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HUMAN TRAFFICKING & BRIDE TRAFFICKING- Dr. Nisha Rani¹**Abstract**

Human trafficking, particularly in the form of bride trafficking, remains one of the most pervasive and complex human rights violations, fuelled by socio-economic vulnerabilities, entrenched gender inequalities, and gaps in enforcement. This article examines the legal, social, and economic dimensions of the issue, highlighting both systemic failures and emerging preventive frameworks. It outlines the structural drivers, ranging from poverty and lack of education to gender-based discrimination, that facilitate trafficking networks, and critically assesses the adequacy of existing legal frameworks in addressing the crime. Through a comprehensive discussion of prevention strategies, law enforcement measures, and victim rehabilitation, the paper emphasizes the need for a multi-pronged, collaborative approach. The conclusion underscores that combating trafficking is not merely a legal necessity but a moral imperative, requiring integrated action from governments, civil society, and international partners to dismantle exploitative systems and restore dignity to survivors.

Keywords: human trafficking, bride trafficking, gender equality, victim rehabilitation, law enforcement, socio-economic vulnerability, cross-border cooperation, human rights violations, prevention strategies, moral imperative.

I. Introduction

Human trafficking is widely recognized as one of the gravest human rights violations in modern times, cutting across geographical, cultural, and socio-economic boundaries. It is a multi-billion-dollar criminal enterprise, second only to drug and arms trafficking in profitability, and thrives on systemic inequalities, weak enforcement mechanisms, and the vulnerability of marginalized communities. The United Nations Office on Drugs and Crime (UNODC) defines human trafficking as the recruitment, transportation, transfer, harbouring,

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or receipt of persons, by means of threat, coercion, abduction, fraud, deception, abuse of power, or exploitation of vulnerability, for the purpose of exploitation.² This exploitation may take various forms, including sexual exploitation, forced labour, servitude, organ removal, and forced marriage.

Globally, the legal understanding of trafficking is consolidated in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000, popularly known as the Palermo Protocol, which supplements the United Nations Convention against Transnational Organized Crime. The Protocol establishes three critical elements for defining trafficking: the act (recruitment, transport, transfer, harbouring, or receipt), the means (threat, coercion, fraud, deception, or abuse of vulnerability), and the purpose (exploitation).³ It also places obligations on States to criminalize trafficking, protect victims, and foster international cooperation.

India, as a signatory to the Protocol, has developed a multi-layered legislative framework to address trafficking.⁴ The Immoral Traffic (Prevention) Act, 1956 (ITPA) focuses primarily on trafficking for commercial sexual exploitation, while provisions under the New criminal law Bharatiya Nyaya Sanhita, 2023, Section 143, 144 (trafficking and exploitation of persons), Section 87, 96 (kidnapping, abduction, and procurement for marriage or illicit intercourse), Section 98 and 99 (selling and buying minors for prostitution), address other forms of trafficking. Additional protections exist under the Prohibition of Child Marriage Act, 2006, the Bonded Labour System (Abolition) Act, 1976, and various state-specific laws.

Within the broader ambit of human trafficking lies a particularly insidious form: bride trafficking. This refers to the recruitment and transfer of women and girls, often across state or national borders, for the purpose of forced or exploitative marriage. Unlike consensual unions, these marriages are frequently a cover for long-term exploitation, including sexual abuse, forced domestic labour, reproductive coercion, and restrictions on freedom of movement. In many cases, victims are treated as commodities, bought, sold, and traded, stripped of their autonomy and basic rights.

²Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Nov. 15, 2000, 2237 U.N.T.S. 319.

³Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13.

⁴G.A. Res. 70/1, Transforming Our World: The 2030 Agenda for Sustainable Development (Oct. 21, 2015).

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Bride trafficking often thrives in regions with skewed sex ratios, poverty, and entrenched patriarchal practices.⁵ In India, factors such as son preference leading to female foeticide, dowry demands, and economic deprivation create a fertile ground for the trafficking of brides, particularly from poorer states like Assam, West Bengal, Jharkhand, Odisha, and Bihar to states with gender imbalances like Haryana, Punjab, and Rajasthan. Cross-border bride trafficking is also prevalent, involving victims from neighbouring countries such as Nepal, Bangladesh, and Myanmar.

In the contemporary socio-legal context, addressing bride trafficking is of urgent importance. It not only intersects with issues of gender-based violence, modern slavery, and reproductive rights, but also raises questions about how cultural norms and economic factors perpetuate systemic exploitation.⁶ Understanding bride trafficking as part of the wider trafficking framework enables the development of targeted legal, policy, and community-based interventions, ensuring that responses are comprehensive, rights-oriented, and survivor-centred.

I. Understanding Human Trafficking

Human trafficking is a grave violation of human rights and dignity, widely regarded as one of the fastest-growing forms of transnational organized crime.⁷ It thrives on structural inequalities, economic deprivation, and systemic exploitation, affecting millions across the globe. The United Nations Office on Drugs and Crime (UNODC) defines human trafficking as:

“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

This widely accepted definition, originating from the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), also known as the

⁵The Immoral Traffic (Prevention) Act, 1956, No. 104 of 1956, INDIA CODE.

⁶Indian Penal Code, No. 45 of 1860, §§ 366, 366A, 370, 370A, 372, 373, INDIA CODE or Bharatiya Nyaya Sanhita, 2023, No. 45 of 2023, §§ 87, 96, 143, 144, 98, 99, INDIA CODE.

⁷The Prohibition of Child Marriage Act, 2006, No. 6 of 2007, INDIA CODE.

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Palermo Protocol, clarifies that trafficking is not merely the physical movement of individuals, but the process and intent of exploitation.⁸ Even without crossing international borders, trafficking can occur entirely within a single country if these elements are met.

The definition encompasses three fundamental components:

1. **The Act** – The activities involved, such as recruitment, transportation, transfer, harbouring, or receipt of persons. These can be carried out openly or covertly.
2. **The Means** – The methods used, which include threats, use of force, coercion, abduction, fraud, deception, abuse of power, or taking advantage of a person's vulnerability. Payments or benefits to someone in control of the victim also fall under this element.
3. **The Purpose** – Exploitation, which may take various forms, including sexual exploitation, forced labour, slavery-like practices, servitude, organ removal, or forced marriage.

This tripartite framework ensures that the focus remains on the exploitative outcome, regardless of whether the victim initially consented, since any consent obtained through fraud, coercion, or exploitation of vulnerability is legally invalid.

1.1.Types of Human Trafficking

Human trafficking manifests in multiple forms, often overlapping, with victims subjected to more than one type of exploitation during their ordeal. The following are some of the most prevalent and legally recognized categories:

1.1.1. Sexual Exploitation

Sexual exploitation is the most commonly identified form of trafficking globally. It includes forcing victims into prostitution, pornography, or other forms of sexual abuse.⁹ Victims, primarily women and children, are often lured with false promises of employment, education, or marriage, only to be coerced into the commercial sex trade. This form of trafficking is the primary focus of many anti-trafficking laws, including India's Immoral Traffic (Prevention) Act, 1956 (ITPA).

⁸*People's Union for Civil Liberties v. Union of India*, (1997) 3 S.C.C. 433 (India).

⁹*Bodhisattwa Gautam v. Subhra Chakraborty*, (1996) 1 S.C.C. 490 (India).

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1.1.2. Labour Trafficking

Labour trafficking involves the recruitment or movement of individuals into situations of forced or bonded labour. Victims may work in agriculture, construction, manufacturing, mining, domestic work, or other industries under exploitative conditions. Wages are often withheld, movement is restricted, and threats or violence are used to prevent escape. In India, bonded labour, abolished under the Bonded Labour System (Abolition) Act, 1976, remains a major concern in rural economies.

1.1.3. Organ Trafficking

Organ trafficking occurs when individuals are exploited for the removal and sale of their organs, usually kidneys or parts of the liver.¹⁰ This may involve coercion, deception about medical procedures, or outright abduction. Globally, organ trafficking thrives in contexts where there is a shortage of legal organ donations and high demand from wealthier patients.

1.1.4. Bride Trafficking as an Emerging Form

Bride trafficking is increasingly recognized as a distinct form of human trafficking. It involves the sale, purchase, or coercive recruitment of women and girls for forced or exploitative marriage.¹¹ Unlike consensual marriages, these arrangements are characterized by deception, lack of informed consent, and ongoing abuse after the marriage. The “marriage” becomes a legal and social cover for sexual exploitation, domestic servitude, and control over the victim.

In India, bride trafficking often follows a clear pattern, women from economically weaker states such as Assam, West Bengal, Jharkhand, Odisha, and Bihar are trafficked to states like Haryana, Punjab, and Rajasthan, which have skewed sex ratios due to longstanding gender bias.¹² At the international level, women from Nepal, Bangladesh, and Myanmar are trafficked into India for similar purposes. The recognition of bride trafficking as a specific manifestation of human trafficking has grown in recent years, particularly as research

¹⁰UNITED NATIONS OFFICE ON DRUGS & CRIME, GLOBAL REPORT ON TRAFFICKING IN PERSONS 2022 (2022).

¹¹INTERNATIONAL LABOUR ORGANIZATION, GLOBAL ESTIMATES OF MODERN SLAVERY: FORCED LABOUR AND FORCED MARRIAGE (2022).

¹²Jyoti Sanghera, Trafficking of Women and Girls in South Asia: Dynamics, Patterns and Control, 57 INT’L SOC. SCI. J. 319 (2005).

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highlights its connection to demographic imbalance, poverty, and entrenched patriarchal norms.

Human trafficking, in all its forms, is not a series of isolated crimes but part of a complex web of exploitation, inequality, and systemic failure. Understanding its scope, components, and diverse manifestations, especially emerging patterns like bride trafficking, is essential for developing targeted prevention strategies and survivor-centered interventions.



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II. Bride Trafficking: Concept and Dynamics

Bride trafficking is a form of human trafficking in which women and girls are recruited, transported, transferred, or purchased for the purpose of marriage that is exploitative, non-consensual, or intended to conceal other forms of abuse. It often involves deception, coercion, abuse of socio-economic vulnerabilities, or outright sale of the bride as a commodity.¹³

It is important to distinguish between consensual arranged marriage, a culturally accepted practice in many societies, and trafficking for marriage. In arranged marriages, while families may play an active role in identifying potential spouses, the marriage typically involves informed consent of both parties, recognition of rights within the marital relationship, and social legitimacy. In contrast, trafficking for marriage lacks meaningful consent, often misrepresents the identity or intentions of the groom, and places the woman in a position of control and dependency that facilitates exploitation.

Marriage in such cases functions not as a legitimate partnership but as a cover for exploitation. Once trafficked, many women are subjected to sustained sexual violence, domestic servitude, forced reproduction, physical abuse, and severe restrictions on movement or communication.¹⁴ In some instances, trafficked brides are resold multiple times, further commodifying their bodies and lives. This erases the protective and consensual aspects of marriage, transforming it into a framework for legitimizing ownership and control over the victim.

2.1. Causes and Socio-Cultural Context

The persistence of bride trafficking cannot be understood without examining the structural inequalities, cultural norms, and economic pressures that create conditions for its existence.

Gender Imbalance (Sex Ratio) – A key driver of bride trafficking in many regions is the skewed sex ratio, which results from a strong cultural preference for male children. In countries such as India and China, practices like female foeticide, infanticide, and neglect of girl children have contributed to a shortage of women of marriageable age. For example,

¹³Rashmi Goel, *Shacked to the Past: Domestic Violence, Dowry Deaths, and Bride Burning in India*, 11 AM. U. J. GENDER SOC. POL'Y & L. 229 (2003).

¹⁴Anjali Deshpande & Sharmila Lodhia, *Bride Trafficking and the Indian State: Marriage, Migration and the Law*, 71 WOMEN'S STUD. INT'L F. 39 (2018).

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states like Haryana and Punjab in India, with sex ratios significantly below the national average, have become major destinations for trafficked brides from other states and countries. The demographic deficit creates a demand that traffickers are quick to exploit.

Poverty and Economic Vulnerability – Economic hardship in rural and underdeveloped areas pushes families into accepting marriage proposals from unknown men, often facilitated by middlemen promising financial stability or the absence of dowry demands. In extreme cases, girls are sold directly to traffickers by relatives or acquaintances under the guise of marriage, with payment made to the family. For vulnerable families, the perceived immediate economic benefit overshadows concerns about the bride's well-being.

Dowry and Cultural Practices – The dowry system imposes a substantial financial burden on the bride's family, making offers of "dowry-free" marriages especially attractive.¹⁵ Traffickers exploit this cultural practice by presenting the marriage as a financial relief, while concealing the exploitative realities awaiting the bride. In certain cases, trafficked brides may be married to men with disabilities, addictions, or advanced age, circumstances in which local women may refuse to marry, making trafficked women an alternative source for fulfilling marital needs.

Conflict and Displacement – Armed conflict, political instability, natural disasters, and forced migration exacerbate women's vulnerability to trafficking. In such situations, the breakdown of social structures, lack of livelihood opportunities, and displacement from community networks leave women susceptible to false marriage proposals or abduction. This is seen in cross-border trafficking from conflict-affected regions of Myanmar into neighbouring countries, and from internally displaced populations in India's insurgency-affected areas.

2.2.Regions and Patterns

Bride trafficking operates through both cross-border and internal networks, often involving organized criminal groups, local intermediaries, and sometimes even individuals within the victim's own community.

Cross-Border Trafficking (South Asia and Southeast Asia) – In South Asia, women from Nepal, Bangladesh, and Myanmar are trafficked into India for marriage, often ending up in

¹⁵Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge Univ. Press 2010).

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states with acute gender imbalance.¹⁶ Similar patterns are observed in Southeast Asia, where women from Vietnam, Cambodia, and Myanmar are trafficked into China due to its long-standing gender disparity. These movements are facilitated by porous borders, lack of coordinated law enforcement, and socio-economic inequalities between source and destination regions.¹⁷

Internal Trafficking in India – Internal bride trafficking follows a consistent pattern of movement from poorer states with high poverty and unemployment rates, such as Assam, West Bengal, Jharkhand, Odisha, and Bihar, to wealthier but demographically imbalanced states like Haryana, Punjab, and Rajasthan. These marriages are frequently brokered by local agents or distant relatives who receive payments from the groom's family. The victim is often transported far from her home, isolated linguistically and culturally, and deprived of support networks, making escape or legal recourse extremely difficult.

Bride trafficking thus emerges as a manifestation of intertwined gender injustice, economic deprivation, and cultural norms.¹⁸ It is not merely a byproduct of human trafficking but a distinct and evolving form that demands targeted legal recognition and policy interventions. Understanding its specific causes and patterns is essential for crafting measures that address both the immediate criminal aspects and the deeper structural inequalities that enable it.

III. Legal and Policy Framework

The legal and policy framework addressing trafficking and forced marriage operates at both international and domestic levels, supported by judicial interpretation. Together, these mechanisms aim to prevent exploitation, protect victims, and punish perpetrators, while also aligning with broader human rights obligations.

3.1. International Instruments

3.1.1. Palermo Protocol (2000)

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, commonly known as the Palermo Protocol, is the first global legally binding

¹⁶Anne T. Gallagher, *The International Law of Human Trafficking* (Cambridge Univ. Press 2010).

¹⁷Kevin Bales, Zoe Trodd & Alex Kent Williamson, *Modern Slavery: The Secret World of 27 Million People* (Oneworld Publ'ns 2009).

¹⁸Alexis A. Aronowitz, *Human Trafficking, Human Misery: The Global Trade in Human Beings* (Praeger 2009).

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instrument with an agreed definition of trafficking in persons.¹⁹ Supplementing the United Nations Convention against Transnational Organized Crime, it establishes a threefold approach:

Prevention of trafficking through awareness and socio-economic measures.

Protection of victims, including provisions for physical, psychological, and social recovery.

Prosecution of offenders through criminalization of trafficking-related activities.

India ratified the Protocol in 2011, obligating it to harmonize domestic laws with its provisions and to cooperate internationally to combat cross-border trafficking.

3.1.2. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

CEDAW, adopted in 1979, addresses trafficking and exploitation under Article 6, which mandates States Parties to suppress all forms of trafficking in women and exploitation of prostitution.²⁰ The CEDAW Committee, in its General Recommendations, has consistently emphasized that forced marriage and trafficking are forms of gender-based violence and discrimination, requiring states to adopt preventive, protective, and rehabilitative measures.

3.1.3. UN Sustainable Development Goals (SDGs)

While not legally binding, the SDGs set a strong normative agenda:

Goal 5 (Achieve gender equality and empower all women and girls) includes Target 5.3, calling for the elimination of all harmful practices, such as child, early, and forced marriage.

Goal 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all) includes Target 8.7, which seeks to eradicate forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour.

3.2. Indian Legal Provisions

3.2.1. Immoral Traffic (Prevention) Act, 1956 (ITPA)

¹⁹Christine Joffres et al., Forced Marriage: A Violation of Human Rights and Form of Gender-Based Violence in Canada, 4 WOMEN'S HEALTH & URBAN LIFE 48 (2005).

²⁰Polaris Project, *Human Trafficking Trends in India* (2021).

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Originally enacted as the Suppression of Immoral Traffic in Women and Girls Act, 1956, and amended in 1986, the ITPA criminalizes trafficking for the purpose of prostitution.²¹ It covers offences such as running a brothel, procuring persons for commercial sexual exploitation, and detaining persons in premises where prostitution is carried out. Though criticized for a narrow focus on sexual exploitation, the ITPA remains a central anti-trafficking statute.

3.2.2. Indian Penal Code/ Bharatiya Nyaya Sanhita, 2023

The IPC/ BNS criminalizes multiple forms of trafficking-related conduct:

Section 370/ Section 143: Defines and criminalizes trafficking in persons, including recruitment, transportation, harboring, transfer, or receipt of persons for exploitation, with enhanced penalties for trafficking of minors.

Section 370A/ Section 144: Penalizes exploitation of trafficked persons for sexual purposes.

Section 366/ Section 87: Punishes kidnapping or abducting a woman to compel her marriage or force her into illicit intercourse.

Section 366A/ Section 96: Criminalizes procuring a minor girl for illicit intercourse.

Sections 372 and 373/ Section 98 and 99: Prohibit the sale and purchase of minors for prostitution or other immoral purposes.

3.2.3. Prohibition of Child Marriage Act, 2006 (PCMA)

The PCMA voids child marriages and provides punitive measures against those who perform, promote, or permit such marriages.²² The Act defines a child as a male under 21 years or a female under 18 years, aligning with international standards. While it primarily addresses early marriage, it overlaps with anti-trafficking objectives by targeting situations where child marriage is a vehicle for exploitation.

3.3. Judicial Interventions

Indian courts have played a pivotal role in interpreting statutory provisions in a manner consistent with constitutional guarantees under Articles 14, 15, 21, and international obligations. Notable decisions include:

²¹Ministry of Home Affairs, Advisory on Combating Trafficking of Women and Children for Commercial Sexual Exploitation (2013) (India).

²² NATIONAL CRIME RECORDS BUREAU, CRIME IN INDIA – STATISTICS (various years).

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1. Vishal Jeet v. Union of India (1990)²³

The Supreme Court issued wide-ranging directions to state governments to eradicate child prostitution and prevent trafficking, emphasizing rehabilitation and education for victims.

2. Gaurav Jain v. Union of India (1997)²⁴

The Court underscored the right of children of sex workers to equality and dignity, directing the creation of rehabilitation schemes and prevention strategies.

3. BachpanBachaoAndolan v. Union of India (2011)²⁵

The Court mandated stricter enforcement against trafficking and the rescue and rehabilitation of children in exploitative labour and marriage arrangements.

4. Laxmi Kant Pandey v. Union of India (1984)²⁶

Although primarily concerning inter-country adoption, the case established safeguards against trafficking under the guise of adoption, indirectly influencing anti-trafficking jurisprudence.

IV. Human Rights and Gender-Based Violence Perspective

Bride trafficking constitutes one of the most insidious manifestations of modern slavery, where women are reduced to commodities in exploitative marital arrangements. It is not merely a cultural aberration or an economic transaction gone wrong, it is a profound violation of fundamental human rights. By forcibly displacing women from their homes and communities and subjecting them to marriages without genuine consent, traffickers and buyers strip them of the agency to determine their own lives, directly contravening internationally recognised principles of freedom, equality, and dignity.²⁷

From a human rights perspective, bride trafficking infringes multiple overlapping protections enshrined in instruments such as the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),

²³Vishal Jeet v. Union of India, (1990) 3 S.C.C. 318 (India).

²⁴Gaurav Jain v. Union of India, (1997) 8 S.C.C. 114 (India).

²⁵BachpanBachaoAndolan v. Union of India, (2011) 5 S.C.C. 1 (India).

²⁶Laxmi Kant Pandey v. Union of India, (1984) 2 S.C.C. 244 (India).

²⁷UNITED NATIONS OFFICE ON DRUGS & CRIME, TOOLKIT TO COMBAT TRAFFICKING IN PERSONS (2008).

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and the Palermo Protocol. These frameworks recognise the inherent dignity of all persons, prohibit slavery in all forms, and affirm the right to freely choose one's spouse. Bride trafficking violates these norms by depriving women of the ability to give free and informed consent, effectively coercing them into a lifetime of abuse and exploitation.

At its core, bride trafficking is also a form of gender-based violence (GBV). It disproportionately affects women and girls, exploiting gendered inequalities and systemic patriarchal structures. Victims are often subjected to multiple and interlinked abuses, including

Violation of bodily autonomy: Trafficked brides are routinely denied control over their own bodies, facing forced sexual relations and reproductive coercion. This directly undermines their right to make decisions about their sexual and reproductive health, a right protected under both international and domestic human rights laws.²⁸

Erosion of consent and dignity: Consent, in the context of bride trafficking, is rendered meaningless when shaped by fraud, coercion, debt bondage, or threats.²⁹ The social and economic pressures, combined with threats of violence, strip victims of dignity and personhood, relegating them to the status of property.

Intersection with other forms of violence: Bride trafficking often intersects with domestic violence, sexual exploitation, and economic abuse. Victims may endure physical beatings, sexual assault, marital rape, and psychological manipulation, all under the guise of a marital relationship. In many cases, they are isolated from their natal families and communities, cutting them off from potential sources of help or escape.

The human rights violations embedded in bride trafficking extend beyond the individual and into the societal sphere. Such practices perpetuate gender inequality, entrench harmful cultural norms, and normalise the commodification of women. Moreover, the reproductive coercion frequently reported in such cases, ranging from forced pregnancies to denial of

²⁸Rashmi Sharma, Social Media and Human Trafficking: Emerging Challenges for Law Enforcement, 49 INDIAN J. CRIMINOLOGY 25 (2021).

²⁹Rebecca Surtees, *Trafficking of Men – A Trend Less Considered: The Case of Belarus and Ukraine* (Int'l Org. for Migration 2008).

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contraception, serves not only as a form of control but also as a means of binding the victim to the trafficker's family permanently.³⁰

Viewing bride trafficking through the human rights and GBV lens underscores the urgency of robust legal, social, and policy interventions. It demands that responses go beyond criminal prosecution to include survivor-centred rehabilitation, community education to dismantle harmful norms, and targeted initiatives to address the gendered vulnerabilities that make women susceptible to such exploitation in the first place.³¹



³⁰Jean Allain, *The Law and Slavery: Prohibiting Human Exploitation* (Brill Nijhoff 2015).

³¹Roli Srivastava, India's "Missing Girls" Problem Fuels Human Trafficking, REUTERS (July 10, 2019), <https://www.reuters.com/article/us-india-trafficking-brides-idUSKCN1U50MZ>.

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V. Challenges in Addressing Bride Trafficking

Efforts to combat bride trafficking face significant structural, legal, and socio-cultural obstacles that hinder both prevention and effective intervention. These challenges are deeply rooted in systemic gaps within law enforcement, societal attitudes, and victim protection frameworks, allowing the practice to persist despite its severe human rights implications.³²

5.1.Underreporting Due to Stigma and Fear

A major barrier in addressing bride trafficking is the chronic underreporting of cases. Survivors often face intense societal stigma, which not only shames them for their victimization but also discourages them from coming forward.³³ In many communities, a trafficked bride may be perceived as having “brought dishonour” to her family, creating additional social pressure to remain silent. Moreover, traffickers and abusive spouses frequently resort to intimidation, threats of violence, and economic coercion to prevent victims from seeking help. The lack of confidentiality in police procedures and court processes further compounds fears of retaliation, making many women reluctant to initiate legal action.

5.2. Lack of Victim Identification Mechanisms

Effective intervention requires early and accurate identification of victims, a capability that remains underdeveloped in many jurisdictions. Law enforcement agencies, border control authorities, and community service providers often lack specialized training to recognize the signs of trafficking disguised as marriage arrangements. Victims themselves may not perceive their situation as trafficking, particularly when the coercion is psychological or economic rather than overtly physical. Without dedicated screening protocols, many trafficked women remain invisible within the system, either misclassified as undocumented migrants or simply absorbed into domestic life under exploitative conditions.

5.3.Weak Cross-Border Coordination

Bride trafficking frequently has a transnational dimension, involving recruitment from one country and transportation to another, often across porous borders. Weak coordination

³²HUMAN RIGHTS WATCH, RAPE FOR PROFIT: TRAFFICKING OF NEPALI GIRLS AND WOMEN TO INDIA'S BROTHELS (1995).

³³UNITED NATIONS OFFICE ON DRUGS & CRIME, AN INTRODUCTION TO HUMAN TRAFFICKING: VULNERABILITY, IMPACT AND ACTION (2008).

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between sending and receiving states hampers efforts to investigate cases, track trafficking networks, and ensure the safe repatriation of victims. Differences in legal definitions of trafficking, evidentiary standards, and marriage validity further complicate cross-border cooperation. Moreover, the absence of bilateral agreements or joint investigative frameworks means that cases often fall into jurisdictional grey areas, allowing traffickers to exploit legal loopholes with impunity.

5.4.Societal Normalization of Exploitative Marriage Arrangements

Perhaps one of the most insidious challenges is the cultural normalization of certain exploitative practices that blur the line between arranged marriage and trafficking. In some regions, the purchase of brides through dowry-like payments or marriage brokers is considered socially acceptable, especially in contexts of skewed sex ratios and acute poverty.³⁴ These arrangements are often justified as pragmatic solutions to marriage scarcity, masking the coercion and exploitation at their core. When harmful practices are embedded within tradition, communities may be resistant to interventions, perceiving them as external interference rather than necessary human rights protections.

Collectively, these challenges create an enabling environment for bride trafficking, where victims are silenced, traffickers operate with minimal risk, and societal attitudes shield exploitative practices from scrutiny.³⁵ Addressing them requires not only legal reforms and stronger enforcement but also deep cultural change to dismantle the systemic inequalities that sustain the practice.

VI. Role of Technology and Social Media

In recent years, technology and social media have emerged as double-edged swords in the context of human trafficking, including bride trafficking. While these platforms provide opportunities for awareness, victim rescue, and law enforcement action, they are also being misused by traffickers for recruitment, deception, and exploitation.

Use of Online Platforms for Recruitment

Traffickers increasingly rely on digital channels, social networking sites, matrimonial websites, dating apps, and instant messaging services, to identify, lure, and groom potential

³⁴U.S. DEP'T OF STATE, TRAFFICKING IN PERSONS REPORT (2023).

³⁵Natasha B. Tiwari, Gender Inequality and Bride Trafficking in India, 17 J. HUM. RTS. PRAC. 244 (2021).

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victims. They exploit the anonymity and reach of these platforms to target economically vulnerable women from rural and underdeveloped regions, often posing as genuine suitors or agents offering marriage opportunities.

Key trends include:

False matrimonial profiles that project an image of financial stability, social respectability, or overseas residence to attract families desperate for a secure future for their daughters.

Social media grooming through prolonged conversations designed to build emotional trust, making victims more susceptible to coercion or fraud.³⁶

Closed online groups and encrypted messaging apps used to arrange transactions, share victim details, and coordinate cross-border movements while evading detection.

These tactics are particularly effective in communities where arranged marriages are common, as the cultural acceptance of intermediaries in matchmaking can blur the line between legitimate and exploitative arrangements.

Digital Surveillance and Law Enforcement Strategies

Recognizing the role of technology in trafficking, law enforcement agencies and NGOs are leveraging digital tools for prevention, detection, and prosecution. Some of the strategies include:³⁷

Cyber-monitoring of suspicious online activity on matrimonial and dating platforms to detect fraudulent profiles and patterns associated with trafficking.

Data analytics and AI-powered systems to track conversations, identify recruitment keywords, and map trafficking networks.

Collaborations between tech companies and governments to ensure the timely removal of illegal content and to facilitate the tracing of online offenders.

Use of geo-location tracking and digital forensics in victim rescue operations, particularly in cross-border trafficking cases.³⁸

³⁶Gita Sabharwal & N. K. Singh, *Bride Trafficking in North India: A New Face of Gender Violence*, 2 ASIA-PAC. J. WOMEN, GENDER & L. 35 (2013).

³⁷Office of the High Commissioner for Human Rights, *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, U.N. Doc. E/2002/68/Add.1 (May 20, 2002).

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However, these strategies face challenges such as jurisdictional barriers in accessing data from foreign-based platforms, encryption technologies that shield trafficker communications, and the lack of specialized cybercrime training among police officers in rural areas where trafficking recruitment is prevalent.

While technology has become a powerful facilitator for traffickers, it also offers unprecedented opportunities for early detection and intervention if leveraged effectively. The key lies in striking a balance between digital freedom and robust regulation, coupled with strong community awareness initiatives to ensure that vulnerable populations recognize the risks of online recruitment.

VII. Measures for Prevention and Rehabilitation

Addressing the complex challenge of gender-based crimes, particularly trafficking and exploitation, requires a multi-pronged approach. Effective strategies must combine preventive measures, robust law enforcement, and comprehensive rehabilitation mechanisms to not only deter perpetrators but also protect and reintegrate survivors into society.

7.1.Prevention

7.1.1. Strengthening Gender Equality and Education

The foundation of prevention lies in addressing the structural inequalities that perpetuate vulnerability. Education, particularly for girls, is a proven safeguard against exploitation. When women and girls have access to quality education, they are less likely to fall prey to deceptive recruitment tactics. Incorporating gender-sensitivity modules into school curricula and conducting community workshops can help dismantle harmful stereotypes that normalize discrimination or violence against women. Legal reforms that strengthen women's property rights, inheritance entitlements, and access to public services also contribute to building long-term resilience.

7.1.2. Economic Empowerment of Women in Vulnerable Areas

Poverty remains one of the most significant drivers of exploitation. Women in economically marginalised communities are more susceptible to traffickers who exploit financial desperation. Governments, NGOs, and private sector stakeholders must collaborate to create

³⁸Indian National Commission for Women, *Report on Trafficking of Women and Children in India* (2015).

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sustainable livelihood opportunities, vocational training programs, and microfinance initiatives tailored for women.³⁹ For example, skill development schemes in agriculture, handicrafts, or digital services can equip women with alternative income sources, reducing their dependence on exploitative work arrangements.

7.1.3. Community Awareness Programs

Grassroots awareness campaigns play a crucial role in prevention. These programs should target not only vulnerable populations but also local leaders, transport operators, and community-based organisations who may inadvertently encounter trafficking activities.⁴⁰ Awareness drives can utilise local languages, cultural art forms, and community radio to disseminate information about the risks and legal consequences of trafficking. Engaging men and boys in these dialogues is equally important to shift societal attitudes and encourage shared responsibility for protection.

7.2. Law Enforcement and Prosecution

7.2.1. Capacity Building for Police and Judiciary

Even the most progressive legal frameworks fail without effective enforcement. Specialised training for police officers, prosecutors, and judges is essential to ensure sensitive handling of victims, proper evidence collection, and timely prosecution of offenders.⁴¹ Training modules should include gender sensitisation, trauma-informed interviewing techniques, and familiarity with both domestic and international anti-trafficking laws. Establishing dedicated anti-trafficking units within law enforcement agencies can further streamline investigative and prosecutorial processes.

7.2.2. Cross-Border Cooperation

Trafficking often transcends national boundaries, necessitating robust international collaboration. Bilateral and multilateral agreements can facilitate intelligence-sharing, coordinated operations, and mutual legal assistance between countries.⁴² Regional networks,

³⁹Center for Social Research, *Tied in a Knot: Cross-Region Marriages in Haryana and Rajasthan* (2012).

⁴⁰Aarti Ramaswami & Bhavna Sharma, Combating Bride Trafficking: Law, Policy, and Community Interventions in India, 8 INDIAN J. GENDER STUD. 119 (2020).

⁴¹Jean Allain, *The Law and Slavery: Prohibiting Human Exploitation* (Brill Nijhoff 2015).

⁴²UNITED NATIONS OFFICE ON DRUGS & CRIME, TOOLKIT TO COMBAT TRAFFICKING IN PERSONS (2008).

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such as SAARC's Convention on Preventing and Combating Trafficking in Women and Children, should be strengthened with practical enforcement protocols and real-time communication channels. Effective cooperation also requires harmonising legal definitions and penalties to prevent traffickers from exploiting jurisdictional loopholes.

7.3. Victim Rehabilitation

7.3.1. Safe Shelters, Counselling, and Legal Aid

Immediate protection and care for survivors are critical to preventing re-trafficking. Safe shelters must provide secure accommodation along with medical care, psychological counselling, and legal assistance. These facilities should be trauma-informed spaces staffed with trained professionals capable of addressing the complex needs of survivors, including physical health, emotional recovery, and navigating legal processes.

7.3.2. Long-Term Reintegration Programs

True rehabilitation extends beyond immediate rescue. Survivors often face social stigma, economic marginalisation, and the risk of returning to exploitative environments. Reintegration programs must therefore focus on equipping survivors with life skills, education, and employment opportunities. Partnerships with private enterprises for survivor employment, mentorship programs, and community sensitisation campaigns can foster an environment where survivors are accepted and supported. Where possible, efforts should also include family reunification, provided it is safe and, in the survivor's, best interests.⁴³

By combining preventative measures with robust enforcement and survivor-focused rehabilitation, a holistic approach can be achieved, one that addresses both the root causes and long-term consequences of exploitation. Such a framework not only disrupts criminal networks but also contributes to building safer, more equitable communities.

VIII. Conclusion

Human trafficking, and in particular the practice of bride trafficking, represents one of the most egregious violations of human dignity, security, and autonomy in the modern era. As examined throughout this discussion, the phenomenon is deeply rooted in intersecting social, economic, and cultural vulnerabilities, from entrenched gender inequality and poverty to

⁴³Rashmi Sharma, Social Media and Human Trafficking: Emerging Challenges for Law Enforcement, 49 INDIAN J. CRIMINOLOGY 25 (2021).

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systemic gaps in legal enforcement and victim protection. The issues transcend geographical boundaries, with trafficking networks exploiting weak regulatory oversight, porous borders, and socio-economic desperation to sustain their operations.

Addressing these crimes demands a holistic and sustained commitment. Legal interventions, while essential, cannot succeed in isolation; they must be supported by broader social reforms, educational initiatives, and targeted economic empowerment programs that reduce the underlying risk factors. Similarly, cross-border cooperation is vital to dismantle trafficking networks that operate transnationally, while robust victim support systems must ensure survivors are not only rescued but also given the tools and opportunities to rebuild their lives with dignity and independence.⁴⁴

The moral and ethical imperative is unequivocal: trafficking in any form is a direct affront to the principles of human rights and justice. Societies that allow such practices to persist risk undermining their own moral fabric and legal integrity.⁴⁵ Combating human trafficking and bride trafficking is therefore not merely a matter of law enforcement but of upholding humanity's shared commitment to equality, dignity, and freedom. The fight must be waged through integrated legal frameworks, comprehensive social policy, and unwavering political will, ensuring that no individual is reduced to a commodity and that every person's right to live free from exploitation is universally respected and protected.

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⁴⁴Anne T. Gallagher, *The International Law of Human Trafficking* (Cambridge Univ. Press 2010).

⁴⁵Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge Univ. Press 2010).

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