

HUMAN TRAFFICKING AND FORCED PROSTITUTION IN INDIA AND THAILAND: AN EGREGIOUS DISASTER OF THE HUMAN RACE

*MOHAMMAD ASIF AND **MOHD. HARIS

ABSTRACT

This study leads to a conceptual understanding of Human Trafficking and Forced Prostitution in the Countries mentioned above, how to save the planet from these crimes, and what Legislative reform has been brought about, and in what manner it should be implemented. What is the International and national Legislative nexus to overcome this? Human trafficking is a worldwide problem, and no crime is more horrific than this in the earth's evolutionary history. It brings pain to the lives of millions of people throughout the globe and robs them of their feeling of worth. People that engage in human trafficking deceive women, men, and children from all over the world and force them into exploitative situations daily. In actuality, when viewed through the lens of history, the position of women is an integral part of the tale of civilization. In Indian society, which is fundamentally patriarchal, women have responsibilities such as being good daughters, good wives, and good mothers. Their rights, such as the right to equality and equal protection, are also clearly articulated. The three most prevalent forms of human trafficking are forced labour, sexual servitude, and debt servitude. The United States Department of State identifies forced labour, also known as involuntary servitude, as the most prevalent type of international human trafficking. Migrant smuggling and human trafficking, especially women and children, for monetary gain are global crimes that affect a large number of nations.

Keywords: *Human Trafficking, Forced Prostitution, Human Rights, Refugees, Feminism*

* Research Scholar, Department of Law, Aligarh Muslim University, Aligarh, UP, (A Central University) 8006125000ge6201@myamu.ac.in.

** B.A.LL.B 4th Year Student, Department of Law, Aligarh Muslim University, Aligarh, UP, (A Central University) rdxharismohd@gmail.com.

INTRODUCTION

Human trafficking is a worldwide problem, and no crime is more horrific than this in the earth's evolutionary history. It brings pain to the lives of millions of people throughout the globe and robs them of their feeling of worth. Every day, those who engage in human trafficking deceive and coerce men, women, and children from all over the world into situations where they can be exploited. When viewed through the lens of history, the position of women is an essential component of the story of civilization. In the patriarchal Indian culture, women are expected to fulfil the roles of daughter, wife, and mother. Additionally, they possess rights such as the right to equality and equal protection.¹ The three most common forms of human trafficking are forced labour, forced sexual activity, and debt servitude. According to the United States Department of State, forced labour, which is another term for forced servitude, is the most prevalent type of human trafficking worldwide. Human trafficking and migrant smuggling are phrases that refer to the unlawful exchange of men, women, and children for monetary benefit.² According to UNODC, human trafficking in the Trafficking Protocol is "the recruitment, transport, transfer, sheltering, or receipt of a person by threat or use of force or other kinds of coercion, abduction, fraud, or deceit with the aim to exploit." Human trafficking is described as "the recruitment, transportation, transfer, harbouring, or receipt of a person through force, threats, or other types of coercion, abduction, or other criminal means." Human trafficking may occur when individuals travel inside a country or community. To be deemed "people smuggling", however, international borders must be crossed. The 2011 edition of Elements of Crimes released by the International Criminal Court (ICC) on page 9 defines forced prostitution as follows: The perpetrator coerced one or more individuals to do one or more sexual acts the threat of force, using force, psychological oppression, or coercion, such as fear of violence, duress, incarceration, or abuse of authority, or by exploiting a coercive environment or one of the individuals involved. A person who engages in prostitution commits agrees to or promises to engage in sexual acts with another person in exchange for payment. There are just a few rural counties in Nevada where this is not the case. In every other part of the United States, it is illegal.

ELEMENTS OF HUMAN TRAFFICKING

The definition of "trafficking in persons" in the (TPPT) trafficking in Persons Protocol makes it abundantly apparent that the act of "trafficking in persons" consists of some components:

¹ Anindita Choudhury, *Trafficking in women and forced prostitution*, 8, IJCR 41324, 41325 (2016).

² Human trafficking and migrant smuggling, <https://www.unodc.org/unodc/en/human-trafficking/index.html> (last visited on July 15, 2022).

- Doer's Act/omission (What It Does): Recruiting, transporting, transferring, and accommodating individuals.
- How it is done: This can be accomplished by utilising or threatening to utilise force, compulsion, abduction, deception, dishonesty, exploiting authority or weakness, or by providing rewards or advantages to a person who has control over the victim.³
- Why it is done: why they committed this heinous crime only for reasons such as the removal of a person's organs for exploitation, prostitution, sexual exploitation, forced labour, slavery, and other similar things.

HISTORICAL BACKGROUND OF HUMAN TRAFFICKING AND FORCED PROSTITUTION

Even though the fatality rate in the tropics was quite high, Europeans were reluctant to travel there in significant numbers. The expansion of European territory after 1500 would not have been conceivable without slaves. Due to this, European conquerors in Africa and Asia purchased locals to serve as slaves. In the New World's more tropical regions, however, there were insufficient local slaves. This was especially true when you consider that this was the only site where tropical products like sugar and coffee could be grown by the countries that took over. Numerous European maritime firms purchased slaves along Africa's Atlantic coast, transported them across the Atlantic Ocean, and then sold them to New World slave owners. This was due to the industrial revolution in Britain. The transatlantic slave trade occurred from 1500 until 1870. It is regarded as one of the most significant migrations in human history. About 12 million Africans were forced to board ships in all. Due to the high mortality rate aboard ships, around 10 million slaves were brought ashore in Brazil (45 per cent), North America (10.7 per cent), the British, French, Dutch, and Danish Caribbean (37percent), and Spanish America (37 per cent). (3. 6 s). The majority of slave ships originated in Portugal, Spain and Spanish America (8.2 per cent), colonial North America and the United States of America (2.3per cent), the Netherlands (4.4per cent), and Denmark and the Baltic states (4.4per cent, 2.3 per cent, 0. 8 per cent).⁴

Transatlantic Slave Trade between 1500 and 1866

In the 1600s, Portugal began sending explorers to Africa in order to purchase or abduct Africans, bring them back to Europe, and sell them as slaves. Afterwards, other European nations followed

³ *Ibid.*

⁴Digital Encyclopedia of European History, the Atlantic slave trade<https://hne.fr/en/encyclopedia/themes/europe-Europeans-and-world/Europe-and-Atlantic-slave-trade/atlantic-slave-trade>, (last visited on July 12, 2022).

suit. The first slave ship departed Africa for the Americas in 1525. During the following three hundred and fifty years, something known as the “Transatlantic Slave Trade” existed. It is estimated that about 12.5 million Africans were brought as slaves to other parts of the world. The Americas, which encompass the Caribbean, South America, and North America, were settled by migrants. There were 10.7 million inhabitants there. Between 300,000 and 400,000 Africans are believed to have been transported to North America as slaves.⁵

Between 1850 and 1900

The U.S. faced the wave of Chinese immigration in the middle of the nineteenth century that time only a few women were among them. In 1850, San Francisco was home to only seven Chinese women, but 4,018 Chinese males. In addition, just 2 per cent of Chinese people in the United States were female in 1855. (Takaki, 1998). (Takaki, 1998). China’s culture and economics made it difficult for women to travel alone, thus the low numbers. This is the cause for these low statistics. Most Chinese males who immigrated to the United States did not want to bring their wives and create families there since they witnessed bigotry. Increasing anti-Chinese sentiment in the United States, terrible working conditions, and a shortage of positions that were mostly filled by Chinese migrant workers decreased the likelihood that Chinese individuals would go there.⁶ Chinese prostitutes have been spotted in the Chinatowns of Sacramento, Marysville, and San Francisco, along with agricultural villages, railroad stations, mining outposts, and Chinatowns in other cities. The prostitutes at high-end brothels dressed in silk and satin stood in a line for the clients to pick from. Most of the time, prostitutes did not voluntarily enter the profession. Their destitute families abducted, sold, or transported many of these women to the United States under false pretences. In Chinatowns, tongs were frequently responsible for operating the profitable industry of selling women. Putting it together was straightforward.⁷

In Thailand

Prostitution was banned in Thailand from the middle of the 1300s and the middle of the 1700s, and those who engaged in it had to pay a fee. From the late 1700s until the 1850s, a huge number of Chinese labourers and prostitutes immigrated to Thailand. In 1905, when slavery was finally

⁵ The history of human trafficking, <https://theexodusroad.com/history-of-human-trafficking/>(last visited on July 13, 2022).

⁶Mohini Sridharan, prostitution in the early Chinese community, 1850-1900, [https://www.dartmouth.edu/~hist32/history/s02percent 20-percent 20earlypercent 20chinesepercent 20prostitution.htm](https://www.dartmouth.edu/~hist32/history/s02percent%20percent%20earlypercent%20chinesepercent%20prostitution.htm)(last visited on July 17, 2022).

⁷ *Ibid.*

abolished, women whose husbands had supported them financially under the feudal system suddenly found themselves unable to care for themselves. This had a significant impact on the number of individuals who engaged in prostitution. Afterwards, when the Japanese seized control during World War II, sex massage parlours received considerable attention. Rising rural poverty, notably in the 1960s and 1970s, and the fact that American soldiers utilised Thailand to relax and have fun during the Vietnam War led to urbanisation and the expansion of the sex industry in Thailand. In the 1980s, Thailand's economy performed well and continued to expand.⁸

In India

India has been in Tier 2 of the yearly United Nations list for over seven years (2016). This category demonstrates that India adheres to the regulations adequately, but that human trafficking is still on the rise. Despite the fact that India fulfils all conditions, this is still the situation. This makes people extremely concerned about the current status of trafficking for sex in India. Prostitution's history is lengthy and convoluted, not only in India but around the world. Human trafficking emerged as a result of the country's extensive traditional prostitution networks, such as the devadasi and tawaifs. Their fragile circumstances are exacerbated by their social isolation from society. This is reportedly the primary cause of human trafficking. People claim that weakness is the primary reason why women are trafficked. In India, prostitution has been permitted in the employment market for quite some time. In reality, many of the nation's upscale red-light districts date back to the Mughal era. Due to the numerous societal changes that occurred in the second half of the 1800s, sex work began to be viewed as a means through which women were exploited and made to work against their choice.⁹ In the past, prostitutes were considered business owners and enjoyed the backing of kings and queens, which gave them a great deal of influence over the operation of the government. However, when theological and political views evolved over a few hundred years, their work became less significant. After the independence of India, when the British ruled kingdoms and the landlord system of Britishers were abolished, 'tawaifs', also known as prostitutes, lost the patronage and patrons of the royal families. This caused the extinction of the tawaif system. Research indicates that after the royal clientele stopped arriving, the offspring of tawaifs began dancing in pubs in major cities. However, they did not receive the same level of respect as they received before independence. Throughout history, there are several instances of women earning a living by their beauty. This evidence is

⁸Cazzie Reyes, history of prostitution and sex trafficking in Thailand, 2015, <https://www.endslaverynow.org/blog/articles/history-of-prostitution-and-sex-trafficking-in-thailand> (last visited on July 16, 2022).

⁹Tracing the history of prostitution and sex trafficking in India, <https://www.youthkiawaaz.com/2020/11/tracing-the-history-of-prostitution-and-sex-trafficking-in-india/> (last visited on July 19, 2022).

discussed in a variety of epics and in a variety of locations. In his work “The Arthashastra”, Kautilya penned a lengthy and comprehensive commentary on prostitution. In this book, he discusses in depth the most essential occupations held by women. One of them is the Ruppjiva, who, similar to a modern-day prostitute, profited from her attractiveness. In some areas of the nation, devadasi, which is simply a fancy term for “temple prostitution”, was legal. As part of the devadasi system, puberty-aged children were entrusted to the goddess Yellamma for care. People began to refer to them as devadasis, which translates to “servants of God” in English. Throughout numerous centuries, religious and political shifts made life more difficult for devadasis. Those who could not maintain themselves were forced to engage in prostitution. Even though it is illegal, it is still practised in Maharashtra, Karnataka, and Andhra Pradesh in some capacity.¹⁰ In India, young individuals, particularly young women who are under pressure to become prostitutes, are susceptible due to a power imbalance, poverty, gender discrimination, and the loosed patriarchy.¹¹ Figure 1 talks about the representation of human trafficking in the world map. This report has done by the UNDOC “Human trafficking origins. Reproduced with permission from United Nations Office on Drugs and Crime (UNODC). Trafficking in Persons: Global Patterns. Vienna: UNODC”.

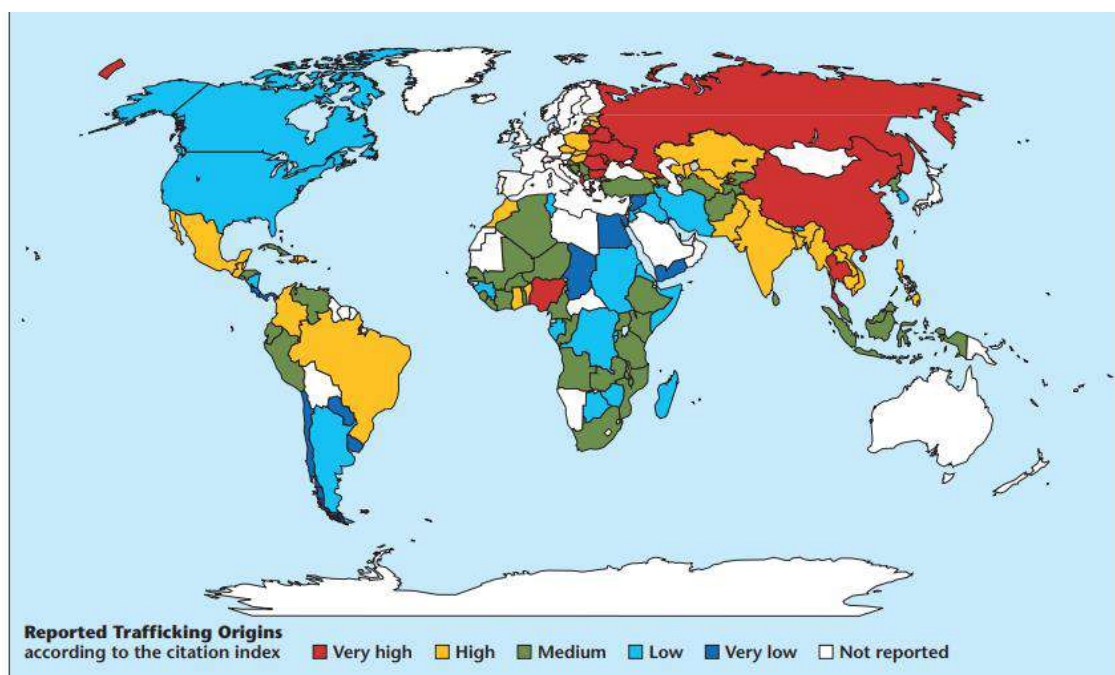


Fig.1.¹²

¹⁰ *Ibid.*

¹¹ Tracing the history of prostitution and sex trafficking in India, <https://www.youthkiawaaz.com/2020/11/tracing-the-history-of-prostitution-and-sex-trafficking-in-india/> (last visited on July 14, 2022).

¹² Human trafficking and migrant smuggling, United Nations office on drugs and crime, UNODC - human trafficking and migrant smuggling, <https://www.legalserviceindia.com/legal/article-982-human-trafficking-in-india.html>, (last visited on July 24, 2022).

REASONS FOR HUMAN TRAFFICKING AND FORCED PROSTITUTION

Institutional and individual variables appear to impact human trafficking. People believe that those who engage in human trafficking will establish their enterprises in locations where there are enough possibilities to exploit others. When deciding to relocate, victims are frequently driven by societal pressure, a lack of education or employment options, or an unstable family unit. People who are used by traffickers are not only defenceless but also blend in with their surroundings. This is because traffickers are becoming increasingly intelligent. They are contingent upon the political climate, economic climate, and cultural standards. The economic premise of supply and demand underlies the practice of human trafficking. In addition to the necessity for employment, armed or war-related violence, poverty, social circumstances, lack of political and economic stability, lack of access to education and information, and a variety of other issues exist in the nation. Second, industrialised and wealthy nations require low-cost commodities, labour, and services. This demand originated in these nations. By linking supply and demand as well as the first and second occurrences, organised criminal groups have discovered a means to generate enormous riches from an untapped market potential. The government's enactment of these rules makes it more difficult to move around as a result of the increased mobility. When individuals employ smuggling routes to engage in human trafficking, they risk being used, duped, mistreated, or murdered. Human trafficking and forced prostitution have the following underlying causes and contributory factors:

Poverty, conflict, and the risk of natural disasters

These are the major global challenges. Traffickers attempt to recruit victims by deceiving them with false assurances of stability and employment. When the inmates enter a new country or region, their captors assume control. They are frequently held in regions where the victims have no option but to reside. People who are compelled to leave their native country due to economic issues, natural catastrophes, acts of violence, or political issues are commonly referred to as migrants. When people are uprooted from their communities, they may feel more emotionally vulnerable and lack the means to defend themselves.¹³ Therefore, they are more prone to be harmed by people who purchase and sell individuals.

¹³ United Nations office of drugs and crime – https://www.unodc.org/documents/humantrafficking/toolkit-files/08-58296_tool_9-2.pdf. (Last visited on July 12, 2022).

Women and Children

Because, in many cultures, they are deemed unimportant. Women and children are far more likely than males to be trafficking victims. Traditional beliefs and practices, such as early marriage and failure to register births, place women and young children in a more perilous position than males and older children. In addition, they are targets since sex trafficking businesses require female labour. According to a report by Equality Now, forced labour, indentured servitude, and commercial sexual exploitation are used to buy and sell 20.9 million people and children worldwide. This goes for adults and kids equally. 98 per cent of the persons who become victims of sexual exploitation because they work in the human trafficking sector are women and girls.¹⁴

Low-Cost Labour

The most fundamental laws of economics imply that in order for a market to flourish, supply and demand must first be in existence. This means that human traffickers and pimps are the only ones who gain from the acts of their victims.¹⁵

Education Problem

The International Labour Organization believes that those who are impoverished and don't have access to education are more likely to be compelled to labour or be slaves (ILO). The United Nations group believes that roughly 21 million people are compelled to labour. Either these folks are victims of human trafficking, or they are compelled to labour to pay off their debts¹⁶. A lack of education might make someone less aware of their rights and less likely to obtain a job that pays enough to sustain oneself. If one of these things happens, more individuals might be exposed to becoming victims of human trafficking. Education may also assist end human trafficking by teaching young people the tools they need to be change-makers in their communities when they are older. With these modifications, traffickers won't be able
To take advantage of the conditions and gaps that are present currently.¹⁷

¹⁴ *Ibid.*

¹⁵ Human Rights careers, 10 causes of human trafficking <https://www.humanrightscareers.com/issues/10-causes-of-human-trafficking/> (last visited on July 15, 2022).

¹⁶ UN News Global perspective Human stories, <https://news.un.org/en/audio/2016/12/620302> (last visited on July 10, 2022).

¹⁷ Human Rights careers, 10 causes of human trafficking <https://www.humanrightscareers.com/issues/10-causes-of-human-trafficking/> (last visited on July 11, 2022).

Official Human Rights

In many nations, socially disadvantaged people don't have official human rights, which makes them more prone to become victims of trafficking. This is especially true if the law and the government don't agree that human trafficking is about taking advantage of other people.¹⁸

To Gain Money

People are more prone to become victims of human trafficking when they don't have enough actual work. Women, people who don't have a college degree, people who live in rural areas where there aren't as many job opportunities, immigrants who don't have work permits, and people from certain ethnic groups may be more likely to be affected by this. People in these categories are more likely to suffer prejudice at work, which might make it difficult for them to find a job. Traffickers may give victims jobs that look real in order to force them to do forced labour, sex trafficking, bonded labour, or another kind of work. Lack of safe migration: They are most likely to be used by traffickers if they try to leave their home country in search of better job opportunities or for their own safety. They were paid very little and treated badly instead. Also, Western Europe is the only place where a lot of women from places like Nigeria, Ukraine, and other countries in Eastern Europe and Africa can find work as nannies and waitresses.

Repercussions of Human Trafficking

Even though there are many repercussions of human trafficking, they take advantage of the victims' natural weaknesses.

Labour Trafficking

Also called modern slavery, is when people are tricked, lied to, or forced in some other way to do work or provide services. Labour trafficking includes the use of financial bondage, forced child labour, and other types of forced labour. Labour traffickers force people to work against their will in many different kinds of businesses. They do this in many different ways, such as through physical violence, threats, and fraud. Common forms of labour trafficking include forcing domestic workers to work in homes, holding farmworkers down violently while they pick crops, and keeping factory workers in horrible conditions for little or no pay. All of these ways

¹⁸ *Ibid.*

of moving people for work are against the law.¹⁹ This number includes 16 million people who were trafficked for work in the private sector, 4.8 million people who were trafficked for sex, and 4.1 million people who were forced to work by the government. The US Department of Labour has found that 148 products from 76 countries are made with forced or child labour.²⁰

Trafficking People to Force them to do Illegal Things

Is it a type of trafficking that lets criminal organisations profit from several illegal acts without taking any of the risks that come with them? The bad guys force their victims to do a variety of illegal things so that they can make money for themselves. Theft, growing illegal drugs, selling fake goods, and being forced to beg are all examples of these kinds of activities. Often, victims are given numbers to meet, and if they don't do so, they face harsh punishments.²¹

Organs Mishandling

Organ harvesting is one of the final goals of a practice called TPRO, which stands for “trafficking in humans for organ removal.” TPRO happens everywhere in the world, and it could become more common as transplant techniques improve and regulations become less strict. For example, in July 2016, people from all over the world paid more attention to the issue of forced organ harvesting in North-Eastern Africa, where it is linked to human trafficking and migrant smuggling. The study found that migrants from Eritrea who were kidnapped while trying to get to North Africa but couldn't pay ransom were then killed so that their organs could be taken. After that, the organs were put up for sale and brought in around \$15,000 US.²²

Smuggling of People

The smuggling of people is a problem that is strongly tied to human trafficking. This is due to the fact that many migrants may be subjected to forced labour while they are travelling. Smugglers may make illegal border crossers work for an inhumanely long time in exchange for money to pay for crossing the border illegally.²³

¹⁹ United Nations Poverty and lack of education increases slavery, <https://humantraffickinghotline.org/type-trafficking/labor-trafficking#:~:text=humanpercent%20trafficking,-overview&text=laborpercent%20traffickingpercent%20ispercent%20apercent%20form.labor%20percent%20andpercent%20involuntarypercent%20childpercent%20labor>. (Last visited on July 10, 2022).

²⁰ *Ibid.*

²¹ Labour trafficking, <https://humantraffickinghotline.org/type-trafficking/labor-trafficking#:~:text=humanpercent%20trafficking,-overview&text=laborpercent%20traffickingpercent%20ispercent%20apercent%20form.laborpercent%20percent%20andpercent%20involuntarypercent%20childpercent%20labor>, (last visited on July 20, 2022).

²² United Nations, https://www.unodc.org/unodc/en/human-trafficking-fund/human-trafficking-fund_projects_removal-of-organs.html (last visited on July 13, 2022).

²³ United Nations, types of human trafficking, <https://www.interpol.int/en/crimes/human-trafficking/types-of-human-trafficking>, (last visited on July 10, 2022).

Exploitation on the Dark Web

“Traffickers use technology to learn about their victims, find them, keep them under control, and use them”. “Traffickers use technology to learn about their victims, find them, keep them under control, and use them”. “Right now, traffickers use the Internet, especially the dark web, to hide their real identities and illegal materials that come from trafficking from law enforcement”. Because physical and geographical boundaries no longer matter, the Internet makes it easier than ever to get in touch with a much larger group of possible victims. Traffickers often make fake websites or post ads on reputable job websites and social networking sites to hide what they are doing.²⁴

Scammers Hiding in Live Chats

Some of these websites allow users to take part in live chats. This makes it easy for the trafficker to get in touch with the victim and gives them the chance to get personal information, like information from the victim’s passport. This gives the trafficker more power over the victims who are being targeted. Through live streaming, victims can be used over and over again on different websites, and there are no limits on how many people or how many times footage of their abuse can be seen. Ms. Crittin says that it is even harder for law enforcement to fight this crime because human trafficking is a worldwide problem that is made worse by the wrong use of technology. She says, “When a crime is planned in one country, the victims are in another country, and the customer is in a third country, it’s hard for law enforcement to find and keep evidence”. This is because any investigation needs people from different countries to work together and a certain level of digital knowledge²⁵.

Nexus between Human Trafficking and Forced Prostitution

Human trafficking has become a common topic of conversation in recent years, from presidential councils to celebrities who put a red X on their hands on a certain day of the year to bring attention to the problem.²⁶ Due to the secretive nature of the crime, it is very hard to know how many people are currently being held in modern-day slavery. Some estimates say that there are close

²⁴ UN News Global perspective Human stories, <https://news.un.org/en/story/2021/10/1104392>(last visited on July 15, 2022).

²⁵ *Ibid.*

²⁶ Kelly Allen, prostitution and human trafficking: know the difference, the exodus road,2021, <https://theexodusroad.com/prostitution-and-human-trafficking-know-the-difference/> (last visited on July 18, 2022)

to 40 million slaves around the world, with 20.9 million of them being sexual slaves. A survey of prostituted women in nine different countries found that between 70 and 95 per cent of them had been physically abused, between 60 and 75 per cent that been sexually assaulted, and between 89 and 100 per cent of them wanted to leave their current situation. Even if people want to work in this field, it is often risky and requires them to work in conditions that are unpleasant and exploitative.²⁷ Millions of people all over the world have to deal with the harsh realities of prostitution. Many women, especially in poorer parts of the world, turn to prostitution because they have so few other ways to make money. It's possible that a woman's family is pressuring her to pay for them, and sex work is a quick way for her to make money. If she lives in a country where most people are okay with sexual activity, it won't be long before she starts to think about prostitution. It may even be the only option she has. Even if people want to do this kind of work, it is usually dangerous and full of humiliating and exploitative situations. Whether it's local prostitution or international prostitution, sex trafficking is always a terrible violation of human rights. Both are components of a gender-based system of power that, when combined, create a highly lucrative market for exploiting women and girls. Both exploit women and girls who are already disadvantaged due to factors such as poverty, prejudice, or abuse. They then abandon their victims traumatised, ill, and penniless. People who prey on the vulnerable are rewarded both sexually and monetarily, which raises both the demand for and supply of unlawful act "The concerted effort by some non-governmental organisations (NGOs) and governments to separate trafficking from prostitution and treat them as two separate and unrelated phenomena is nothing less than a deliberate political strategy to legitimise the sex industry and protect its growth and profitability", states the article.²⁸

MEASURES FOR CONTROL

Fundraising

Not only is hosting a charity event and donating the proceeds to one of the numerous organisations working to end human trafficking a great way to support the cause financially, but it also raises awareness of the issue. The majority of anti-trafficking organisations are non-profits that rely on contributions. Fundraising enables these non-profit organisations to stay in operation and continue their mission.²⁹

²⁷ *Ibid.*

²⁸United Nations, traffickers abusing online technology, UN crime prevention agency warns, <https://www.collectiveshout.org/the-connection-between-prostitution-and-sex-trafficking> (last visited on July 16, 2022).

²⁹The Borgen project, top 10 solutions to human trafficking, <https://borgenproject.org/top-10-solutions-to-human-trafficking/> (last visited on July 13, 2022).

Boycott both the Products and the Corporations

Many items manufactured in the United States and other countries are produced with the assistance of forced prostitutes. You may aid in the battle against human trafficking by being mindful of the products you purchase and the companies you support. The Department of Labour's List of Goods Made with Child Labour or Forced Labour provides a straightforward method for determining if a product leaves a "Slavery footprint".³⁰

Help Survivors

Donate clothing and other items to shelters that assist victims of human trafficking. Additionally, push companies to recruit survivors. This will assist these individuals in regaining their footing and starting afresh. If feasible, providing survivors with legal assistance allows them to not only go on with their life but also obtain justice for what occurred. By assisting trauma survivors and contributing to their rehabilitation, we can break the cycle of trauma and ensure that it does not reoccur.

Keep up with Current Events

By subscribing to the blogs and updates that several non-profit organisations that work to end human trafficking post, individuals can stay abreast of new information or potential solutions to human trafficking. For instance, the Polaris Project is a charity that allows anyone to sign up to receive email updates from the organization. It is important to be aware of the available resources for reporting suspicious behaviour. When travelling abroad, it is advisable to know the emergency phone number for the destination country. This will make it simple to notify authorities immediately if a victim of human trafficking is observed. Traffickers often use websites like Craigslist and Backpage to find people who are vulnerable and could become their victims. By making sure that these websites are real and by giving people jobs through reputable online platforms, we are getting to the root of the problem and stopping human trafficking before it starts.

³⁰ *Ibid.*

INDIA'S PLANS AND LAWS TO STOP FORCED PROSTITUTION AND TRAFFICKING OF PEOPLE

The Indian Constitution: There are three articles in the Constitution of India that are important to this discussion: Article 23 forbids human trafficking as well as begging and other forms of forced labour. This is in addition to Articles 39(e) and 39(f), which say that no one's health or strength should be used against them and that no one should be forced by economic need to do work that isn't right for their age or strength. Article 39(f) also says that children and young people should be protected from exploitation. Article 23 also says that no one's health or strength can be used against them³¹. Act for the Prevention of Unlawful Traffic, 1956: It is the only law that specifically addresses trafficking, and there are talks about changing it right now. This law punishes people who trade in women and children illegally so that they can be sexually exploited for money. More rules and laws in addition to the laws already mentioned, there are a number of other laws that deal with human trafficking in some way, either directly or indirectly. These items are:

- Indian Penal Code, 1860;
- Act passed in 1976 to prohibit the use of forced labour;
- Child Development and Regulatory Act of 1986;
- Juvenile Justice Act, 2000;
- Act of 2002 concerning Goa's Children;
- Act of 2006 to Prevent Child Marriage
- The Protection of Children from Sexual Offenses Act of 2012, abbreviated POCSO Act.
- Criminal Law (Amendment) Act of 2013 is currently in force under its alternative name, the Nirbhaya Act. As part of this bill, Section 370 of the Indian Penal Code has been modified to Section 370A (IPC). This statute provides several options for combating the heinous problem of human trafficking. This includes the trafficking of minors for any form of exploitation, such as sexual exploitation, physical exploitation, or any other form of exploitation, slavery, servitude, or the removal of organs against their will. India has pledged to adhere to the United Nations Convention against Transnational Organized Crime (UNTOC). The MoU focuses primarily on assisting victims of human trafficking to be

³¹ Members Reference Service Larrrdis, Human Trafficking in India (Shri R. Ranga Rao, additional director & Shri Vinod Kumar eds., 2018).

rescued, located, returned home, and reintegrated into their communities.³² These workshops have been held at the regional, state, and district levels for police officers and prosecutors.³³

IMPACT OF COVID ON HUMAN TRAFFICKING AND FORCED PROSTITUTION

Dr Tedros Ghebreyesus, the Director General of the World Health Organization (WHO), said on March 11, 2020, that the WHO has determined that the Covid-19 virus might be classified as a pandemic. According to the World Health Organization (WHO), Covid-19 is a pandemic virus. This resulted in the passage of legislation designed to prevent the virus from spreading further. There are several examples of actions that have contributed to this endeavour yet have harmed the most vulnerable members of society. Some of these measures include lockdowns, curfews, and travel restrictions. In its initial assessment of how the pandemic affects human trafficking, (UNODC) stated that the viral epidemic had exacerbated and brought to the fore systematic and deeply based economic and social disparities. These are among the primary reasons for human trafficking. These differences are among the primary causes of human trafficking. According to the anti-trafficking organisation Prerana, victims of Covid-19's trafficking practices have less access to housing and health care, which violates their right to housing and their right to health.³⁴ More people have been afflicted by COVID-19 and the societal stigma that comes with it: Because of how they are compelled to live and work, it is more probable that those who are trafficked will be exposed to COVID-19. People who had been taken advantage of in the sex business, the construction sector, or the manufacturing industry found it hard to keep away from other victims and their abusers. Many sick individuals lack access to personal protective equipment (PPE), such as masks and hand sanitisers. The spread of COVID-19 in the neighbouring villages has been linked to the sexual abuse of children in those villages, according to interviewees and survey respondents in certain regions and countries, particularly in terms of the number of victims of human trafficking. This has made it difficult to reintegrate and exclude individuals.³⁵ The victims have been left without any means of subsistence and have also suffered further harm: Participants in surveys and interviews reported that at the onset of the pandemic, traffickers abandoned victims of human trafficking because there was less work for them due to lockdowns. When enterprises, farms, or brothels failed, individuals who engaged in human

³² Dristi, the big picture - war against human trafficking, <https://www.drishtiiias.com/loksabha-rajyasabha-discussions/the-big-picture-war-against-human-trafficking>(last visited on July 10, 2022).

³³ *Ibid.*

³⁴United Nations, new UN report reveals the impact of covid on human trafficking, <https://www.humanrightspulse.com/mastercontentblog/the-relationship-between-covid-and-human-trafficking>(last visited on July 10, 2022).

³⁵ UNODC, effect of covid 19 pandemic on trafficking in person and responses to the challenges, https://www.unodc.org/documents/humantrafficking/2021/the_effects_of_the_covid19_pandemic_on_trafficking_in_persons.pdf, (last visited on July 10, 2022).

trafficking lost money and abandoned their victims on the streets. On the other hand, certain victims were held hostage by their traffickers in the towns and countries where they were ultimately sent. These victims were detained in private houses, industries, and other sites, and their traffickers upped their degree of control and cruelty.³⁶ In many locations, it has grown more difficult for victims of human trafficking to get essential services such as housing, health care, legal assistance, and basic necessities. Due to an increase in the number of people requiring social assistance and support, travel restrictions, and a lack of reliable technology and Internet in many parts of the world, victims of human trafficking have been unable to access essential services in some countries, regions, and at various times during the pandemic. This has occurred several times during the epidemic. The fact that victims living in their own homes or in shelters have limited access to education and training opportunities have also harmed them.

CONCLUSION AND IMPLICATIONS

It is a crime against humanity to violate the rights of individuals, which should be accessible to everyone. No one should violate the rights of others. Human trafficking is a grave violation of human rights because its perpetrators keep victims as hostages and force them to labour against their will. One of the most egregious violations of human rights is when individuals are forced to labour as slaves. Due to the difficulty of the issue, academics, attorneys, and the general public have paid little attention to it. People have associated it with prostitution, although this is only part of the tale. According to the customary rules of all nations, forced prostitution is illegal. This differs from voluntary prostitution, which in some jurisdictions is illegal and punishable by death and in others is lawful and regulated as a profession. The regulations regarding prostitutes might vary greatly from nation to country. Even while laws regarding prostitution for adults might vary from place to place, most people believe that it is never acceptable for children to engage in prostitution. Human trafficking is the act of coercing someone to behave against their will by deception, force, or other types of compulsion, and then exploiting them for monetary benefit. Human traffickers target those who are most susceptible to exploitation. Children, those in need, the poor, women, those with less money, and those with mental or physical impairments are examples. Using strategies like manipulation, physical threats, emotional injury, false assurances of employment and educational possibilities, and tempting promises, they deceive, coerce, and lie to their victims. Most human trafficking victims are compelled to work in industries, as beggars, sex workers, or as home maids. Some individuals are coerced into marriage. Hence these crimes can be eliminated from society by creating awareness regarding HTFT, strict laws and their honest implementation, and society participation.

³⁶ *Ibid.*