



CENTRE FOR RESEARCH IN CRIMINAL JUSTICE,
MAHARASHTRA NATIONAL LAW UNIVERSITY
MUMBAI

AND

INTERNATIONAL JUSTICE MISSION

ORGANISES

ONE DAY WORKSHOP ON
**TRANSNATIONAL CRIMES WITH SPECIAL
FOCUS ON HUMAN TRAFFICKING**

20th March, 2018

Venue: 2nd Floor, Conference Hall, MNLU Mumbai,
MTNL-CETTM, Powai – 400076

About Maharashtra National Law University (MNLU) Mumbai

Maharashtra National Law University Mumbai is one of the premier institutions of India imparting legal education. Within a short span of three years, MNLU Mumbai has distinction of being ranked 5th amongst law school in terms of student's preference in Common Law Admission Test. MNLU offers five years integrated B.A; LL.B. Course and one year LL.M. Course. MNLU strives to fulfil the goals set out in the preamble of constitution by imparting justice education to students which is accessible, innovating and in tune with principles of rule of law. Honourable Justice Sh. Sharad Arvind Bobde, Judge, Supreme Court of India is the Chancellor of the University. The University apex bodies, General Council, Executive Council are graced with the presence of Judges of Supreme Court, High Courts, Chief Minister, Education Minister, Eminent Academicians etc.

The MNLU Centre for Research in Criminal Justice (CRCJ) was inaugurated on 13th January 2018 by Hon'ble Justice Naresh Patil (Judge, Bombay High Court) and Honourable Justice A.S. Oka (Judge, Bombay High Court). Prof. (Dr.) Bhavani Prasad Panda, the Vice Chancellor of the University is also the Director of CRCJ. The Centre strives to contribute to Criminal Justice System by working across theoretical, disciplinary and methodological boundaries to create innovative ways of understanding criminal law, its interplay with society, and criminal justice. It aims at providing a theoretically grounded framework supported by an empirical research on criminal laws and processes.

About International Justice Mission (IJM)

International Justice Mission (IJM) is a global organisation that protects the most vulnerable from violence and oppression. IJM collaborates with local, state and national governments and grassroots organisations to protect the poor from violent forms of injustice, such as bonded labour and sex trafficking in India. IJM Mumbai office works for victims of sex trafficking by partnering with State authorities for victim rescue, rehabilitation and prosecution of offenders. Through opportunities provided by the Bombay High Court, Maharashtra Judicial Academy, Maharashtra Police Academy and the Director of Public Prosecutions, we hold sensitization workshops for Judges, Magistrates, Prosecutors and Police. Since the year 2000, IJM Mumbai has assisted in rescue and rehabilitation of over 597 girls and women who were forced into prostitution. IJM Mumbai has supported public prosecutors secure convictions for 101 perpetrators of commercial sexual exploitation.

About the Workshop

With the onset of globalization, crimes have transgressed the national borders necessitating the international regulation. Primarily states enjoyed exclusive monopoly on the legitimate use of force to check crime within their territorial

limit as one of the attributes of state sovereignty. The evident amplification of crimes of transnational nature like cross-border organized crime, international terrorism, drug and human trafficking requires extraterritorial monitoring. The extra-territorial nature of such crimes has led to the development of a new jurisprudence of transnational criminology.

According to Mueller, 'transnational crime' is a criminological rather than a juridical term, coined by the UN Crime Prevention and Criminal Justice Branch 'in order to identify certain criminal phenomena transcending international borders, transgressing the laws of several states or having an impact on another country'. The term is primarily a functional rather than normative definition. Defining transnational crime has its own difficulty. Most of the transnational crimes do not cross the state boundaries. 'Transnational crime' is, however, in widespread use as a generic concept covering a multiplicity of different kinds of criminal activities. A single nation's effort to fight these crimes often exceeds the functional limits. To overcome this limitation, clearly defined rules for competent jurisdiction, the institutionalization of transnational crime prosecution, and the extension of international cooperation have become absolutely essential.

The way forward to suppress the crimes having actual or potential trans-boundary effects is only by means of 'suppression conventions' (as Neil Boister rightly names them) in international law and their ratification at the domestic level. These conventions provide through a range of complex provisions for the criminalization by state parties in their domestic law of certain offences, severe penalties, extra-territorial jurisdiction, and a variety of procedural measures. There is a heavy reliance on the domestic law to substantiate the skeletal provisions of the suppression conventions. The task of gaining acceptance, reception and achieving uniformity is often strenuous. The states have shown themselves to be unwilling to harmonize their penal systems to a greater degree. There is often domestic resistance to the application of uniform penal principles. The signatories of the international conventions consent that a common understanding of criminal law and punishment is essential among state parties, yet the construction of the criminal and penal policy is difficult to achieve.

Human trafficking is the gravest forms of abuse and exploitation of human beings. Trafficking in women and children for sex industry has transpired over years mainly due to structural reasons within the international economy. The other identified causative factors for increasing intensity of human trafficking are the growing economic disparities, poverty, lack of education prospects, unemployment, disruption of traditional livelihoods, and increasing proportion of women among the world's poor.

The necessity to address human trafficking as a transnational crime is highly significant as it defines the problem not as a territorial crime but as a phenomenon tied to international organised crime. The international community has acknowledged the gravity of the situation by negotiated multilateral instruments

the latest of which is the Palermo Protocol 2000. The Palermo Protocol is the first global legally binding instrument with an agreed definition of term trafficking. Many states have come to consensus concerning human trafficking and have subsequently ratified the protocol. However, the issue remains unaddressed to a great extent both at domestic and international platforms. The miscarriage at the domestic sphere is not merely due to the failure of enforcement but the very conceptualization of the human trafficking as any other crime.

THEMES OF THE WORKSHOP

1. The deliberation upon the extra-territorial or trans-national nature of the crimes like cross- border terrorism, human trafficking, drug trafficking, arms trafficking smuggling, money laundering among others.
2. The propelling elements for the expedient growth of these crimes like globalization, socio-economic inequality, intolerance and others may be explored.
3. The thorough examination of the suppressive laws on human trafficking at both international and domestic levels will form the focal theme of the workshop.
4. The practical difficulties in reaching the uniformity by states for instance in defining a human trafficking, in specifying punitive relief, delayed ratification, victim rehabilitation may be identified.
5. The proper conceptualization of human trafficking, structuring/modification of the existing domestic laws and their enforcement.

KEY SPEAKERS

Prof. PM Nair, IPS (Retd.)

Former Director General, NDRF & Civil Defence, New Delhi

Dr. Aman Hingorani

Advocate on Record and Mediator at Supreme Court of India

Mr. Sanjay Macwan

Regional Director, IJM India

Mr. Michael Yangad

Director of Operations, IJM Mumbai.

Dr. Sarfaraz Ahmed Khan
Registrar, West Bengal National University of Juridical Science, Kolkata

Dr. Srinivas Burra
Assistant Professor, South Asian University, New Delhi

Mr. Sanjeet Ruhel
Assistant Professor, Symbiosis Law School, Pune

Registration

The interested participants from government, academia, NGO's, students may register to attend the workshop by sending an email to ***crcjmnlu@gmail.com*** in the format given below. The scanned copy of the form shall be attached to the email. Participation certificate will be given. The high tea and lunch will also be provided to the participants. Seats are limited.

Registration Fees

Early Bird Registration Fees (before 10.03.2018) for students is Rs. 100/- and for Professionals is Rs. 300/-

Late Registration Fees (before 20.03.2018) for students is Rs. 300/- and for Professionals is Rs. 500/-

The fees may be paid via NEFT, DD drawn in favour of 'Registrar, Maharashtra National Law University Mumbai' or by Cash.

Name of Bank: Axis Bank

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APPLICATION FORM

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(20TH MARCH, 2018)

First Name

Last Name

Date of Birth

Academic Qualification(s)

Institute/Organisation

Mobile No.

E-mail

Address



SIGNATURE OF THE CANDIDATE