



LL.M THESIS

**A RESEARCH MONOGRAPH
SUBMITTED IN PARTIAL FULFILMENT OF THE CREDIT
REQUIREMENTS FOR AWARING THE DEGREE OF MASTER OF LAWS BY
DAFFODIL INTERNATIONAL UNIVERSITY**

WOMAN AND CHILDREN TRAFFICKING IN BANGLADESH: A LEGAL ANALYSIS

Supervisor:

Dr. Kudrat E Khuda Babu
Professor & Head
Department of Law
Daffodil International University

Submitted by:

Jesmine Akter Bristy
ID: 0242310008133007
Batch: 40
Program: LL.M.
Daffodil International University
Submission Date: 01/01/2000

Letter of Transmittal

To,

Dr. Kudrat E Khuda Babu

Professor & Head,

Department of Law,

Daffodil International University.

Subject: Prayer for Submission of Dissertation.

Greetings, Sir

With the greatest of gratitude, I would like draw to your attention that I, **Jesmine Akter Bristy**, am a one-year LL.M. student enlisted in batch 40 with ID number **0242310008133007**. I'm presenting my Research Monograph as a prerequisite for finishing the one-year LL.M. programme. I humbly ask for your forgiveness for a few oversights and errors that I didn't fully cause.

Jesmine

.....

Jesmine Akter Bristy

ID: 0242310008133007

Program: LL.M.

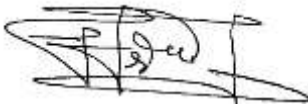
Department of Law

Daffodil International University.

Letter of Approval

This verifies that the assignment has been accomplished. As a partial satisfaction of the research work for the thesis, **Jesmine Akter Bristy**, ID: **0242310008133007**, Department of Law, Daffodil International University, executed a real-world project titled "**WOMAN AND CHILDREN TRAFFICKING IN BANGLADESH: A LEGAL ANALYSIS**" under my supervision.

Sincerely,



.....
Dr. Kudrat E Khuda Babu
Professor & Head,
Department of Law
Daffodil International University.

Declaration

I thus affirm indisputably that the material of the research thesis "**WOMAN AND CHILDREN TRAFFICKING IN BANGLADESH: A LEGAL ANALYSIS**" was produced by me and was not most recently submitted for a professional degree or certification to any other institution, school, university, or organization. I have thus taken care to ensure that no copyright remains in effect regarding the material shared here. I further vow to reimburse back the institution for any mishap or trouble that arises from my fulfilment of the preceding undertakings.

My profound thanks go out to **Dr. Kudrat E. Khuda Babu**, the head of my department and my research supervisor, for his ardent encouragement and kindness.

Jesmine

.....

Jesmine Akter Bristy

ID: 0242310008133007

Program: LL.M.

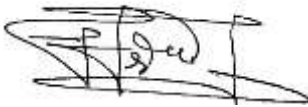
Department of Law

Daffodil International University.

Certification:

This verifies that the work that constituted the framework for the paper has been finished under my oversight and presented by the author to the Daffodil International University's Law Department in Dhaka, Bangladesh. It has been recognized that each statistic demonstrated here is exclusive and constructed to satisfy the incomplete LL.M. degree in mind (one year).

Sincerely



.....

Dr. Kudrat E Khuda Babu
Professor & Head,
Department of Law
Daffodil International University.

Dedication:

I dedicate this thesis to my parents, who have pushed and motivated me academically throughout the years with their constant backing. Their guidance, gifts, sacrifices, and love have all been instrumental in shaping me.

This thesis is also dedicated to my mentor, **Dr. Kudrat E. Khuda Babu**, who has enabled me develop intellectually and has bestowed upon me invaluable knowledge and abilities that have prepared me for the challenges.

Finally, but just as importantly, I desire to dedicate this thesis to my family and friends, who have never ceased loving, supporting, and encouraging me.

With profound appreciation and love, I dedicate this dissertation to each and every single one of you.

Acknowledgment

I want to offer my sincere gratitude to the following persons for their invaluable guidance and inspiration during our research project:

Firstly, I ought to appreciate **Dr. Kudrat E. Khuda Babu**, my supervisor, for every bit of his counsel, backing, and insight. The path and focus of this thesis were determined in part by his astute suggestions and helpful critiques.

I also owe the Department of Law's teachers and staff for offering me the instruments, spaces, and chances I needed to do this study. I find inspiration and motivation to accomplish my individual academic ambition by their devotion to research ethics and academic success.

Jesmine

.....

Jesmine Akter Bristy

ID: 0242310008133007

Program: LL.M.

Department of Law

Daffodil International University

Abstract:

The primary focus of this research project is to study Bangladeshi child and woman trafficking scenario, including an investigation into its origins and obstacles. As far as we are aware, one of the most egregious and frequent violations of women's and children's human rights is trafficking. The primary objective of this paper is to investigate the mechanisms involved in human trafficking, the ties among traffickers, the fundamental causes of human trafficking, and the consequences of trafficking in a society such as Bangladesh. In this piece, I try to demonstrate various conceptual issues, such as the beginnings of trafficking or Bangladesh's adoption of it. It highlights the multitude of laws that Bangladesh has in place to address the trafficking of women and children and looks into the main motivations behind it as well as its effects. This crime may have forced labor, illicit sexual work, or other forms of exploitation as its ultimate goal. It was observed that a large number of victims filed complaints against traffickers and their allies and sought legal aid from law enforcement organizations to address incidents of physical and sexual assault. Programs aimed at reducing poverty should be implemented in order to eventually stop trafficking, as it has been determined that poverty is the primary factor contributing to trafficking. Strengthening vulnerable groups' job possibilities, raising awareness, developing competence, and providing potential victims with simple access to the criminal justice system are all important. The application of current legislation should be prioritized in order to fight this international organized crime. This article also makes some recommendations for stopping the trafficking of women and children and for reintegrating the victims of trafficking back into society.

Keywords: Women, Child, Trafficking, Bangladesh, Laws, Legal analysis.

Letter of Transmittal.....	(I)
Letter Approval.....	(II)
Declaration.....	(III)
Certification.....	(IV)
Dedication.....	(V)
Acknowledgment.....	(VI)
Abstract.....	(VII)
Keywords.....	(VII)

TABLE OF CONTENT:

SL.	HEADING	PAGE NO.
Chapter One: Preliminary		
1.1	Introduction	1-2
1.2	Statement of problem	2-3
1.3	Objectives of Study	3-4
1.4	Research Question	4
1.5	Research Methodology	5
1.6	Literature Review	5-7

1.7	Types of Data	8
1.8	Sources of Data	8
1.9	Limitation of Study	8-9
1.10	Expected outcome	10
Chapter Two: BACKGROUND		
2.1	Plot	11-12
2.2	Trafficking Categories and Targets	13-14
2.3	Categorization of Trafficking	15-17
Chapter Three: SKELETON OF TRAFICKING WOMENS AND CHILDRENS		
3.1	Recruitment Stage	19
3.2	Transportation Stage	20
3.3	Endpoint Stage	21
3.4	“Push And Pull Factors” Theory	22-23
3.5	Stats of Trafficking in Bangladesh	24-26
Chapter Four: EXISTING LAWS TO TACKLE WOMAN AND CHILDREN TRAFFICKING IN BANGLADESH		
4.1	National Laws	27-29
4.2	International Laws	30-31
4.3	Law Enforcing Body Legislation	32-33

Chapter Five: VULNERABILITIES, RECOMMENDATIONS AND CONCLUSION		
5.1	Vulnerabilities	34-35
5.2	Recommendations	36-38
5.2	Conclusion	39-41
<u>References:</u> 42-44		

Chapter One

PRELIMINARY

1.1 Introduction:

The trafficking of women and children is an egregious and pervasive form of criminal activity. It is growing rapidly, and traffickers estimate its annual value to be around \$32 billion. It happens through a variety of methods and global supply networks. It happens everywhere in the world, regardless of how rich or impoverished a nation and its leadership are. In 2000, the United Nations created legislation to combat human trafficking; 178 nations ratified the legislation and enacted other legal measures to combat the crime. Both domestic and international trafficking are on the rise. People's rights are violated, and they are forced to flee their nation of origin due to the crime. Humans are become simple pickings for abuse and exploitation. The traffickers' primary target demographic is women. According to a United Nations report on drugs and crime, 46% of women and 19% of minor girls are thought to be victims of human trafficking. The traffickers exchange them for forced marriage, forced labour, prostitution, begging, and a host of other things. Additionally, they are exchanged in order to remove organs. Following East Pakistan's independence in 1971, Bangladesh was established. Indian-born non-Bengali Pakistanis attempted to return to West Pakistan during the liberation war between East and West Pakistan. They resided in 66 camps that were set up in Bangladesh's 66 districts. They experienced delays while waiting for repartition, and a large number of people crossed the border illegally during that time. As a result, during that time, a large number of women and children were regularly trafficked. (Fardaus Ara, 2022)

Bangladesh's huge population, job issues, emergencies, and lack of resources put the country in a precarious position. For these reasons, the trafficker's strategy tempts women and children to flee their own country. Following their departure, they are frequently coerced into prostitution, sexual exploitation, and domestic labor in nations such as India, the Middle East, Eastern Europe, and many others. Many women become subjects to human trafficking as a consequence of online dating, romantic friendships, or even abductions. Fake jobs, promises, or other possibilities tend

to entice the majority of victims. For instance, a boy can win a girl's trust by acting as though he is in love with her. He presents the situation as though he and the girl are going to start a new life together before he sells her for cash. The government may not be able to safeguard women and children who are being trafficked due to the limitations of law and enforcement. (Agarwal, 2024)

1.2: Statement of Problem:

Globally, women and children trafficking is a widespread and catastrophic problem, with Bangladesh emerging as one of the main hubs for this illegal activity. Trafficking persists despite international and national efforts to stop it because of a number of institutional, legal, and socioeconomic issues. Women and children in Bangladesh are especially susceptible to human trafficking, where they may be used for forced labor, forced marriage, or sexual exploitation.

Comprehensive legal research is necessary to address the complex issues posed by the trafficking issue in Bangladesh. The intricate dynamics of human trafficking are not adequately addressed by the laws and regulations now in place, which are designed to prevent and combat this crime. It is imperative to conduct a thorough analysis of Bangladesh's legal framework pertaining to the trafficking of women and children, evaluating its efficacy, pinpointing any deficiencies, and suggesting requisite modifications.

Important problems to be solved are as follows:

- **Adequacy of present laws and policies:** Evaluating how well-performing the laws already in place are at stopping human trafficking and giving victims sufficient protection.
- **Mechanisms for enforcement:** assessing the effectiveness of the enforcement systems in place and their ability to bring cases against and successfully combat human trafficking.
- **Protection and assistance for victims:** Assessing the aid and support given to victims of human trafficking, such as their access to legal, medical, and housing resources.
- **Prosecution of offenders:** Examining the legal procedures for bringing trafficking cases to court and determining how successful they are in making offenders answerable.

To create focused treatments, cultural and socioeconomic elements that increase women's and children's susceptibility to human trafficking must also be investigated.

Comprehending the legal framework pertaining to trafficking in Bangladesh is crucial for evaluating the present state of affairs and providing guidance for policy formulation and advocacy initiatives that target this serious infringement of human rights. This study aims to contribute to the creation of more potent prevention, protection, and prosecution measures by offering a thorough legal analysis of women's and children's trafficking in Bangladesh.

1.3: Objectives of Study:

This study's main goal is to perform a thorough legal analysis of child and women trafficking in Bangladesh. Among the specific goals are:

- 1) **Evaluating the efficacy of current laws and policies:** Assess the effectiveness and enforcement of laws designed to stop human trafficking and defend the rights of women and children in Bangladesh.
- 2) **Analysing the methods of enforcement:** Examine the enforcement strategies put in place to stop human trafficking, taking into account the ability, cooperation, and resources provided by law enforcement to look into and prosecute incidents of human trafficking.
- 3) **Examining the defence and assistance given to victims:** Examine and pinpoint areas for improvement in the support services offered to victims of human trafficking, such as access to medical treatment, housing, legal aid, and rehabilitation initiatives.
- 4) **Assessing the criminal prosecution of offenders:** Examine the legal system's provisions for prosecuting traffickers, taking into account the efficiency of court cases, the conviction rate, and the severity of the punishments meted out to offenders.
- 5) **Finding weaknesses and suggesting fixes:** To strengthen anti-trafficking initiatives, identify gaps and weaknesses in the legal framework and enforcement procedures and

make proposals for legislative changes, policy improvements, and institutional capacity-building.

- 6) **Recognising social and cultural influences:** Analyse the social and cultural elements that make women and children more susceptible to human trafficking, and offer solutions for resolving these underlying issues.

By fulfilling these goals, this research hopes to aid in the creation of more potent plans for the defence, investigation, and prevention of child and woman trafficking in Bangladesh.

1.4 Research Question:

These inquiries will direct the investigation in tackling the recognized problems and accomplishing the study's goals-

1. To what extent does Bangladesh's current legal system and policy prevent women and children from being trafficked?
2. What are the advantages and disadvantages of using law enforcement to stop human trafficking?
3. What kind of support services are offered to victims of human trafficking in Bangladesh, and how easily accessible are they?
4. What factors affect the conviction rate of traffickers, and how effective is the judicial system at prosecuting them?
5. Which major holes exist in the legal system and its enforcement procedures, and how can they be filled?
6. What social and cultural elements make women and children in Bangladesh more susceptible to human trafficking, and how may these elements be lessened?

1.5 Research Methodology:

The current study will use qualitative data to supplement a descriptive work. This study will make use of a variety of techniques and tactics. In light of the objectives of the study, primary data will be gathered through critical informants, case studies, and observation. As secondary data sources for this study, case studies, daily newspapers, online records, textbooks, journals, reports, pertinent national legislation, and certain publications are examined. The project "WOMAN AND CHILDREN TRAFFICKING IN BANGLADESH: A LEGAL ANALYSIS" has collected data from primary and secondary sources. The current study will use qualitative data to supplement a descriptive work. The secondary data for this study were gathered from books, journals, articles, newspapers, internet documents, and specific publications using a variety of techniques and methodologies.

1.6 Literature review:

Globally, there have been numerous initiatives to uncover and acknowledge human trafficking as a horrible crime. It is officially recognized as one of Bangladesh's heinous crimes against humanity. To understand the problem, numerous investigations have been carried out thus far. Reviewing pertinent books, reports, and publications from various organizations in the field of human trafficking, as well as published case studies on the subject, provides background information for this research. Numerous additional pertinent concerns from journals, newsletters, booklets, online reports, and media clippings are also evaluated. Data is taken from multiple sources to create a thorough grasp of the problem.

Ferdaus Ara in her research article titled, “Trafficking of Women and Children in Bangladesh: Laws and Strategies for Prevention” examined Bangladesh's female and child-causing factors. She noted that since the early 1950s, women and children have been transported from Bangladesh to Pakistan, India, and the Arab world. However, the majority of Bangladesh's women and children are trafficked due to the country's cultural, social, and economic structures.

Gender discrimination, poverty, and a lack of knowledge and awareness all play a part in the issue that Bangladesh faces. Bangladesh and India and Myanmar have a same border. Many times, people forget to enter and exit the border properly. In addition, there are insufficient policies and tactics to avert issues. Furthermore, the lack of appropriate documentation and border control measures increases the vulnerability of the situation while trying to address it. However, modern technologies and the internet are contributing to the establishment of child and women trafficking in Bangladesh. In Bangladesh, the issue is getting worsened every day as a result of the usage of social media. An individual was recently detained by police while planning an event with the intention of trapping women for human trafficking on social media. (Fardaus Ara, 2022)

Sabiha Yeasmin Rosy in her research article “Bangladeshi Women Trafficking Survivors Situation in Family and Society: NGO Response towards their Reintegration”, emphasized the need of providing victims of human trafficking with refuge, education, and counselling. The next significant milestone in their life, reintegration, is also the subject of this research. Following their psychological rehabilitation in the BNWLA shelter house, BNWLA aggressively pursued efforts to reintegrate survivors with their families and communities. She said that reintegrating survivors into society is challenging as mental recovery takes time and victims may not be interested because of social stigma. (Rosy, 2016)

According to research named **“Understanding the Complexities of Human Trafficking in Bangladesh: A Multifaceted Organized Crime”** by Mahamud Khalid, one of the nation’s most negatively impacted by the smuggling of women and children is Bangladesh. According to a 2022 assessment by the US Department of State, Bangladesh is ranked as a Tier 2 country in terms of crime. Bangladesh's government is not doing enough to put an end to the crime. He said that one of the main causes of the crime's establishment is poverty. The International Labor Organization states that individuals with low incomes are more vulnerable to becoming victims of human trafficking. Although the Bangladeshi government took the lead and passed the "Prevention and Suppression of Human Trafficking Act, 2012," corruption and a lack of funding make the law ineffective in stopping the crime. He also examined the fallout for the victims of the crime, including their physical, psychological, social, legal, and economic impacts. (Khalid, 2024)

As per the research titled **“Study on Girls, Women and Children Trafficking in Bangladesh”** by Nasrin Khandakar, human rights are gravely violated by people trafficking. However, victims of human trafficking are forced to labor in hazardous conditions where they risk bodily and psychological trauma. Because major illnesses like HIV are on the rise, trafficking is frequently linked to the sex business. In addition to being subjected to forced sex, victims of human trafficking who are trafficked for other forms of exploitation, such as domestic or industrial labour, also get the illness. In addition, two ORP researchers visited Jessore to speak with traffickers who had been sentenced. Their goal was to observe the activity from the perspective of the trafficker in order to learn more about the motivations behind it, the methods used to choose victims, the routes used for trafficking, and the entire network involved. (Khandaker, 2023)

1.7 Types of Data:

Primarily, qualitative data were collected for this study. The qualitative data will be given the most consideration during the analysis and report writing process because the current research will be qualitative and descriptive. Document analysis, focus groups, and in-depth interviews were used to gather qualitative data.

1.8 Sources of Data:

Both primary and secondary data sources will be obtained in order to carry out the current investigation. To gather primary data, a variety of tactics and procedures will be applied. Case studies, observation, and the use of critical informants are some of these strategies and tactics. Conversely, secondary data sources consist of numerous credible websites, books, journals, magazines, dissertations, reports, and reports from daily publications.

1.9 Limitations of the study:

Although this study offers insightful information regarding the legal analysis of trafficking in women and children in Bangladesh, there are a number of limitations that should be noted.

First off, generalizability can be constrained by the study's qualitative design. The conclusions may not apply to other areas with distinct socio-cultural dynamics or be typical of the entire nation because they are based on a particular environment.

Second, biases may be introduced by relying too much on qualitative data, which is mostly obtained through focus groups, interviews, and document analysis. The interpretation of the results may be affected by the individuals' shared viewpoints, which are shaped by their own experiences, perceptions, and interests.

Furthermore, the study might not fully cover all facets of trafficking due to time and budget restrictions. It's possible that certain key documents or sources haven't been obtained, and that some stakeholders or opinions are underrepresented. Moreover, the dynamic and covert nature of human trafficking may make it difficult to get accurate and current information. The findings may become less relevant and applicable as trafficking trends and regulatory frameworks change over time. Last but not least, despite efforts to reduce bias and guarantee rigour in data collection and analysis, interpretations may still be influenced by the researcher's personal viewpoints and biases. In the study process, transparency and reflexivity were valued highly, yet total objectivity might not be possible. Notwithstanding these drawbacks, the study offers insightful information about the legal examination of human trafficking in Bangladesh and lays the groundwork for future investigations and the formulation of policy in this important field.

1.10 Expected Outcome:

The goal of the study is to shed light on Bangladesh's legal system and enforcement practices with regard to the trafficking of women and children. The difficulties with the current legal system, its enforcement procedures, victim assistance programmes, and the prosecution of offenders will all be made evident by this study. To address the observed gaps and shortcomings, specific recommendations for policy upgrades, institutional capacity-building, and legislative reforms will be put forth. It is anticipated that these suggestions will aid in the creation of more potent plans for the defense, prosecution, and prevention of human trafficking in Bangladesh, improving the lot of victims and holding offenders more accountable. The research also aims to improve knowledge of the social and cultural elements that contribute to trafficking vulnerability, enabling focused interventions to address these underlying causes. The results of this study should significantly influence advocacy and policy-making initiatives at the national and international levels, ultimately promoting anti-trafficking initiatives and guaranteeing justice for trafficking victims.

Chapter Two

BACKGROUND

2.1 Plot:

Trafficking is undoubtedly an increasing concern in Bangladesh. It is not a crime that starts suddenly. It has a year-long history. Till the mid-20th century, it was more or less a silent component of crime. In the post-World War II period, because of extreme human rights breaches and exploitation of human dignity, movements in favour of defending human rights arose. Trafficking in individuals as a crime against humanity received universal legitimacy at that time. Gradually, the UN and other organisations declared their struggle against it. After passing the Trafficking Victims Protection Act in 2002 by US Congress, combating trafficking in persons took a new turn all over the world. Bangladesh, like other countries, has a dirty history of trafficking. Slavery, one consequence of trafficking, is a matter of sad colonial history. The sale and purchasing of human beings for slavery and bonded labour is not a very old phenomenon. In the 18th and 19th centuries, 23 slaves were imported to Bengal from Africa, Arabia, Malaya, China, Arakan, and Nepal. Today, the system of slavery of the preceding century has been transformed but survives in society in a broader and more covert range.

One component of modern slavery is the trafficking of women in the sex business. British authorities, after occupying power in the subcontinent, created a number of brothels in Kanpur, Jabbalpur, Khidirpur in Kolkata, and Kamatipara in Mumbai. These were found mostly for British servicemen and foreigners. These locations are still the major destination for Bangladeshi trafficking women. In 1927, the League of Nations produced an inquiry report that found evidence of a route for women trafficking from the East via Egypt to Mumbai. Besides, the custom of keeping ladies for amusement by Muslim rulers as well as Hindu kings is a well-established fact throughout the sub-continent. Banglapedia says that there had been a very large

amount of commercial sex in 19th-century East Bengal, notably in the riverbank towns of Dhaka and Narayanganj. Bangladesh became independent with this difficulty. Bangladesh, a small developing country in South Asia, holds the ninth largest population in the world. In 2019, its population amounted at 163.05 million. 12 Limited natural resources, inadequate industry, and natural calamities such as floods, droughts, and cyclones cursed population mobility, and human trafficking is one of the accidental results thereof. However, trafficking is becoming a serious situation in Bangladesh. Although specific numbers on the magnitude of the problem vary greatly, the consensus is that the trafficking problem is expanding rapidly. Though the history of women and child trafficking from Bangladesh goes back to the early 50's, when camel races and 'jockey' gained traction in the Middle East countries, in the course of time, this illegal business has taken on an alarming dimension. Women and children are being smuggled out of Bangladesh to several countries, notably India, Pakistan, and the Middle Eastern countries. (BIPSS, 2023)

2.2 Trafficking Key Go After Group:

The primary focus of the smugglers are adolescents, girls, widows, maidservants, women deserted by their partners, drifting women and children, slum residents, female garment makers, and youngsters from underprivileged households. Street children residing in the city are among the major targets of professional child trafficking rings. Men also get trafficked, despite their part of the entire trafficking volume is rather modest, and they are largely from labour migration. The main go after's of trafficking are-

- i. Women and children are the vital go after group, as of their exclusion, restricted financial assets and dominance in the "unnoticed unofficial industry" □ Individuals from deprived and minimal revenue families in agricultural regions and downtown poor neighborhoods, especially women involved in minimal agriculture, small-scale dealing, selling goods, as workers, hunters and in other low social standing work and services
- ii. Race minorities, native peoples, mountain communities, refugees, and illegal immigration
- iii. individuals with a lack of literacy, an elementary schooling, or illiterate
- iv. Young girls fleeing from their parents or girls from families that demand the girls to financially offer their support are obvious targets for traffickers' persons who lack awareness of their legal rights, their exploited circumstances, and have no route for obtaining remedy
- v. Women and children of diverse ages.

No.	Woman	Children
1	Widow	Orphan
2	Divorced	Broken Family
3	Deprived of social recognition	Deprived of social recognition
4	Not beautiful	Absconding from home
5	Suppressed by husband	Tortured by step parents

(Bank, 2002)

2.3 Categorization of Trafficking:

Throughout Bangladesh, there are actually 2 forms of trafficking in human beings. One is domestic trafficking, while the other is transnational trafficking.

i. Domestic Trafficking:

Bangladeshi children and adults are trafficked domestically to be used for sexual abuse, domestic enslavement, and involuntary and forced employment, including coercive begging. In particular circumstances, children are traded into servitude by their guardians, while others are compelled into slavery or sexual slavery in business by deception and forceful means. Girls and boys who are less than eight years of age endure being subjected to coerced prostitution inside rural regions, who reside slave-like lifestyles in isolated surroundings. Trafficking appears across the nation, and those most in need are trafficked from poorer rural parts to cities.

ii. Transnational Trafficking:

Globally, women and children throughout Bangladesh are taken to Pakistan and India for commercial sexual misconduct or labor slavery. Several brothel operators and pimps' pressure Bangladeshi females to use hormones to render them look better to clients, with terrible adverse effects; the substance is believed to be used by 90% of all girls and women within aged between 15 and 35 in Bangladeshi prostitutes. In 2012, 9 South African slavery victims were located in Bangladesh.

In the area of Southeast Asia, both Pakistan and India are the primary 2 nations of transit or passage to various zones, often the Gulf nations or Southeast Asian countries for the people trafficked via Bangladesh and Nepal, Calcutta in India being a key transit station for other destinations. Additionally, Bangladeshi women and girls have been trafficked to the Gulf region, mainly in Kuwait, Bahrain, and the United Arab Emirates (UAE). Bangladeshi lads are also transported to the United Arab Emirates (UAE), Doha, and Qatar for forced employment as camel runners and beggars. In addition, a significant percentage of women from Bangladesh are traded to Eastern Europe. Individuals of Bangladesh migrate to Malaysia as illegal immigrants via Bangkok as well. Bangladesh has 4,222 km border of 28 districts with Indian and 288 kms of two provinces with Burma. Therefore, Bangladeshi touts set up formidable camps in the border regions and they are now favorite transit hubs of people trafficking. (BIPSS, 2023)

2.4 Individuals Involved in Trafficking:

Human traffickers operate across several tiers, ranging from impromptu individual connections to intricate, global, structured networks. The levels may be classified as follows:

Informal networks often manifest as tiny clusters of people within close-knit clans and ethnic groups that transcend geographical boundaries. A small number of women are selectively relocated to foreign areas when the need arises. Frequently, migrants use their connections with family and community members in their country of origin to enlist women for brothel or prostitution networks. These networks are commonly utilised in areas of borders among the country of origin and the country of destination, as well as within ethnic communities. •

Extensive criminal networks with organised structures have complete control over all aspects of trafficking, including recruitment, transportation, and the operation of local brothels and street prostitution. The traffickers act as a company with a “hiring agencies office”, “record acquisition office”, “transportation office” and “victim care office”. Traffickers approach their business with utmost seriousness and professionalism, even resorting to excessive brutality to preserve control. The victims obtained are seen as commodities or goods to be exchanged, similar to the practices of a conventional slave trade.

Criminal distribution networks - networks of criminal organizations gather and transport victims from one nation and sell them into locally controlled companies in another country. These individuals may be referred to as "wholesalers" or "distributors" who supply local "retailers" responsible for overseeing and regulating the local prostitution network. The victims may be sold numerous times to various brothels or gangs in other cities or countries, or stay inside one circle and be shared to new marketplaces.

Chapter Three

SKELETON OF TRAFICKING WOMENS AND CHILDRENS

Trafficking is a worldwide, complicated and distinct criminal phenomenon that includes numerous components as specified in the UN definitions that are described later. Before moving on to analyse the legal definitions, it is vital to comprehend the real structure and component elements of overall crime itself in particular to grasp the nature of it and to build effective counter-measures. When defining the trafficking cycle three distinct phases are often highlighted, the recruiting phase, the transit stage and the intended location phase. It needs to be stated that in fact these stages are partly overlapping, and contemporaneous. Also, one particular trafficking instance may have multiple transit and destination stages, since victims are regularly re-trafficked. Conversely, certain situations may have no transit phase altogether.

The following explains the core causes of trafficking, with special attention on gender equality, in recognition of the reality that the trafficking crime predominantly impacts female victims. Moreover, the three stages of the trafficking process, i.e. the recruiting, transportation and target phases are discussed in greater depth:

3.1 Recruitment Stage:

During this stage, traffickers identify and recruit potential targets so they can pull them into their trafficking structure. The expression "recruitment" is commonly used. This term covers a wide definition, suggesting the hiring or abduction of victims, for the purposes related to sexual or other kinds of exploitation by kidnapping, coercion, fraud and deceit. The tactics of procurement of women & girls by offenders are numerous and depend on the method of operation and degree of structures of traffickers. They vary from individual recruiters seeking for eager males and females to recruiting via unofficial circles of family and friends. Advertisements advertising job or education abroad are occasionally used to identify prospective victims.

Furthermore, organisations providing job, study, Marriage or vacation overseas may also be employed as a recruiting tool. There are four fundamental methods whereby women are lured into trafficking:

- 1) Abduction or abduction is total coercion. This seems to be unusual throughout Bangladesh. However, anecdotal evidence says it is frequent in regions of Asia. A version of getting victims via abduction is the sale of a person, typically a kid, to smugglers through a person possessing control of him or her, either a family member or an orphanage;
- 2) Trickery by promises of genuine job or entrance. The subjects are persuaded that they will end up employed in workplaces, dining establishments, or while they are going to another nation for wedding;
- 3) Trickery via falsehoods, including that individuals will turn out recreation, or performing; and
- 4) Although certain victims are completely conscious that they have fled for slavery, however, they are not conscious of the degree to that be obligated to repay frightened, abused, and ruled over. The issue as to whether or not a person has been forced, tricked, or involuntarily agreed to be trafficked is fundamental to their becoming considered.

3.2 Transportation Stage:

The transportation stage refers to the period of time during which an object or person is in the process of moving from one place to another.

The recruiting procedure is followed by the process of transport and transfer phases, which may also include the harboring and reception of the victim at various points, such as the first reception and transfer inside Bangladesh. The victim may endure severe violations of human rights and bodily abuses, and may also be targeted for additional criminal acts during the trip (although this is not obligatory). It is regarded as a crime of trafficking. Traffickers strategically relocate their victims in order to separate them from their communities, families, and friends, with the intention of isolating them in a location where they can exert maximum control over the victims. Traffickers exploit and misrepresent the immigration procedure in order to accomplish their illicit goals. A significant number of victims have not previously been outside their nation and rely entirely on the traffickers. Some individuals depart from their country of origin without possessing an international passport due to being informed that it is unnecessary or that they will get one at a later time. If the victims possess a passport, they are often confiscated by the trafficker as a means of ensuring their cooperation. The specific details of the scope of the crime committed towards them and the severity of what they will experience will not be disclosed until they arrive at their destination. The “transporters” accompanying the women, in contrast, are an integral element of the trafficking system, and there are bound to be regulations, the absence of a special anti-trafficking criminal statute, which in all of the nations in which they function. The police should meticulously scrutinize all of the information that they come into touch. With these instances throughout the transit stage with respect to any assistance that may be offered, and the risks of criminal crimes having a victim. Victims who are in an abnormal circumstance are more prone to the whims of their representatives, who recognize that their unlawful status leaves them less likely to get police or government protection should the procedure be halted. Or should they freely seek protection? It should be recalled that Some women deliberately leave their homes in quest of a better life, and it would be erroneous to assume that every woman who is or is considered to have become an illegal migrant are perpetrators of trafficking.

3.3 Endpoint Stage:

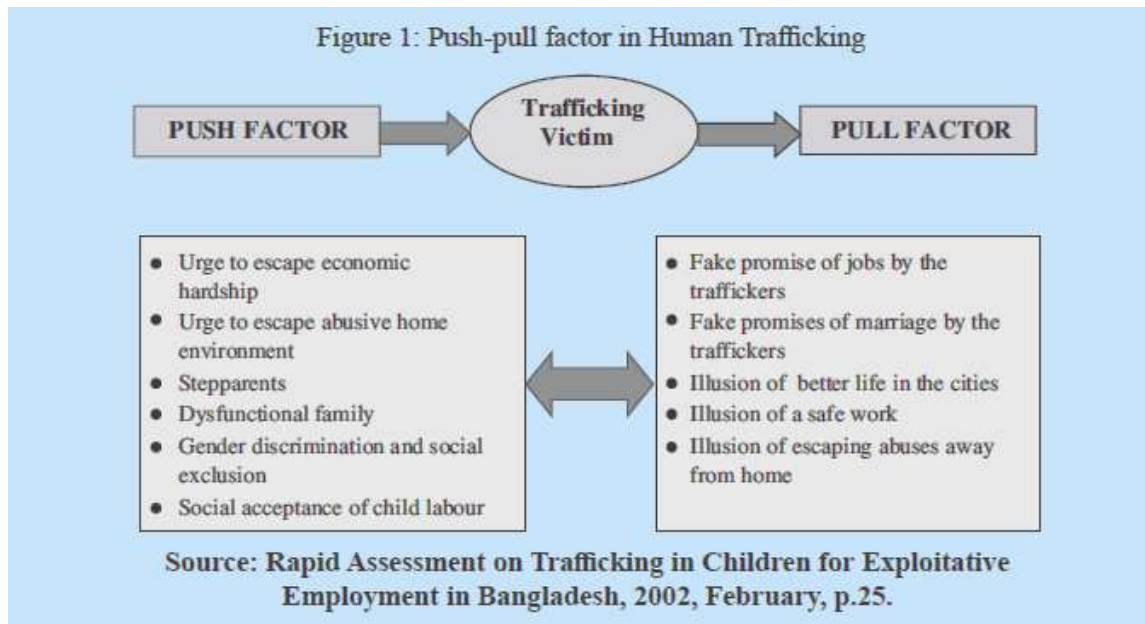
The end point stage: It is at this level when victimization that is the purpose that motivates the trafficker is achieved. When individuals land in the final land, they discover one another living under conditions that resemble slaves, primarily in the sex business, as well as in slavery-like circumstances as related to agriculture, manufacturer, sweetshops or household employees, employed lengthy hours under inhumane and abusive circumstances. In the latter circumstances, it is not rare for victims. Of forced work to also be victims of sexual abuse. There are three primary types of admission into the end target country.

- **Stolen or counterfeit documents**- smuggled admission into cars, receptacles, marches, ferryboats, or on foot, etc.
- **Fabricated documents**: the presenting of false papers that provide for admission, including the utilisation of stolen or counterfeit passports.
- **Forged document** -: the presenting of bona fide papers that provide false visa rights to entry, including tourism or pupil visas. Note that In these circumstances, it is not rare for the victim to deliberately misrepresent. The reason for which she has crossed the nation. She maintains her is stepping into as a visitor, a pupil, a spouse, or to operate in a legitimate position. A human trafficker tricks the immigration mechanism.

3.4 “Push And Pull Factors” Theory:

To answer the topic of what elements were the most accurate indicators of trafficking, ‘Push and Pull elements’ may be employed as a relevant hypothesis. Trafficking in people in true phrase is a reaction to a mix of a few pushes along with certain pull elements. While Push factors drive individuals to venture on the sidewalk because of susceptibility to trafficking. And establish a trafficking-like atmosphere, pull factors generally give misleading assurances. and delusions resulting to the abusive scenario in the end. The key aspects or driving causes behind human trafficking may summarized relatively simply:

1. Inside a base nation like Bangladesh, that is deprivation as well as minimal chance for endured financial chances, precisely women; subsequently, an unchanged availability of individuals stays open for misuse.
2. Inside the location nations like as India, the Middle East, and In a few the west countries, that are continually expanding sex marketplaces and a demand for inexpensive migrant employees or additional methods of abusive offerings, providing an enhancing interest for the amenities of the individuals.
3. Methodical criminal networks have grasped control of this financial demand and interest’ position to trade and abuse individuals to generate large earnings for themselves.



(Ahsan, 2022)

The real crime of trafficking in persons is constructed up of numerous terrible offences. It is practically hard to perform a people trafficking offence in isolation from other types of criminal activity. Any inquiry into the criminal activity of people traffickers should constantly in furthermore, concentrate on the related crimes possible that are most likely to have been perpetrated-

- both sexual and physical abuse against the victimization, which includes homicide, kidnapping, and assault;
- the encouragement of unlawful immigration;
- fraud and money laundering;
- Multiple prostitution-related offences towards those taking advantage of the trafficked person, such as taking advantage of the sexual or physical labour of a different one, pimping, pandering, enabling slavery, and asking for a sex slaves;
- Manufacturing as well as ownership of formed or snatched one's identity. (Ahsan, 2022)

3.5 Stats of Trafficking in Bangladesh:

Women and children in Bangladesh are mostly targeted for trafficking, primarily for the purposes of forced labor and sexual exploitation. As to a report by the Bangladesh government, a total of 1,111 individuals, including 443 children, were identified as victims in 2020. The number is 160. Nevertheless, from 2018 to 2020, the government found and incarcerated 235 individuals involved in trafficking. These traffickers were sentenced to a minimum of three years in jail, with some receiving life imprisonment. One hundred sixty-one as stated by UNIFEM (United Nations Development Fund for Women), research indicates that about 300,000 children from Bangladesh have been trafficked to brothels in India. The number is 162. The study indicates that a total of 13,220 children were transported out of Bangladesh for human trafficking in previous years, with just 4,700 of them being successfully recovered. One hundred and sixty-three It also implies around 4,500 women as well as infants being trafficked to Pakistan each annum for trafficking reasons. (Ullah, 2024)

In a similar vein a study carried out by Nasrin Khandaker in 2023, additionally reveals that during the last 5 years 13,220 minors were abolished out of Bangladesh. Nevertheless, an approximated 300,000 Bangladeshi youngsters are operating in brothels within India.¹⁶⁶ Additionally, an approximately 200,000 Bangladeshi minors are working in brothels located inside Pakistan & 4,500 women and children were brought to Pakistan to trafficking. (Khandaker, 2023)

The Government of Bangladesh approved a clear anti-trafficking legislation, “The Human Trafficking Deterrence and Suppression Act, 2012,” that led to an increasing number of investigations and convictions. This Act broadly outlaws and punishes all types of human trafficking, while it does not categorically ban the illegal recruiting of labor migrants instead the Act needs the employer to have knowledge that the hired individuals might be subject to compelled labour. Recommended punishments for trafficking in labour violations are 5 to 12 years prison and a fine of not fewer than the approximate equivalent of 600 dollars, while recommended sentences for sexual trafficking crimes range from 5 years of prison to the death penalty. These punishments are sufficiently strong and equivalent with those provided for other major offences, such as rape. The new legislation overrides provisions of the Repression of Women and Children Act of 2000 (which was modified in 2003), which had outlawed the unlawful trafficking of women and children for sex slavery or forced servitude.

Period	No. of victims trafficked			No. of persons arrested	No. of persons convicted
	Male	Female	Child		
2013	916	319	118	233	13
2014	2316	354	236	807	4
2015	1218	327	188	1540	3
2016	365	283	122	13	1
2017	382	259	129	1594	1
2018 Up to June	118	96	42	517	
Total	5367	1138	535	6106	25

(Chowdhury, 2019)

Authorities of Bangladesh fail to completely achieve the minimal conditions for the eradication of trafficking. Nevertheless, it is making tremendous attempts to do so. The government exhibited great efforts throughout the period under review by investigating two officials allegedly implicated in the trafficking of people. The government investigated suspected trafficking offences targeting Rohingya refugees & detained some of the culprits, while simultaneously developing assistance and safety that could lead to the avoidance of certain trafficking crimes. Nevertheless, government agencies did not show increased efforts related to the prior reporting period. Courts convicted a single trafficker during 2017 a reduction from 2016 and relatively few compared with the scope of the trafficking issue. Official participation in trafficking in people remained a severe issue and the authorities failed to acknowledge taking action against certain substantial charges. While the government kept a court-order process to send victims of trafficking to rehabilitation programs, the administration reported recommending just one victim to such treatment during 2017 as it was lacking a larger referral system involving all relevant parties. The nation's protection services, when obtained, were neither developed for trafficking victims' unique requirements nor accessible for adult male victims. While the authorities-maintained labor export treaties with numerous nations designed to limit recruiting costs, the state maintained to allow exorbitant hiring costs as well as did not regularly handle unlawfully running recruiting sub-agents, thus leaving workers exposed to trafficking. Therefore, Bangladesh stayed on the Tier Two Observation Listing for an additional successive year. (UNHCR, 2018)

Chapter Four
EXISTING LAWS TO TACKLE WOMAN AND CHILDREN
TRAFFICKING IN BANGLADESH

4.1 National Laws:

4.1.1 The Constitution of Bangladesh:

The Constitution of Bangladesh assures the protection of all the inhabitants of the nation shall live in a society regulated by the rule of law, fundamental human rights, and fairness. and equality, and ban any kind of exploitation. It also permits the government to create special measures to support women and children per Article 28. In addition, Article 34 forbids types of forced work and breaking the rule will be deemed as criminal. Lastly, Article 35 stipulates that no one may torture or abuse any person of Bangladesh brutally, cruelly.

4.1.2 The Prevention and Suppression of Human Trafficking Act, 2012:

Bangladesh enacted its own anti-trafficking legislation dubbed as “The Prevention and Suppression of Human Trafficking Act, 2012” that covers labor trafficking. The legislation creates stringent measures to prohibit trafficking, punishing the traffickers, and also safeguarding those who are victims of trafficking. The sixth section of the legislation

prescribes the heavy punishment that is lifetime imprisonment or at least Five years prison with the cash penalty of fifty thousand taka for executing the smuggling violation. Section 7 states the punishment as is death sentence or lifelong imprisonment or at minimum Seven years’

incarceration with cash penalty of fifty thousand for greater than one person who commits the crime jointly. Furthermore, section 9 assures that sex and labor trafficking are unlawful, with a sentence of 12 years incarceration or at least Five yrs imprisonment and susceptible to penalty which is fifty thousand. Nevertheless, section 11 assures a punishment for forced or persuaded prostitution that is Seven years prison or at a minimum Five years prison with fifty thousand fine.

Furthermore, the Act also created 'The Prevention and Suppression of Human Trafficking Tribunal, for swift trial, and implementing appropriate steps for protecting the sufferers of trafficking of women and children in chapter 4 of the Act. In accordance to section 46, study alongside the section 42 and 43, the Act created a trio regulation for punishing the criminals and safeguarding the victims and their households, that are "The Prevention and Suppression of Human Trafficking Rules, 2017", "The Human Trafficking Prevention Fund Rules 2017", and the "National Anti-Human-Trafficking Authority Rules, 2017".

4.1.3 The Penal Code, 1860:

The Penal Code, 1860 does not specifically tackle exploitation of women and children. Nevertheless, it offers prohibitions prohibiting enslavement, purchase, and transfer of children to abuse them for illicit objectives, compelled labor, and illegal confinement which are widely relevant to smuggling cases and the laws may be utilised for penalising other offences. Section 364A, stipulates that anyone abducts any children under Ten years old for enslavement him or herself to the lust of other person may be handed death punishment or harsh incarceration that can amount to 14 years. Section 367 provides that anyone abduct or kidnaps any person to grievous

hurt, or enslavement, or to the unnatural desire of any person may be granted prison which can go up to Ten years, and may be subject to fine.

However, section 370 stipulates that whomever export, import, purchase, and sell any individual for slavery against them or them will be penalized with prison which could increase to 7 years and will also be susceptible to fine. Furthermore, section 366A specifies that anyone compels, force or persuade any woman below 18 years old to have illegal sexual activity with anyone else may be penalized with 10 years' incarceration and also be subject to fine. Finally, section 366B specifies stated if anyone person imports any female beneath 21 years age in Bangladesh and entice, compel, or induce her to engage illicit intercourse with anyone else will be sentenced with detention of Ten years as also be liable to fine.

4.1.4 The Bangladesh Labor Code, 2006:

Section 34 from the Act, limited the teenager to labor under any sector or organization. Furthermore, section 284 states that anyone who hires any child or juvenile would be penalized with a punishment of taka five thousand. Nevertheless, section 35 forbids any parents or custodian from creating any agreement for child to labor pursuant to any person, and section 285 stipulates the penalty for manufacturing any agreement for child by any parent or one-thousand-taka compensation.

4.2 International Laws:

4.2.1 The Universal Declaration of Human Rights, 1948:

By defining a global set of human rights norms that all member nations are urged to maintain, the global Declaration of Human Rights (UDHR) plays a significant role in the fight against the trafficking of women and children. The UDHR's Article 4 specifically forbids slavery and servitude, addressing and denouncing actions related to human trafficking. Furthermore, many victims of human trafficking suffer from torture and other cruel, inhuman, or humiliating treatment, which is prohibited under Article 5.

Article 3 of the UDHR emphasises the right to life, liberty, and security, which emphasises how important it is to shield people from abuse and exploitation. Furthermore, in order to combat the forced labour component of human trafficking, Article 23 guarantees the right to work under fair and advantageous circumstances. The UDHR greatly aids international efforts to combat human trafficking by advancing these basic rights and giving nations a framework for creating and enforcing laws and policies that stop trafficking, shield victims, and punish offenders.

4.2.2 Convention on the Elimination of all Forms of Discrimination Against Women - CEDAW, 1979:

The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which established an international legal framework aimed at eradicating gender-based discrimination, is essential in the fight against the trafficking of women and children. State parties are required by CEDAW to take necessary action to combat prostitute exploitation and all kinds of women trafficking. CEDAW encourages the development of strong institutional and legal frameworks to stop human trafficking and provide assistance to victims by requiring nations to adopt laws and policies that safeguard women and girls against the practice. In addition, CEDAW

promotes gender equality, addressing factors including poverty, illiteracy, and economic disparity that are some of the primary drivers of human trafficking. CEDAW promotes continual development in safeguarding women and children against trafficking and holds nations responsible for their efforts via frequent reporting and monitoring systems.

4.2.3 Forced Labor Convention, 1930:

The Forced Labour Convention, 1930 (No. 29), which forbids all types of forced or coerced labour, is a key legal instrument in the fight against the trafficking of women and children. In order to address a significant aspect of human trafficking, this agreement compels ratifying nations—including Bangladesh—to implement adequate measures to prohibit the use of forced labour. The convention assists in detecting trafficking activities that often entail coercion, exploitation, and abuse of vulnerable persons, especially women and children, by defining forced labour and requiring its elimination.

Members of the treaty are also required to make sure that the consequences for utilising forced labour are harsh enough to discourage violators. It also highlights how crucial it is to safeguard those who have been subjected to forced labour and provide them the help and encouragement they need to reintegrate into society. This framework reinforces nations' resolve to end forced labour and related trafficking practices by supporting national laws and policies targeted at fighting human trafficking. The convention's provisions and international cooperation may bolster nations' efforts to safeguard women and children against exploitation and trafficking.

4.3 Law Enforcing Body Legislation:

4.3.1 Border Guard Bangladesh (BGB):

By guarding Bangladesh's borders against unauthorised entry and trafficking operations, the Border Guard Bangladesh (BGB) is vital to the fight against the country's female and child trafficking industry. To stop efforts at human trafficking, BGB regularly monitors the borders and performs surveillance operations. They exchange information and coordinate actions targeting international trafficking networks with other regulatory authorities and global border security forces. In an effort to teach border populations about the risks and telltale indications of human trafficking, BGB also takes part in community engagement programmes and awareness campaigns. They also help victims of human trafficking to be rescued and rehabilitated by giving them emergency support and connecting them with the right resources. By means of these diverse initiatives, BGB makes a substantial contribution to the regional and national endeavours aimed at tackling human trafficking.

4.3.2 Bangladesh Police:

In Bangladesh, the fight against women and child trafficking is mostly carried out by the Bangladesh Police. Their duties include looking into incidents of human trafficking, catching traffickers, and recovering victims. To concentrate on offences connected to human trafficking, specialised units have been developed, including the Human Trafficking Crime Unit. To exchange information and coordinate actions, the police work with regional, national, and international institutions as well as non-governmental organisations. Law enforcement personnel's ability to identify and handle situations of human trafficking is improved via training programmes. The police also endeavour to increase community knowledge of the risks associated with human trafficking and preventative measures. The Bangladesh Police want to dismantle networks involved in human trafficking while also shielding and assisting victims via these initiatives.

4.3.3 Rapid Action Battalion (RAB):

In Bangladesh, the Rapid Action Battalion (RAB) is an essential component in the fight against the trafficking of women and children. RAB, a specialised branch of the Bangladesh Police, was founded in 2004 and is renowned for taking rapid and effective action against major crimes, such as human trafficking. Over 3,000 victims of human trafficking were rescued by RAB via routine raids and rescue operations throughout 2016 and 2022. Aside from rescue operations, RAB has taken many traffickers into custody; in 2021 alone, there were reportedly 500 arrests linked to human trafficking. In order to break up trafficking networks, they also liaise with foreign organisations and other security organisations. In addition, RAB conducts community awareness campaigns to inform people about the risks associated with human trafficking and how to report suspicious activity. Through their actions, trafficking activities have been severely disrupted, and victims in Bangladesh have received vital help.

Chapter Five

VULNERABILITIES, RECOMMENDATIONS AND CONCLUSION

5.1 Vulnerabilities:

Bangladesh is a populous developing country that has many socioeconomic issues that make it especially susceptible to the trafficking of women and children. The illicit exchange of people for the sake of forced labour, sexual abuse, and other types of contemporary slavery is referred to in this context as "trafficking." Notwithstanding efforts to address this problem, a number of variables increase the population's susceptibility, making anti-trafficking initiatives intricate and challenging to properly implement.

The main causes of Bangladesh's trafficking issue are the country's pervasive poverty and economic instability. About 20.5% of people are estimated to be living below the federal poverty level as of 2019. People are forced to look for better prospects due to the bad economic condition, which sometimes makes them easy prey for traffickers who offer rich positions or marriages overseas. This is particularly true for women and children. The allure of financial security may lure many people into becoming victims of human trafficking. Desperation is fueled by the dearth of economic prospects in the nation, leading many people to choose dangerous and perilous migration—often assisted by traffickers. Youth unemployment in particular exacerbates the problem of human trafficking. Bangladesh's unemployment rate in 2020 was at 5.3%, with a large proportion of jobless people being young adults. Because they actively seek work, this group is especially susceptible to human trafficking, which takes advantage of their lack of experience and desperation. The offer of opportunities abroad often leads to exploitation since there is often no sufficient paperwork or legal process in place.

Natural catastrophes including disasters, hurricanes, and riverbank erosion are quite common in Bangladesh. Mass displacement is a common outcome of these calamities. For example, natural disasters caused more than 1.5 million people to be displaced in 2020. Because they often lack secure housing and basic requirements, displaced people are particularly susceptible to human trafficking and are thus prime candidates for abuse. Traffickers recruit and transfer victims by

taking advantage of the confusion and vulnerability that occur during and after such calamities. Cultural norms and ingrained gender inequity both greatly increase the susceptibility of women and children to human trafficking. Gender inequality is pervasive in Bangladesh, where social conventions often prevent women and girls from pursuing higher education or finding employment. In Bangladesh, 27% of girls are married before turning 18, according to UNICEF. Early marriage often reduces a girl's access to school and puts her in situations where she may want to flee her environment and end up as a target for human traffickers. They are easy prey because of their lack of knowledge about human trafficking and the allure of a better life.

Another important consideration is access to education. Bangladesh has made great progress in expanding primary school access, but there are still many obstacles, especially for females and kids from low-income households. Secondary school dropout rates are still high, and many students drop out early to support their families financially, leaving them open to human trafficking. Lack of knowledge makes people less aware of the risks associated with human trafficking and less able to spot and steer clear of abusive circumstances. Systemic flaws and corruption impede Bangladesh's efforts to implement anti-trafficking legislation. The Human Trafficking Deterrence and Suppression Act, which offers a thorough legislative framework to fight trafficking, was passed in 2012, although its implementation is still patchy. Just 3% of trafficking cases between 2013 and 2018 resulted in convictions. Because human traffickers often use money and influence to dodge prosecution, efforts are further hampered by corruption within law enforcement and the court. Traffickers are encouraged to carry out their activities by the absence of accountability and the low likelihood of punishment. Bangladesh has wide borders with both India and Myanmar, two important cross-roads for human trafficking. These boundaries are permeable, which makes it difficult to monitor and stop cross-border trafficking. The issue of trafficking is further complicated by geopolitical unrest and the refugee crisis, which includes the surge of Rohingya refugees from Myanmar. Due to their uncertain legal status and dearth of resources, refugees are especially vulnerable and hence attractive candidates for human trafficking. Although there are governmental and non-governmental organisations that assist victims of human trafficking, the resources and services that are offered are sometimes inadequate. Due to a lack of shelters, rehabilitation centres, and legal assistance, many victims are unable to get the help they need to heal and reintegrate into society. Re-trafficking may result from this lack of assistance when victims are left defenceless even after they are rescued.

5.2 Recommendations:

In order to effectively combat the trafficking of women and children in Bangladesh, a comprehensive strategy that targets the underlying causes and vulnerabilities as well as fortifies institutional and legal frameworks is needed. The following are some specific recommendations:

- i. **Programmes to Alleviate Poverty:** Put into action and grow initiatives to reduce poverty with the goal of helping vulnerable communities become more economically stable. Initiatives like as microfinance, job training, and income-generating projects might provide substitute means of subsistence and lessen the financial hardships that human traffickers take advantage of.
- ii. **Youth Employment Programmes:** Create specifically tailored employment programmes for young people, such as skill-building courses, internships, and apprenticeships. Creating work possibilities via partnerships with private sector enterprises may assist lower juvenile unemployment and lessen their susceptibility to human trafficking.
- iii. **Enhanced Disaster preparation:** To better assist displaced people, fortify response and preparation systems. Make certain that in times of need, food, medical supplies, emergency shelters, and protection from human traffickers are all easily accessible to displaced people.
- iv. **Establish community resilience initiatives,** such as training courses on identifying and averting trafficking risks before, during, and after natural disasters. Including community organisations and local leaders in these initiatives may help them be more successful.

- v. **Access to Education**: Make education more widely available, especially to females and kids from low-income households. Scholarships, free school lunches, and conditional financial transfers that encourage attendance at school and lower dropout rates may help accomplish this.
- vi. **Gender Equality Campaigns**: Launch nationwide initiatives to advance gender parity and challenge cultural practices that support the mistreatment of women and girls. Education on the value of postponing marriage and the dangers of getting married young should be a part of these programmes.
- vii. **Improved Law Enforcement Training**: Give law enforcement personnel specialised instruction in spotting and handling situations of human trafficking. Training in victim protection, investigative methods, and cross-border collaboration should be part of this.
- viii. **Enhancing Legal Frameworks**: To eliminate any legal gaps, examine and improve the current anti-trafficking legislation. Make sure that laws are rigorously enforced and that traffickers face harsh punishments.
- ix. **Better Border Management**: To stop cross-border trafficking, improve border surveillance and management. This might include stepping up border patrols in high-risk locations and using technologies like biometric identification.
- x. **International Cooperation**: To combat cross-border trafficking networks, bolster collaboration with surrounding nations and international organisations. This might include exchanging information, working together, and harmonising legal systems to make sure that traffickers are unable to take advantage of national legal differences.
- xi. **Extensive Victim Support Assistance**: Increase and enhance the availability of shelters, medical treatment, counselling, and legal assistance for victims of human trafficking.

Make certain that all victims, irrespective of their location or circumstances, may get these services.

- xii. **Strong rehabilitation and reintegration programmes** are necessary to assist victims in reintegrating into society and lower their chance of becoming victims of trafficking again. This might include access to community support systems, educational opportunities, and vocational training.
- xiii. **Awareness Campaigns**: To inform communities about the dangers of human trafficking and how to identify suspicious activity, organise extensive awareness campaigns. Reach a wide audience—including those in rural and distant areas—by using a variety of media outlets.
- xiv. **Create community watch programmes** where volunteers from the area are taught to spot and report signs of human trafficking. These initiatives have the potential to develop a grassroots watchdog and support system.
- xv. **Frequent Monitoring and assessment**: To determine the efficacy of anti-trafficking initiatives and make required modifications, conduct routine monitoring and assessment of these initiatives. Utilise data-driven strategies to monitor developments and pinpoint areas in need of improvement.

Bangladesh is able to drastically lower the prevalence of women and child trafficking by tackling these weaknesses and gaps with a thorough and well-planned approach. The goal of these suggestions is to build a more just and secure society that respects the liberties and worth of every person.

5.3 Conclusion:

Human rights are violated by human trafficking. This is a lucrative black-market industry that operates globally and includes Bangladesh as well. The factors contributing to the crime include the way society views women, poverty, ignorance, dishonest public servants, and unjust procedures used by police enforcement. On the other hand, the quantity of instances linked to the offence is rising daily. A dearth of proof and accusation sheets allows many traffickers to operate freely, leading to unresolved cases before the nation's Anti-Trafficking Tribunals. When victims see how few trafficking cases result in convictions, they begin to lose faith in the legal system. The current state of human trafficking in Bangladesh indicates that the problem cannot be adequately addressed by the laws already in place. People need to be aware of the harmful impacts of human trafficking, especially those who are not poor and are not easy pickings for traffickers. In addition, these vulnerable individuals need to be made aware of the methods that the criminals use to coerce them. To reduce crime in society, the Bangladeshi government, law enforcement agencies, members of civil society, and other stakeholders should collaborate. In addition, regional and global collaboration will be developed to lessen the risk of human trafficking.

Bangladeshi women and child trafficking is a complicated, multidimensional problem that calls for quick, all-encompassing solutions. The danger of trafficking is increased by the vulnerabilities brought about by inadequate law enforcement, porous borders, high unemployment, frequent natural disasters, gender inequality, and restricted access to education. The scope and tenacity of the issue, in spite of current efforts, point to the need for more efficient and well-coordinated approaches. In order to safeguard vulnerable people, it is imperative that the institutional and legal frameworks be strengthened and the underlying causes of human trafficking be addressed, as this study makes clear. The underlying circumstances that traffickers take advantage of may be lessened by putting in place targeted economic and employment efforts, improving disaster preparation, expanding access to education, and advancing gender equality. It is essential to fortify law enforcement via anti-corruption initiatives, targeted training programmes, and enhanced legislative structures to guarantee that traffickers face consequences and victims have fair treatment. Comprehensive victim support services and rehabilitation programmes are critical for the recovery and reintegration of trafficking survivors, while international collaboration and enhanced border control are essential in the fight against cross-border trafficking. In order to better safeguard prospective victims, community awareness programmes and grassroots engagement may cultivate a watchful and knowledgeable citizenry.

In the end, the most successful strategy for preventing the trafficking of women and children in Bangladesh would include proactive steps, forceful judicial proceedings, and strong victim support networks. The government, local communities, non-governmental organisations, and international entities must all be committed to and work together on this strategy. Bangladesh can make great progress towards ending human trafficking and guaranteeing the security and

dignity of its women and children by addressing the vulnerabilities that have been identified and putting the suggested measures into practice. In addition to being morally and legally required, the battle against human trafficking is essential to advancing sustainable development and human rights. Bangladesh can develop a society free from abuse and exploitation by overcoming the obstacles presented by human trafficking and implementing comprehensive policy measures.

References

Statutes:

1. The Constitution of the People's Republic of Bangladesh (ACT NO. OF 1972)
2. The Penal Code, 1860 (Act No. XLV of 1860)
3. Forced Labor Convention, 1930 (NO. 29)
4. Convention on the Rights of the Child, 1989
5. The Children Act, 2013 (ACT NO, XXIV of 2013)
6. The Universal Declaration of Human Rights, 1948
7. The Prevention and Suppression of Human Trafficking Rules, 2017
8. The Human Trafficking Prevention Fund Rules 2017
9. National Anti-Human-Trafficking Authority Rules, 2017
10. Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and children, Supplementing United Nation Convention against Transnational Organized Crime, 2000

Books/Articles/Journals:

- Agarwal, A. (2024). HUMAN TRAFFICKING AS A MODERN SLAVERYW3. *SUPREMO AMICUS*, 1-12.
- Ahsan, M. K. (2022). Critical analysis of Causes and Effects of Woman and. *PSC Journal*, 70-100.
- Bank, A. -A. (2002). *Combating Trafficking of Women and Children in South Asia: Country Paper - Bangladesh*. Asian Development Bank - ADB.
- BDLAWS. (1860). *Penal Code*. Retrieved from <http://bdlaws.minlaw.gov.bd/act-details-11.html>
- BIPSS. (2023). Human Trafficking : A Security Concern for Bangladesh. *Bangladesh Institute of Peace and Security Studies*, 19.
- Chowdhury, M. B. (2019). *TRAFFICKING IN PERSONS IN BANGLADESH*. Retrieved from www.unafei.or.jp:
https://www.unafei.or.jp/publications/pdf/RS_No89/No89_PA_Chowdhury.pdf
- Fardaus Ara, M. M. (2022, JUNE). *Trafficking in Women and Children in Bangladesh: Laws and Strategies for Prevention*. Retrieved from ResearchGate:
https://www.researchgate.net/publication/361221251_Trafficking_in_Women_and_Children_in_Bangladesh_Laws_and_Strategies_for_Prevention
- Khalid, M. (2024). *Understanding the Complexities of Human Trafficking in Bangladesh: A Multifaceted Organized Crime*. Retrieved from Researchgate:
https://www.researchgate.net/profile/Mahamud-Khalid/publication/370527614_Understanding_the_Complexities_of_Human_Trafficking_in_Bangladesh_A_Multifaceted_Organized_Crime/links/6454bdce97449a0e1a7c38bd/Understanding-the-Complexities-of-Human-Trafficking-i
- Khandaker, N. (2023). Study on Girls, Women and Children Trafficking in Bangladesh. *Journal of Emerging Technologies and Innovative Research*, 1-18.
- Rosy, S. Y. (2016). Bangladeshi Women Trafficking Survivors Situation in Family and Society: NGO Response towards their Reintegration. *Dialnet*.
- Ullah, A. A. (2024). *Prostitution in Bangladesh: An Empirical Profile of Sex Workers*. Retrieved from <https://vc.bridgew.edu>:

[https://vc.bridgew.edu/cgi/viewcontent.cgi?article=1437&context=jiws#:~:text=Nearly%2039%20per%20cent%20of,ones%20\(18%20per%20cent\)](https://vc.bridgew.edu/cgi/viewcontent.cgi?article=1437&context=jiws#:~:text=Nearly%2039%20per%20cent%20of,ones%20(18%20per%20cent))

UNHCR. (2018). *2018 Trafficking in Persons Report - Bangladesh*. Retrieved from www.refworld.org:
<https://www.refworld.org/reference/annualreport/usdos/2018/en/121293>