

# LEGALFOXES LAW TIMES

## HUMAN TRAFFICKING FOR FORCED MARRIAGE IS GRAVE VIOLATION OF HUMAN RIGHTS OF GIRL

**By: Parasram Sood and Aakshi Sharma**

### **INTRODUCTION:**

“Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. .... Unless these rights have meaning there, they have little meaning anywhere. Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world.”  
–Eleanor Roosevelt <sup>1</sup>

Human beings are one of the most magical creations of the Almighty. They are considered to be the most intelligent creatures on the Earth. Since the beginning of their existence, they have been very much involved in giving their existence a significant meaning. As the times passed, they became interested in employment, thereby developing interest in earning money. As the new employment opportunities came up and with the increase in the standard of living of the mentioned species, the need for some uniform laws that would regulate and govern the society came up. Slowly, with time, the curiosity level amongst the common people to know about their laws, their rights and their duties increased. Hence, the term “HUMAN RIGHTS” took birth.

Generally speaking, “HUMAN RIGHTS” are the basic moral principles that describe different standards of human behavior. These can, in easier terms, be defined as those rights to which a person is entitled to just because he/she is a human being. A human’s life without human rights is similar to a flower without any fragrance. These are the basic rights provided to all human beings, regardless of their caste, color, race, creed, religion, sex, language, nationality, ethical background, or any other discrimination. The “MAGNA CARTA” was the first document on human rights, which was published in the year 1215. Some of the basic human rights included in it were the Right to Life and Liberty, Freedom of speech and expression, Right to Work, Right to education, Right to Life, Right against Exploitation and many more. Each and every person, from the time of his/her birth, is entitled to all these rights without any discrimination. Absence of any one of these basic rights of a person is enough to turn his/her life into nothing less than a “hell”. These rights

<sup>1</sup> Madeline Branch, *11 TOP QUOTES ON HUMAN RIGHTS*, UNITED NATIONS FOUNDATION (Dec.10, 2015), <https://unfoundation.org/blog/post/11-top-quotes-on-human-rights/>.

are given to every human being irrespective of one's gender. Women possess equal entitlement to all these rights in the same way as men enjoy them. However, it can be very clearly observed that in the present times, women's rights are very commonly violated.

In the present research paper, the researcher would like to focus on the violation of basic human rights of women because of the very common practice of "HUMAN TRAFFICKING". The researcher would also like to highlight the main reasons of human trafficking. Out of those reasons, the focus shall be laid on "FORCED MARRIAGE" and its impact on the life of the girl.

The researcher would like to begin by first discussing the meaning of the keywords "TRAFFICKING", "HUMAN TRAFFICKING", "VIOLATION" and "FORCED MARRIAGE". This research paper will provide an insight to the readers into the reasons and, also the causes of the violation of human rights of girl. The researcher has used doctrinal research approach and secondary data to accomplish this research work.

### **HUMAN TRAFFICKING: A CRIME AGAINST HUMANITY**

"Trafficking", according to the Cambridge Dictionary, is defined as the act of buying or selling goods illegally. On the same lines, the word "HUMAN TRAFFICKING" can be defined as the buying or selling of people, or of making money from work they are forced to do, such as sex work. Human trafficking is one of the most heinous crimes against humanity. It destroys the very essence of the concept of human rights. The mirror of the humane values and morality turns opaque due to this practice of treating humans as goods or things. Trafficking in humans is a serious crime and is a grave violation of basic human rights. Every year, even every day, thousands of men, women and children are trafficked all over the world. The people who are trafficked are not only sold in their own countries, but are also illegally bought and sold abroad. In today's modern world, there is no single country where human trafficking has not spread its paws. The people involved in this crime can be considered as hungry lions, in search of their prey, and present in every nook and corner of the world.

Article 3, paragraph (a) of the "PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS" defines trafficking in persons(also called Human Trafficking) as "the recruitment, transportation, transfer, harboring 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 other person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other

forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.<sup>2</sup>”

On reading the aforementioned definition, it becomes very clear that human trafficking is a very common crime that violates various human rights of an individual who is a victim to it. However, this heinous crime does not only cross the limits of law, but also tends to surpass all the boundaries of humanity. Morality seems to be lost from the world when one comes across the increasing number of cases of human trafficking all over the world. The victims of this very serious crime go through uncountable problems. They have to live in a very different environment than their own homes, thereby, losing their dignified way of living. Not only are they physically harassed, but also mentally tortured. They are forced to go through a lot of pain and stress, which ultimately leads in their being physically, mentally and emotionally unhealthy and unstable. It is very much apt to term HUMAN TRAFFICKING as the CRIME AGAINST HUMANITY. The researcher feels that one cannot be anywhere close to be able to express or understand the pain these victims face. This inhuman and immoral act has been carried on since the 13<sup>th</sup> century. The next part shall be focusing on the very significant parts out of a whole lot of history of this inhuman crime.

### **HISTORY OF HUMAN TRAFFICKING:**

The evil of HUMAN TRAFFICKING has its roots connected to the practice of slavery. It has a history of over 800 years, the sad part being that it still continues and no law has been able to curb it or prevent it entirely. Slavery had been in existence from even before the 1200s, however the initial cases came into light only in the 1400s. It was, at the time, a very common part of everyday life throughout the globe. It began with the European slave trading in Africa, where the Portuguese transported people from Africa to Portugal and used them as slaves. The next country in joining the practice by trading people from Africa to any other place was Britain. However, first cases of slavery in Britain did not come up until the 1950s. Not only Portugal and Britain, but various other countries like Spain, North America, Holland, France, Sweden and Denmark started trading individuals and hence, slavery began in its full swing during the 1600s.

Moving further, 1700 was the year when human trafficking for sexual purposes was first legally recognized using the term “white slavery”. According to Kristina Kangaspunta, “white slavery” is “obtaining a white woman or girl - by the use of force, drugs, or by dishonesty – for sex which is unwanted by the woman or the girl”. Slavery began to be discussed amongst international governments only after the illegalization of the Transatlantic Slave Trade in 1700. Slowly, over the years, slavery began to be seen as an offence, and so the first step towards criminalizing slave trade was taken by the United States in 1820. In spite of all these laws and conventions, the poison of slavery and human trafficking, especially trafficking of young girls and women, kept on spreading throughout all the countries of the world. In the 1900s, trafficking of children was the most common practice and was very widespread. Women and young girls were trafficked and used

---

<sup>2</sup><https://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html> (As accessed on: Aug. 8, 2020).

for sex, whereas men and boys were trafficked for forced labor without being paid. In 1904, the Kings and Queens in Europe signed an agreement – “The International Agreement for the Suppression of the White Slave Traffic”. The agreement focused on preventing and criminalizing traffic of women and girls in their countries. Hence, 12 countries from across the globe joined hands together to sign the “International Convention for the Suppression of White Slave Traffic” in 1910. During the first half and the middle of the 20<sup>th</sup> century, big colonial powers also took up various steps for the prevention of trafficking of women and young girls. The first step taken by any colonial power in this regard was the law passed by the British colonial government in Hong Kong which banned the buying and selling of girls as domestic slaves in 1923. The first worldwide recognized organization focusing on international issue of human trafficking, particularly, trafficking of young girls and women, was founded in 1927 after the First World War, and was called the “League of Nations”. The terminology of “White Slave Traffic” was hence changed into “Traffic in Women and Children”. Here, the category of “children” included both boys and girls.

Moving forward, in the very modern 21<sup>st</sup> century, approximately 80% of the trafficking involves sexual exploitation and 19% involves labor exploitation. As per the data, there are approximately 20 to 30 million slaves (in other words, victims of human trafficking) in the world today.<sup>3</sup> After illegal drugs industry and arms trafficking, “human trafficking” is the third largest international crime industry. It reportedly generates a profit of \$32 billion every year, out of which \$15.5 billion is made in industrialized countries.<sup>4</sup>

### **TYPES OF HUMAN TRAFFICKING:**

Out of all the types, the three most common types of human trafficking are-

1. Sex trafficking
2. Forced labor
3. Debt bondage

Forced labor, also called forced servitude, is the biggest sector of trafficking in the world, according to the U.S. Department of State.<sup>5</sup> Debt bondage is a type of human trafficking in which a person is forced to work so as to pay a debt.

In the present research paper, the researcher wants to bring the reader’s attention towards the crime of sex trafficking as taking place within the Indian territory. Undoubtedly, sex trafficking prevails in all the countries of the world and has a lot of reasons, but for the ongoing paper, the researcher has focused on one of the main reasons of this inhuman crime, i.e., forced marriage, in accordance with the Indian society.

<sup>3</sup> <https://sexualexploitatio.weebly.com/history-of-human-trafficking.html> (As accessed on: Aug. 8, 2020).

<sup>4</sup> <https://sexualexploitatio.weebly.com/history-of-human-trafficking.html> (As accessed on: Aug. 8, 2020).

<sup>5</sup> <https://sf-hrc.org/what-human-trafficking> (As accessed on: Aug. 8, 2020).

## **SEX TRAFFICKING IN INDIA:**

Human trafficking, especially sex trafficking, is a global problem. It has destroyed the lives of almost about 35 million people worldwide. According to the Walk Free Foundation (an Australian non-profit organization), 14 million of these modern slaves are in India.<sup>6</sup> The history of sex trafficking or sex slave trade in India dates back to very old times. It remarked its presence and came up more vibrantly in the British times. The modern incarnation of sex trafficking began showing up when the high rates of syphilis, in the 19<sup>th</sup> century, made the British administrators pass the Cantonment Act and the Contagious Diseases Act. These acts commercialized sex for British soldiers. For this, Indian women were brought to the camps or areas and were submitted to treatment regularly. The women used for this purpose were not allowed to marry and had no other profession. These women were trapped in the vicious circle of sex trafficking and had no other option and even no way of going out. Today, most of the sex trafficking in India happens domestically. A total of 80% of the human trafficking across the world is done for sexual exploitation and the rest is for bonded labor. India is considered as the hub of this crime in the entire continent of Asia. Human trafficking is very closely related to kidnappings. Usually, children are first kidnapped and then sold or trafficked. As per the statistics of the government, in every eight minutes, one child goes missing in our country. In 2011, about 35,000 children were reported missing and more than 11,000 out of these were from West Bengal.<sup>7</sup> Many of the cases of sex slave trade are not even reported. Hence, the actual statistics can be much higher.

Sex trafficking affects women and children, especially young girls, at large. It forces them to get involved in commercial sex acts. In the U.S., any child (especially a girl child) under the age of 18 involved in commercial sex is considered to be a sex trafficking victim. Approximately 1 million children are exploited in the commercial sex slave trade per year. Sex trafficking mainly involves women forced into prostitution. This is just one aspect of this heinous crime. Women and small girls, usually belonging to poor backgrounds and poor cities, are bought and sold illegally for the purposes of sexual exploitation, begging, soliciting, or for forced marriages.

Trafficking of women and girls in India is usually done for acquiring sexual pleasures and for various motives. One such motive of women or girl trafficking is FORCED MARRIAGE. It has been explained in detail in the further parts of this research paper.

## **FORCED MARRIAGE AS A PURPOSE OF HUMAN TRAFFICKING:**

Each individual, irrespective of one's sex, has the right to choose one's life partner. A person has the right to choose whom to marry, when to marry, or if to marry at all. Going by the Indian traditions, marriage is regarded to be the purest tie between two individuals. Many centuries ago,

---

<sup>6</sup> Teresa Canteros, *INDIA HAS A SEX TRAFFICKING PROBLEM, AND IT'S WORSE THAN YOU THINK*, (September 17, 2015), Updated on May 15, 2018, <https://allthatsinteresting.com/human-trafficking-india>.

<sup>7</sup>Ramandeep Kaur, *HUMAN TRAFFICKING IN INDIA MUST END*, (Mar. 13, 2015), <https://www.mapsofindia.com/my-india/society/human-trafficking-in-india-must-end>.

civilized societies recognized one of the basic instincts of all, i.e., the need for having a companion, a partner with whom one could share anything and everything. According to the Hindu beliefs, “marriage” is an institution that can help an individual to find the right path in life and can also make life less complex. The need for companionship also arises because individuals, undoubtedly, require a “soul mate”, a “life partner” who is by his/her side in all the phases of life, be it the days full of happiness or the worst days of one’s life. According to the ancestral viewpoint, the institution of marriage brings happiness not only in the lives of the two individuals tying this knot, but also in the lives of their families. Marriage is also regarded to be the purest type (or kind) of institution of the modern society. In all the religions, marriage has got a sacred place, for example according to Hinduism, “marriage” (called “shaadi”) between two souls is a very pure affair that continues for more than a single lifetime. On the same lines, according to Islamic scholars, no doubt marriage is a highly recommended act, it becomes obligatory whenever there is a chance for a person falling into sins. The sanctity of marriage in Islam can be highlighted through the following lines of the Prophet-“No house has been built in Islam more beloved in the sight of Allah than through marriage.”<sup>8</sup> Marriage is considered to be beneficial due to many reasons, such as, it is a very common belief that marriage enhances the value of the prayers. It is also a very common belief (and has been proved through many studies) that married people remain healthy physically, mentally, socially and emotionally. This is the religious view of marriage.

However, the Sociological view of Marriage is quite different. According to Karl Marx, marriage is an institution formed to protect the ownership of property by the bourgeois. He was of the view that the institution of marriage came into existence just to have the legitimate ownership of property, and due to this very reason, polygamy was discarded and bigamy came up as a tradition. Marxists strongly believe that marriage is a way of limiting a woman’s desire and is performed so as to limit the women and to confine them to the four walls of the house. For the new form of society to arise, human beings would have to learn to respect each other and to consider themselves as valuable, marriage being the best way of doing so. Thus, it was believed, and is still a common belief among the Marxists, that men and women would have to reach a point where they would make a contract among themselves to live together, the contract being formed on mutual terms and conditions. Hence, in Marxist view, “marriage” is both an institution and a contract as well.

There cannot be a single definition attributed to this institution of marriage. Various scholars and sociologists all over the world have tried to define (or describe) marriage as per their own individual perceptions. Some of the definitions are as under:

1. According to Encyclopedia Britannica, “Marriage is a physical, legal and moral union between man and woman in complete community life for the establishment of a family.”<sup>9</sup>

---

<sup>8</sup><https://www.al-islam.org/islamic-marriage-handbook-syed-athar-husayn-sh-rizvi/importance-marriage-islam> (As accessed on Aug. 8, 2020).

<sup>9</sup>Puja Mondal, *MARRIAGE: CHARACTERISTICS AND TYPES OF MARRIAGE*, <http://www.yourarticlelibrary.com/marriage/marriage-characteristics-and-types-of-marriage/6177> (As accessed on Aug. 8, 2020).

2. According to Malinowski, "Marriage is a contract for the production and maintenance of children."<sup>10</sup>
3. Edward Westermarck in his famous book 'History of Human Marriage' defined, "Marriage is a relation of one or more men to one or more women which is recognized by customs or law and involves certain rights and duties both in case of parties entering into the union and in case of children born of it."<sup>11</sup>
4. According to H.M. Johnson, "Marriage is a stable relationship in which a man and a woman are socially permitted without loss of standing in community to have children."<sup>12</sup>
5. According to Lowie, "Marriage is a relatively permanent bond between permissible mates."<sup>13</sup>
6. According to Horton and Hunt, "Marriage is the approved social pattern whereby two or more persons establish a family."<sup>14</sup>
7. According to Hoebel, "The complexes of social norms that define and control the relations of a mated pair to each other their kinsmen, their offspring and their society at large."<sup>15</sup>

Through all these above-mentioned definitions, it is clear that marriage is not only a biological relationship, but also a psychological, cultural and a social affair. It can be attributed as a special kind of relationship between permissible mates. It, generally, is a social affair that consists of rules and regulations which define all the rights, duties and privileges of husband and wife towards each other.

One of the basic characteristics of the institution of marriage is that it requires the consent of both the individuals going to engage in this institution. Without the consent of any one of the parties, marriage is not, or rather not, regularized. Marriage of two individuals is accepted by the society only if it is done after mutual consent of both the going-to-be life partners. However, over the years, the sanctity of marriage has continuously seen a decline. This has been due to a rise in the practice of "**FORCED MARRIAGE**" in the Indian society. Forced marriage is one of the main purposes of human trafficking, especially sex trafficking. Women and young girls, those usually from an economically weaker background, become a victim of the crime of forced marriage.

In general language, marriage is said to be "forced", if an individual is deprived of his/her right of choosing his/her own life partner and is forced to be a life partner of an unwanted person. Forced marriage is when one faces various pressures from others, e.g., physical pressure to marry, social pressure to choose a particular person as a life partner, emotional or psychological pressure etc. The FORCED MARRIAGE UNIT defines "forced marriage" as: "A forced marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the

---

<sup>10</sup> supra, note 10, at page 6.

<sup>11</sup> supra, note 10, at page 6.

<sup>12</sup> supra, note 10, at page 6.

<sup>13</sup> supra, note 10, at page 6.

<sup>14</sup> supra, note 10, at page 6.

<sup>15</sup> supra, note 10, at page 6.

marriage and pressure or abuse is used. It is an appalling and indefensible practice and is recognized in the UK as a form of violence against women and men domestic/child abuse and a serious abuse of human rights.”<sup>16</sup> Forced marriage in India, most often, occurs when the girl (rather the woman) is forced to marry a man against her will. It includes pressure building on the bride. This pressure put on the girl to marry a person without her consent includes physical (like threats, emotional blackmailing, etc.), emotional and psychological factors. Poverty and lack of knowledge amongst women about their rights and duties is also a factor. Various methods of pressure building are used to make a girl marry a person forcefully. Some of the ways are life threats, sexual abuse, threats of violence, physical violence, sexual violence and many others. Emotional blackmailing and psychological pressure building can also be included in the means through which a girl is married into another family forcefully. The readers are very well aware that poverty and lack of basic education are some of the biggest problems faced by our nation in today’s modern era. Many a times, the girls and women of the economically poor families are highly pressurized to marry a man much older to their age or a man they do not want to marry by their will. The girls are emotionally tortured and blackmailed. The people involved in the crime of forced marriage usually pick girls of poor families or those who are illiterate, as these girls are highly emotion-driven and do all the unwanted acts as well if emotionally blackmailed. Some of the many ways of emotionally blackmailing a girl are by constantly telling her that she is a burden on her family, by continuously making her believe that she is useless and her existence means nothing. The girl is made to feel that she is a shame and cannot do anything. It has been witnessed many times that in addition to all these ways, many times the girls from the rural or backward areas are first kidnapped, and are then sold (and bought) illegally for various reasons, the most prominent being to marry the girl forcefully.

### **REASONS OF FORCED MARRIAGE:**

Even though we say that India is heading towards a bright future, yet the evil of forced marriage still haunts the Indian society as a whole. The discrimination between men and women (or boys and girls) becomes clearly visible when the boy or the man is given full liberty to choose his life partner, but the girl or the woman does not enjoy such liberty in its full form. Not only adult women, but the young girls below the age of 18 are also forced into marriage. There are various reasons of forced marriage, some of them as under:

1. Forcing a girl to marry to fulfill the sexual desires of the man.
2. Forcing a girl into marriage only to treat her as a laborer or a house worker (maid).
3. Forced marriage, sometimes, also takes place so as to get a part in the wealth of the rich groom.
4. Forcing a marriage so as to extend family links.
5. Girls or women are also forced to marry so as to control their unwanted behavior and to control their sexuality.

---

<sup>16</sup> <https://rightsofwomen.org.uk/get-information/family-law/forced-marriage-law/> (As accessed on Aug. 8, 2020).

6. Marriage is also forced, sometimes, to keep the wealth in the extended family.

The most prominent reason out of all these is the fulfillment of sexual desires of the person. It has been witnessed that most of the times, a man of older age falls for the appearance of a particular girl, and then to fulfill his sexual desires, he forces the girl's family and the girl to form the tie of marriage with him and his family. In lieu of the marriage, the family of the girl is promised a part in the property or the wealth of the man. This, usually, happens, with the girls or women belonging to poor families, who are made to agree to do anything so as to make their families financially stable. This type of marriage, then, forces the girl to come into a physical relationship with her "forced" husband against her will, hence giving a rise to "MARITAL RAPE". Though marital rape cases come up in a large number in the Indian courts, yet India is one of the thirty-six countries that still have not criminalized marital rape. However, one step in this direction was taken by the honorable Supreme Court, when the apex court criminalized unwilling sexual contact with a wife between fifteen and eighteen years of age.

### **RIGHTS VIOLATED DUE TO THE CRIME OF FORCED MARRIAGE:**

The practice of forced marriage is no less than a heinous crime. Various basic human rights of women are violated due to this practice. The researchers here intend to focus on some of the very basic and main human rights of women that are violated because of the practice of forced marriage.

- i. **VIOLATION OF RIGHT TO EQUALITY:**

Article 14 of the Constitution of India states that "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." This article prohibits any kind of discrimination on the basis of creed, color, sex, religion and gender. However, the practice of FORCED MARRIAGE takes away this fundamental right of equality from women and girls, in a way that men are given the opportunity of choosing their partners but woman and girls are not. Hence, it directly violates the Right to Equality as guaranteed by the constitution.

- ii. **VIOLATION OF RIGHT TO FREEDOM:**

The Constitution of India guarantees all its citizens the right to live freely. This has been enshrined in Article 21 of the Constitution. It states that no person shall be deprived of his life and personal liberty by the State except as per the procedure established by law. This right has a very wide scope and is not just about living, but about a "decent living". This Right to Life has been, over the years, more widely interpreted and now is usually termed as the Right to Dignified Life. However, the practice of FORCED MARRIAGE takes away this right from the victims, here, women. Young girls or women are forced to live with someone not of their choice and hence go farther away from living a dignified life.

- iii. **VIOLATION OF RIGHT TO PERSONAL LIBERTY:**

This is one of the rights enshrined under Article 21 of the Constitution of India. However, it needs a separate mention as this is the right which is mostly violated due to the practice of FORCED MARRIAGE. A young girl or a woman is first forcefully married to a man

she does not want to. This violates her freedom and her right to choose her own life partner. Hence, in turn, it is a direct violation of her right to personal liberty.

The evil of FORCED MARRIAGE does not only lead to the violation of basic human rights of the victim girl or woman, but also, in many cases, leads to a more heinous and serious crime of MARITAL RAPE. However, the Exception 2 of Section 375 of the Indian Penal Code clearly fails to convict husbands if they rape their own wives.

Therefore, while talking about FORCED MARRIAGE, the evil of MARITAL RAPE should also be talked about. Laws and legislations should be improved and made stricter so as to convict the criminals of both these evils. The last part of this research paper shall put some focus on the various laws and legislations that can be used by the victims to get justice. Also, it throws light on what changes should be made in the present laws.

### **LAWS AND LEGISLATIONS:**

Forced Marriage is something that involves a very wide range of criminal offences. It becomes very important for the courts to provide justice and legal protection to the victims of this practice (which has now turned into a crime). Contrary to the earlier times when women and girls were merely considered as objects and were not given rights and freedoms, the modern period has seen a drastic change. Women and girls, now, are considered as a separate legal entity and are provided justice, whenever required. As mentioned above, talking about forced marriage makes it essential to think over marital rape as well. MARITAL RAPE has not yet been considered a crime in India, which needs to be changed. It needs to be criminalized and various laws present in India need to be changed.

Talking about FORCED MARRIAGE, there are various ways through which the victims can demand justice from the courts. Different countries also have ways of providing justice to these victims. For instance, in England and Wales, a FORCED MARRIAGE PROTECTION ORDER (FMPO) is a way by which the forced marriage victims can get justice. It is a type of injunction which prevents the person from doing various things, such as, using violence, contacting the victim directly or indirectly and various others. On the same lines, India should also have a strict law against forced marriage to prevent more heinous crimes like that of MARITAL RAPE. There are various acts that protect women from such crimes, examples being “The Protection of Women from Domestic Violence Act” and the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act. However, various others such as Exception 2 of Section 375 of the Indian Penal Code needs to be amended as it fails to prevent marital rape and affects the physical, mental, social and emotional health of women adversely.

### **CONCLUSION AND SUGGESTIONS:**

The researcher would like to conclude the research paper by reiterating the topic and emphasizing on it by using the points mentioned above. “Human trafficking for forced marriage is the grave

violation of human rights of the girl"- this has been reaffirmed using laws, legislations, the interrelationship between forced marriage and marital rape and also forced marriage as a consequence of sex trafficking. Further this research paper shows that girls are still being trafficked and being viewed as a commodity and are not treated as an individual and are not entitled to some of the basic human rights. There are various laws and regulations that prevent such grave crimes. But one should never forget the work of various NGOs and SOCIAL GROUPS like "SAYFTY", "AKSHARA", "GENDER AT WORK", "CORO" etc. working in this field to educate women about their rights and are helping to provide them justice.

More women's movements such as the "GULABI GANG" should come forth so as to make women and girls more aware and more vigilant. To conclude, the researcher would just like to emphasize the growing need of social work and other social organizations to be more inclined towards working for the rights of the women and young girls, and would also highlight the need to frame stricter laws and regulations to prevent not only FORCED MARRIAGE but also various other crimes related to it such as MARITAL RAPE, domestic violence and many others.

