

PROSTITUTION, SLAVERY AND HUMAN TRAFFICKING. THE WORLDWIDE PRACTICES OF ELIMINATING IT

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Abstract

Prostitution, slavery, and the trafficking of people are examples of some of the most pervasive breaches of human dignity and fundamental rights that occur in the modern world. Poverty, gender inequality, organised crime, violent conflicts, and insufficient enforcement of legal frameworks are all factors that contribute to the continued existence of these practices in a variety of forms, despite the fact that they have been legally eradicated in the majority of civilisations. The practice of human trafficking, which is sometimes referred to as "modern-day slavery," involves the exploitation of millions of people, primarily women and children, for the purposes of sexual exploitation, labour, and organ commerce. In order to counteract these crimes, a variety of measures have been used by international organisations such as the United Nations, the International Labour Organisation, and INTERPOL, as well as by national governments and non-governmental organisations. The Palermo Protocol from the year 2000, anti-trafficking laws, victim rehabilitation programs, information campaigns, cross-border collaboration, and tighter law enforcement against traffickers and exploiters are some of the measures that have been taken. Despite the fact that great progress has been achieved in the creation of global standards and collaborative frameworks, problems continue to exist as a result of corruption, a lack of resources, inadequate victim protection, and the covert nature of these crimes. In light of the global effort to eradicate prostitution, slavery, and human trafficking, it is clear that a multifaceted approach is required. This approach should combine legal, social, and economic strategies, as well as global solidarity, in order to guarantee the protection of vulnerable populations and the elimination of exploitative practices.

Keywords: *Prostitution, slavery, human trafficking, eliminating*

Introduction

For example, prostitution, slavery, and human trafficking are among the oldest and most deeply ingrained kinds of human exploitation. Even in the 21st century, these forms of human exploitation continue to pose a danger to global peace and security as well as human rights. Both overt and covert manifestations of these practices continue to exist all over the world, despite the fact that reform efforts and international vows to remove them have been going on for centuries. There is a connection between these two problems, as prostitution is frequently associated with networks that engage in human trafficking, and contemporary slavery is manifested via practices such as sexual exploitation, forced labour, and other forms of corporal punishment. They contravene international human rights laws, particularly the Universal Declaration of Human Rights (1948), which declares freedom from slavery, servitude, and exploitation to be essential rights. Collectively, they diminish human dignity and violate international human rights standards.

The scope of the issue continues to be quite concerning. The International Labour Organisation (ILO) estimates that more than fifty million people throughout the world are victims of modern slavery. A sizeable number of these individuals are trafficked for the purpose of forcing them to do forced labour or sexual exploitation for commercial purposes. Vulnerable groups, including but not limited to women, children, migrants, and economically challenged groups, are at the most danger. Transnational organised crime syndicates, corruption, violent conflicts, economic inequities, and systematic gender inequalities are the factors that contribute to the perpetuation of these criminal activities.

In response, the world community has put into effect a number of different policies with the intention of eradicating the problem. One of the most important instruments for preventing, repressing, and prosecuting human trafficking, particularly that which involves women and children, is the Palermo Protocol, which was established in 1995. Laws that are particularly strict against human trafficking and slavery have been enacted by national governments, which have also increased border controls and established victim rehabilitation programs. Awareness campaigns, rescue operations, and reintegration efforts have all been carried out by non-governmental organisations (NGOs), which have also played an important contributing role. In addition, when it comes to combating crimes that cross international borders and take advantage of legal loopholes, global collaboration and alliances between several agencies have rapidly become crucial methods.

In spite of these efforts, significant obstacles continue to exist. These obstacles include insufficient law enforcement, limited victim support systems, a lack of international cooperation in certain locations, and the durability of underground marketplaces that are fuelled by a strong demand for cheap labour and sexual exploitation. Consequently, the battle against prostitution, slavery, and human trafficking involves not only legal and institutional processes, but also socio-economic changes that attack core causes such as poverty, unemployment, and gender-based discrimination. These reforms are necessary in order to effectively combat these serious issues.

Within the scope of this study, we investigate the global methods that are aimed at eradicating various types of exploitation. It offers an analysis of legislative frameworks, worldwide collaboration, preventative tactics, and rehabilitative measures, while simultaneously drawing attention to the gaps and obstacles that continue to limit development. In the end, it makes the case for a global strategy that is both comprehensive and coordinated in order to guarantee that the promises of freedom, dignity, and human rights are realised for everyone around the world.

International Legal Frameworks

Through the establishment of a number of internationally significant treaties and conventions, the international community has established the groundwork for the fight against human trafficking and slavery. As a complement to the United Nations Convention against Transnational Organised Crime, the Palermo Protocol (2000) mandates that nations must take measures to prevent trafficking, protect victims, and prosecute those who traffic in illegal goods. Conventions of the International Labour Organisation (ILO) on child labour and forced labour create legal norms to safeguard workers who are vulnerable. In addition, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) tackles the issue of gender-based exploitation that is associated with prostitution and trafficking. A global

legal foundation is provided by these treaties; nevertheless, the efficacy of these documents is primarily dependent on the cooperation and enforcement of respective nations.

National Legislation and Policy Responses

A great number of nations have made the trafficking of people and the practice of slavery illegal, and they have also revised their laws on prostitution in order to protect victims rather than penalise them. Countries such as Sweden and Norway, for instance, adhere to the "Nordic Model," which criminalises the purchase of sexual services but does not penalise prostitutes. This approach is aimed at satisfying demand. For the purpose of combating organised trafficking, India has enacted the Immoral Traffic (Prevention) Act (1956) and established Anti-Human Trafficking Units (AHTUs). The Trafficking Victims Protection Act (TVPA), which places an emphasis on prosecution, protection, and prevention, is brought into effect by the United States of America. Both Australia and the United Kingdom have passed modern slavery statutes, which require mandatory openness in supply chains and responsibility on the part of corporations. These methods emphasise a variety of measures, ranging from punitive to rehabilitative, which reflect the cultural and legal settings in which they are implemented.

Law Enforcement and International Cooperation

When it comes to dismantling trafficking networks, law enforcement authorities are increasingly relying on coordination across international borders. International organisations such as INTERPOL and Europol collaborate on efforts to rescue victims and apprehend those responsible for trafficking. The exchange of intelligence and the ability to manage borders are both strengthened by bilateral and regional agreements, such as those that exist within the European Union and ASEAN. In order to identify individuals who engage in human trafficking and to prevent online exploitation, modern technologies such as digital surveillance, monitoring based on artificial intelligence, and financial tracking systems are now being utilised.

Victim Protection and Rehabilitation

The protection and rehabilitation of victims is an essential component of long-term attempts to eradicate the problem. Survivors are provided with secure shelters, medical treatment, psychological counselling, and vocational training by non-governmental organisations (NGOs) and governments all around the world. The Philippines and Nepal are two examples of nations that have rehabilitation programs that emphasise the acquisition of skills as a means of reintegrating individuals back into society. The United States of America is in charge of the Office to Monitor and Combat Trafficking in Persons, which acts as a support system for victim relief activities on both the local and international levels. In order to prevent survivors from being criminalised and instead provide them the ability to restore their lives, victim-centered techniques are utilised.

Awareness Campaigns and Education

In order to raise awareness about human trafficking and to mobilise public action, global programs like as the Blue Heart Campaign of the United Nations are being implemented. Educating communities about the hazards of human trafficking and the necessity of reducing the demand for commercial sexual

exploitation is a goal that may be accomplished via the participation of grassroots movements and media platforms. For the purpose of preventing human traffickers from recruiting vulnerable populations, community-based interventions are being implemented across Africa and South Asia, with a special emphasis on women and children.

Addressing Socio-Economic Root Causes

Poverty, unemployment, discrimination based on gender, and a lack of education continue to be major factors that contribute to exploitation. The United Nations Development Program (UNDP) and the World Bank are two examples of international aid programs that work to address the issue of women's empowerment and the promotion of livelihood prospects. It is possible for potential victims to gain financial independence via the assistance of microfinance initiatives and vocational training programs, which in turn reduces their susceptibility to the false promises made by traffickers.

Corporate and Supply Chain Accountability

Because of the prevalence of forced labour in global supply chains, firms are increasingly being held accountable for their actions. Companies are required to report the measures they have taken to avoid slavery in supply chains in accordance with the Modern Slavery Act (2015) in the United Kingdom and the Modern Slavery Act (2018) in Australia. Businesses are encouraged to adopt procedures that are both transparent and free of slavery through the implementation of ethical trade initiatives and certification programs such as Fair Trade.

Regional and Country-Specific Practices

Europe (Europe) A strong emphasis is placed on victim protection and compensation in the Convention on Action against Trafficking that was adopted by the Council of Europe in 2005. The Asia The countries of Thailand and Cambodia, who are facing significant trafficking difficulties, have collaborated with non-governmental organisations (NGOs) to increase border surveillance. Africa (region) In areas where there is violence, the African Union has created action plans that are centred on the issue of child trafficking and slavery. In the Middle East, Gulf nations have implemented labour reforms in order to combat human trafficking that is associated with the "kafala" system.

Prostitution

Dealing in the trade of human flesh and receiving payment for it is the activity that is known as prostitution. Exchanging sexual pleasure for financial rewards is what we mean when we talk about prostitution. Making money is the primary motivation behind prostitution, which is why it is often referred to as commercial sex. There has been a widespread practice of prostitution ever since ancient times, and it is not restricted to any particular age or gender. Sometimes it is a matter of personal choice, but the vast majority of them are coerced into engaging in this trade of flesh. In this regard, the laws that govern this vary from country to country and area to region. There are a lot of people who believe that it is a kind of violence against women. A violation of human rights and a violation of the dignity of a person is the act of prostitution. It violates the fundamental concept of our Indian Constitution, which states that every individual has the right to live their life with dignity and safety, and it is incompatible with this

value. When viewed through the perspective of other people, it is evident that their existence is filled with cruel and disrespectful treatment, as well as instances of torture. Not only does the term "prostitution" refer to the act of exchanging sexual services, but it also includes other associated activities.

Provisions

The idea that prostitution is against the law in India is a common misunderstanding; however, the reality is that prostitution is lawful, although pimping, having, and handling brothels are all against the law. The following are the provisions regarding prostitution: 1986 was the year that saw the revision of the Immoral Traffic (Prevention) Act (ITPA). The reason for this amendment was that India was obligated to sign a statement against human trafficking that was issued by the United Nations in the year 1950. This Act, for instance, stipulates that the management of a sex racket may be considered criminal, although the activities of private prostitution or earning money in return for sex may not be considered illegal. The definition of the term "brothel" was clarified in the case of *State v. Sharda*³, which said that the term "brothel" does not only refer to a home, room, space, or part of any house that is utilised for the purpose of sexual exploitation. On the other hand, it is a location where it is possible for two or more prostitutes to engage in prostitution work on a voluntary basis. In addition, the females involved in the case were engaging in prostitution on their own volition while they were residing in a Kotha.

In addition, the Indian Penal Code, 1860 addresses the issue of prostitution; however, it is limited to the act of child prostitution. On the other hand, it also includes provisions for kidnapping for the purpose of seduction, coercing a person into sexual activity, or trading females from other nations, among other things. In accordance with the Indian Penal Code, 1860, Sections 366(A) and 372 make it illegal to kidnap and sell juveniles, as well as to force them into prostitution. It was stated in the case of *State v. Haseena*⁴ that in the event that a minor kid is discovered in a brothel, and if it is discovered that the child has been subjected to sexual abuse, it is considered that the minor child has been detained with the goal of engaging in prostitution. The prosecutor made it quite evident that she was coerced into doing that, and she even resorted to beating her for refusing to do it. Therefore, it was sufficient evidence to convict the suspect for the offence that is punished under Section 5 of the ITP Act, despite the fact that she cannot be held guilty under Section 376 and Section 109 of the Indian Penal Code, 1860.

Article 23(1) of the Constitution of India, 1950 also forbids trafficking of human beings and forced labours.

Slavery

In this country, the institution of slavery is not new. Throughout the centuries, it has been a part of the civilisation. This is a paradigm in which people are seen to be the property of something else. In essence, those from lower social classes were included in this. It is a system in which people are traded on the market in the same way that other commodities are exchanged. It was made abundantly clear in the case of *Mohammad Ali Al Gita v. State of Uttar Pradesh* that the definition of slavery is as follows: "buying or disposing of any person as a slave- whoever imports, exports, removes, buys, sells, or disposes of any person as a slave, or accepts, receives, or detains against his will any person as a slave, shall be punished." Someone else is granted ownership of something that belonged to another individual. In this case, the master and the slave have made a unilateral agreement with one another. Generally speaking, it is a form

of forced labour that takes place for the duration of his life or until the time when his owners liberate him from slavery, during which he is forced to work against his will. The decision that was made in the case of State of Gujarat and Others v. Honourable High Court of Gujarat⁶ was that no one shall be captured in slavery or slave trade, and all of its various forms shall likewise be outlawed; no one shall be maintained as a slave, nor shall any one be expected to serve as forced or bonded labour.

Types of Slavery – following are some of the types of slavery-

Debt Bondage: Another word for this is "bonded labour," which is another name for it. When an individual uses himself as collateral against a debt, this is an example of a form of slavery being practiced. a situation in which he is required to work without receiving any remuneration in accordance with the wishes of his master until the amount of the debt is returned. Because the majority of the time, the amount is not repayable during his lifetime, this creates a vicious cycle that is difficult to break. There is a system in which the slave is never compensated, and the system is frequently handed down from one generation to the next. As a result, the entire family is obligated to pay back the obligations that were incurred by its ancestors. An additional type of bonded labour is one in which workers are contracted for extended periods of time and get a meagre amount of compensation for their efforts.

Chattel Slavery: When it comes to this sort of slavery, human beings are bought and sold in the market just like any other commodity, and the slave has no recourse to escape the situation. In addition to being compelled to work as a servant for the rest of his life, any children who are born to them are frequently also regarded to be slaves for the remainder of their lives. This practise is a complete and utter affront to the sense of human decency.

Forced Labour: Workers are compelled to perform their jobs by their employers because of the economic situation they are in. Under any form of coercion, threat, violence, or any form of punishment, the work is being performed. In such a scenario, a person is compelled to work, and the results of their labour are subject to the influence of a third party.

In the case of Dhanurjaya Putel and others v. State of Orissa, it was determined that a person who was forced to work for 18 hours and was only compensated with a sum of thirty rupees did not have the right to voice his dissatisfaction with the exploitation that he and others had experienced. Consequently, this was the most accurate illustration of modern slavery. According to the court, this completely satisfies the requirements of the phrases "slave" and "slavery."

Forced Marriage and Sex Slavery: The practice of slavery of this type is quite widespread across the various regions of the world. In many cases, women, and more specifically underage girls, are coerced into marrying older men who hold a higher social rank. The women are compelled to live as their husbands' wives and to satisfy the whims of their husbands, during which they are subjected to either physical or sexual abuse. Women are used by their so-called husband in the capacity of sexual slaves.

Human Trafficking

The term "human trafficking" refers to a multifaceted phenomenon that encompasses forced work, enslavement, and prostitution. A person's fundamental right to live their life with dignity and safety is

interfered with when they are subjected to human trafficking. The term "human trafficking" refers to a form of unlawful economic enterprise that mostly includes women, children, migrants, members of marginalised communities, and victims of conflict. In the case of U. Gopakumar v. State of Kerala, the attorney for the appellants said that the accused actively participated in human trafficking on a regular basis and was further accused of trafficking a significant number of individuals on a daily basis. As a result, the primary components of Section 370 of the Indian Penal Code, 1869, which makes the trafficking of people a criminal offence, were specified. Another point that was brought up in this was that human trafficking is a form of modern-day slavery. One form of human trafficking is comprised of activities such as begging and participation in criminal activities. Whenever we see youngsters begging on the streets, it is much more visible because of this. In the majority of cases, these youngsters are taken captive and forced to engage in the business of begging by the individuals who trade them. The fact that kids are easier to manage and have a relatively limited statute offers them an advantage when it comes to committing crimes such as stealing and burglary. Criminal organisations prefer to engage in criminal activities and activities that involve juveniles.

Provisions

- With the passage of the ITPA Act, the Indian government has made it possible to punish those who engage in the trade of human beings for the purpose of commercial sex with a sentence of seven years in jail or life in prison.
- Bonded slavery, often known as forced labour, is illegal in India according to the Bonded slavery Abolition Act of 1976, the Child Labour Act of 1986, and the Juvenile Justice Act of 2015.
- In addition, state governments have taken a number of measures and passed laws in order to address these kinds of problems. One such legislation is the Punjab Prevention of Human Smuggling Act, which was passed in 2012.
- In the case of State of Uttarakhand v. Sartaj Khan, it was stated that the state parties are required to develop and maintain direct communication channels in order to promote collaboration among border control agents. Additionally, the Trafficking Victims Protection Act of 2000 was finally enacted during this time period.
- In the year 2006, the Department of Home Affairs in Maharashtra established the Anti-Trafficking Cell (ATC) with the purpose of serving as a focal point for communicating with and following up with the State Governments in order to combat the illegal activity of human trafficking incidents.

The Worldwide Practices Of Eliminating It

- Since 1998, organisations such as STOP (Stop Trafficking and Oppression of Women and Children) have been working towards their primary goal of breaking the chain of trafficking and uplifting people through the establishment of educational facilities, the promotion of legal movements, and the rescue of children and women from various forms of slavery and human trafficking.
- The adoption of sustainable development goals, in which the fight against slavery is a sensible development strategy, is currently being implemented. For the purpose of putting an end to child

labour in all of its forms until the year 2025, certain operational activities are being implemented to abolish forced labour, modern slavery, and human trafficking.

- Among the many organisations that keep a close eye on the activities of prostitution, slavery, and human trafficking are the International Labour Organisation, the United Nations Economic Council, the Commission on Human Rights, the United Nations Human Rights Council, the United Nations Security Council, and other United Nations entities such as the United Nations Office on Drugs and Crime (UNODC) and the United Nations Children's Fund (UNICEF), among others.
- In order to put an end to modern slavery, it is possible to form a global collaboration. This partnership should involve the incorporation of a pool finance component and the comprehensive work of a special ambassador on contemporary slavery.
- Non-governmental organisations (NGOs) are an essential source for the collecting of information on human trafficking. Local NGOs have the potential to assist authorities in locating unlawful rackets that are involved in human trafficking.

Conclusion

Some of the most heinous breaches of human rights and human dignity that are taking place in the modern world include prostitution, slavery, and the trafficking of people. The intricacy of the issue is demonstrated by the fact that these practices continue to exist in both overt and covert forms, despite the fact that they are strictly prohibited in almost every country. For the purpose of preventing exploitation, the legal foundation has been supplied by international frameworks such as the Palermo Protocol, agreements of the International Labour Organisation, and other state legislations. A substantial amount of progress has also been made in the areas of victim rescue, rehabilitation, and public awareness thanks to the efforts of law enforcement authorities, non-governmental organisations (NGOs), and intergovernmental organisations. However, the difficulties continue to be sobering. The covert nature of trafficking networks, in conjunction with the prevalence of corruption and poverty, as well as the worldwide need for low-cost labour and commercial sex, continues to act as a driving force behind exploitation. Even today, a significant number of victims continue to be subjected to inadequate protection and societal shame, while gaps in enforcement undermine deterrence. On top of that, vulnerabilities are perpetuated by structural issues such as economic imbalances, gender inequality, and bad governance. In order to eradicate prostitution, slavery, and human trafficking, the global community has to embrace a strategy that is fundamentally comprehensive. This entails not just more stringent law enforcement and international collaboration, but also long-term socioeconomic reforms that address issues like as unemployment, poverty, and a lack of education. The importance of victim-centered rehabilitation programs that place an emphasis on dignity, empowerment, and reintegration cannot be overstated. Additionally, the role that customers and businesses have in demanding ethical and transparent business practices is not something that should be ignored. In the end, the fight against these crimes on a worldwide scale is not only a matter of law or security; rather, it is a fundamental moral obligation. In order to ensure a future in which every individual is able to enjoy the freedom, dignity, and equality that are guaranteed by international human rights, it is vital to protect those who are vulnerable, dismantle institutions that exploit people, and create global solidarity. The abolition of these barbaric

practices is not only a goal that may be accomplished, but it is also an irresponsible obligation that the world community must fulfil.

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