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# **CLIMATE-INDUCED INTERNAL DISPLACEMENT AND CHILD TRAFFICKING IN COASTAL INDIA: A SOCIO-LEGAL ANALYSIS**

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## **ABSTRACT**

*Coastal India faces an accelerating crisis of climate-induced internal displacement, driven by rising sea levels, recurrent cyclonic events, and pervasive coastal erosion. While the environmental and economic impacts of these phenomena are well-documented, the subsequent human rights cascading effects particularly the heightened vulnerability of displaced children to human trafficking remain under-explored in socio-legal scholarship. This research provides a comprehensive socio-legal analysis of the nexus between climate-induced internal displacement and child trafficking in India's coastal states, specifically examining West Bengal, Odisha, Andhra Pradesh, and Kerala.*

*The primary research problem centers on the structural disconnect between disaster management frameworks, which operate largely through a reactive lens focused on infrastructural rescue, and anti-trafficking laws, which fail to recognize environmental displacement as a core structural driver of vulnerability. Using a mixed-method research design that combines doctrinal legal analysis with an empirical review of governmental data and non-governmental reports, this study investigates how climate emergencies act as "threat multipliers" for human exploitation.*

*Key findings reveal that the existing legal architecture, including the Disaster Management Act of 2005 and the Immoral Traffic (Prevention) Act of 1956, is systemically inadequately equipped to protect climate-displaced children. Furthermore, recent jurisprudential developments, including the landmark 2024 Supreme Court recognition of the fundamental right to be free from the adverse effects of climate change and the 2025 judicial directives on child trafficking trials, highlight an urgent need for legislative harmonization. The study concludes by proposing a Climate-Sensitive Child Protection Model, advocating for the integration of a Climate Risk-Trafficking Vulnerability Assessment (CRTVA) protocol into*

*national and state disaster response mechanisms to fulfill India's due diligence obligations under international human rights law.*

**Keywords:** Climate Displacement, Child Trafficking, Coastal India, Anti-Trafficking Law, Disaster Management, Vulnerability, International Human Rights Law

## I. INTRODUCTION

Climate change has unequivocally evolved from an isolated environmental phenomenon into a profound, existential human rights and social justice crisis.<sup>1</sup> Globally, extreme weather events, sea-level rise, coastal erosion, and recurrent floods are triggering large-scale internal displacements, disproportionately affecting marginalized communities lacking the resources to adapt or relocate safely.<sup>2</sup> India, possessing a highly populated coastline of over 7,500 kilometers, is acutely vulnerable to these rapid ecological shifts.<sup>3</sup> In 2020 alone, climate-related hazards affected nearly 20 million people in India, creating a persistent cycle of displacement, loss of livelihood, and distress migration.<sup>4</sup>

However, the consequences of this climate vulnerability extend far beyond the immediate loss of habitat and agricultural viability. In the chaotic aftermath of rapid-onset disasters like cyclones, and during the steady economic asphyxiation caused by slow-onset events like coastal erosion, specialized criminal networks systematically exploit the collapse of local socio-economic structures.<sup>5</sup> Children, rendered invisible by mass displacement and left unprotected by fractured community safety nets, become prime targets for human trafficking into forced labor, commercial sexual exploitation, and inter-generational debt bondage.<sup>6</sup>

Despite growing international recognition of climate change as a "threat multiplier" that violently exacerbates existing structural inequalities, domestic policy responses in India have historically treated disaster management and child protection as mutually exclusive governance domains.<sup>7</sup> The absence of an integrated, cross-sectoral framework has allowed human trafficking networks to flourish in the blind spots of climate adaptation policies.<sup>8</sup> This report aims to bridge this critical gap, providing an exhaustive socio-legal analysis of the climatetrafficking nexus in coastal India, critically evaluating the efficacy of current statutory frameworks, and proposing normative shifts aligned with constitutional guarantees and international due diligence standards.

## II. RESEARCH PROBLEM

While climate-induced internal displacement is increasing exponentially across coastal India, there is a systemic insufficiency in socio-legal scholarship examining how environmental vulnerability functions as a primary structural driver of child trafficking.<sup>8</sup> The existing antitrafficking frameworks in India operate predominantly in a reactive capacity rather than a preventive one, focusing heavily on the criminal prosecution of traffickers after exploitation has occurred, rather than proactively mitigating the socio-economic conditions that produce such acute vulnerability.<sup>9</sup>

Concurrently, national disaster management and climate adaptation policies fail to incorporate climate-induced exploitation risks into child vulnerability assessment models.<sup>10</sup> The prevailing statutory regime, governed largely by the Disaster Management Act of 2005 (DMA), prioritizes physical rescue, infrastructural rehabilitation, and immediate biological relief, yet fundamentally lacks provisions addressing the severe protection risks specifically human trafficking and commercial sexual exploitation that predictably emerge in post-disaster scenarios.<sup>11</sup>

The core problem, therefore, is the profound absence of an integrated legal framework linking climate governance, disaster response, migration policy, and child protection mechanisms. Because "climate refugees" and internally displaced persons (IDPs) affected by climate change lack targeted legal recognition, codified definitions, and dedicated protection under Indian domestic law, their socio-economic marginalization is structurally compounded, leaving them systematically exposed to transnational and domestic trafficking syndicates without recourse to adequate preventative State intervention.<sup>12</sup>

## III. RESEARCH OBJECTIVES

To thoroughly address the identified gaps in the prevailing legal and policy landscape, this research pursues four primary objectives. The first objective is to examine and document the empirical correlation between climate-induced internal displacement and the increased vulnerability to child trafficking within the specific geography of coastal India. The second objective is to critically evaluate the adequacy of existing Indian anti-trafficking laws and disaster management frameworks, interrogating whether they are statutorily equipped to address climate-linked vulnerabilities. The third objective is to comprehensively analyse India's

enhanced due diligence obligations under international human rights law, determining the extent to which the State is required to protect climate-displaced populations from exploitation. The final objective is to propose a normative, climate-sensitive child protection model within the broader architecture of anti-trafficking governance that operationalizes preventive, rights-based strategies.

#### IV. RESEARCH QUESTIONS

This socio-legal analysis is guided by a set of fundamental inquiries designed to unpack the complexities of the climate-trafficking nexus. The inquiry begins by asking whether climate-induced displacement significantly increases the risk of child trafficking in coastal districts, seeking to establish a clear causal relationship between environmental shocks and human exploitation. The analysis then questions whether the existing Indian legal frameworks are structurally equipped to address these unique, climate-linked trafficking risks, or if they suffer from fundamental legislative blindness. Furthermore, the report questions what the State's enhanced obligations are under international human rights standards to protect climate-vulnerable children, placing domestic law within the global legal context. Finally, the research asks how preventive legal mechanisms can be practically and systematically integrated into regional and national disaster response systems to preempt trafficking before it occurs.

#### V. HYPOTHESES

The socio-legal analysis contained within this report is predicated on two central hypotheses that drive the doctrinal and empirical evaluation.

**H1:** Climate-induced internal displacement in coastal India functions as a structural vulnerability factor that significantly and measurably increases the risk of child trafficking. This hypothesis asserts that climate change acts as a primary threat multiplier, dismantling local economies and social protections, thereby directly feeding human trafficking supply chains.

**H2:** The current legal and policy framework in India inadequately integrates climate risk assessment into anti-trafficking and child protection mechanisms. This hypothesis posits that the siloing of environmental law, disaster management, and criminal justice results in a systemic failure to prevent post-disaster exploitation, rendering the State's protective apparatus fundamentally reactive.

## VI. RESEARCH METHODOLOGY

**Research Design:** The study employs a rigorous mixed-method socio-legal analysis, combining normative legal evaluation with an examination of empirical sociological trends to provide a holistic understanding of the subject matter.

**Doctrinal Component:** The doctrinal analysis involves a systematic, critical review of the Constitution of India, focusing deeply on the evolution of fundamental rights protections under the jurisprudence of the Supreme Court.<sup>13</sup> It further evaluates the text and operational realities of key statutory instruments, including the Immoral Traffic (Prevention) Act, 1956, the Protection of Children from Sexual Offences (POCSO) Act, 2012, and the Disaster Management Act, 2005.<sup>14</sup> The doctrinal review also extends to landmark judicial precedents and international treaties, notably the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol) and the Convention on the Rights of the Child (UNCRC).<sup>15</sup>

**Empirical Component:** To substantiate the legal and doctrinal analysis, the study examines contemporary crime statistics from the National Crime Records Bureau (NCRB) concerning human trafficking and crimes against children.<sup>16</sup> It incorporates detailed case study analyses of cyclone-prone and erosion-affected coastal districts across West Bengal, Odisha, Andhra Pradesh, and Kerala, drawing heavily on situational field reports, vulnerability mapping by non-governmental organizations, and disaster-trafficking correlations identified in recent humanitarian assessments.<sup>17</sup>

**Analytical Method:** A comparative normative analysis is utilized alongside vulnerability mapping. This approach contrasts the lived realities of displaced populations against the theoretical protections offered by the law, thereby identifying exact legislative gaps and structural implementation failures at both the state and national levels.

## VII. SCOPE AND DELIMITATIONS

The geographic and conceptual scope of this report is deliberately focused on the coastal states of India, specifically those chronically and disproportionately affected by recurrent climate disasters such as severe cyclonic storms, sea-level rise, and catastrophic flooding. The primary geographical parameters include the states of West Bengal, Odisha, Andhra Pradesh, Tamil Nadu, and Kerala. The socio-legal analysis concentrates exclusively on internal displacement and domestic trafficking networks, recognizing that internal distress migration constitutes the vast majority of climate-induced mobility within the Indian subcontinent.<sup>18</sup> Cross-border trafficking, transnational smuggling operations, and the nuances of international refugee law

regarding trans-boundary climate migrants fall outside the delimited parameters of this specific socio-legal inquiry.

## VIII. REVIEW OF LITERATURE

### *Climate Change and Internal Displacement Existing Scholarship*

Recent academic scholarship marks a definitive paradigm shift from viewing climate change solely through a purely ecological or meteorological lens to recognizing it as a primary driver of mass human displacement.<sup>19</sup> Literature indicates that India's 7,500-kilometer coastline is exceptionally vulnerable; scientific projections suggest that by 2100, up to 36 million Indians could be living in areas experiencing chronic flooding, prompting massive, unmanageable internal migrations.<sup>20</sup> Scholars have consistently demonstrated that climate displacement is deeply intertwined with systemic socioeconomic inequalities. Marginalized populations particularly lower castes, tribal communities, and the extreme poor bear the brunt of environmental degradation, losing their subsistence agriculture and artisanal fishing livelihoods first.<sup>21</sup> Yet, the literature emphasizes that domestic law has been egregiously slow to respond. The concept of "climate migrants" remains in a state of absolute legal limbo, with displaced persons lacking the codified protected status afforded to conflict-driven refugees or traditional IDPs under Indian law.<sup>22</sup>

### *Child Trafficking in India Legal and Empirical Literature*

Empirical literature on child trafficking in India identifies the nation as a primary source, destination, and transit hub for forced labor, domestic servitude, and commercial sexual exploitation.<sup>23</sup> Legal scholarship frequently and severely critiques the criminal justice approach that dominates Indian anti-trafficking efforts, arguing that the legislative focus remains stubbornly on post-crime prosecution, raids, and reactive "rescue and reintegration" models.<sup>24</sup> According to extensive NCRB data analysis within sociological literature, child trafficking remains pervasive and systemic, with coastal states like West Bengal and Odisha consistently reporting alarming incidences of missing children.<sup>25</sup> The literature indicates that while traditional drivers of trafficking such as multi-dimensional poverty, caste-based discrimination, and lack of foundational education are well-documented, the overarching legal framework's ability to address these root socio-economic causes is severely, if not entirely, limited.<sup>26</sup>

### ***Climate–Trafficking Nexus Gaps in Existing Socio-Legal Scholarship***

The specific intersection of climate change and human trafficking represents a critical, glaring gap in existing socio-legal scholarship.<sup>27</sup> While international bodies such as the International Organization for Migration (IOM) and the United Nations Environment Programme (UNEP) have recently begun to acknowledge climate change as a definitive "threat multiplier" for human trafficking, comprehensive, jurisdiction-specific legal analyses of this nexus remain highly sparse.<sup>28</sup> Emerging field research in ecologically fragile regions, such as the Indian Sundarbans and Kendrapara in Odisha, confirms that rapid-onset disasters (super cyclones) and slow-onset events (prolonged droughts and coastal erosion) directly precipitate risky, uninformed migration, creating a vacuum of extreme vulnerability that organized traffickers readily exploit.<sup>29</sup> However, the synthesis of these distinct fields is lacking; legal discourse has yet to effectively operationalize these sociological findings into actionable recommendations for domestic law reform.

### ***International Human Rights Frameworks Relevant Scholarship***

International legal scholarship is increasingly framing climate-induced harm and subsequent exploitation as a direct human rights violation, invoking State responsibility. The UN Guiding Principles on Internal Displacement are frequently cited by scholars to emphasize the State's inherent responsibility to protect citizens displaced by natural disasters from secondary abuses.<sup>30</sup> Furthermore, progressive interpretations of the Palermo Protocol in recent literature suggest that climate-induced desperation easily constitutes an "Abuse of a Position of Vulnerability" (APOV), which triggers mandatory State obligations to prevent trafficking before it occurs.<sup>31</sup> Recent developments, including the International Court of Justice's engagement with binding climate obligations and detailed reports by the UN Special Rapporteur on Trafficking, reinforce the academic consensus regarding the necessity of a rights-based, gender- and child-sensitive approach to managing climate mobility.<sup>32</sup>

## **IX. CLIMATE-INDUCED DISPLACEMENT AND CHILD TRAFFICKING: UNDERSTANDING THE NEXUS**

### ***Climate Vulnerability of Coastal India Cyclones, Floods, Sea-Level Rise***

India's extensive 7,500-kilometer coastline is a geographic frontline for the devastating impacts of global climate change.<sup>33</sup> The frequency and intensity of severe cyclonic storms forming in the Bay of Bengal have increased dramatically over the last two decades, leading to repeated,

catastrophic devastation in states like West Bengal, Odisha, and Andhra Pradesh.<sup>34</sup> Simultaneously, slow-onset environmental degradation is occurring at an alarming rate. Rising sea levels, saltwater intrusion into freshwater aquifers, and severe coastal erosion in states like Kerala and Tamil Nadu are permanently altering the habitability of coastal zones.<sup>35</sup> In the Sundarbans of West Bengal, an ecologically delicate mangrove delta, recurrent super cyclones such as Amphan (2020) and Yaas (2021) have systematically destroyed mud homes, decimated agricultural lands through deep soil salinization, and entirely collapsed local subsistence economies.<sup>36</sup>

### ***Displacement Patterns in Coastal States***

The rapid and total destruction of local ecological support systems triggers widespread, involuntary displacement. Migration in these affected regions is rarely a proactive choice; rather, it is a desperate, adaptive survival strategy.<sup>37</sup> In Odisha's Kendrapara district, for example, repeated inundations and floods have caused a sharp rise in distress migration, with over 85% of migrants moving seasonally for wage labor in hazardous, unregulated conditions.<sup>38</sup> This displacement is broadly categorized into two distinct forms: rapid evacuation where families move to temporary, often poorly managed cyclone shelters where discrimination and poor sanitation prevail and prolonged, slow-onset migration, where families permanently migrate to peri-urban slums to escape unviable coastal environments.<sup>39</sup>

### ***Child Trafficking Incidence, Trends, and Patterns***

India carries a disproportionate and tragic burden of global modern slavery and child trafficking. In 2023, the NCRB reported a deeply concerning 9.2% rise in overall crimes against children, totaling 1,77,335 registered cases.<sup>40</sup> While significant data collection challenges and chronic underreporting persist, historical NCRB data indicates that of the thousands trafficked annually, a highly significant percentage are minors, with coastal states like West Bengal frequently recording the highest absolute numbers of trafficked children in the country.<sup>41</sup>

The empirical correlation between major climate disasters and subsequent spikes in trafficking is profound. In the immediate aftermath of Cyclone Amphan, grassroots NGOs and rapid gender analyses documented immediate, localized surges in child marriages, child labor, and commercial sex trafficking.<sup>42</sup> Traffickers deliberately target disaster-struck communities, expertly exploiting the administrative chaos, the widespread loss of identity documents, and the immediate economic destitution of displaced families.<sup>43</sup>

***Environmental Vulnerability as a Structural Driver of Trafficking***

Climate change does not independently or directly traffic children; rather, it functions as a potent structural driver a threat multiplier that amplifies preexisting socio-economic vulnerabilities to a breaking point.<sup>45</sup> This insidious nexus operates through several distinct, identifiable socio-economic pathways:

- 1. Livelihood Destruction and Debt Bondage:** The rapid salinization of agricultural fields and the physical loss of fishing equipment force desperate parents to take predatory loans from local moneylenders. This economic coercion inevitably leads to deep debt bondage, where children are frequently pledged as labor in brick kilns, garment sweatshops, or agriculture to service the family debt.<sup>44</sup>
- 2. Erosion of Protective Ecosystems and Education:** During climate emergencies, schools are either physically destroyed or repurposed for months as emergency disaster shelters. This leads to massive, permanent dropout rates. Out-of-school children, lacking daily institutional supervision, are highly susceptible to recruitment by traffickers offering false promises of lucrative employment in urban centers.<sup>45</sup>
- 3. Displacement Chaos and Relief Camp Infiltration:** In temporary disaster camps, the breakdown of community policing norms and the sheer density of displaced, traumatized persons allow organized traffickers to operate undetected. They prey specifically on unaccompanied or separated children, exploiting the lack of stringent access controls in government-run relief centers.<sup>46</sup>
- 4. Gendered Impacts and Sexual Exploitation:** The climate crisis disproportionately and violently affects women and girls. Distress migration often leaves female-headed households highly exposed, directly increasing the incidence of forced child marriages as a negative economic coping mechanism, and driving young girls into commercial sexual exploitation networks under the guise of domestic work placement.<sup>47</sup>

<b>Vulnerability Driver</b>	<b>Specific Climate Trigger</b>	<b>Documented Trafficking Outcome</b>
<b>Severe Economic Destitution</b>	Cyclones destroying subsistence crops and fishing boats.	Debt bondage; children sent to work in hazardous industries (e.g., brick kilns). <sup>50</sup>
<b>Educational Disruption</b>	Floods severely damaging school	Surging dropout rates; heightened vulnerability to false employment

	infrastructure/repurposing.	agents. <sup>48</sup>
<b>Social Fragmentation</b>	Coastal erosion forcing permanent, scattered relocation.	Complete loss of community safety nets; abduction and forced commercial sexual exploitation. <sup>49</sup>

## X. EXISTING LEGAL AND POLICY FRAMEWORK: A CRITICAL APPRAISAL

### *Constitutional Framework*

The Constitution of India provides a robust, highly evolved theoretical foundation for protecting climate-displaced children, though its application to climate mobility is only recently being articulated by the judiciary.

- **Article 21 (Right to Life and Personal Liberty):** Traditionally interpreted to include the right to live with human dignity, Article 21 was profoundly and historically expanded by the Supreme Court in *M.K. Ranjitsinh v. Union of India* (2024). The Court explicitly and for the first time recognized the "right to be free from the adverse effects of climate change," establishing that unmitigated environmental degradation directly violates the fundamental right to life and equality, particularly for the poor and vulnerable populations who suffer disproportionately.<sup>50</sup>
- **Articles 23 and 24 (Right against Exploitation):** Article 23 expressly prohibits human trafficking, beggar (forced labor), and other similar forms of forced labor. Article 24 strictly prohibits the employment of children below the age of fourteen years in factories, mines, or any other hazardous employment, creating a constitutional shield against the very labor sectors trafficked children are forced into.<sup>54</sup>
- **Article 39(e) and (f):** These critical Directive Principles of State Policy obligate the State to ensure that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and that childhood and youth are heavily protected against exploitation and moral or material abandonment.<sup>51</sup>

### *Anti-Trafficking Legislation*

Despite these strong constitutional mandates, the operational statutory framework remains highly fragmented and conceptually limited.

- **Immoral Traffic (Prevention) Act, 1956 (ITPA):** The ITPA is archaic and primarily focused on the commercialization of prostitution and the keeping of brothels. It wholly

fails to address the multifaceted, modern nature of human trafficking, particularly forced labor stemming from environmental distress and displacement.<sup>52</sup>

- **Indian Penal Code (IPC) Section 370:** Substituted heavily in 2013 via the Criminal Law (Amendment) Act, Section 370 comprehensively defines trafficking in persons. However, practical conviction rates remain abysmally low. In 2021, the NCRB reported an 84% acquittal rate in trafficking cases, a failure driven by poor evidentiary standards, lack of victim-centric investigative procedures, and the absence of robust witness protection.<sup>53</sup>
- **Trafficking in Persons (Prevention, Care and Rehabilitation) Bill:** While the proposed (and heavily debated) legislation attempts to broaden the definition of aggravated trafficking and establish dedicated Anti-Trafficking Units, it critically omits natural disasters, mass displacement, and climate-induced vulnerability as specific aggravating factors or triggers for enhanced, mandatory State prevention mechanisms.<sup>54</sup>
- **POCSO Act, 2012 & Juvenile Justice Act, 2015:** Both acts provide necessary frameworks for addressing child sexual abuse and children in need of care and protection. However, they are invoked post-facto. The JJ Act struggles to manage the sheer influx of displaced children post-disaster due to under-resourced Child Welfare Committees (CWCs).<sup>59</sup>

### *Disaster Management Framework*

- **Disaster Management Act, 2005 (DMA):** The DMA fundamentally conceptualizes disasters purely in terms of physical hazards, infrastructure loss, and immediate biological rescue.<sup>55</sup> Section 2 of the Act defines mitigation and preparedness, but completely ignores the highly predictable secondary human rights crises such as human trafficking, sexual exploitation, and child labor that predictably follow environmental shocks.<sup>56</sup>
- **NDMA Guidelines & SDMAs:** While the National Disaster Management Authority (NDMA) has issued supplementary guidelines on Child-Centric Disaster Risk Reduction, their implementation at the grassroots level by State Disaster Management Authorities (SDMAs) remains chronically weak.<sup>57</sup> Post-disaster protocols often completely fail to mandate strict anti-trafficking surveillance in relief camps or establish rigorous child tracking and reunification systems.<sup>58</sup> State Action Plans on Climate Change (SAPCCs) rarely mention child protection.<sup>59</sup>

### ***Judicial Precedents and Directives***

Where the legislature has stalled, the Indian judiciary has repeatedly stepped in to bridge severe legal gaps. In the pivotal 2025 Supreme Court case *Pinki v. State of Uttar Pradesh*, the Court took severe cognizance of an organized inter-state child trafficking racket, canceling bail for traffickers who exploited systemic socio-economic vulnerabilities.<sup>60</sup> Crucially, the Court directed all State Governments to mandatorily implement the recommendations of the 2023 Bharatiya Institute of Research and Development (BIRD) report.<sup>61</sup> This included the mandate that all missing children cases must be initially treated as potential trafficking incidents, and directed High Courts to ensure the completion of pending child trafficking trials within a strict six-month timeframe.<sup>62</sup> This proactive, aggressive judicial stance underscores the deep failure of the executive machinery to implement effective preventive measures.

### ***Critical Assessment: Reactive Governance***

The overarching, systemic failure of the Indian legal framework is its reliance on a purely reactive governance model. The criminal justice system waits patiently for the complex crime of trafficking to occur before intervening, entirely neglecting the highly predictable, structural vulnerabilities generated by climate displacement.<sup>63</sup> Conversely, disaster management laws focus obsessively on biological survival and physical infrastructure but ignore the socio-legal protection of the displaced.<sup>64</sup> This fatal siloing of environmental law, disaster management, and criminal justice creates a massive protection gap for coastal communities, rendering them defenseless against organized exploitation.

## **XI. INDIA'S DUE DILIGENCE OBLIGATIONS UNDER INTERNATIONAL HUMAN RIGHTS LAW**

India's domestic legal inadequacies cannot be viewed in isolation; they must be rigorously evaluated against its binding international obligations. Modern international human rights law relies heavily on the principle of *due diligence*, which dictates that States are required not merely to refrain from violating rights directly, but to take positive, proactive, and effective steps to prevent human rights abuses committed by private actors.<sup>65</sup>

### ***The Palermo Protocol and APOV***

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol), which India ratified in 2011, explicitly defines trafficking

to include the "abuse of power or of a position of vulnerability" (APOV).<sup>66</sup> In the specific context of climate change, the total destruction of a family's livelihood due to a cyclone places them in an undeniable, demonstrable position of vulnerability.<sup>67</sup> When traffickers exploit this climate-induced desperation with false promises of work or marriage, they legally satisfy the APOV criterion. Under the Protocol's core "3P" framework (Prevention, Protection, Prosecution), India has a positive, binding obligation to recognize climate victims as highly vulnerable to trafficking and to institute targeted, effective preventive measures before exploitation occurs.<sup>73</sup>

### *UN Convention on the Rights of the Child (UNCRC)*

Under Articles 34 and 35 of the UNCRC, States are legally bound to protect children from all forms of sexual exploitation and to take all appropriate national, bilateral, and multilateral measures to prevent the abduction, sale, or trafficking of children for any purpose or in any form.<sup>68</sup> Furthermore, Article 22 provides specific rights for refugee children, the underlying protective principles of which must logically extend to internally displaced children who are experiencing similar acute deprivations and displacement trauma due to environmental collapse.

### *Internal Displacement and Disaster Frameworks*

- **UN Guiding Principles on Internal Displacement:** While technically non-binding, these principles are widely recognized as reflecting customary international law. They explicitly state that IDPs including those displaced by natural disasters have the fundamental right to be protected against forced labor, child-specific violence, and sexual exploitation (Principle 11), and that the State bears the primary duty to provide this protection.<sup>69</sup>
- **Sendai Framework for Disaster Risk Reduction 2015–2030:** This framework advocates for deeply integrating human rights into disaster preparedness and response strategies, inherently requiring States to safeguard vulnerable demographics, particularly children, from post-disaster secondary crises like exploitation.<sup>70</sup>

### *SDGs and the Due Diligence Imperative*

The synthesis of climate impacts and human trafficking triggers an enhanced State obligation.<sup>71</sup> As articulated by the UN Special Rapporteur on Trafficking in Persons, climate-related trafficking risks do not occur in a vacuum; they arise directly from policy failures, persistent

socio-economic inequalities, and a lack of political will.<sup>72</sup> Because climate change reliably acts as a threat multiplier, the subsequent spike in trafficking is highly foreseeable. Therefore, India's continued failure to integrate climate vulnerability assessments into its anti-trafficking strategies constitutes a direct failure of its international due diligence obligations. This omission actively undermines India's commitments to achieving Sustainable Development Goal (SDG) 8.7 (the eradication of forced labor and human trafficking) and SDG 13 (urgent climate action).<sup>73</sup>

## **XII. VULNERABILITY MAPPING: CASE STUDIES FROM COASTAL INDIA**

To ground the doctrinal critique in empirical reality, a vulnerability mapping of four distinct coastal regions demonstrates the tangible, devastating intersection of climate disasters and child trafficking. This mapping utilizes secondary data from NGO reports, the NCRB, and humanitarian assessments.

### ***1. Odisha: Kendrapara and Jagatsinghpur (Cyclone Fani 2019)***

Odisha's coastal districts are hyper-exposed to severe cyclonic activity. Following the extremely severe Category 4 Cyclone Fani in May 2019, over 1.47 million people were evacuated.<sup>74</sup> While the State government was internationally praised for its early warning systems that minimized immediate biological fatalities, the post-disaster human rights and recovery response was deeply flawed.<sup>75</sup> Massive destruction of homes and agricultural land triggered a severe livelihood crisis. In Kendrapara, subsequent socio-legal studies found that the profound loss of basic necessities drove families into massive distress migration, primarily to unorganized, hazardous labor sectors.<sup>76</sup> Independent reports confirmed instances of castebased discrimination in relief camps and sharp spikes in child vulnerabilities. The collapse of social structures allowed illicit labor agents to lure out-of-school adolescents into forced labor networks, capitalizing on the total absence of post-disaster social protection.<sup>77</sup>

### ***2. West Bengal: South 24 Parganas (Cyclones Amphan 2020 & Yaas 2021)***

The Sundarbans delta represents the most acute, highly studied intersection of climate vulnerability and trafficking in India.<sup>78</sup> With 37.2% of the district's population living below the poverty line, the region is ecologically and economically fragile.<sup>85</sup> Cyclones Amphan and Yaas resulted in millions of displaced individuals and unprecedented saline incursions into

agricultural land, rendering it useless for years.<sup>79</sup> Into this vacuum of desperation, traffickers moved aggressively. NGO reports and Rapid Gender Analyses documented exactly how traffickers utilized false promises of marriage and urban employment to target young girls whose families had lost their entire livelihood.<sup>80</sup> Tragic cases, such as that of an abducted 13-year-old girl from the Sundarbans sold into violent commercial sexual exploitation in Bihar shortly post-cyclone, are highly indicative of a widespread, unchecked systemic failure in disaster-struck zones.<sup>81</sup>

### ***3. Andhra Pradesh: East Godavari (Recurring Cyclone Exposure)***

East Godavari and the surrounding coastal districts experience high-intensity seasonal rainfall, devastating floods, and frequent cyclones.<sup>82</sup> The region has a deeply documented, troubling history of commercial sexual exploitation and child trafficking.<sup>83</sup> Post-disaster joint rapid needs assessments (JRNA) reveal that the sudden loss of traditional fishing and agricultural livelihoods pushes already vulnerable households into extreme, multi-dimensional poverty.<sup>84</sup> Children in these displaced families frequently drop out of education entirely to engage in informal, hazardous labor to support the family. Furthermore, they are highly targeted by intermediaries and traffickers capitalizing on the lack of state-provided economic relief and social protection during the prolonged recovery phase.<sup>85</sup>

### ***4. Kerala and Tamil Nadu: Coastal Erosion and Seasonal Displacement***

While these southern states traditionally boast better overall social indicators, Kerala and Tamil Nadu are increasingly and severely affected by slow-onset coastal erosion and highly erratic monsoon flooding.<sup>86</sup> In Kerala, approximately 500 hectares of vital coastal land were permanently lost to erosion over a single decade, permanently displacing thousands of fisherfolk into overcrowded, temporary shelters.<sup>87</sup> The historic and catastrophic 2018 Kerala floods displaced millions across the state. Recognizing the immediate threat of secondary exploitation, specialized anti-trafficking NGOs like the International Justice Mission (IJM) were forced to launch emergency interventions, rapidly training over 650 local government officials in identifying trafficking indicators among the highly vulnerable, displaced populations confined to massive relief camps.<sup>95</sup>

*Cross-District Comparative Analysis of Post-Disaster Governance Gaps*

State / District	Primary Climate Hazard	Primary Socio-Economic Impact	Documented Trafficking Pathway
<b>Odisha</b> (Kendrapara)	Cyclones (Fani), Coastal Flooding	Total agricultural loss, mass seasonal distress migration. <sup>96</sup>	Labor intermediaries exploiting distress migrants for forced labor in brick kilns. <sup>97</sup>
<b>West Bengal</b> (S. 24 Parganas)	Super Cyclones, Severe Sea-level rise	Destruction of mud housing, salinization of land, extreme poverty. <sup>98</sup>	False marriage/employment offers directly leading to commercial sex work. <sup>99</sup>
<b>Andhra Pradesh</b> (East Godavari)	Cyclones, Sudden Coastal Flooding	Crop decimation, complete infrastructure breakdown. <sup>100</sup>	Exploitation of unaccompanied minors; deep debt bondage leading to forced labor. <sup>101</sup>
<b>Kerala</b> (Ernakulam/Coastal)	Coastal Erosion, Severe Monsoon Floods	Permanent land loss, mass displacement to poorly monitored camps. <sup>102</sup>	Infiltration of mega-relief camps by organized crime and trafficking networks. <sup>103</sup>

The comparative mapping across all four diverse coastal regions reveals a stark, uniform governance gap: the complete and systemic absence of a proactive, climate-integrated antitrafficking infrastructure in both the immediate aftermath of rapid-onset disasters and the longterm degradation of slow-onset environmental shocks.

**XIII. TOWARDS A CLIMATE-SENSITIVE CHILD PROTECTION MODEL**

To meaningfully rectify the deep structural disconnect between environmental vulnerability and child protection, the Indian State must radically transition from a reactive criminal justice model to a comprehensive, **preventive rights-based governance framework**. This requires the formal institutionalization of a Climate-Sensitive Child Protection Model, integrated directly into the DNA of both disaster management and anti-trafficking architectures.<sup>88</sup>

### ***1. Climate Risk-Trafficking Vulnerability Assessment (CRTVA) Protocol***

The foremost, most urgent policy intervention must be the conceptualization and deployment of a CRTVA protocol. Just as State Disaster Management Authorities (SDMAs) map geographic vulnerability to floods and cyclones,<sup>89</sup> they must be legally mandated to overlay socio-economic indicators (e.g., extreme poverty rates, historical human trafficking routes, mass dropout rates, marginalized caste demographics) to predict human exploitation risks. This advanced predictive mapping will allow authorities to pinpoint specific "red-zone" villages where post-disaster trafficking is statistically highly probable, enabling the pre-deployment of protective resources, social workers, and law enforcement before a crisis even strikes.

### ***2. Mandatory Child Protection Provisions in Disaster Management Plans***

The Disaster Management Act, 2005, must be legislatively amended, or robust, binding executive rules issued thereunder, to legally classify child protection as an essential, nonderogable "relief and mitigation" service.<sup>90</sup> State Action Plans on Climate Change (SAPCCs) such as the currently deficient plans in Odisha and Andhra Pradesh must explicitly incorporate anti-trafficking mechanisms and fund them adequately. Guidelines for temporary cyclone shelters must strictly mandate gender-segregated safe spaces, highly rigorous access control to prevent infiltration by known traffickers, and the immediate, mandatory deployment of specialized child protection officers to all major relief hubs.

### ***3. Pre-Disaster Child Registration and Post-Disaster Tracing Systems***

One of the primary logistical facilitators of child trafficking during severe disasters is the physical separation of children from their guardians and the mass loss of identity documents. The State must implement decentralized, highly digitized pre-disaster child registration systems at the local Panchayat (village council) level. Following a rapid-onset disaster, local authorities must be mandated by law to conduct immediate headcounts and trace unaccompanied minors, placing them exclusively in highly monitored, government-sanctioned interim care rather than unregulated, ad-hoc NGO shelters where they remain vulnerable.

### ***4. Convergence of Social Safety Nets for Immediate Resilience***

Human trafficking thrives unconditionally on economic destitution. Preventive governance requires the immediate, frictionless, and unconditional deployment of social protection schemes such as the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) wage guarantees and targeted food rations to disaster-affected families without

demanding lost physical documentation. Providing immediate, tangible economic resilience inherently prevents households from resorting to negative, desperate coping mechanisms like child labor, predatory loans, or forced child marriage.

### **5. Multi-Agency Rapid-Response Task Forces**

Drawing directly on the Supreme Court's aggressive directives in *Pinki v. State of UP* (2025) for swift justice, comprehensive data collection, and the implementation of the BIRD report, coastal states must establish permanent multi-agency rapid-response task forces. These must comprise NDMA officials, Anti-Human Trafficking Units (AHTUs), representatives from the National Commission for Protection of Child Rights (NCPCR), and vetted local NGOs. These task forces should operate under strict standard operating procedures (SOPs) specifically designed to heavily monitor transit hubs (railway stations, interstate bus stands) in the critical 72 hours following a climate emergency, intercepting traffickers moving vulnerable children across state lines.

## **XIV. EXPECTED CONTRIBUTION**

This research report bridges the distinct yet fundamentally and inextricably interconnected disciplines of environmental law, national disaster management, and criminal justice. By explicitly mapping the complex causal pathway from climate-induced displacement to child trafficking in coastal India, the study advances a critical normative argument: climate resilience planning must incorporate human trafficking risk mitigation as a binding, enforceable legal obligation rather than a peripheral, optional policy choice. It forcefully shifts the prevailing legal discourse on human trafficking away from an individualized, incident-based criminal paradigm toward a structural, preventative human rights issue. Ultimately, the research provides a robust theoretical and practical blueprint for operationalizing India's commitments under Sustainable Development Goals 8.7 (the eradication of modern slavery) and 13 (urgent climate action) through highly localized, preventative, and climate-sensitive legal architecture.

## **XV. CONCLUSION AND RECOMMENDATIONS**

The exhaustive socio-legal analysis undertaken in this report overwhelmingly confirms that climate-induced internal displacement in coastal India is not merely an ecological or infrastructural challenge, but a profound, systemic catalyst for severe human rights violations. The empirical evidence gathered from the coastal belts of West Bengal, Odisha, Andhra

Pradesh, and Kerala unequivocally validates Hypothesis 1 (H1): climate disasters and the resulting economic devastation function as severe, undeniable structural drivers that exponentially increase the risk of child trafficking. Furthermore, the doctrinal evaluation of the Indian legal framework confirms Hypothesis 2 (H2): existing laws, including the Disaster Management Act of 2005 and the Immoral Traffic (Prevention) Act of 1956, are systemically ill-equipped to address this deadly nexus.<sup>91</sup> They operate in deeply entrenched silos, attempting to treat the downstream symptoms of trafficking through criminal prosecution while completely ignoring the upstream environmental vulnerabilities that continually breed the crime.

To adequately align with its constitutional mandate under Article 21 recently and historically expanded by the Supreme Court to explicitly include the right to be free from the adverse impacts of climate change and its due diligence obligations under international human rights law, the Indian State must radically and urgently overhaul its approach to climate mobility and child protection.

### ***Policy and Legislative Recommendations:***

**1 Amend the Disaster Management Act, 2005:** The legislature must incorporate explicit statutory definitions of post-disaster human security threats into the DMA, legally mandating child protection, gender safety, and anti-trafficking measures as nonderogable, fully funded components of state disaster relief and mitigation strategies.

**2 Revise the Trafficking in Persons Bill:** Any forthcoming national anti-trafficking legislation must legally recognize climate-induced displacement, distress migration, and natural disasters as conditions creating extreme vulnerability. Exploitation occurring within these specific contexts must be legally classified as an "aggravated offense," carrying enhanced penalties and triggering automatic victim compensation.<sup>92</sup>

**1. Implement the BIRD Recommendations:** Adhering strictly to the Supreme Court's 2025 directives in *Pinki v. State of UP*, all coastal states must treat missing children in post-disaster contexts as presumed trafficked until proven otherwise, and must accelerate all child trafficking trials through specialized, child-friendly fast-track courts.<sup>109</sup>

**2. Deploy the CRTVA Protocol:** State Disaster Management Authorities (SDMAs) must be required to integrate Climate Risk-Trafficking Vulnerability Assessments into their standard operating procedures. This ensures that high-risk coastal zones receive preemptive child protection resources, effectively anticipating the crime before the

disaster strikes.

- 3. Strengthen Grassroots Economic Resilience:** Ensure the unhindered, immediate availability of unconditional financial relief, alternative livelihood support, and emergency educational continuity for displaced families. This neutralizes the exact economic desperation that traffickers expertly exploit.

#### ***Directions for Future Research:***

While this study focused comprehensively on the coastal vulnerabilities of India, future sociolegal research must aim to quantify the exact operational success rates of inter-agency coordination mechanisms during live, rapid-onset disaster scenarios. Furthermore, longitudinal empirical studies tracking the long-term rehabilitation outcomes of climate-displaced children rescued from trafficking networks will be absolutely essential to refining and perfecting the proposed Climate-Sensitive Child Protection Model. The era of viewing climate change and human trafficking as distinct, unrelated phenomena in Indian law and policy has definitively ended. Protecting India's most vulnerable children from the ravages of a warming world requires a unified legal architecture that recognizes climate justice and criminal justice as inextricably linked, non-negotiable dimensions of the fundamental human right to life.

## **BIBLIOGRAPHY**

### ***Primary Sources***

#### ***Statutes and Bills***

- The Constitution of India, 1950.
- The Disaster Management Act, 2005 (Act 53 of 2005).
- The Immoral Traffic (Prevention) Act, 1956 (Act 104 of 1956).
- The Juvenile Justice (Care and Protection of Children) Act, 2015.
- The Protection of Children from Sexual Offences Act, 2012.
- The Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021.

#### ***Judicial Precedents***

- *M.K. Ranjitsinh v. Union of India*, 2024 SCC OnLine SC 645.
- *Pinki v. State of Uttar Pradesh*, 2025 INSC 482.

#### ***International Treaties and Frameworks***

- ICJ Advisory Opinion on the Obligations of States in respect of Climate Change (2024).

- Sendai Framework for Disaster Risk Reduction 2015–2030 (2015).
- UN Convention on the Rights of the Child (1989).
- UN Guiding Principles on Internal Displacement (1998).
- UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000).

### *Secondary Sources*

#### *Books and Book Chapters*

- Atapattu, S.A., "A New Category of Refugees? 'Climate Refugees' and a Gaping Hole in International Law" in S. Behrman and A. Kent (eds.), *Climate Refugees: Beyond the Legal Impasse?* (Routledge, New York, 2018).

#### *Journal Articles*

- Achiume, E.T., "Migration as Decolonization" 71 *Stanford Law Review* 1509 (2019).
- Candidate, J.D., "Applying the United Nations Trafficking Protocol in the Context of Climate Change" 22 *Chicago Journal of International Law* 300 (2022).
- Donger, E., and J. Bhabha, "Dilemmas in Rescue and Reintegration: A critical assessment of India's policies for children trafficked for labour exploitation" 10 *AntiTrafficking Review* 52 (2018).
- Molinari, Nicole, "Intensifying Insecurities: The impact of climate change on vulnerability to human trafficking in the Indian Sundarbans" 8 *Anti-Trafficking Review* 50 (2017).

#### *Reports and Institutional Documents*

- Abhilashi, R., and J. Topno, *Climate change, migration and vulnerability to trafficking* (IIED, London, 2022).
- Global Fund for Children, *India Anti-Trafficking Mapping Report* (2019).
- Government of Andhra Pradesh, *State Action Plan on Climate Change* (2012).
- Government of Odisha, *State Action Plan on Climate Change 2021-30*.
- IJM, *Disaster Response and Human Trafficking in the Kerala Floods* (2018).
- IOM, *The Climate Change–Human Trafficking Nexus* (2016).
- MIDEQ, *Experiencing Climate-Induced Migration: The case of Kerala* (2022).
- Mullally, Siobhán, *Report of the Special Rapporteur on trafficking in persons, especially women and children* (UN General Assembly, 2022).

- National Crime Records Bureau, *Crime in India 2021* (Ministry of Home Affairs, 2022).
- National Crime Records Bureau, *Crime in India 2023* (Ministry of Home Affairs, 2024).
- NCCR, *National Assessment of Shoreline Changes along Indian Coast* (2018).
- NDMA, *National Guidelines on Child-Centric Disaster Risk Reduction* (2016).
- Panda, Architesh, "Climate Change, Displacement, and Managed Retreat in India" (Migration Policy Institute, 2020).
- Save the Children, *Protect a Generation: Climate Security for India's Children* (2020).
- Seefar, *Market Research Report: Child Trafficking and CSEC in West Bengal* (2021).
- Sphere India, *Joint Rapid Needs Assessment (JRNA) Report: Andhra Pradesh Floods* (2021).
- UN Women, *Rapid Gender Analysis: Cyclone Amphan* (2020).
- UNICEF, *Child-Sensitive Climate Policies for Every Child* (2023).
- UNICEF, *India Humanitarian Situation Report: Cyclone Fani* (2019).
- UNODC, *Toolkit to Combat Trafficking in Persons* (2008).
- Walk Free, *Global Slavery Index: India* (2023).

#### *Newspaper Articles and Online Sources*

- "How cyclones Amphan & Yaas pushed girls from the Sundarbans into trafficking," *Down To Earth*, 2021.
- "I trusted him: human trafficking surges in cyclone-hit east India," *The Guardian*, Jun. 13, 2023.
- *RLI Blog*, "Climate Mobility in India: A Confused Understanding of Climate Refugees" (2025).

<sup>1</sup> Siobhán Mullally, Report of the Special Rapporteur on trafficking in persons, especially women and children 3 (UN General Assembly, 2022).

<sup>2</sup> Ibid. at 4.

<sup>3</sup> Architesh Panda, "Climate Change, Displacement, and Managed Retreat in India" (Migration Policy Institute, 2020).

<sup>4</sup> R. Abhilashi and J. Topno, Climate change, migration and vulnerability to trafficking 14 (IIED, 2022).

<sup>5</sup> UN Women, *Rapid Gender Analysis: Cyclone Amphan 2* (2020).

<sup>6</sup> Seefar, *Market Research Report: Child Trafficking and CSEC in West Bengal 4* (2021).

<sup>7</sup> Global Fund for Children, *India Anti-Trafficking Mapping Report 5* (2019). <sup>8</sup>

IOM, *The Climate Change–Human Trafficking Nexus 3* (2016).

<sup>8</sup> Nicole Molinari, "Intensifying Insecurities: The impact of climate change on vulnerability to human trafficking in the Indian Sundarbans" 8 *Anti-Trafficking Review* 50 (2017).

- <sup>9</sup> E. Donger and J. Bhabha, "Dilemmas in Rescue and Reintegration: A critical assessment of India's policies for children trafficked for labour exploitation" 10 *Anti-Trafficking Review* 52 (2018).
- <sup>10</sup> The Disaster Management Act, 2005 (Act 53 of 2005).
- <sup>11</sup> *Ibid.*
- <sup>12</sup> S.A. Atapattu, "A New Category of Refugees? 'Climate Refugees' and a Gaping Hole in International Law" in S. Behrman and A. Kent (eds.), *Climate Refugees: Beyond the Legal Impasse?* 34-51 (Routledge, New York, 2018).
- <sup>13</sup> The Constitution of India, 1950.
- <sup>14</sup> The Immoral Traffic (Prevention) Act, 1956 (Act 104 of 1956).
- <sup>15</sup> UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000).
- <sup>16</sup> National Crime Records Bureau, *Crime in India 2023* (Ministry of Home Affairs, 2024).
- <sup>17</sup> Sphere India, *Joint Rapid Needs Assessment (JRNA) Report: Andhra Pradesh Floods* (2021).
- <sup>18</sup> Abhilashi and Topno, *supra* note 4, at 16.
- <sup>19</sup> Panda, *supra* note 3.
- <sup>20</sup> *Ibid.*
- <sup>21</sup> E.T. Achiume, "Migration as Decolonization" 71 *Stanford Law Review* 1509 (2019).
- <sup>22</sup> *RLI Blog*, "Climate Mobility in India: A Confused Understanding of Climate Refugees" (2025).
- <sup>23</sup> Global Fund for Children, *supra* note 7, at 7.
- <sup>24</sup> Donger and Bhabha, *supra* note 10, at 55.
- <sup>25</sup> National Crime Records Bureau, *supra* note 17.
- <sup>26</sup> Walk Free, *Global Slavery Index: India* (2023).
- <sup>27</sup> IOM, *supra* note 8, at 5.
- <sup>28</sup> Molinari, *supra* note 9, at 52.
- <sup>29</sup> UN Guiding Principles on Internal Displacement (1998).
- <sup>30</sup> J.D. Candidate, "Applying the United Nations Trafficking Protocol in the Context of Climate Change" 22 *Chicago Journal of International Law* 300 (2022).
- <sup>31</sup> ICJ Advisory Opinion on the Obligations of States in respect of Climate Change (2024).
- <sup>32</sup> NCCR, *National Assessment of Shoreline Changes along Indian Coast* (2018).
- <sup>33</sup> *Ibid.*
- <sup>34</sup> MIDEQ, *Experiencing Climate-Induced Migration: The case of Kerala* (2022).
- <sup>35</sup> UN Women, *supra* note 5, at 3.
- <sup>36</sup> Abhilashi and Topno, *supra* note 4, at 18.
- <sup>37</sup> UNICEF, *India Humanitarian Situation Report: Cyclone Fani* (2019).
- <sup>38</sup> Panda, *supra* note 3.
- <sup>39</sup> National Crime Records Bureau, *supra* note 17.
- <sup>40</sup> Seefar, *supra* note 6.
- <sup>41</sup> UN Women, *supra* note 5, at 4.
- <sup>42</sup> Global Fund for Children, *supra* note 7, at 8.
- <sup>43</sup> Molinari, *supra* note 9, at 54. <sup>45</sup>
- Walk Free, *supra* note 27.
- <sup>44</sup> Save the Children, *Protect a Generation: Climate Security for India's Children* (2020).
- <sup>45</sup> IJM, *Disaster Response and Human Trafficking in the Kerala Floods* (2018).
- <sup>46</sup> Mullally, *supra* note 1, at 6.
- <sup>47</sup> Walk Free, *supra* note 27. <sup>50</sup>
- Seefar, *supra* note 6.
- <sup>48</sup> UN Women, *supra* note 5.
- <sup>49</sup> *M.K. Ranjitsinh v. Union of India*, 2024 SCC OnLine SC 645.
- <sup>50</sup> The Constitution of India, 1950, arts. 23 & 24.
- <sup>54</sup> *Ibid.*, art. 39(e) & (f).
- <sup>51</sup> The Immoral Traffic (Prevention) Act, 1956.
- <sup>52</sup> National Crime Records Bureau, *Crime in India 2021* (Ministry of Home Affairs, 2022).
- <sup>53</sup> The Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021.
- <sup>54</sup> The Juvenile Justice (Care and Protection of Children) Act, 2015. <sup>59</sup>
- The Disaster Management Act, 2005.
- <sup>55</sup> NDMA, *National Guidelines on Child-Centric Disaster Risk Reduction* (2016).
- <sup>56</sup> IJM, *supra* note 47.
- <sup>57</sup> Government of Odisha, *State Action Plan on Climate Change 2021-30*.
- <sup>58</sup> *Pinki v. State of Uttar Pradesh*, 2025 INSC 482.
- <sup>59</sup> *Ibid.*
- <sup>60</sup> Donger and Bhabha, *supra* note 10, at 58.

- <sup>61</sup> Mullally, *supra* note 1, at 8.
- <sup>62</sup> UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), art. 3.
- <sup>63</sup> J.D. Candidate, *supra* note 31, at 310.
- <sup>64</sup> UNODC, *Toolkit to Combat Trafficking in Persons* (2008).
- <sup>65</sup> UN Convention on the Rights of the Child (1989), arts. 34 & 35.
- <sup>66</sup> UN Guiding Principles on Internal Displacement (1998), Principle 11.
- <sup>67</sup> Sendai Framework for Disaster Risk Reduction 2015–2030 (2015).<sup>73</sup>
- Mullally, *supra* note 1, at 10.
- <sup>68</sup> *Ibid.*
- <sup>69</sup> UNICEF, *supra* note 38.
- <sup>70</sup> Abhilashi and Topno, *supra* note 4, at 20.
- <sup>71</sup> *Ibid.*
- <sup>72</sup> "How cyclones Amphan & Yaas pushed girls from the Sundarbans into trafficking," *Down To Earth*, 2021.
- <sup>73</sup> Molinari, *supra* note 9, at 60.
- <sup>74</sup> N Women, *supra* note 5, at 5.
- <sup>75</sup> "I trusted him: human trafficking surges in cyclone-hit east India," *The Guardian*, Jun. 13, 2023.
- <sup>76</sup> Sphere India, *supra* note 18.
- <sup>77</sup> *Ibid.*
- <sup>78</sup> MIDEQ, *supra* note 35.
- <sup>85</sup> IJM, *supra* note 47.
- <sup>79</sup> Abhilashi and Topno, *supra* note 4.
- <sup>80</sup> *Ibid.*
- <sup>81</sup> "How cyclones Amphan & Yaas pushed girls from the Sundarbans into trafficking", *supra* note 78.
- <sup>82</sup> "I trusted him: human trafficking surges in cyclone-hit east India", *supra* note 81.
- <sup>83</sup> Sphere India, *supra* note 18.
- <sup>84</sup> *Ibid.*
- <sup>85</sup> MIDEQ, *supra* note 35.
- <sup>86</sup> IJM, *supra* note 47.
- <sup>87</sup> UNICEF, *Child-Sensitive Climate Policies for Every Child* (2023).
- <sup>95</sup> NDMA, *supra* note 60.
- <sup>96</sup> Abhilashi and Topno, *supra* note 4, at 25.
- <sup>97</sup> The Disaster Management Act, 2005.
- <sup>98</sup> Government of Andhra Pradesh, *State Action Plan on Climate Change* (2012).
- <sup>99</sup> IJM, *supra* note 47.
- <sup>100</sup> UNICEF, *supra* note 38. <sup>101</sup> UNODC, *supra* note 69.
- <sup>102</sup> Abhilashi and Topno, *supra* note 4, at 28. <sup>103</sup>
- UN Women, *supra* note 5.
- <sup>88</sup> UNICEF, *supra* note 94.
- <sup>89</sup> NDMA, *supra* note 60.
- <sup>90</sup> The Disaster Management Act, 2005.
- <sup>91</sup> The Disaster Management Act, 2005.
- <sup>92</sup> The Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021. <sup>109</sup>
- Pinki v. State of Uttar Pradesh*, *supra* note 63.