order to subject person to grievous hurt, slavery, etc. is an offence under Section 367 of the Indian Penal Code.
• Assault or criminal force to woman with intent to outrage her modesty is an offence under Section 354 of the Indian Penal Code.
• Punishment for rape offences shall not be less than seven years but which may be for life or for a term which may extend to ten years as the case may be, according to Section 376 of the Indian Penal Code.

Enhancing safety of local people -

• People across the world dress, eat and live differently and follow different values and norms. Tourists are encouraged to respect the local people and must commit themselves to acting in adherence to local laws.
• Signatories to the code maintain zero tolerance to acts of sexual exploitations, including commercial sexual exploitation like prostitution, sex tourism and trafficking of persons for it.
• Many tourists believe that they are protected by anonymity and thus laws are more easily violated. Any guest, staff, partner linked to this agency found to be indulging in exploitations outlined in this code or supporting it shall be reported to an appropriate authority.
• A few alarming trends that have emerged in recent years are sexual exploitation through sex tourism, paedophilia, prostitution in pilgrim towns and other tourist destinations, cross border trafficking.¹
• According to studies conducted by the Ministry of Women and Child Development, there are 3 million commercial sex workers in India, of which an estimated 40% are children.¹
• Human trafficking is a crime against humanity. It involves an act of recruiting, transporting, transferring, harbouring or receiving a person through use of force, coercion or other means, for the purpose of exploiting them. The consent of a victim of trafficking in persons to the intended exploitation is irrelevant irrespective of age.²
• Sexual relationship with a child amounts to rape according to the Indian Penal Code and is punishable with imprisonment of minimum 7 years which can even be extended to life imprisonment.
• Acquiring or inducing any person (irrespective of age or sex) for prostitution or causing a person to be taken for prostitution is an offence under Section 5 of Immoral Traffic Prevention Act 1956 and with a punishment of 3-7 years.
• It is a myth that sexual intercourse with a virgin or a minor will cure STI or prevent HIV. It only spreads the disease further.
• Abetment to crime amounts to committing the crime itself.

• Victims of exploitation are not criminals. They are persons in need of care, protection, legal, medical and psychological assistance.
• Under section 7 of Immoral Traffic Prevention Act, 1956, letting out a hotel or any part there off for prostitution is an offence for which the license of the hotel can be suspended.
• Publishing or transmitting or causing to be published or transmitted, material in any electronic form which depicts children engaged in sexually explicit act or induces children to online relationship with one or more children for and on sexually explicit act is an offence under section 67(b) of the Information Technology (Amendment) Act 2008.
• Narcotics Drugs and Psychotropic Substances (NDPS) Act- Engaging in the production, manufacture, possession, sale, purchase, transportation, warehousing, concealment, use or consumption, import inter-state, export inter-state, import in to India, export from India or transhipment, of narcotic drugs or psychotropic substances is an offence expect for scientific and medical reasons. Punishment for the offence may imply imprisonment, fine or both.
• Handling or letting out any premises for the carrying on of any of the above mentioned activities in an offence under the NDPS act.
• According to the National Security Act, 1980, the Central Government or the state Government has the power to act against any person with a view to prevent him from acting in any manner prejudicial to the defence of India, the relations of India with foreign powers or the security of India.
• The Foreigners (Amendment) Act, 2004 - If a foreigner to the country acts in violations of the conditions of the valid visa issued to him for his entry and stay in India, shall be punished with imprisonment for a term which may extend to five years and shall also be liable to fine. If he has entered in to a bond then his bond shall be fortified.
Pledge to Implement the **Code of Conduct for Safe and Honorable Tourism**

We, the undersigned, as representatives of the tourism industry, do hereby declare our commitment to implement in our places of business, the **Code of Conduct for Safe and Honorable Tourism** that was adopted on July 1, 2010 by the Government of India.

Consequently, we will take the necessary actions towards incorporating into our operations the following criteria:

- Informing and training of all personnel on the Code of Conduct.
- Creating public and industry awareness of the Code of Conduct.
- Regulating the use of premises and official equipment to prohibit sex tourism and the exploitation of women and children, or the promotion thereof.
- Enacting ethical business practices and marketing.
- The implementation and monitoring of the practices outlined in the Code of Conduct.

By signing this Pledge, we are committing ourselves to initiate the necessary actions related to the fulfillment of these criteria within a period of three months from the signing of this Pledge. Furthermore, the companies we represent will be open to the monitoring of these actions and, upon reporting on the Code of Conduct's implementation, will facilitate and support follow-up visits by an authorized third party.

We acknowledge that breaching the **Code of Conduct for Safe and Honorable Tourism** may result in blacklisting and criminal action if laws have been violated.

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West Sikkim Tourism Society &
West District Zilla Panchayat

UN.GIFT

Global Initiative to Fight Human Trafficking

Hemang Kharchilkh
(Team Leader)
Impulse NGO Network

N. K. Sulha
President
West Sikkim Tourism Society

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<td>23. Cheongkong Village - Conservation</td>
<td>Cheongkong Village - Conservation</td>
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<td>24. Tech - LLA - Tsechu</td>
<td>W.D.T SPTDA</td>
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<tr>
<td>25. K.T. Bhutia (RTMIC President)</td>
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<tr>
<td>26. Akash Pradhan (Managing Director)</td>
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<tr>
<td>27. ECO Tourism Development Society</td>
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Signing this document certifies that I have read and understood the Code of Conduct for Safe and Honorable Tourism, and all that it entails, and am committed to implementing it in my place of business.
### Sub-Annex 3: Participant List

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>DESIGNATION/ AFFILIATION/ STATE</th>
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<tbody>
<tr>
<td><strong>Chief Guests</strong></td>
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| 1. | Advisor, Tourism  
Civil Aviation Department  
Government of Sikkim |
| 2. | Advisor  
Power and & Energy Department  
Government of Sikkim |
| **Guests of Honour** | |
| 3. | DFO  
Government of Sikkim  
West Sikkim |
| 4. | District Magistrate  
West Sikkim  
Government of Sikkim |
| 5. | Advisor (PTDA)  
Pelling, West Sikkim |
| 6. | Hon’ble UPA Adhyakshya  
West Zilla Panchayat  
West Sikkim |
| **Nodal Organisation** | |
| 7. | Hasina Kharbhih  
Team Leader  
Impulse NGO Network  
Near Horse Shoe Building  
Lower Lachumiere  
Temple Road  
Shillong, Meghalaya |
| 8. | Rosanna Lyngdoh  
Impulse NGO Network  
Near Horse Shoe Building  
Lower Lachumiere  
Temple Road  
Shillong, Meghalaya |
| 9. | Kristen Augustine  
Volunteer  
Impulse NGO Network  
Near Horse Shoe Building  
Lower Lachumiere  
Temple Road  
Shillong, Meghalaya |
<p>| <strong>State partner</strong> | |
| 10. | Director |</p>
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<td><strong>Co. Partners</strong></td>
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| 11. | President  
West District Tourism Society,  
West Sikkim |
| 12. | Darap Eco-Tourism Committee  
P.O. Darap, West Sikkim |
| 13. | Member  
Eco-Tourism Darap/Travel  
Himalayan Rumveeks Tour and Trek  
Darap |
| **Participants** |   |
| 14. | Joint Director, H.R.D. Department  
District Adm. Centre  
Gayzing, West Sikkim |
| 15. | Deputy Director  
HRDD Gayzing, West Sikkim |
| 16. | Member Chakung Chumbang RCS, Chumbang Block  
West Sikkim |
| 17. | Executive Member ,CCRCS, Chumbung  
West Sikkim |
| 18. | Headmaster  
Timbrong JHS(W)  
PO Peling, West Sikkim |
| 19. | Self-Services  
Chhangay Block, West Sikkim |
| 20. | Manager  
Mandarin Village Resort,  
West Sikkim |
| 21. | Singpheng Village eco Tourism  
Singpheng- Darap, West Sikkim |
| 22. | DRC Darap (NGO)  
Darap West Sikkim |
| 23. | Pradhan Yatra Travel  
PTDA Pelling, West Sikkim |
| 24. | BSM Darap, West Sikkim |
| 25. | DEC Darap, West Sikkim |
| 26. | Sherpa  
KCC, Yuksam |
| 27. | Darap- Daragaon  
Village Retreat Homestay |
<p>| 28. | DCC Darap |
| 29. | DEC Darap |
| 30. | DEC Darap |</p>
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<td>42</td>
<td>Programme Coordinator</td>
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| 54. | Sr.I.A. Tourism Department  
     Pelling Tourist Information Centre  
     West Sikkim |
| 55. | Member (V- P)  
     Chumbung Chelling Village Co-operative Society  
     Chumbung- Chelling, West Sikkim |
| 56. | Manager  
     Ghonday Village Resort  
     Kaluk, West Sikkim |
| 57. | Kanchen Valley Tourist Lodge  
     Kaluk Rinchenpong, West Sikkim |
| 58. | D.E.T. Committee  
     Darap Eco Tourism  
     Darap, West Sikkim |
| 59. | Musu Hang Limboo  
     D.E.T. Committee, Darap Eco Tourism  
     Darap, West Sikkim |
| 60. | Proprietor  
     Bon FarmHouse  
     South Sikkim |
| 61. | SHRA, Ranongla, South Sikkim |
| 62. | PRT Events Manager  
     Forest, Gangtok |
| 63. | OA, SBFB/FEWMD. Gangtok |
| 64. | Creator Sordung Village  
     Sording Lungste |
| 65. | President,  
     Singpurna EcoTourism,  
     Singpheng Basti  
     West Sikkim |
| 66. | General Secretary,  
     Singpheng Eco Tourism, Singpheng |
| 67. | Owner of Restaurant and Bar  
     P.T.D.A. Member  
     Pelling, West Sikkim |
| 68. | Daramding Tourism Development Association  
     Bhareng, West Sikkim |
| 69. | Bhareng, West Sikkim, |
| 70. | President  
     Daramdin Tourism Development Association  
     West Sikkim |
| 71. | President  
     Sikkim Hotel and Restaurant Association |
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| 110. | Hindu
Lower Pelling
West Sikkim |
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| 111. | Reporter
Encounter Sikkim Daily
Gyalshing, West Sikkim |