CONCLUSION AND SUGGESTIONS

Trafficking in human beings is a complex and multidimensional problem that has spread worldwide. Like pollution trafficking has permeated our day to day lives. The present situation of trafficking in human beings is a clear manifestation of the lopsided economic development, lack of political will and social disintegration. The failure of the state machinery including law enforcement puts vulnerable sections of the society at the receiving end of this multi-dimensional problem.

The last few decades have seen significant development of the response in combating trafficking in human beings at the National, Regional and International levels. However, critical and concrete efforts have been lacking to curb the menace of human trafficking. The transnational nature of this crime requires an integrated global action with the involvement of different stakeholders. Much work has been done in terms of research on human trafficking, but reliable data both at national and international level is lacking. There is a lot of repetition in the work. It seems that the studies undertaken are a replica of one parent research, which has created a lot of confusion about the existence and the conceptual dimensions of human trafficking. However, testimonies of various stakeholders clearly confirm its existence worldwide. Consequently, human trafficking has been put at the top of the international agenda and various efforts have been made to curb this crime. Most importantly, in this regard, the United Nations Convention against Transnational Crime\(^1\) has been a path breaking achievement. For more than a century human trafficking has been linked only to one form of exploitation namely, commercial sexual exploitation, but the United Nation's Trafficking Protocol\(^2\) defined trafficking in persons in such a way that it diluted the age old belief that human trafficking is just for the commercial sexual

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\(^1\) The United Nations Convention against Transnational Crime (UNCTC) is a 2000 United Nations sponsored multi-lateral treaty against transnational organised crime. This Convention was adopted by a resolution of the United Nations General Assembly on 15 Nov. 2000.

\(^2\) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also referred as the Trafficking Protocol or UNITIP Protocol) is a Protocol to the Convention against Transnational Organised Crime. It is one of the Palermo Protocols, the others being the Protocol against the Smuggling of Migration by Land, Sea and Air and the Protocol against the Illicit Manufacturing and Trafficking in Firearms.
exploitation. The Trafficking Protocol, currently forms the basis of various State human trafficking laws.

Trafficking in persons is both a human rights as well as a criminal justice issue. More importantly, the issue of commercial sex work is highly controversial and sensitive. The UN Protocol was proceeded by the Convention for the Suppression of the Traffic in Persons, 1949, but this Convention got a mixed reaction. It was not widely signed and ratified by the States. This, clearly reveals that the international community is divided on this issue. However, the UN Trafficking Protocol subsequently expanded the definition of trafficking in persons without dealing with the issue of states regulating internal prostitution. It is due to this liberal approach that within few years the Protocol has obtained more ratifications than the Convention for the Suppression of the Traffic in Persons. The main focus of the Protocol is on three main elements which can eradicate various forms of exploitation. The Trafficking Protocol also proposes the *three P*\(^\text{s}\) approach namely, measures to prevent trafficking in human beings, prosecution of the traffickers, and protection of the trafficked victims. However, it must be considered that the Human Trafficking Protocol is mainly a criminal law instrument, focussing more on the prosecution of traffickers rather than the protection of victims of offence. Therefore, in this regard, States must follow and rely on other recommendations laid down in various soft law instruments like the UNHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking and the UNICEF Declaration for the Protection of the Rights of the Child and Victims of Human trafficking.

Most importantly, as regards the children, the Convention on the Rights of the Child can to a large extent provide impetus to protection of the rights of children and prevention of child trafficking. There are other numerous international instruments which if consistently implemented, reduce if not eliminate any form of exploitation including the trafficking in human beings.

There has been an improvement in this area on account of the establishment of the mandate of the Special Rapporteur on Trafficking in Human Beings. The work assigned to this new establishment is the annual submission of reports on human


trafficking to the Human Rights Council. It also conducts State visits and receives information about the menace of human trafficking from different stakeholders. This Rapporteur along with other Rapporteurs (Violence against Women, Migrant Workers and Sale of Children) to a great extent fills in the loopholes which exist in the monitoring mechanism of the Human Trafficking Protocol.  

At the regional level, the SAARC nations have drafted a well formulated Convention namely, the Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution in 2002. The main objective of this Convention is to promote cooperation amongst the member countries to deal effectively with the various aspects of prevention, interdiction and suppression of trafficking in women and children, the repatriation and rehabilitation of victims of trafficking, of the use of women and children in international prostitution networks, particularly if the SAARC member countries (Bhutan, Bangladesh, India, Maldives, Nepal, Sri Lanka, and Pakistan) are countries of origin, transit and destination. This legal instrument is legally binding on its signatory parties and is the first regional anti-trafficking treaty to emerge from Asia. As of March 2004, the Convention was ratified by all member countries of the SAARC except Nepal and Sri Lanka.  

Trafficking in human beings is undoubtedly a criminal justice issue. However, it affects the territorial integrity of the nations as well. As in many cases trafficking in human beings involves facilitations of illegal crossing of borders in clear violation of national immigration laws and policies. It also to a large extent threatens the rule of the law of the nations, because traffickers and violators most often resort to violence, corruption and complicity in order to advance their guilty plans.

Thus, in order to check this growing phenomenon at the national level many steps have been taken. First and foremost, the Constitution of India expressly prohibits trafficking in human beings. To carry forward the mandate of the

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6 Ninth SAARC Summit (May, 1997) that the feasibility of a regional Convention to combat the grave crime of trafficking in women and children for prostitution should be explored.
8 Constitution of India, 1950, Article 23, Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.
Constitutional provisions and responsibility of International agreements, the Immoral Traffic (Prevention) Act, 1956 has been enacted to tackle the problem of immoral trafficking of human beings. However, this legislation only focuses on trafficking for commercial sexual exploitation. There is no mention of other forms of human trafficking like forced labour, bonded labour, organ trade, begging etc in this legislation. Although the Act has been amended twice till now, there is no visible reduction in trafficking. This is largely due to the reason that no efforts have been made to consider other forms of trafficking in human beings and the lack of effective implementation.

Apart from the Immoral Traffic (Prevention) Act there are a number of provisions in the Indian Penal Code, which in one way or another help in the prevention of crimes like human trafficking. Recently, after the Delhi Nirbhaya gang rape there has been a widening of focus on the gender related issues which in turn paved the way for the appointment of the Justice Verma Committee. Following the Verma Committee recommendations, the President of India passed an Ordinance which was followed by the enactment of Criminal Law (Amendment) Act, 2013. By this amendment section 370 of the Indian Penal Code was substituted by sections 370 and 370(A). These provisions provide for stringent punishment for offences like human trafficking.

Other relevant legislations which address the issue of human trafficking in India are; the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006; Andhra Pradesh Devdasi (Prohibiting Dedication) Act, 1989; the Karnataka Devdasi (Prohibition of Dedication) Act, 1982; the Child Labour (Prohibition and Regulation) Act, 1986; Information Technology Act, 2000; and the Goa Children’s Act, 2003. Beside these, there are other collateral laws which are relevant to trafficking in human beings. These are the Indian Evidence Act, 1872; Young Persons (Harmful Publications) Act, 1956; Bonded Labour System (Abolition) Act, 1976; Child Marriage Restraint Act, 1929; Probation of Offenders Act, 1958; Criminal Procedure Code, 1973; Indecent Representation of Women (Prohibition) Act, 1986; and the Transplantation of Human Organs Act, 1994.

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10 The Verma Committee submitted its reports within a short time of one month.
The anti-trafficking legislations are problematic to enforce because victims of human trafficking are hesitant to identify traffickers for fear of violent consequences at the hands of traffickers. Furthermore, trafficking in human beings is a crime that crosses borders and jurisdictions. Applying international law to a person who resides in another state is a costly affair and a complex endeavour and is not amenable to an easy solution. Additionally, human trafficking usually violates several laws at one time, and is not a single shot event. Building a case against violators and traffickers can take a great deal of time, resources and energy. In countries like India, where the resources are limited, these complexities can hinder enforcement of anti-trafficking laws. One more dilemma of enforcing anti-trafficking legislations is the lack of training of the local enforcement officers or special police officers as referred under the ITP Act within the state. Moreover, even if the State has implemented such laws, it is not likely that the local police officers and other enforcement constituents are well-versed in the international or domestic laws with regard to human trafficking. Victims of human trafficking are mostly treated like criminals or illegal immigrants, and are either arrested or deported. Additionally, since trafficking victims are usually not located in their country of origin, there is often a language barrier between enforcement officers and the victims, making information-gathering problematic.\footnote{For details see: http://www.du.edu/korbel/hrhw/researchdigest/trafficking/InternationalLaw.pdf, (Accessed on 01.04.2014)}

On analysing the role of law enforcement, it becomes evident that human trafficking is an epidemic and the existing international and national laws do not have the teeth to curb this growing menace.

As far as the vibrant judicial organ of the country is concerned, we find that there is clear inaction on the issue of human trafficking. Though the Indian judiciary has played an active role in many areas, but this area of human rights jurisprudence remains neglected. The judiciary alone cannot be held responsible for this neglect. There are many reasons; firstly, human trafficking cases rarely come before the courts because of the under reporting of such cases. Secondly, the existing law is such that it gives much time and space to offenders to escape punishment. Thirdly, police inaction in collecting relevant evidence and information and proving offenders guilty is shocking.
The Supreme Court of India in two important landmark judgements touched the issue of human trafficking. First one is *Vishal Jeet v. Union of India*\(^{12}\) and second one is *Guarav Jain v. Union of India*\(^{13}\). The Bombay High Court in the case of *Prerana v. State of Maharashtra*\(^{14}\) stated that cases relating to trafficking in women and children should be disposed off expeditiously. Trial Courts ought to record the victim’s statement within one month and complete the trial within six months of the charge sheet being filed.

During the research period many NGO's were visited by the researcher. NGO's are the first players in highlighting and addressing the problem of human beings. They play a vibrant role by making the masses aware about the menace of human trafficking. However it was found that their work is highly affected by a series of problems such as lack of funds and lack of effective co-operation from government departments mostly police and other sectors.

**Suggestions and Recommendations**

Undoubtedly, many active steps have been taken over the past few years at the international, regional and national levels for the protection of the vulnerable sections of society and for the eradication of trafficking in human beings. Nonetheless much work still remains to be done to reach the final goal where by this menace of human trafficking will be eradicated forever from this planet. Therefore, in this regard, some specific suggestions and recommendations have been formulated which may contribute to a large extent in the eradication and abolition of this unacceptable modern day slavery of trafficking in human beings. These suggestions and recommendations are based on my field research by way of structured and unstructured questionnaires and discussions with eminent personalities working in the area of human trafficking and gender related issues. These recommendations have been further culled out by the researcher from the analysis of various plan of actions of the government and landmark Supreme Court judgements.

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\(^{12}\) AIR 1990 SC 1412.

\(^{13}\) AIR 1998 SC 2848.

\(^{14}\) [(2003) 2 BOMLR 562].
Legislative

- There is a need to either amend the existing Immoral Traffic (Prevention) Act or to enact a new comprehensive Anti-Human Trafficking legislation which will provide for all forms of human trafficking. As the existing trafficking law only considers trafficking for commercial sexual exploitation, other forms of human trafficking like forced/bonded labour, organ trade, begging, fake marriages, illegal adoptions, pornography etc. do not find any place in the existing immoral trafficking law.

- The existing legal framework to combat the menace of human trafficking results in re-trafficking of victims while violators, traffickers, and exploiters mostly go scot free. Most often victims are held by the police rather than the traffickers. The present law must be reviewed to ensure that victims of human trafficking are not re-victimised and all traffickers and exploiters are made liable.  

- The law must precisely define 'human trafficking'. It is recommended that the definition of human trafficking as laid under the Optional Protocol to United Nation's Convention on Transnational Organised Crime, 2000 be adopted in this regard.

- The law should also precisely define sexual exploitation, commercial sexual exploitation, sexual assault and other similar offences without any ambiguity.

- The law should avoid the use of vague and misleading expressions like 'Women in Prostitution' as it includes the victim as well as the woman exploiter like the brothel keeper and pimp etc, as it leads to conflicting interpretations.

- The present Act does not provide a clear and precise definition of the word prostitute. The law needs to be amended to include a wider definition of the word. In fact the better term to be used is 'commercial sex workers' instead of prostitute.

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• There should be a provision for the participation of NGO's and other community based agencies (CBAs) in filing the complaints on behalf of the victims of human trafficking. This will facilitate the judicial process in this regard especially for people who are ignorant or do not have the where withal.

• Human trafficking for commercial sexual exploitation of children below the age of 18 years with or without their consent should be detected and traffickers and exploiters in such cases should be prosecuted under section 375 of Indian Penal Code as guilty of having committed Sexual Assault/Rape. The burden of proof in such cases should lie on the offender.

• Under Section 8 of the ITP Act any person who solicits prostitution needs to be punished. However under the pretext of solicitation, often victims of human trafficking are arrested. Therefore, sections need to be added to the law with more safeguards for the victims of commercial sexual exploitation.

• Section 13 of the ITP Act provides for the appointment of Special Police Officers. However nothing has been mentioned regarding the importance of training in women's, children's and human rights studies. Such a provision needs to be added to better equip these officers.

• To save the victims from publicity and social stigma all human trafficking should be held in camera under Section 327 of the Cr. P.C. which provides for in-camera trials for rape cases.

• Trafficking in human beings is not just a national issue but has transcended borders. Therefore, the law needs to have extra-territorial jurisdiction. This would ensure that the exploiters do not escape punishment merely because of lack of jurisdiction.16

• The ITP Act under section 22 (AA) provides that the central and state governments may appoint Special Courts in this regard. However the Act nowhere mentions any procedure for such appointment. Thus, it is recommended that the amendment should consider this loophole as well.

• There is a need to add a provision for victim assistance programmes. The present law only lays emphasis on the prosecution of the accused person without taking into account the need for rehabilitation of the victims.

• In the existing legal setup there is no provision for victim counsellors. Therefore a provision should be made for victim counsellors to assist the victims especially during the trial of the case.

• Interim compensatory provisions should be added in the legal setup for the victims of human trafficking which can be extracted from the guilty offender.

• The existing legal setup does not seem to deter traffickers, violators and exploiters. Thus, there is a need to enhance the punishment for these traffickers and exploiters.

• The advisory board of social workers and NGO's which are notified under Section 13(3) of the ITP Act should be reconstituted. Provisions for their experience and training should be added.

Preventive:

• Prevention is better than cure, and therefore preventive efforts must be undertaken to minimise the vulnerability of the risks of human trafficking. These efforts can be achieved in many ways, like spreading of education, gender equality and by providing employment opportunities.\(^{17}\)

• High supply areas of women and child victims to some extent have been identified. Still a lot of effort is required to be made to identify all high sensitive victim supply areas. The Central and State governments with the assistance of NGO's must launch various social empowerment schemes, so that women and children in such sensitive areas would be empowered socially and economically.\(^{18}\)

\(^{18}\) Supra note 15 at 16.
• Co-ordination should be ensured among the Department of Tourism, Police, Tour Operators, Immigration Officials to check the increasing trend of sex trafficking.\(^\text{19}\)

• The local administration in the red light areas should be made responsible for ensuring safety and security to the victims of human trafficking.\(^\text{20}\)

• Heads of schools should be made aware about the possible risks of human trafficking and they should be enlisted to stall any risks involving children.

• Schools and night shelter facilities in red light areas should set up in order to prevent trafficking and commercial sexual exploitation of children who grow up in such vulnerable areas.

• There should be special anti-trafficking measures to supervise disaster affected areas and armed conflict areas, as these areas are highly vulnerable to human trafficking.

• There should be proper vigilance over the staff of protective homes so that they do not exploit the victims of human trafficking.

**Protective:**

• There is an urgent need to have obligatory assistance and protection strategies for victims of human trafficking. These could range from protecting the identity and privacy of the trafficked victims.\(^\text{21}\)

• Traffickers are always in search of re-trafficking the victims of human trafficking. Therefore, efforts should be made to provide safe and secure shelters to victims so that there is no retaliation or re-trafficking.

• Law must ensure that while taking away a child from the undesirable influence of the flesh trade, the child should not be permanently delinked or dissociated from the parents.

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\(^{19}\) Id. at 18.
\(^{20}\) Id. at 18.
\(^{21}\) Supra note 17 at 117.
Prosecution:

- Police personnel most often under-report or do not report human trafficking cases. This has been taken as a serious lapse in the enforcement system. Unless full and honest actions by police personnel are not taken against traffickers, there is a likelihood of increase in the problem of human trafficking. Eradication of this menace is possible only when there is police-public cooperation and accountability of the police officials.

- Every effort should be made for the investigation and prosecution of traffickers and exploiters rather than victims of human trafficking.\textsuperscript{22}

- For efficacious prosecution of traffickers, victims as witnesses play an important role. But a cooperating victim is always at risk. Therefore, there is a need to have witness protection programmes.

- Help of extradition treaties should be taken into account when exploiter or traffickers are from different nationalities. This would deter traffickers who are running trafficking rackets from other countries.

- Law should incorporate provisions wherein it is made it obligatory on the part of the enforcement agencies to register and proceed with a criminal action whenever a child is found in a brothel.\textsuperscript{23}

- Law should set provisions for speedy trial in cases of human trafficking. Special judges should be appointed to decide the cases of trafficking on a priority basis.

Rescue and Rehabilitation:

- Every effort should be made to persuade and motivate women and child victims of human trafficking to recover and reintegrate into society and to lead a normal dignified life. Such efforts can be made through proper counselling and guidance.

\textsuperscript{22} Supra note 17 at 114.
\textsuperscript{23} Poornima Advani, Trafficking: A Socio Legal Study, National Commission for Women, New Delhi, (2001), p. 212
• During rescue operations no physical force or violence should be used against the victims of human trafficking. Help of NGO's working in this area should be taken in rescue operations.

• Rescue operations should be conducted with the intention to rescue victims rather than for getting publicity.

• If a person is rescued as a victim of human trafficking for organ harvesting, he should be given medical treatment as a priority. This is to ensure that he leads a healthy and dignified life in future.

• Girl victims rescued from the human trafficking trap should be medically examined so that such girls are protected from unwanted pregnancies.

• After every rescue operation, the family of the victim should be informed, so that they are able to persuade the victim for rehabilitation and reintegration.

• Assistance should be provided by the Central and State governments to various NGO's and Community Based Agencies (CBA) for setting up of Child Development Centres to provide education, health counselling vocational training to the victims and vulnerable sections of society.

• Every juvenile, protective and correctional home for victims should be well equipped with well trained personnel so that the victims are fully reformed and rehabilitated.

• In cases where victims of human trafficking belongs to other State, every effort should be made for the proper shelter, travel, medical and psychological treatment of the victims.

• In cases where a victim belongs to another country, arrangement of fast temporary visa along with safe passage should be made.

• Women's organisations should be involved in monitoring of remand, protective and other homes.
Repatriation and Reintegration:

- In most of the trafficking cases, victims have been deprived by traffickers of the financial means to pay for return to their home state or country. Thus, it should be ensured that victims should be proved required financial assistance for the same. 24

- More often traffickers also take away the valid travel documents from victims. In such cases State's should make arrangements for victims safe passage to their home country. This should be done, ensuring no harassment on the part of immigration authorities.

- Trafficked victims who are able to return to their home country either voluntarily or as a result of deportation, face multiple problems. Lack of adequate support and opportunity leads to their re-trafficking. Thus, to check re-trafficking the following reintegration programmes should be given consideration:

  1. Solve legal, health and financial problems of the victim.
  2. Provide employment opportunities and practical assistance.
  3. Helps the victims to overcome social barriers and rejection by families or communities
  4. Protect victims from reprisal or persecution from exploiters and traffickers.
  5. Protect victims from undue harassment and prosecution from the authorities.
  6. Guarantee confidentiality and the privacy of the trafficked persons.

Social, Economic and Educational Empowerment:

- It has been seen through research that most of the victims of the human trafficking are either economically down trodden or socially backward or educationally illiterate. Therefore, there is an urgent need for social, economic and educational development. 25

24 Supra note 17 at 121.
• Children of the existing prostitutes eventually fall prey to the human trafficking industry. It is therefore, suggested that such children as early as possible should be segregated temporarily from their mothers and should be given free and compulsory schooling, or assistance and guidance be provided to the mothers to institutionalise their children in boarding homes or hostels.

• Educational support systems in terms of tuitions, supplementary nutrition and health checkups to school going children's of women victims of red light areas should be provided under various schemes under Central and State developmental umbrella.

• Social uplifting of vulnerable sections of society should be done through various State sponsored schemes and programmes.

Awareness and Social Mobilisation:

• The public perception towards the victims of human trafficking mostly women and girl victims is conditioned by a patriarchal attitude and gender bias. There are myths that women and girls are taking up this so called profession by their own choice. There is also an attitude of refusal to recognise the existence of human trafficking and the commercial sexual exploitation of children. Such wrong perceptions among the people needs to be countered through removing gender bias in text books, teaching methods and media messages. Rather text books, and media houses should be the best source of awareness about the problem of human trafficking.

• Programmes of advocacy and information through the media, awareness camps, seminars, conferences and workshops etc. should be held. These programmes are the best source to bring about the sensitization of the plight of human trafficking victims.

• Special training modules for police officials, staff of protection homes, border police, judicial officers, medical personnel and NGO's should be prepared and used for their training and orientation.

• Legal literacy programmes should be given priority by the Central and State governments in rural areas. These programmes should sensitise people about their rights and legal recourse available to them in case of any unwanted situations.
• Programmes providing education and knowledge about sex and reproduction must be implemented at the school level to dispel the ignorance and thereby reduce the risk of young girls for sexual abuse and other kinds of exploitation.

• In order to make the masses aware about the existence of human trafficking, state governments should highlight and give publicity to such cases without violating the safety and privacy of the victims of crime.

• There should be a mandatory display of anti-trafficking message in public places like entry and exit points of airports, railway stations, cinema houses, big markets, malls and hotels which will act as a deterrent to the violators.26

State and Law Enforcement Agencies:

• There is a lack of co-ordination between various government agencies at the Centre and in the States in addressing and combating the issue of human trafficking. To take this lack of communication and an integrated effort, the formation of a National Nodal Agency is recommended.27 This Agency would be useful in the integration of information arising from centre and states.

• There is a lack of co-ordination between various departments of the same State. Therefore, there should be integration in the policy and programme implementation by all departments and ministries.

• It is recommended that all States should appoint trafficking police officers to fully enforce trafficking laws.

• Recent establishment of anti-trafficking units (ATU) in various States must be well equipped with trained police officials.

• It has been seen through discussions with police officials during the empirical study that there is an urgent need for training and sensitisation of police about the problem of human trafficking. Therefore, it is recommended that a training course on trafficking should be conducted for all police officials.

• The implementation of various guidelines issued from time to time by the judiciary must be carefully implemented and monitored.

26 Supra note 23 at 213.
27 Dr. Aparna Srivastava, Human Trafficking with Special Reference to Delhi, A William Carey Study and Research Centre and Joint Women's Programme Publication, (2006), p. 100
• Centre and all state governments should allocate reasonable resources for creating public awareness about the problem of trafficking in persons.

• Governments should improve labour standards to curb the demand of person for trafficked labour.

• Government through immigration officials needs to keep a proper watch on persons mostly of young girls and boys migrating to other countries.

• Enacting a law or any rule for that matter is not the only panacea for curbing human trafficking. It is through effective implementation of laws trafficking that can be stopped. Therefore, implementation of laws should be in letter and spirit.28

• Due to technological developments there is an increasing trend in the transplantation of human organs. Every human organ transplantation done in a government or private hospital should be performed through a proper procedure with registration so that there is a record of the donor and the receiver of the organ. This would accordingly reduce the trafficking of human beings for organ harvesting.

• All State governments should bring out a state policy detailing guidelines on the minimum standards of care, attention and service to be given to the victims of human trafficking by all service providers like police, prosecutors, judges, counsellors, medical personnel and staff of protective and shelter homes.

NGO Co-ordination:

Non-Governmental Organisations and other Community Based Agencies play a vital role on the issue of human trafficking. However, it has been seen that there is no co-ordination and co-operation among various NGO groups working in the human trafficking area. Therefore, there is a need for the co-ordination of NGO’s within the State and outside the State. The focus area for the NGO’s can be summarised as follows:

• There should be a collaboration of NGO’s and government agencies in anti-trafficking programmes and activities.29

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28 Vishaljeet v. Union of India, AIR 1990 SC 1412.
29 Sankar Sen, Trafficking in Women and Children in India, Orient Longman Pvt. Ltd. (2005), p. 297
• NGO's should focus on the spreading of awareness about the rights enshrined under the Constitution of various countries and other relevant laws.

• NGO's should provide first hand information to various vulnerable sections about the activities and plans of traffickers and exploiters.

• NGO's should assist the police in the rescue and rehabilitation of victims of human trafficking.

• NGO's should help victims in their repatriation and integration.

• NGO's should help victims in providing free legal aid, medical treatment and counselling.

**Research and Documentation:**

There are various reasons for undertaking research in the area of human trafficking. Research generates reliable and important data on the problem of human trafficking. That data helps to increase the awareness about the issue of human trafficking and to find out trends, dimensions and patterns existing in our society. Documenting the issue of human trafficking is a vital source of information for advocating and addressing the changes in existing policies and legislations. A list of potential research topics for future could be:

• Human Trafficking and Migration

• Human rights violations in human trafficking

• Human Trafficking for organ harvesting

• Human trafficking and sex tourism

• HIV/AIDS and Human trafficking

• Human trafficking and media reporting

• Human trafficking and illegal adoptions

These areas of future research would surely help in recording the obstacles and lessons learned. Undoubtedly, best practices can be evolved through these research studies for the humane treatment of the victims of the trafficking in persons.
Human trafficking is a form of modern day slavery and it requires a holistic and multi-sectoral approach to address the different dimensions of the issue. It is an issue that violates the basic fundamental rights and dignity of the victims and therefore it essentially requires human rights approach while working on its eradication. The problems inherent in developing and applying rights based approach to human trafficking needs to be addressed openly and honestly. The significant obstacle is presented by the fact that international, regional and national legal instruments on trafficking in human beings do not deal with the problem in any concrete and reliable way. Therefore, it becomes an ultimate responsibility of every state to take appropriate action against violators and afford remedies and reparation to those who have been injured.

As seen trafficking in persons can occur in both lawful and illicit industries or markets. India is a source, transit and destination country for these human beings who are subjected to this injustice of human trafficking, forced labour, debt bondage, involuntary servitude and sex trafficking.

Human trafficking is extremely reprehensible act which has serious consequences for the victim. These consequences range from physical to financial to social to legal. There are numerous laws in existence. However, the situation has not improved. This study has undertaken with a view to highlight the areas which need specific attention on this account. The empirical research has brought to light the causes contributing to the problem, people's perception and the reasons for the ineffectiveness of the laws. This should provide a basic framework for the policy makers, the legislators, the people involved in the implementation of relevant laws, police personnel and the judiciary for bringing about more efficiency in their respective domains. The suggestions provided by the researcher need to be effectively implemented for filling the lacunae in the system.

Ultimately it is the collective effort which is required on the part of the different agencies existing in a democratic system, which will help to reduce if not eliminate this evil. Since it is a social problem as well, there is focussed need to bring about social awareness with the help of different sections of the society. A targeted effort will be instrumental in the eradication of this menace.