

WOMEN TRAFFICKING AND REHABILITATION: THE INDIAN PERSPECTIVE AND INTERNATIONAL MODELS

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ABSTRACT:

The word “traffic” was first used to describe the white women trade in the early 1900s to the Middle East regions. Women and children are the most vulnerable communities which fall prey to this crime. In 2021, over one thousand human trafficking cases were reported with almost three thousand victims across India. The magnitude of women trafficking in India has increased in recent years according to the National Statistics Office and NCRB reports. It would be wrong to say that this evil has emerged in recent times because it finds its roots in the earliest established human societies such as Greece. Human trafficking at large particularly women trafficking has become a huge problem globally and efforts are being made to tackle the same. The objective of this chapter is to analyze the issue of women trafficking from an Indian perspective. The paper further discusses various models and ways of combating women's trafficking and successful initiatives for the rehabilitation of victims implemented by various countries as an international reference.

KEYWORDS: *Human/Women trafficking, Constitution of India, Indian Penal code, Immoral Traffic Prevention Act 1956, Trafficked Persons Bill 2018, Ujwala, Supreme Court, Rehabilitation & Preventive models, US model, Swedish model, French model.*

INTRODUCTION:

“I do not wish women to have power over others but themselves.” This is an insightful statement from Mary Wollstonecraft who was one of the early feminists in the first wave of feminism. This line if correctly interpreted suggests that women should have their rights, boundaries, privacy, and decisions. For a long time, women have been considered the property of kings, nobles, and other men. Ancient Greece, Rome, and Egyptian empires and their records show that women were used as slaves for both domestic and sexual purposes and were very vulnerable to exploitation by their masters. They were often exchanged as peace gifts during wars and taken as slaves as war prisoners.¹ Times may have changed but the issue of women trafficking persists. Force, compulsion, and deception are employed in the domestic and international commercial activity known as the “trafficking of women” to move women and children across borders for financial benefit. Women are attracted from war-torn, fiercely patriarchal, nations with weak police systems. Most of them suffer from serious social and economic disadvantages in their native nations. UNODC released a report on trafficking in persons and collected data from almost 155 countries to conclude that almost 80% of human trafficking occurs for sexual purposes. Women and children are the most vulnerable victims of this ruthless crime.² The UN Protocol Against Trafficking in Persons was entered in 2003 and the signing countries have reached more than 150 but still, policy lacunas and faulty frameworks exist. India is still battling with the issue of human trafficking mainly women. In 2021, over one thousand human trafficking cases were reported with almost three thousand victims across India. The state of Maharashtra had the highest number of human trafficking cases in the country with over 260 cases.³ These numbers show that the government machinery is still tackling the problem. The law of the land is Indian Constitution explicitly provides against women and child trafficking and various laws are in place to create deterrence against this crime. This paper will try to take an overall view of women trafficking and countermeasures, from crime causes and legislation to rehabilitation.

WOMEN TRAFFICKING IN INDIA:

“Trafficking in persons shall mean the recruitment, transportation, transfer, harboring, or receipt of persons, using the threat or use of force or other forms of coercion, abduction, fraud, deception, 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 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.”⁴ To do an act three main things are the act, the means, and the purpose. In his study of India, Bangladesh, Pakistan, and Nepal in 2006, Krishna Prasad made note of the similarities between the human trafficking situations in these South Asian nations and those in India. Women, men, and children who are trafficked for sexual and labor exploitation often start in India and travel there as well as to other countries in transit. Children are compelled to serve as camel jockeys in Middle Eastern nations, while Indian men and women are kidnapped into such conditions. For sexual exploitation, domestic slavery, and forced labor, Bangladeshi women and children are trafficked to India or through the Indian route to Pakistan and the Middle East. A recent survey found

¹ Kathryn A Hain, *The Prestige Makers: Greek Slave Women in Ancient India*, 31 265 (2020), <https://muse.jhu.edu/article/757117> (last visited Jul 28, 2023).

² Global Report on Trafficking in Persons, UNITED NATIONS: OFFICE ON DRUGS AND CRIME (2021), <https://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html> (last visited Jul 28, 2023).

³ India: number of human trafficking cases by state 2021 | Statista, STATISTA (2021), <https://www.statista.com/statistics/633086/reported-human-trafficking-cases-by-state-india/> (last visited Jul 28, 2023).

⁴ UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children Article 3

that women from many regions of India are freely purchased, sold, and trafficked to other nations. These women and girls come from both northern and southern states, primarily from the states of Uttar Pradesh, Bihar, Bengal, Karnataka, Tamil Nadu and Maharashtra. In 2016, 19,223 children and women were trafficked as against 15,448, the previous year, as per the Ministry of Women and Child Development. The figures of NCRB also portray the same pictures and are alarming. The number of documented incidents of human trafficking increased by 10.9% in 2013, from 3,554 to 3,940, according to the National Crime Records Bureau's (NCRB) 2013 report. The number of recorded incidents of human trafficking is on the rise. In 2010, there were 3,422 documented incidents of human trafficking, up from the 2,848 cases that were reported in 2009. Additionally, the number of cases increased to 3,517 in 2011, 3,554 in 2012, and 3,940 in 2013.¹

There are several factors which are responsible for women trafficking:

1. **POVERTY:** Lack of basic resources and poverty causes vulnerable sections of society especially women to easily fall prey to such social evils. The misguided thought of having a better life leads women from lower and backward households to easily fall prey to trafficking. It eventually renders them in a vicious circle of problems namely abuse, violation of bodily autonomy, and exploitation. This situation has further worsened in the post-COVID era, making poverty a potent factor.
2. **GENDER INEQUALITIES AND EXTREME PATRIARCHAL SETUP:** The additional reasons for women's trafficking and exploitation in India include gender disparities. In this community, men are more powerful and women are viewed as subordinate daughters, sisters, or wives. In addition, many communities still prioritize sons and see daughters as a financial burden. Similar to how early weddings and traditional dowry customs in several rural and undeveloped areas of India increase the financial strain, causing parents to sell their daughters. Harrison Taylor has also referred to this as "universal female suffrage," where women serve as both laborers and sexual consorts.
3. **LACK OF EDUCATION AND SELF-AWARENESS:** Illiteracy is a major cause of women trafficking and exploitation. A woman is not educated about her anatomy, rights, and the place she can hold in society. Unaware and under false consciousness, they fall prey to trafficking which renders them unfit both in the eyes of the Orthodox society and themselves.
4. **LACK OF PROPER HUMAN RIGHTS:** Although many legal systems outlaw human trafficking, not all of them do. According to the UN Office of the High Commissioner Fact Sheet 36 on Human Rights and Human Trafficking. As opposed to human rights problems, some components of trafficking may be addressed as issues with immigration, criminality, or public order. Determining who is in charge of reacting to and combating human trafficking might be more difficult when human rights are not prioritized. Anti-trafficking initiatives might be haphazard and inefficient after their rights aren't upheld, and victims, even after they are identified, risk retraumatizing.² Although there is little doubt that trafficking violates people's rights, efforts to stop it may backfire if they don't have a rights-based perspective.
5. **LACUNE IN EXISTING ECONOMIC STRUCTURE:** The UNDOC collected data from 71 countries and concluded that forced labor is one of the major forms of women trafficking. However, not always the woman is subjected to these forcefully. The underlying circumstances often force a woman into such vicious professions. The inadequacy of the economic system in a country is one of the biggest drivers of women trafficking and exploitation. The lack of implementation of welfare schemes and resource distribution weighs heavily on women, especially from unprivileged backgrounds. Compulsory education if not properly given can make women vulnerable to fraud and deception which may be through way of agreement on fraud papers or extreme debt. These factors eventually lead to the violation of privacy and dignity of women.
6. **CORRUPTION AND IRRESPONSIVE AUTHORITY:** There are various cases of women trafficking which do not reach the addressing authorities due to sociological reasons which may seem common in slightly orthodox societies like India. Even if some cases do reach the table, the irresponsible behavior of authorities leads to a non-conclusive investigation which is futile. Corruption turns out to be a prevalent factor in promoting women trafficking because the existing legal framework is unable to prove deterrence due to its ineffectiveness. Corruption is deemed to be the root of all evil let alone women trafficking.
7. **ORGANIZED CRIMES AND SYNDICATE SYSTEM:** The criminal industry has evolved over the years to become an operational and smooth-sailing system. It has mechanized itself which is by various forms. This has led it to supersede the existing security systems and government machinery which makes it easy to traffic women through various locations and countries. These criminal syndicates often have the privilege of some higher authorities which makes them more invincible to the security and this factor has led to the rapid growth of women trafficking.

FORMS OF WOMEN TRAFFICKING:

Trafficking does not necessarily mean sexual exploitation but can have various other forms. Some of them are:

1. **LABOUR TRAFFICKING:** Women were defined as an army of reserved labor by the bourgeois societies which were brought out by realist feminism. Labor especially cheap labor is required for a variety of tasks in industries globally which is easily filled in by women who are trafficked for this purpose. Often this type of trafficking occurs in places that do not have stringent labor laws in place which makes women part of a production hub which may be illegal and dangerous. The tasks and working conditions are dire with extremely low or no wages. These eventually contribute to heavy exploitation and disturbing consequences.³
2. **ORGAN TRADE:** One reason why women are more likely than males to donate their living organs is that they could be more susceptible to underhanded influences. A growing gender gap among donors has followed the growth of living organ donation. According to the study, which was authored by Dr. Nikola Biller-Andorno of the Department of Medical Ethics at

¹ Sanjoy Roy & Chaman, *Human Rights and Trafficking in Women and Children in India*, (2017), <https://medcraveonline.com/JHAAS/human-rights-and-trafficking-in-women-and-children-in-india.html> (last visited Aug 5, 2023).

² Emmaline Soken-Huberty, *10 Causes of Human Trafficking*, HUMAN RIGHTS CAREERS (2019), <https://www.humanrightscareers.com/issues/10-causes-of-human-trafficking/> (last visited Jul 29, 2023).

³ Global Freedom Center, *Women: Invisible in Labor and Labor Trafficking*, <https://humantraffickinghotline.org/sites/default/files/Women%20and%20Forced%20Labor%20-%20GFC.pdf> (last visited Aug 3, 2023).

the University of Göttingen, the female-to-male donor ratio in the United States was 1.2 in 1988 (with 55% female and 45% male donors) and increased progressively to 1.4 in 1998 (58% female and 42% male donors).¹ This data may not be always based on the free consent and goodwill of a woman. Often, women involved in the organ donation process might be under coercion because they have no autonomy to make decisions. Organ trade is hence also referred to as an invisible form of human trafficking. Wealthy nations have women trafficked in from underdeveloped countries by crime syndicates which results in their ultimate exploitation.

3. **FORCED MAIRRAGES:** This is an orthodox form of evil prevalent in backward societies. Parents and guardians even force their girl child into marriage at a young age which promotes the evil of child marriage but also contributes indirectly to women trafficking. This also adds to domestic violence and exploitation of women.

LEGAL FRAMEWORK AND GOVERNMENT INITIATIVES:

I. CONSTITUTION OF INDIA:

Human trafficking is categorically condemned as immoral and illegal under the Fundamental Rights provisions of Part III of the Indian Constitution. Human rights, fundamental rights, and human trafficking are all closely related. The essential rights to freedom of speech and expression, which include the right to free movement, life and liberty, and equality are all recognized by the Indian Constitution. The constitution of India expressly provides against all forms of women trafficking. Article 23 talks about the outlawing of forced labor and human trafficking and gives all of its people a right against it. ²The golden triangle of fundamental rights, which is made up of Articles 14, 19, and 21, would have been violated if there had been no specific article or fundamental right for the ban of human trafficking. Article 21 provides for the right to life but also life with basic human dignity.³ In the case of *Kharak Singh v. State of U.P.*, ⁴the apex court held that "life is not a mere animal existence and there is more to it". That is why humans cannot be sold like commodities or animals as it hampers their Right to life. The same was reaffirmed in the case of *Menka Gandhi c. Union of India*⁵. Articles 39(e) and 39(f), forbid exploitation of people's health and strength and prohibit anybody from being coerced into performing labor that is inappropriate for their age or strength because of necessity for survival, respectively.⁶

II. THE INDIAN PENAL CODE, 1860:

On February 3rd, 2013, the Criminal Law (Amendment) Act 2013 (Nirbhaya Act) went into effect. It provides for amendments to the laws about sexual offenses, including the Indian Penal Code, the Code of Criminal Procedure, 1973, the Indian Evidence Act, of 1872, and the Protection of Children from Sexual Offences Act, 2012. Following this change, Section 370 of the Indian Penal Code was replaced by Sections 370 and 370A, which offer a variety of remedies to address the growing threats posed by human trafficking. ⁷The IPC amended in 2013 explicitly provides against the trafficking of humans and women in its section 370A which states "if a person recruits, transports, harbors, transfers, or receives a person(s) for exploitation, whether through threat, use of force or any other form of coercion, abduction, fraud or abuse of power, or inducements, such as by providing benefits or payments, it may also be sexual in nature. The victim's permission is no longer relevant for establishing whether trafficking has occurred." ⁸The IPC stipulates that an offender may get a sentence of seven to 10 years in jail, with the length of time served to alter based on how serious the offense was. The section further states that when a public employee or a police officer participates in the trafficking of any person, they will be punished with life in prison, which means they will spend the rest of their natural lives behind bars, and they will also be required to pay a fine. It is important to note that often marginalized communities like SC/STs are a target of this evil due to lack of resources and social status. The SC and ST (Prevention of Atrocities) Act can be utilized to address the crime of human trafficking if the perpetrator is aware that the victim is a member of one of these communities. The Scheduled Tribes and Scheduled Castes are protected against atrocities under Section 3 of the aforementioned laws. It includes many types of trafficking including the exploitation of women for sexual purposes and forced or bonded labor. If the offense meets the criteria of Section 3's definition, a sentence of six months (minimum) and up to five years is offered. The severity of the offense and the offender's authority both factor into the penalty.⁹ This provision is often read with the Sec. 370A of IPC and reaffirms the laws against trafficking.

According to Section 366-B of the Indian Penal Code, anyone who brings a girl under the age of 21 from a foreign country to force her or seduce her into having illicit relations with another person is punishable by up to ten years in prison and must pay a fine as well. In violation of section 366A, anybody who forces or seduces a juvenile girl under the age of 18 to leave a location or take any action that might lead to illegal sexual contact with another person is subject to punishment.¹⁰ Section 373 of the IPC states that if any person buys, hires, or obtains possession of any other person who is a minor i.e. under the age of 18 years for purposes of prostitution, etc. shall be punished with imprisonment of either description for a term which may extend to 10 years and shall also be liable for a fine.¹¹

III. The Bonded Labor System (Abolition) Act, of 1976:

This act prohibits the economic and physical exploitation of the weaker strata of the population by providing for the abolishment of the bonded labor system. The Act forbids anyone from making any advances or compelling anyone to perform

¹ Roger Dobson, *more women than men become living organ donors*, 325 BMJ: BRITISH MEDICAL JOURNAL 851 (2002), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1124370/> (last visited Aug 3, 2023).

² Indian Consti. Article 23.

³ Indian Consti. Article 21.

⁴ AIR 1963 SC 1295.

⁵ 1978 SCR (2) 621.

⁶ Indian Consti. Article 39.

⁷ Human Trafficking laws in India - Section 370 IPC, LAW.RATO.COM (2022), <https://lawrato.com/indian-kanoon/criminal-law/section-370-of-the-indian-penal-code-1860-ipc-trafficking-of-persons-566> (last visited Aug 5, 2023).

⁸ Indian Penal Code, Sec. 370A.

⁹ SC & ST (Prevention of Atrocities) Act, Sec. 3.

¹⁰ Indian Penal Code, Sec. 366.

¹¹ Indian Penal Code, Sec. 373.

any bonded labor. It also declares that any agreement or custom that requires anyone to perform work as a bonded labor is invalid and outlines the consequences for anyone who does either of these things. Both offenses are punishable by up to three years in jail and a fine of up to 2,000 rupees. ¹The bound workers must be recognized as victims rather than criminals. This act was a significant step towards ending the long-standing system of forced work, which was spreading across society like a forest fire. The provisions of this Act restore the property of bonded employees as well as their dignity and solemnity. They now have fresh wings to soar with the wind of their rights and a forum to air their complaints thanks to this Act.

IV. Transplantation of Human Organs and Tissues Act, 1994:

Organ trafficking is one of the most prevalent forms of women trafficking. As discussed earlier, there are various medical requirements which are illegally met by this. This Act addresses criminal liability in instances of organ harvesting and human trafficking for such purposes. The perpetrators of the illicit transplant operation include traffickers, procurers, brokers, mediators, hospital or nursing personnel, and medical laboratories and their technicians. Human organ removal or transplantation for any reason other than medical treatment is forbidden, according to Section 11. ²Regarding the commercial use of human organs, Section 19 makes it clear that those who solicit donors or offer to supply organs, as well as organ traffickers, are punishable by imprisonment for a term that must not be less than five years but may reach ten years, as well as by fines that must not be less than twenty lakh rupees but may reach one crore rupees.³

V. IMMORAL TRAFFIC (PREVENTION) ACT, 1956:

The International Convention for the Suppression of Immoral Traffic in Persons and the Exploitation of Prostitution of Others was approved by the Indian government in 1950. The Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA) was enacted in India in 1956. In 1986, the Immoral Traffic Prevention Act was approved with a SITA amendment. ⁴

It is the only piece of legislation that expressly targets trafficking and is yet subject to change. It makes women's and children's trafficking for purposes of exploitation sexually profitable. Prostitution is defined under the Act as "the sexual exploitation or abuse of persons for commercial ends or for consideration in money or any other kind." The Act's definitions of prostitution-related terminology like "running brothels," "living off the earnings of prostitutes," "purchasing or inducing persons to practice prostitution," and "rescuing and rehabilitating persons employed in prostitution," and others are included in the law.⁵ It specifies penalties for anybody who operates a brothel, permits a space to be used as one, or is in control of any such space, whether directly or through a renter, occupier, etc. It specifies punishment for anybody who engages in soliciting, inducing, or taking another person for prostitution. It also allows for the penalty for anyone over 18 who lives off the proceeds of another person's prostitution.⁶ The act further mandates for the rehab of traffic victims. Section 21 of the act provides the State Government may create as many protective homes and corrective institutions as it sees fit. Once formed, these homes and institutions must be maintained by any applicable regulations. The restrictions of this section apply to anybody who builds or maintains a protective home or correction institution in a manner inconsistent with those rules.

The Immoral Traffic (Prevention) Act of 1986 and the Indian Penal Code of 1860 have the greatest flaw in that they do not define child trafficking or forbid actions taken by child traffickers by the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (the recruitment, transportation, transfer, harboring, or receipt of a child for exploitation). Additionally, it must be noted that the domestic legal framework addressing human trafficking lacks measures about the help that should be given to juvenile victims to facilitate their recovery and reintegration. ⁷There lies an urgent need to amend these issues to make these codes more efficient.

GOVERNMENT AND ADMINISTRATIVE MEASURES AGAINST TRAFFICKING OF WOMEN:

I. A two-year program to teach law enforcement officers about human trafficking has been launched by the Indian government through the Ministry of Home Affairs in collaboration with the UN Office of Drugs and Crime in four states of India. The project will be steered, governed, and monitored by a Project Steering Committee. The project aims to increase law enforcement officers' awareness of the issue of human trafficking through several training programs. It also aims to increase their capacity to conduct effective investigations and bring cases against those responsible for such crimes.

II. A Certificate Course in Anti-Human Trafficking has been introduced by the Indira Gandhi National Open University (IGNOU) in collaboration with the Ministry of Home Affairs. The course's goal is to hasten the process of law enforcement personnel's awareness-raising, training, and sensitization, as well as those of other stakeholders including prosecutors, government agencies, and non-profit organizations. The MHA's efforts to expand and complement training and competency building in the field of anti-human trafficking would be greatly assisted by an IGNOU Certificate Programme on Anti-Human Trafficking. The "Strengthening the Law Enforcement Response in India Against Trafficking in Persons through Training and Capacity Building" program is being carried out by the Ministry of Home Affairs. The creation of Integrated Antihuman Trafficking Units and the training of Trainers are the two parts of the Scheme.⁸ The Union Home Minister, Shri P.

¹ Diva Rai, *The Boomerang of Enliven: the Bonded Labour System (Abolition) Act*, IPLEADERS (2020), <https://blog.ipleaders.in/the-boomerang-of-enliven-the-bonded-labour-system-abolition-act-1976/> (last visited Aug 6, 2023).

² legal Service India, *Human Organs Transplantation in India - HOTA, 1994*, LEGALSERVICEINDIA.COM (2017), <https://www.legalserviceindia.com/article/I179-Human-Organs-Transplantation.html> (last visited Aug 6, 2023).

³ Transplantation of Human Organs and Tissues Act, 1994, Sec. 19.

⁴ Admin, *The Immoral Traffic (Prevention) Act (ITPA) - BYJU'S*, BYJUS (2016), <https://byjus.com/free-ias-prep/immoral-traffic-prevention-act-itpa/#:~:text=It%20penalises%20any%20person%20visiting,for%20the%20purpose%20of%20prostitution.> (last visited Aug 9, 2023).

⁵ The Immoral Traffic (Prevention) Act, 1956, PEOPLE'S ARCHIVE OF RURAL INDIA (2023), <https://ruralindiaonline.org/en/library/resource/the-immoral-traffic-prevention-act-1956/> (last visited Aug 9, 2023).

⁶ The Immoral Traffic (Prevention) Act, 1956, Section 4.

⁷ Rehabilitation of Trafficked Children in India: Socio and Legal framework, LEGALSERVICEINDIA.COM (2015), https://www.legalserviceindia.com/legal/article-13-rehabilitation-of-trafficked-children-in-india-socio-and-legal-framework.html#google_vignette (last visited Aug 9, 2023).

⁸ MHA and IGNOU Join Hands to Launch Certificate Course in Anti-Human Trafficking - Central Government Employees News, CENTRAL GOVERNMENT EMPLOYEES NEWS (2010), <https://www.igecorner.com/mha-and-ignou-join-hands-to-launch-certificate-course-in-anti-human-trafficking/> (last visited Aug 9, 2023).

Chidambaram, urged that people in the police forces should be required to enroll in the course when it was launched here today. Additionally, he recommended that police departments hire more female officers who can later work as anti-human trafficking officers. The holistic aim of this initiative is to sensitize and create awareness among the security personnel.

III. Since the Department of Women & Child Development is responsible for the legal, welfare, and promotion components of the fight against human trafficking, the Ministry of Home Affairs has formed an Anti-Trafficking Cell to address such problems. Periodically, the Cell provides the States/UTs with pertinent advice on how to improve their use of law enforcement to combat human trafficking. It also serves as a hub for other Ministries to discuss the issues related to human trafficking. The Anti Trafficking Cell also gives guidance and support to the State and UTs for hosting state-level conferences and Judicial Colloquiums to inform concerned officers, including police officers, judicial officers, and other stakeholders in the States and UTs about Human Trafficking. The Anti-Trafficking unit is also in charge of participating in national and international meetings and conferences as well as negotiating bilateral and multilateral MoUs with other nations to address the issue of Human Trafficking.

IV. **Anti-Human Trafficking Units (AHTUs):** An integrated task force called the AHTUs was created to fight and eliminate the threat of human trafficking. The unit was created in 2007, and it consists of trained members from the police and other departments. While the central government has contributed financially to the construction of the physical infrastructure in these units, it is up to the different states to assign qualified personnel to oversee them. To combat human trafficking both inside and outside of India, there are currently over 330 AHTUs that serve as convergence points for the MHA, Ministry of Women and Child Development, Labour, and External Affairs.¹ The method used by AHTUs to handle cases of human trafficking, which aims to address the three main aspects of the crime—prevention, protection, and prosecution—will undoubtedly raise the standard for convictions before the court, thanks to the strength of their effective investigations and supporting documentation. Additionally, it will oblige the judiciary to change the rules governing the crime of people trafficking, punishing offenders as they are due.²

V. **UJWALA SCHEME:** A Comprehensive Scheme for the Prevention of Trafficking and Rescue, Rehabilitation, and Re-integration of Victims of Trafficking for Commercial Sexual Exploitation is sponsored by the Ministry of Justice to prevent the trafficking of women and children for commercial sexual exploitation through social mobilization and involvement of local communities, awareness-raising campaigns, public discussion sparked by workshops/seminars and similar events, and any other novel activity. With the assistance of the police, 52 women and girls were removed from various locations during the fiscal year 2018–19.³ The plan anticipates a welcoming atmosphere for women and kids who are susceptible to being trafficked for commercial sexual exploitation. women and children who are subjected to trafficking to engage in child labor and commercial sexual exploitation. The program offers victims of human trafficking, particularly women, temporary housing (Swadhar houses), rehabilitation, and training.

VI. **INTEGRATED CHILD PROTECTION SCHEME:** This scheme is being implemented by the Ministry of Women and Child Development to develop and manage the infrastructure and human resources required to create a safe and secure environment for children, particularly for girl children in challenging circumstances. To enhance, establish, and maintain Homes, Specialised Adoption Agencies (SAAs), and Open Shelters for children in need of care and protection, financial aid is given to States and UTs. The ICPS incorporates extra measures for safeguarding children and averting damage, bringing together many Ministry child protection programs under a single, all-encompassing roof. Therefore, ICPS would institutionalize necessary services, strengthen structures, increase all levels of capacity, create a database and knowledge base for child protection services, strengthen child protection at the family and community levels, and ensure that the appropriate inter-sectoral response was provided at all levels.⁴

VII. **Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill, 2018:** A new legislation in the field of trafficking is the need of the hour that addresses the various lacunas in the existing framework and incorporates the demands of the increasingly diverse society. It must also tackle new forms of crime and provide speedy solutions to the existing ones. The new Bill calls for the creation of local, state, and federal investigative and rehabilitation authorities. To save victims and look into trafficking situations, Anti-Trafficking Units will be formed. The rescued victims will receive medical attention and rehabilitation from rehabilitation committees. Additionally, it labels some trafficking motives as "aggravated" variants of the crime. These include childbearing, begging, trafficking in people for forced labor, or producing early sexual maturity, which carries a harsher sentence. The Bill establishes several authorities at the district, state, and federal levels for the protection of victims of trafficking and the investigation of crimes. It requires the federal or state governments to establish Protection Homes and to provide victims with food, housing, counseling, and medical care. Additionally, each area will have Rehabilitation Homes maintained by the federal or state governments so that the victims may get long-term rehabilitation. The Bill mandates the establishment of anti-trafficking committees at the district, state, and national levels by the federal and state governments to guarantee the rehabilitation of victims. The local and state anti-trafficking committees will take action to safeguard and deter the trafficking of vulnerable individuals. These steps include (i) supporting the implementation of educational and livelihood programs for vulnerable communities, (ii) supporting the implementation of various government programs and schemes for trafficking prevention, and (iii) creating a framework for law and order to support trafficking prevention.⁵ The Bill penalizes a

¹ Bhatnagar, Ishita, Anti-Human Trafficking Units and Need to Sensitize Police Officers in Cases of Human Trafficking (June 8, 2022). Available at SSRN: <https://ssrn.com/abstract=4131354> or <http://dx.doi.org/10.2139/ssrn.4131354> (last visited Aug 9, 2023).

² Nisha Mehroon, *Why AHTU's role in investigating human trafficking cases is critical to reaching their logical ends*, FIRSTPOST (2021), <https://www.firstpost.com/india/why-ahtus-role-in-investigating-human-trafficking-cases-is-critical-to-reach-their-logical-ends-9979931.html> (last visited Aug 9, 2023).

³ Dikrong Valley, *IMPLEMENTATION OF UJJAWALA PROGRAMME*, DIKRONG VALLEY ENVIRONMENT AND RURAL DEVELOPMENT SOCIETY (DVERDS) (2019), <https://dikrongvalley.org/implementation-of-ujjawala-programme/> (last visited Aug 10, 2023).

⁴ Integrated Child Protection Scheme (ICPS) | Women and Child Development Department, Haryana | India, WCDHRY.GOV.IN (2015), <https://wcdhry.gov.in/schemes-for-children/icps/> (last visited Aug 10, 2023).

⁵ The Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill, 2018, PRS LEGISLATIVE RESEARCH (2023), https://prsindia.org/billtrack/the-trafficking-of-persons-prevention-protection-and-rehabilitation-bill-2018#_edn1 (last visited Aug 12, 2023).

property owner who knowingly permits human trafficking to take place on their property. According to the Bill, it is assumed that the property owner knew that the offense had been committed there. He has the onus of demonstrating that he lacked such information. Typically, the burden of proof in criminal prosecutions rests with the prosecution to establish an accused person's guilt beyond a shadow of a doubt. This burden of evidence is reversed under the Bill. Other laws flip the burden of evidence on the owner, although those laws also include protections. These protections are not there in this bill. However, this clause marginally infringes on the accused's rights under Article 21 of the constitution.¹ Although, there are challenges to this draft bill still there is a way ahead this bill will bridge the existing gaps and provide for a more stringent and deterring scenario for trafficking.

JUDICIAL INTERVENTIONS IN WOMEN TRAFFICKING:

I. *Vishal Jeet v. Union of India*²: The Honourable Supreme Court recognized the urgent necessity to take preventative action against the societal evil of child trafficking since, despite various laws attempting to stop it, no real progress has been made. The petitioner's request that the court order the CBI to investigate similar crimes nationwide was denied by the court since it was deemed both impractical and unfeasible given the high incidence of crime in the nation as a whole. The Honourable Supreme Court's ruling acknowledges the gravity of crimes involving child trafficking for sexual exploitation. The petitioner has included affidavits from 9 girls who say they reside in brothel homes in the current case. It draws attention to factors including rising demand for youngsters in the sex business, illiteracy, and poverty as reasons for such trafficking.

II. *Gaurav Jain v. Union of India*³: The Supreme Court suggested that prostitution-related women should not be seen as criminals but as victims of their unfavorable socioeconomic circumstances. Through self-employment and vocational training, it placed a strong emphasis on empowering women economically. To ensure the children's safety and rehabilitation, the court ordered the establishment of juvenile homes. It instructed the formation of a committee to investigate the situation and develop plans for the victims' elevation. This case centered on the prostitution-related trafficking of women and children. The Supreme Court established rules for victim rehabilitation and steps to stop trafficking.

III. *Prajwala v. Union of India*⁴: SLIC petitioned the Government to establish a "victim protection protocol" to safeguard the rights of trafficking victims in a PIL filed before the Supreme Court on behalf of the anti-trafficking group Prajwala. To stop trafficking and sexual exploitation, officials started conducting raids in Mumbai's red-light districts in 1996. Even though the purpose of these operations is to stop trafficking and rescue, rehabilitate, and restore victims, they have mainly fallen short of their goal since the government is powerless to provide any real help or protection for those who have been rescued from commercial sexual exploitation. A "victim protection protocol" with specific national rules for the pre-rescue, rescue, and post-rescue phases involved in the rehabilitation of women was demanded by the petitioner. The Supreme Court issued directives to improve the legal framework for addressing trafficking, ensuring proper implementation of laws, and providing support to victims.

IV. In the case of *Geeta Kancha Tamang v. State of Maharashtra*⁵, the court stated that the first factor it must take into account for such a heinous crime is that human trafficking is prohibited by Article 23 of the Indian Constitution. The woman was denied release from prison on compassionate grounds. Therefore, the right of every Indian citizen to be free from trafficking is fundamental. Such an act is the most egregious violation of the victim's human rights.

V. The Supreme Court ruled in the case of *Budhadev Karmaskar v. State of West Bengal*⁶ that the Central and State Governments shall establish rehabilitation programs for women who are frequently referred to as "prostitutes" and for physically abused women through Social Welfare Boards across the nation. The court ordered the Central and State governments to develop plans for programs that would offer technical and vocational training to sex workers and victims of sexual assault in all Indian cities. The Supreme Court was also moved by this case to develop recommendations to address the problem of sex workers to prevent future incidents of this kind. Additionally, it educated the broader public that sex workers are not only commodities and shouldn't be denigrated just for their line of work. It was explicitly held that "A woman is compelled to indulge in prostitution not for pleasure but because of abject poverty. If such a woman is granted the opportunity to avail of some technical or vocational training, she would be able to earn her livelihood through such vocational training and skill instead of selling her body. Hence, we direct the Central and State Governments to prepare schemes for giving technical/vocational training to sex workers and sexually abused women in all cities in India."

VI. The three- to five-tier adoption process is among the most effective and secure rules and processes that were introduced as a result of the *Laxmi Kant Pandey v. Union of India*⁷ case. Creating a set deposit for the adopted kid should begin with determining whether the adoptive parents can provide for the child. The court also made sure that the adoptee would be able to fit into the environment, culture, and society of the adoptive nation. The second key result of the judgment is how the Social Welfare Department of India and the Embassy of the nation from where the child is being adopted will retain registers to periodically monitor the address and other information for the adopted child's safety. The updated judgment also addressed the issue of a delayed inter-country adoption and offered solutions for a speedier, safer adoption procedure. It makes the adopted child's surroundings safer and healthier so that he or she does not become a victim of covert human trafficking.⁸

¹ Noor Aga vs. State of Punjab, (2008) 16 SCC 417.

² AIR 1990 SC 1412.

³ AIR 1997 SC 3021.

⁴ WRIT PETITION (C) NO.56 OF 2004.

⁵ 2010 Cri LJ 2755.

⁶ (2011) 11 SCC 538.

⁷ 1984 AIR 469.

⁸ LEXPEEPS, *Laxmi Kant Pandey v. Union of India* | Lexpeeps, LEXPEEPS (2023), <https://lexpeeps.in/laxmi-kant-pandey-v-union-of-india/#CONCLUSION> (last visited Aug 13, 2023).

REHABILITATION OF TRAFFICKED VICTIMS: OUTLOOK IN THE FUTURE:

As discussed earlier in the chapter, women and other trafficked victims are stripped of their bodily autonomy and integrity both mentally and physically. They face social stigma for the acts that they had suffered for which they had no power. The victims especially women face stigma and are viewed as taboos not only in their society but sometimes also in the premises of their own houses. This creates mental disturbances and feelings of helplessness in the victims which can even lead to drastic consequences like insanity or suicide. Unfortunately, the orthodox Indian perspective on such crimes punishes the innocent and not the guilty. In such circumstances, the government has a vital role to play not only in the rescue but also in the rehab of such victims. Rehab is an umbrella term that includes physical, mental, and social revival of the victims and instilling in them a feeling to live confidently and happily regardless the future circumstances. In the earlier titles we have discussed that several acts in India and government initiatives provide for rehab of women and children victims of trafficking. Now we will be looking at rehab and preventive models and initiatives of other countries to provide a better way ahead. The international campaign to fight human trafficking now places a major emphasis on programs that rescue sex workers. While these rehabilitation programs offer former sex workers escape from servitude and reparative wages, in reality, these organizations promote a moral economy of low-wage women's employment that obscures racial, gender, national power, and inequality connections.¹

I. FRENCH MODEL TO COMBAT TRAFFICKING AND REHAB:

France has formalized the fight against this disease as a national policy. To better protect victims of trafficking, an inter-ministerial mission called MIPROF—Mission for the Protection of Women Against Violence and the Fight Against Trafficking in Human Beings—was established in January 2013. France enacted its second national action plan against human trafficking for the years 2019–2022, after adopting the previous one in 2014. This is a fantastic national viewpoint for effectively combating human trafficking. This strategy, which consists of 45 measures, reaffirms the French government's commitment to ramping up its efforts to combat human trafficking. The United Nations Convention against Transnational Organised Crime (UNTOC, also known as the "Palermo Convention"), which aims to prevent, suppress, and punish human trafficking in general and the trafficking of women and children in particular, is currently being universalized and effectively implemented by France. The sole globally accepted, legally enforceable tool for preventing human trafficking is this protocol. It includes rules on victim protection

and prevention outlines international cooperation mechanisms for prosecution and repression and asks States to declare trafficking a crime.²

In terms of rehabilitating trafficked victims, the French government has considered not only domestic but also international perspectives. Its policy of international collaboration and capacity-building programs in less resourceful nations have proved to be a boon for people struggling to combat trafficking. Africa, which has been particularly heavily struck by this issue, is receiving close aid from France. It works within the framework of an EU-funded initiative managed by Expertise France to aid in the battle against human trafficking in the Gulf of Guinea. This area, together with its States, is considered to be France's second-highest priority region in terms of human trafficking after the Balkans and Eastern Europe.

Workshops with the necessary government officials and members of civil society were held in November 2019 to plan the activities in Ghana and Côte d'Ivoire. Guinea will host similar seminars in December, and Togo, Benin, and Nigeria will follow in the early months of 2020. The goal is to closely match the activities to the context as feasible and create a comprehensive project work plan for the years 2019 through 2023.³ These workshops aim to build capacity, collaborate financially, secure places for new rehabilitation programs, and create possibilities for the victims of human trafficking to get educational, self-defense, and employment training. The programs use a humanitarian approach when dealing with particularly sensitive victims, and this process is further eased by proper financial and security cooperation. This program of international cooperation is about to last four years with a total budget of 18 million euros and it can be termed as a perfect example of combating human trafficking using cooperation and bilateral agreements. The holistic view to combat human trafficking of the program from crime to rehab services is also commendable.

II. THE NORWEIGN MODEL:

Victim identification is a very important milestone for both the prevention of crime, its investigation and rehabilitation. Once the vulnerable groups are identified, the process of surveillance and deterrence becomes much easier. The Scandinavian nations have a high human resource index and low crime rates in general which makes it easier for the security personnel to filter out crimes. Despite everything, the model of victim identification is necessary in any nation for efficiently tackling a crime. Norway's authorities make certain that personnel whose employment requires them to interact with people who might be victims of human trafficking get the training required to spot them. Identification makes it possible to direct victims to the proper specialized agency for further aid and ensures that they are aware of their rights, which helps to stop future abuse. In general, it is the duty of several public agencies, including the police, customs, health and welfare, and child welfare services, as well as the immigration and labor inspection authorities, to make sure that their staff members are knowledgeable about human trafficking and capable of identifying victims. In Norway, the provision of health care in its widest meaning frequently provides an excellent chance to get in touch with potential victims. The best method of reaching out to vulnerable populations and, consequently, identifying victims, has been proven to be health-related. This is also made easier by the fact that Scandinavian nations do not have extremely large populations, which makes the work feasible. Norway is dedicated to

¹ Manufacturing Freedom: Sex Work, Anti-Trafficking Rehab, and the Racial Wages of Rescue, NEWSCHOOL.EDU (2023), <https://event.newschool.edu/manufacturingfreedom> (last visited Aug 15, 2023).

² Fight against human trafficking, FRANCE DIPLOMATIE: MINISTRY FOR EUROPE AND FOREIGN AFFAIRS (2013), <https://www.diplomatie.gouv.fr/en/french-foreign-policy/human-rights/fight-against-human-trafficking/> (last visited Aug 15, 2023).

³ Fight against human trafficking in Gulf of Guinea countries, EXPERTISEFRANCE.FR (2020), <https://www.expertisefrance.fr/en/fiche-projet?id=726413> (last visited Aug 15, 2023).

providing the appropriate social, psychological, and physical reparations to victims of human trafficking who remain inside the nation. A suitable location to live, material and emotional support, access to urgent care, interpreting and translation services, knowledge of their rights and interests, and having them taken into account at the proper points in the prosecution of offenders are all required as part of the aid. To identify viable alternatives to prostitution, a variety of initiatives for women engaged in prostitution were further developed between 2006 and 2010, mainly in the areas of employment and activation. Women from Norway and other countries, as well as those who were given a period of thought, might use the measures.¹

The Norwegian government is aware that the labor sector might readily serve as a haven for victims of human trafficking, and that it would also continue to be a covert and exploitative type of women trafficking. The Ministry of Labour and Social Inclusion provided a strategy to stop social dumping in the amended state budget on May 12th, 2006. Strengthening the ability of the Norwegian Labour Inspection Authority to look into pay and working conditions in vulnerable industries is one of the plan's most crucial initiatives. Norway and the ILO have a two-year program agreement with a NOK 28 million yearly budget. The ILO Child and Women Labor Initiative will get half of this money, and the other half will be used to increase the social partners' influence and position in society. The Government would adopt measures to offer the counsel for the aggrieved party a stronger role in following up with victims of human trafficking in connection with investigations and criminal proceedings, as well as extend the counsel for the aggrieved party plan. Free legal assistance for up to five hours will be provided in conjunction with determining if the victim wants to submit a case.² This helps the recovery process even more. The Norwegian Ministry of Justice launched the ROSA program in 2005, and it has been successful. A nationwide program that provides safe lodging for victims of human trafficking is coordinated by ROSA. The key component of Norway's aid to these victims is the work of the crisis centers, and 20 crisis centers have already helped women trafficking victims. The mission to increase public understanding of the social and welfare requirements of individual users has been spearheaded by ROSA. The women can remain in the center while receiving information, support, and other services, including legal support. Support for the initiative has grown in recent years. It receives significant financing for programs and rehabilitation and financial assistance for operation.³ Hence, Norway serves as the perfect example to combat trafficking at all levels with excellent aftermath services.

III. **THE SWEDISH MODEL:**

Sweden's government is renowned for having a strong system in place to deal with crime and its repercussions, and it complies fully with the requirements for the eradication of human trafficking. These initiatives include expanding the identification of potential trafficking victims, increasing funding for a women's hotline that assists victims of violence, including trafficking, and funding the digitalization of the national referral mechanism (NRM), the creation of guidelines for authorities and front-line workers, as well as enhancements to the identification and investigative processes. In addition, the government started a new web-based training program on trafficking and other forms of sexual exploitation of women and children, as well as a public awareness campaign to fight crimes connected to the workplace including forced labor.⁴ Foreign victims were entitled to support and emergency financial relief during a 30-day reflection period under the Aliens Act where they might consider cooperating with police authorities. Additionally, the NSP (National Support Program) that aids victims has been given \$1.45 million for the betterment of rehab services. People are more likely to become victims of prostitution and human trafficking when there is war and dislocation. Children and women are especially vulnerable when families are torn apart by war. As a result, new international assistance materials have been created to aid Swedish and other diplomatic missions in their efforts to prevent human trafficking. Sweden has revised guidance in the form of a manual for diplomatic missions that encounter different types of human trafficking, working with the Council of the Baltic Sea States (CBSS), Child10, and the International Organisation for Migration (IOM).⁵ The handbook was launched in Stockholm. This serves as an example of excellent collaboration between organizations that transcend boundaries and dig deeper into a specific phenomenon that may promote trafficking.

Sweden became the first nation in the European Union to appoint an impartial National Rapporteur on Human Trafficking in 1997. It looks into, keeps track of, and examines the nature and size of prostitution and human trafficking for all types of exploitation going to, through, and from Sweden. The National Rapporteur issues yearly reports that provide in-depth suggestions for the government on how to prevent and combat human trafficking. The Sex Purchase Act 1998, prohibiting the sex purchase of trafficked victims was launched by Sweden which became the world's first country to launch and implement this. It is included in chapter 6 of Sweden's penal code. It was a way to tackle the roots of women trafficking and it started from a deep-level inquiry into the trafficked victims, their genders, backgrounds, data management, and security personal training. To effectively achieve the goals of the Sex Purchase Act, support and exit services for women who have been sexually exploited must be provided. Women don't sell sex freely, selling sex is physically and psychologically harmful, and prostitution is a form of male abuse against women, according to feminist lawmakers who supported the Sex Purchase Act.⁶ A report by the Swedish National Board of Health and Welfare claimed that the number of people engaged in street prostitution in Stockholm has decreased by two-thirds since the law's introduction and the same was affirmed by the conference paper by Susanne Dodillet presented at the International Workshop regarding Decriminalising Prostitution and Beyond: Practical Experiences and Challenges in the Hague in 2011. The Gender Equality Agency plays a major role in the rehab of women victims. The funds raised by international collaboration help in the treatment and medical expenses of victims. Counselors and rehab homes are specially designed with community support that fosters the healthy treatment of victims in supportive surroundings.

¹ Norwegian Ministry of Justice and the Police, United Against Human Trafficking, The Government's Plan of Action against Human Trafficking (2011–2014).

² The Norwegian Government's Plan of Action to Combat Human Trafficking [2006–2009], Measure No. 22.

³ GRETA, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Norway, 2013.

⁴ Sweden - United States Department of State, UNITED STATES DEPARTMENT OF STATE (2023), <https://www.state.gov/reports/2022-trafficking-in-persons-report/sweden/#:~:text=In%202021%2C%20the%20government%20allocated,representing%2020%20NGOs%20that%20provided> (last visited Aug 15, 2023).

⁵ New support for missions abroad in efforts to combat human trafficking, REGERINGSKANSLIET (2023), <https://www.government.se/articles/2023/02/new-support-for-missions-abroad-in-efforts-to-combat-human-trafficking/> (last visited Aug 15, 2023).

⁶ Swedish Model as an Example to Prevent Human Trafficking, MISSIONFRONTIERS.ORG (2020), <https://www.missionfrontiers.org/issue/article/swedish-model-as-an-example-to-prevent-human-trafficking> (last visited Aug 20, 2023).

IV. **THE UNITED STATES MODEL:**

By creating programs and policies that affect millions of people every day, particularly underprivileged communities that are disproportionately affected by human trafficking, the U.S. Department of Health and Human Services leads the country's public health response to the crime. The Office on Trafficking in Persons of the HHS Administration for Children and Families works within HHS to create a national system that assists victims of all types of trafficking by enhancing current support networks, building alliances, and coordinating state and local responses. The President's Interagency Task Force to Monitor and Combat Trafficking in Persons was established by the Trafficking Victims Protection Act of 2000 (TVPA) to coordinate anti-trafficking activities across U.S. federal government agencies.¹ The U.S. has a strong and flexible mechanism to prevent women trafficking and initiate all-around rehabilitation programs. Several special initiatives have been launched by the U.S. government in this regard.

i. **National Action Plan to Combat Human Trafficking:**

This strategy is the result of close cooperation between federal antitrafficking specialists from many departments of the US government, who have years of experience working directly against human trafficking. The plan has four pillars namely prevention, protection, prosecution, and partnership. It was also influenced by the knowledge of survivors, who kindly offered their perspectives and experience to improve the American response to human trafficking. The US priority endeavor to prevent human trafficking and forced labor in international supply chains is also reflected in the new National Action Plan. To provide continuous access to necessities during times of crisis without fostering corruption, exploitation, or forced labor, COVID-19 made plain the necessity to protect supply chains and make them more visible and responsible.² Apart from focusing on women and children, the LGBTQ+ community is also under the protection of this plan to ensure better lives.

ii. **Task forces and groups:**

A program called the Enhanced Collaborative Model Task Force to Combat Human Trafficking was established to create, enhance, or reinforce a multidisciplinary strategy to combat human trafficking. To provide a wide range of relevant assistance for trafficking victims, this collaborative strategy must involve victim and social care providers, law enforcement and prosecution staff, survivors, and a variety of other governmental and non-governmental partners. This program anticipates a co-leadership model approach, with joint decision-making by both the lead law enforcement and the lead victim service provider candidates.³ The program offers awards totaling \$21 million to further promote participation and effectiveness. The FBI is actively involved in the area of trafficking by deploying its task forces. The FBI aims to recover victims and provide protection and rehabilitation services. It also runs various witness protection programs to secure evidence and promote justice. The Human Trafficking Task Force e-Guide is a resource for existing task forces as well as for organizations creating new task forces. Its goal is to support the formation and ongoing operations of a task force to combat human trafficking and to offer essential guidelines for efficient task force operations.⁴

iii. **HHS and Response centers:**

The TVPA 2000, authorizes the U.S. authorities to provide for the rehabilitation of victims in nexus with trafficking. Providers of social services are crucial in assisting victims of human trafficking in rebuilding their lives. The demands of trafficking victims are frequently complicated and involve contacts with a variety of benefit providers, attorneys, and law enforcement officers from many jurisdictions. For overseas victims of trafficking as well as potential victims who are looking for HHS certification anywhere in the United States, HHS Services Grants offer complete case management services. Through a nationwide network of nonprofit service organization sub-awardees, the grantees offer case management to help a victim of trafficking get certified as well as other required assistance following Certification. These grants ensure that legal assistance and medical expenses are provided to victims on a timely basis. The National Human Trafficking Resource Centre may assist service providers and law enforcement in their work with prospective trafficking victims and link community members with extra resources to promote awareness and fight human trafficking in their neighborhoods. The NHTRC keeps a nationwide database of groups and people involved in the fight against trafficking as well as a library of anti-trafficking tools and resources to carry out these tasks.⁵ It offers improved victim protection responses.

CONCLUSION:

“Miles to go before I sleep” are insightful lines by the poet Robert Forst. These insightful lines depict that there is still much to be done in the field of women trafficking. Countries at global levels have achieved success against this crime through collaboration, huge funds allocation, and community work. As far as the Indian perspective is concerned the constitution farmers knew the importance of preventing this disease so they inserted Articles 23 and 24 in the constitution along with other supporting provisions. However, the orthodox perspective of Indian society largely works against the victims. Rampart corruption and the system of syndicates further promote the crime. There is an immense need for training of security personnel and a special task force with the majority of women on-field officers should be deployed at the epicenters of women trafficking at least. A memorandum of understanding should be signed between efficient NGOs and the government of India to establish goodwill industries and self-help employment opportunities for women victims. There is a need for an integrated program to tackle this evil and educate women on how to act if caught in vicious situations. An emergency hotline just like the U.S. should be proposed in India as well that is made especially for trafficked victims' location and rescue. This will further require a huge technological framework and an interconnected security system that stretches across all Indian states to provide timely

¹ Federal Government Efforts to Combat Human Trafficking, HHS.GOV (2020), <https://www.acf.hhs.gov/otip/resource-library/federal-efforts> (last visited Aug 20, 2023).

² The National Action Plan to Combat Human Trafficking (NAP) - United States of America, RELIEFWEB (2021), <https://reliefweb.int/report/united-states-america/national-action-plan-combat-human-trafficking-nap> (last visited Aug 20, 2023).

³ Enhanced Collaborative Model Task Force to Combat Human Trafficking | OVC, Office for Victims of Crime (2022), (last visited Aug 20, 2023).

⁴ Special Programs and Initiatives, JUSTICE.GOV (2015), <https://www.justice.gov/humantrafficking/special-initiatives> (last visited Aug 20, 2023).

⁵ National Human Trafficking Resource Center, US EEOC (2023), <https://www.eeoc.gov/national-human-trafficking-resource-center> (last visited Aug 20, 2023).

assistance in times of emergency. The Ministry of Defense must allocate special funds and community programs must be promoted to provide for the same cause. Regular workshops must be organized to create awareness on the issue and public speakers and youth icons must be tasked with tackling the orthodox mindset of the Indian society to make a positive difference in the lives of victims. The close Indian collab groups like SAARC and ASEAN must come together for a detailed framework to tackle women trafficking. This will pave the way for a greater future international cooperation on the same. The already existing schemes that are functioning efficiently like the Ujwala and ICPS must be promoted and advances must be made in their task management. The State theory by Hegel suggests that the perfect order will be achieved when the spirit of the perfect civil society manifests itself completely in the working of the institutions of the state. Through proper planning, investigation, resource management, and rehabilitation, the evil of trafficking can be prominently tackled leading to a healthy society and future.