

Analysis of the Demand Curbing Nordic Model against Trafficking of Women for Commercial Sexual Exploitation: Assessing its Adaptability in the Indian Legal Framework

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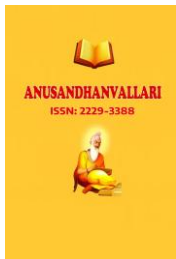
Abstract

This paper attempts to critically analyse the demand curbing pillars of the Nordic model while assessing its adaptability in the legal framework of India to combat the trafficking of women for commercial sexual exploitation. The anti-trafficking regime in India is anchored in the Immoral Traffic (Prevention) Act of 1956, which prioritises the suppression of the supply side; however, the persistent trafficking trends reveal the inadequacy, as accountability has been neglected by the law on the demand side. It is a comparative derivation of the constitutional jurisprudence established in Articles 21 and 23, and the reasoning given by the Supreme Court in the cases of *Buddhadev Karmaskar*, (2011) 10 SCC 756 and *Putta Swamy*, (2017) 10 SCC1. The paper explores whether criminalisation of the buyers or clients of the trafficked commercial sex workers can be sustained constitutionally, without infringing the bodily autonomy or the right of livelihood of the commercial sex workers. A doctrinal comparative methodology is used to analyse the experiences of the Nordic jurisdictions with the criminalisation of buyers, the efficacy of the victim-centric exit plans and mechanisms, along with the normative educational awareness campaigns. The paper contextualises these pillars within the socio-economic heterogeneity of India, its federal enforcement structure and the evolving digital landscape of trafficking. The paper proposes a calibrated hybrid model that incorporates graded penalties for buyers and the infrastructure for rehabilitation, and asserts a normatively grounded constitutionally under Article 51(A)(e). It concludes with careful doctrinal customisation and institutional safeguards that India can recalibrate with demand-curbing strategies in its anti-trafficking legal framework, upholding substantive equality and victim sovereignty while complying with international obligations under the Convention on the Elimination of All Forms of Discrimination Against Women, 1979, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000.

Keywords: Trafficking, Commercial Sexual Exploitation, Nordic Model, Constitutional Law, Prostitution, Gender Justice.

Introduction

Within the social-legal framework of India, trafficking in women for commercial sexual exploitation persists as a profound violation of the dignity of women. The wrong is driven by a demand-generating market that breeds upon vulnerabilities like poverty, gender discrimination, and unemployment. Commercial sexual exploitation constitutes one of the most heinous manifestations of human trafficking. It disproportionately affects women and girls, resulting in sustained violation of their dignity, autonomy and their basic human rights.



In India, there is a special legislation, The Immoral Traffic (Prevention) Act of 1956, i.e., ITPA, that intervenes in the acts of immoral trafficking and criminalises brothel keeping and other kinds of commercial sexual exploitation. The act, however, remains largely ineffective as it mainly addresses the supply side and ignores the demand side drivers that cause sustenance of this exploitative market. The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 further reflects a paradigm based on a suppress and rescue approach; however, the available empirical data indicates that the incidents of trafficking have increased to over 7000 cases reported annually, and out of them, 40% resulted in commercial sexual exploitation.¹ This framework sustains the demand directly implicating Articles 21 and 23 of the Constitution, which safeguard the dignity and expressly prohibit trafficking in human beings. It also does not align with the state's directive obligations provided under Article 39 (e) and (f) to prevent exploitation. Collectively, such provisions underscore the need of appropriate juridical response that can go beyond supply-side suppression and confront demand as a sustainable structural enabler and the trigger for trafficking.

In contrast to this, the Nordic Model emerges as a regulatory framework that focuses on demand and reorients the responses against trafficking. The model originated in Sweden and is based on *förbud mot köp av sexuella tjänster*², which translates to “Ban on the purchase of sexual services” and criminalises the purchaser.

Concept rests on three of the following independent pillars:

- I. Criminalisation of the purchaser to deter the demand.
- II. A thorough exit program focusing on a comprehensive victim-centric support mechanism.
- III. A sustained public education campaign aiming to reshape the social norms surrounding commercial sexual exploitation.

Evaluation of Swedish laws done by government agencies indicates a significant decline in street prostitution and the trafficking inflows after the implementation of a demand-centric law.³ However, subsequent adoptions in Norway and Iceland have shown better comparable trends when enforcement has been paired with a rehabilitation and support mechanism, along with a welfare-oriented approach.⁴ Such interventions reflect a thoughtful shift from criminalising supply to disrupting demand, which is consistent with the international obligations under the instruments as the Palermo Protocol, to which India is also a signatory.⁵ This research paper analyses whether the Nordic Model's demand-curbing pillars can be adapted to the legal and constitutional framework of India. It scrutinises their compatibility with the Indian constitutional jurisprudence, where the autonomy of the consensual relationship amongst the adults is upheld under Article 21, while affirming the obligation of the state to prevent all kinds of exploitation.

This conceptualisation creates a novel space for imposing liability on the purchasers without criminalising those who are forced to sell sexual services. At the same time, significant constraints cannot be ignored, like Article 246 about federal distribution of power, which complicates uniform enforcement and the evolving jurisprudence of privacy. Such provisions collectively raise concerns regarding the regulation of consensual transactions and are

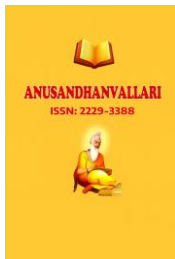
¹ National Crime Records Bureau, Crime in India 2024, At 156–62 (Govt. Print. Press 2025).

² “Sextköpslagen” is a Swedish phrase that refers to a law enacted in the year 1990 and criminalises the purchase of all kinds of sexual services under section 6:11 of the Swedish penal code. It punishes the buyers with fines and imprisonment up to six months, while selling remains legal with the aim to reduce demand for prostitution.

³ Swedish Government Offices, Evaluation of the Prohibition of the Purchase of Sexual Services (2010).

⁴ Norwegian Ministry of Justice, *Kjøp Av Seksuelle Tjenester – Omfang Og Omfang I Norge* (2014).

⁵ Protocol To Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Nov. 15, 2000, 2237 U.N.T.S. 319.



entangled in the socio-cultural stigma that makes re-victimisation easy and diverges from the Nordic welfare context.⁶

This paper draws conclusions based upon a doctrinal analysis of the comparative jurisprudence and socio-legal implications based on the NCRB data and reports of civil societies. It proposes a well-calibrated hybrid approach. The paper asserts in favour of targeted amendments in the present legislation, in order to introduce a graded penalty for the buyers, while strengthening the rehabilitation process by establishing One-stop centres. This idea can be an extension of the constitutionally grounded normative interventions propounded under Article 51A(e). Such reforms also synchronise with the state obligations listed under CEDAW⁷ and the Beijing Platform for Action⁸, while human autonomy and the right to livelihood. Ultimately, the paper also scrutinises whether the regulations focused on demand can recalibrate the anti-trafficking legal framework of India, creating substantive equality and transformative justice.

Statement Of Problem

Even after centuries of efforts to combat the trafficking of women for commercial sexual exploitation, India continues to grapple with the problem sustained by a demand-driven economy. The tentacles of the menace are so deeply rooted that they routinely evade the existing legislative safeguards. National Crime Record Bureau records approximately 7000 cases of trafficking in 2024, out of which approximately 42-45% were linked to commercial sexual exploitation, with a conviction rate of only 28%.⁹ This persistent enforcement gap substantiates the limitation in the supply-centric regulatory approach, as it overlooks the central economic driver of trafficking – the buyers. This lacuna was implicitly acknowledged in the case of *Gaurav Jain v. Union of India*,¹⁰ where the Supreme Court focused on the rehabilitation of victims without addressing the demand for deterrence. This structural deficit raises constitutional concerns under Articles 23 and 21. In this context, the Nordic model, which targets the demand by criminalising the buyers, while providing a comprehensive exit and rehabilitation support, can be utilised as a potential model for recalibration of India's legal framework against the trafficking of women for commercial sexual exploitation. Although the Trafficking of Persons Bill of 2018 talks about victim protection and rehabilitation, it remains silent on addressing the demand side of the menace.

The direct transplantation of this model into the Indian system raises certain legitimate concerns. In India, the socio-economic heterogeneity and caste-based vulnerabilities intensify the stigma. The Indian federal structure also fragments the capacities of enforcement agencies, and the judicial reluctance towards criminalisation¹¹ and prioritisation of individual autonomy and privacy further makes the adaptation difficult.

Moreover, a notable empirical gap exists in the absence of longitudinal studies in India assessing whether the Nordic-style demand reduction would result in comparable outcomes in areas like Sonagachi's red light districts, Delhi's G.B. Road or Mumbai's brothels.

⁶ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1.

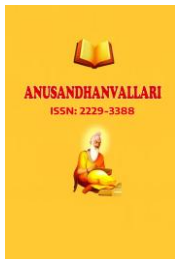
⁷ Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13.

⁸ The Beijing Declaration and Platform for Action, 1995.

⁹ *Supra Note*. 1.

¹⁰ (1997) 8 SCC 114.

¹¹ *S. Khushboo v. Kanniammal*, (2010) 5 SCC 600.



This constellation of empirical insufficiency, doctrinal uncertainty and normative inertia creates a tripartite crisis. First, there is ambiguity in integrating neo-abolitionist strategies due to constitutional protections of livelihood and autonomy. Second, there is limited empirical clarity on the effectiveness of demand-centric mechanisms to curb trafficking for commercial sexual exploitation within the vast and diverse socio-economic landscape of India. Third, the persistent patriarchal norms in India continue to normalise demand for commercial sexual exploitation. India's current legal framework lacks a mechanism for rigorous scrutiny, which poses a risk of perpetuating cycles of exploitation and undermines the commitments under Sustainable Development Goal 5.2¹² and the Palermo Protocol.

Research Questions

In response, this paper addresses the following research questions:

1. To what extent does the Nordic Model, with its demand curbing pillars, align with the legal jurisprudence of India to concretise the ultimate adaptability of the Model in the Indian context?
2. What is the empirical evidence available in Nordic jurisdictions, and how do they support the adaptability of these pillars, while addressing the contextual Indian factors like socio-economic inequalities, federal enforcement structures, and the cultural stigma?
3. How can the amendments in the Immoral Traffic (Prevention) Act, 1956 and the ancillary policy measures create a hybrid between Nordic elements and the normative ideas given in Article 51 without infringing the ideas of privacy, autonomy or livelihood?
4. What are the doctrinal and policy reforms that are necessary to optimise the Nordic model for the anti-trafficking regime of India, while ensuring compliance with the mandate of CEDAW and creating victim-centred efficacy?

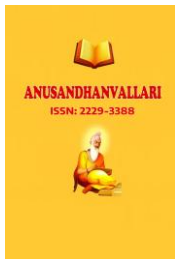
These questions anchor a doctrinal and comparative methodology that integrates the constitutional jurisprudence of India with NCRB Data and Socio-legal Insights to develop context-sensitive, efficient, and feasible reform pathways

Research Methodology

This research adopts a doctrinal-comparative methodology, integrating legal analysis with the socio-legal imperatives. This groundwork helps to assess the adaptability of the demand curbing pillars of the Nordic Model within the anti-trafficking framework of India. The doctrinal Components exam primary legal sources, including the Immoral Traffic (Prevention) Act of 1956, with relevant constitutional provisions like Articles 21 and 23, along with the judicial pronouncement as in the case of *Buddhadev Karamaskar v State of West Bengal* and *Justice K. S. Puttaswamy v Union of India*, shaping the constitutional contours of autonomy dignity and state intervention in the case of exploitation.¹³

¹² SDG 5.2 Focuses on Eliminating All Forms of Violence Against Women and Girls in Public and Private Spheres, Including Trafficking and Sexual Exploitation

¹³ *Budhadev Karmaskar v. State of West Bengal*, (2011) 10 Scc 756; *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.



The comparative analysis is based upon Nordic legislative frameworks, including Sweden's Sex Purchase Act of 1999 and Norway's corresponding legislation of 2009, along with the official evaluation reports on the implementation and outcomes thereof.¹⁴ These materials are scrutinised to identify the normative logic along with the enforcement mechanism and the welfare-oriented support system, focusing on the demand.

Secondary sources include National Crime Records Bureau data, assessments of the United Nations Office on Drugs and Crime Trafficking and the empirical findings from the civil society organisations. Analytical techniques used in this study are the hermeneutic interpretation of the constitutional jurisprudence, a structured analysis for the evolution of transposability of the Nordic model principles and the policy stimulation through hypothetical amendments to ITPA. Some of the empirical trends taken from Nordic jurisdiction such as the reported reduction in the visible prostitution, are consciously assessed and benchmarked against the Indian enforcement indicators, including the conviction rate under the existing anti trafficking laws of India.

The research acknowledges methodological limitations like the absence of primary fieldwork. An effort to mitigate these constraints is made through the triangulation of authoritative statutory, judicial, and empirical sources. The integrated methodological approach has enabled the development of a sensitive reform in the anti-trafficking legal regime of India.

The Nordic Model: The Demand Curbing Pillars

The Nordic is institutionalized formally through *Lag (1998:408) om förbud mot köp av sexuella tjänster*, the Sex Purchase Act, 1999 of Sweden. The law represents a paradigm shift in the anti-trafficking regulations by asymmetrically criminalising demand, while decriminalising the women or girls, who sell sexual services.¹⁵

The law was conceived as a neo-abolitionist framework treating prostitution as an act that is structurally linked to trafficking and incidental exploitation. The regulatory framework is based upon three independent pillars: criminalisation of purchasers, a comprehensive Victim Support mechanism and sustained preventive education. This creates a combat mechanism that collectively targets the demand as the economic fulcrum of commercial sexual exploitation.

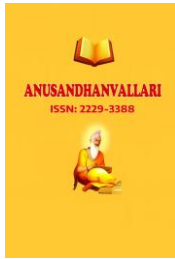
With certain contextual variations, the model has been adopted in Norway, Iceland, France, and Canada.¹⁶ The model in its normative foundation draws the radical feminist theory, which conceptualises prostitution as an idea that is highly incompatible with substantive gender equality and is based upon the asymmetry in power relationships rather than being an autonomous choice.¹⁷ The Nordic model re-establishes prostitution as a crime that violates many rights instead of perceiving it as a victimless transaction. It combines the idea of deterrence and upholds the relevance of a welfare-oriented rehabilitation and normative reconstruction. This orientation aligns with the Palermo Protocol as it focuses on the demand-reduction strategies and argues to treat them as a core component of anti-trafficking policies. Three pillars of the Nordic model are the following:

¹⁴ Anna Skarhed, *The Ban Against the Purchase of Sexual Services* (Govt. Offices 2010).

¹⁵ Swedish Code of Statutes (SFS 1998:408).

¹⁶ Norway and Iceland in 2009, France in 2016 and Canada In 2014.

¹⁷ Norwegian Penal Code, Section 202a; Catharine A. Mackinnon, *Sex Equality* (2001).



Criminalisation Of Buyers: First Pillar

Criminalisation of the purchase of sexual services lies at the core of the Nordic Model, which is based on the reasoning that the economic idea of demand sustains the exploitative markets. By internalising the social cost of prostitution through the creation of creating penal sanctions, the model seeks to disrupt the market incentives without finalising those who ultimately sell sexual services. In Sweden, the purchasers are penalised with imprisonment for up to six months for the first time offences, which may be further enhanced in the case of repeated violation, along with a fine of SEK 50,000, which is equivalent to Rs. 4 lakhs.¹⁸ Similarly, Norway penalises the purchasers with imprisonment of up to two years, and further extends the liability to corporate entities where sexual services are procured in organised or commercial contexts.¹⁹

Most of the enforcement frameworks cautiously exempt the sellers from criminal liability and other evidentiary burdens, thereby reducing the reliance on the victim's coerced testimony. Many empirical assessments reflect a substantive decline in the reported cases of prostitution following the implementation of the Nordic Model. The Swedish National Rapporteur reported 50% reduction in the cases of street prostitution between 1999 and 2009, with indoor prostitution remaining comparatively contained due to the signalling impact of the criminal sanctions.²⁰

An evaluation done by the Government of Norway in 2014 documented a significant decline in the number of purchasers in Oslo, and a concurrent reduction in the trafficking indicators was also corroborated by the data prepared by the law enforcement agencies.²¹ Contrary to the critique of displacement, most of the competitive studies have found no significant cross-border migration of prostitution markets to the neighbouring jurisdictions, implying that it was due to the Nordic norm rather than geographic relocation that accounted for the observed decline.²² This pillar resembles an approach based on restitution and assigns responsibility of social harm to the demand side of actors without attributing culpability to those who themselves are in exploitative positions.

Victim Support and Exit Mechanisms: Second Pillar

The second pillar of the Nordic model talks about creating an effective Victim Support system and exit mechanism. The decriminalisation of sellers is further supplemented with extensive exit plans, rehabilitation infrastructures and considering the individuals involved in the prostitution as the people holding rights and entitlements to get the support of the state.

Prostitutionsutredningen programme of Sweden provided for housing assistance, vocational training, and counselling, along with debt relief to over 700 women. The evolution of the program reports a reduction in the rate of re-entry of sellers into prostitution and increased economic independence among the participants.²³ The

¹⁸ *Supra Note.* 14.

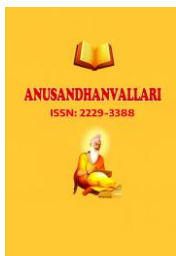
¹⁹ Norwegian Ministry of Justice, *Kjøp Av Seksuelle Tjenester* 45 (2014).

²⁰ Swedish Government, *Prostitutionsutredningen: Slutbetänkande* (Sou 2010:49).

²¹ Maxim Wybrenk, *Does the Nordic Model Work?* 112 *J. Sex Res.* 567 (2015).

²² Marja Kuusipalo, *Exit Strategies in Nordic Welfare States*, 34 *Fem. Legal Stud.* 201 (2019).

²³ Swedish Gov't, *Prostitutionsutredningen: Slutbetänkande* (Sou 2010:49).



ROSA Assistance Centres in Norway also offer analogous support through legal aid, by running a round-the-clock helpline and by providing shelters generating high levels of user satisfaction.²⁴

The effectiveness of this pillar depends on the infrastructures created in Nordic welfare states, including a universal health system and a gender-responsive and gender-sensitive Social Security system. The evaluation highlights the importance of the integration of these services in the legal action plans, and studies assert that a holistic support framework significantly reduces the mental trauma, mental health morbidities and vulnerability to re-trafficking.²⁵

This pillar concretises the rehabilitation mandate provided under Article Six of the Palermo Protocol as it prioritises the empowerment in the long run, over a short-term rescue, and thereby addresses the structural drivers of the exploitation.²⁶

Preventive Education and Normative Transformation: Third Pillar

Campaigns and preventive education can work as the normative backbone of the Nordic model. They reinforce legal deterrence through sustained cultural transformation. National Campaigns of Sweden, like *Stoppa Sexköpen*, which means End Sex Purchases, have utilised mass media school curricula and public figures to frame prostitution as a form of gender violence rather than a neutral economic activity. Longitudinal surveys of these campaigns reflect a substantive increase in public opposition to the purchase of sexual services over time.²⁷

Targeted initiatives in the high-risk zones and integration of empty exploitation modules of Iceland within the University programs have been associated with measurable shifts in attitudes and a reduced incidence of solicitation.²⁸

These interventions effectively leverage behavioural framing effects by associating the demand with harm and social disapproval, thereby generating a chilling effect on the latent demand. While there are requirements to exercise caution against moral paternalism, the longitudinal data suggest that the change in attitude has largely resulted in a voluntary internalisation rather than coercion, with a significant proportion of respondents citing ethical opposition as a primary deterrence.²⁹

Aggregate Outcomes And Inter-Pillar Synergy

The effectiveness of the Nordic model depends on the dynamic interaction among its three pillars. While criminalisation generates enforcement data and informs the targeted education campaign, the Survivor-Centric approach gives legitimacy to the normative messaging, and public education reinforces the social acceptability of these penal sanctions. The assessments indicate that the integrated approach amongst the pillars has contributed to a sustained reduction rate in prostitution and increased trafficking detection in Sweden over the period of time.³⁰ Critically, the model has survived libertarian critics, emphasising agency by foregrounding the empirical evidence

²⁴ Rosa, Annual Report (2020). Rosa - Reetablering, Oppholdssteder, Sikkerhet Og Assistanse (Re-Establishment, Accommodation, Security, And Assistance).

²⁵ Norwegian Institute of Public Health, Survey on Attitudes to Prostitution (2018).

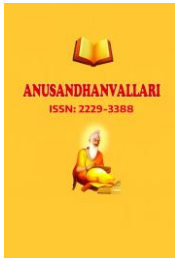
²⁶ Palermo Protocol, Art. 6.

²⁷ Eurobarometer 79.1 (2014).

²⁸ Icelandic Women's Rights Association, Report on Preventive Education (2022).

²⁹ Swedish National Rapporteur o Trafficking, Annual Report (2017).

³⁰ Ronnie Levy & Per Jakobsson, Prostitution in Sweden, 12(1) Delhi L. Rev. 45 (2004).



of structural coercion, including incidents of prior abuse and economic vulnerability among the individuals who, in turn, are engaged in prostitution. In the context of India, this framework has a conceptual resonance with constitutional commitments of dignity and non-exploitation under Articles 21, 23 and 39. However, these ideas must be adapted, keeping in account the federal structure, socio-economic inequality and pluralistic cultural background of India.

Adaptability Of The Nordic Model In India

In India, the substantive legal framework on commercial sexual exploitation after trafficking is anchored in the Immoral Traffic (Prevention) Act of 1956 and reflects a supply-centric approach emphasising the criminalisation of brothel keeping, solicitation, and living on the earnings of a sex worker. The law preserves the anonymity of buyers, leaving the size of demand largely unregulated.³¹ The legislative architecture of India, though comprehensive on paper, has failed to yield impactful practical results. According to NCRB data of 2024, 6616 trafficking cases were reported, illustrating the persistent impunity of the purchaser and intermediaries in the trafficking ecosystem.

In the case of *Buddhadev Karmaskar v. State of West Bengal*,³² The Supreme Court discussed a constitutional perspective and tried to distinguish voluntary adult sex work, which falls within the ambit of the right to livelihood given under Article 21, along with protection of dignity and personal autonomy. The court re-emphasised the importance of state intervention in the cases of exploitative commercial sexual activity. This data highlights a gap and creates a space for dialogue in favour of new abolitionist interventions targeting the buyers rather than the sellers, while simultaneously creating a mandate for the rehabilitation of victims. The subsequent legislative initiatives, such as the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill of 2018, reinforced a victim-centric approach but remained largely silent on the demand side, highlighting reinforcement of a gap that the Nordic model's demand-focused strategies could potentially fill.

Another substantive law that deals with Trafficking and sexual exploitation is the *Bhartiya Nyaya Sanhita (BNS)* of 2023. Section 143 of the Sanhita codifies a comprehensive prohibition on recruitment, transport, harbouring, transfer, or receipt of persons, for exploited purposes, irrespective of the consent of the victim.³³ The provision concretises the nexus between exploitation and the outcome underlying the trafficking offences, which creates a synchrony with the anti-trafficking mandate provided under Article 23 and the protection of dignity, provided under Article 21 of the Constitution. It is important to note that section 143 makes mens rea, that is, intent to exploit, an important component of the offence. This creates a prosecutorial clarity in harmony with Section 3A of ITPA.³⁴ By criminalising coercion and 3rd party facilitation, Section 143 indirectly supports the interventions, which focus upon the demand side of the wrong. The purchaser who brings incentives into the chain of trafficking can be implicated as an accessory actor; this can further the doctrinal lacuna in the existing law.

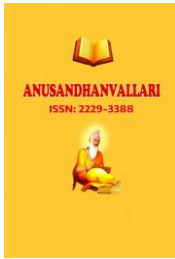
Moreover, the statutory clarity and the strict interpretation of section 143 mitigate the options to view into the scene beyond the statutory periphery and sometimes restricts the digital tracing and cyber forensic investigations,

³¹ Sec 2 (f) of the Immoral Traffic (Prevention) Act 1956.

³² *Budhadev Karmaskar v. State of W.B.*, (2011) 10 SCC 756, P. 46.

³³ Section 143 of *Bhartiya Nyaya Sanhita (BNS)* Of 2023.

³⁴ Sec 3A of the Immoral Traffic (Prevention) Act 1956.



particularly when transactions occur through online platforms, a challenge which is highlighted in NCRB cybercrime data.³⁵

Adaptability of the First Pillar: Buyer Criminalisation

A key innovation for India involves introducing a provision akin to Section 3A of ITPA specifying penalties for the purchase of sexual services ranging from three months to five years. This asymmetrical model emulates the Nordic model, in which sellers are decriminalised while buyers face graduated sanctions. Increased fines on the buyer in Sweden have shown a steep decrease in the street-level demand for sex services. Doctrinally, such provisions navigate to the jurisprudential contours established in the case of *Joseph Shine v. Union of India*³⁶ that emphasised the protection of consensual sexual autonomy. Attributing the criminal liability to exploitative intent allows the law to strategically target the traffickers and buyers without infringing upon the privacy and the rights of consenting adults.

The implementation of the law encounters certain structural hurdles. Federalism in India, as propounded under Schedule VII, List II, Entry 6,³⁷ makes public order part of the state list, leading to heterogeneous enforcement. For example, Karnataka has adopted a relatively strict policy while Bihar still exhibits a more laissez-faire-based approach.³⁸ The problem further compounds because of evidentiary challenges like witness attrition, which, as per NCRB reports, is 90% the cases of prosecution for trafficking. Adopting anonymity shields as provided under the Nordic Model for complainants, along with digital forensics under *Bhartiya Nyaya Sanhita, 2023*, can alleviate these bottlenecks. Some of the pilot initiatives as the *Kamathipura 2023* experiment, suggest a potential efficacy as the fine of Rs. 10000 on the buyers resulted in 20% drop in the client visit frequencies.³⁹

Adaptability of the Second Pillar: Victim Support Mechanisms

A robust Victim Support mechanism is the second pillar of the Nordic Model and is very critical to understand the adaptability, for which Sweden's integrated exit programs can be used as a point of reference. India currently operates more than 750 One Stop centres (OSCs), funded by the Nirbhaya Fund, which provides a comprehensive medical, psychological, and legal assistance to the survivors of sexual exploitation.⁴⁰ However, the reach of these centres is very uneven, and the audits done in the year 2024 reveal a shortfall of 200 crore in funding, limiting the assistance to only 20,000 beneficiaries annually. This number is far below the estimated number of women and girls in need, which is approximately Two Lakh. Moreover, the urban centres are disproportionately prioritised.⁴¹ Synchronisation with the long-standing programs like *Ujjwala*, where over 50,000 individuals are rehabilitated since 2007, and *SWAN* or *Swayam Siddha*, etc., could alleviate the rehabilitation outcomes according to the Nordic model standards. Rehabilitation can be supplemented with extensive vocational training, enabling IT skills, microfinance, and debt relief, potentially reducing the chances of recidivism from 40% to 15%, as suggested by the data of *SANLAAP*.⁴²

³⁵ *Supra Note*. 1.

³⁶ *Joseph Shine v. Union of India*, (2018) 2 SCC 1, P. 93.

³⁷ *India Const. Sch. 7, List II, Entry 6*.

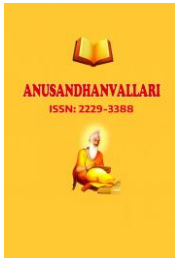
³⁸ *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

³⁹ *Maharashtra Police Dept., Kamathipura Pilot Evaluation* (2024).

⁴⁰ *Min. Of Women & Child Dev., Nirbhaya Fund Report 2024* (2025).

⁴¹ *Comptroller & Auditor Gen., Performance Audit* (2024).

⁴² *SANLAAP, Annual Report 2024* 34.



Such initiatives derive their doctrinal support from Article 39A, which guarantees access to free legal aid along with the idea of the Panchayati Raj system, propounded under Article 40, which offers a mechanism for scaling services to the grass-roots rural areas where caste-based and socio-economic vulnerabilities aggravate the risk of trafficking. Dalit and Adivasi women from villages instantly constitute approximately 70% of the victims of sex trafficking.⁴³ Expanding the digital outreach of one-stop centres along with the integration of provisions under the IT Act, 2000, could effectively address the emerging threat of cyber victimisations, as it is evident that IT platforms like Telegram, Facebook, Instagram, etc., account for 40 per cent of the reported cases of sex trafficking in 2024.⁴⁴

Adaptability of the Second Pillar: Normative Campaigns and Preventive Education

The third pillar of the Nordic model involves behavioural and normative intentions, which are thoughtfully designed to reduce the demand by reshaping public perceptions. Article 51A(e) mandates the citizens to renounce exploitation and provides a connection with the constitution for nationwide educational campaigns. Creating a synchrony between the idea of Digital India and the social media platforms, along with public service announcements endorsed by celebrities and role models, India can emulate the Nordic model approach in generating stigma against the buyers of commercial sex services, thereby facilitating trafficking.⁴⁵

Evidence of the effectiveness of this pillar can be found in NCERT pilot modules in Kerala (2024) that achieved a 30% positive shift in the students' attitude regarding demand reduction, while digital campaigns such as #EndSexTradeIndia got viral as #MeToo movement, amplifying the normative messaging.⁴⁶ Decentralised implementation can be enhanced using the federal structure of India, and by creating state-specific cells for gender empowerment. Initiatives based upon the Iceland model can tailor the interventions according to the local social structure and contexts, particularly in the high-prevalence areas like Mumbai, Delhi, and Kolkata.⁴⁷

Recommendations: Policy Prescriptions And Digital Integration

A harmony between privacy, autonomy, and anti-trafficking objectives is required for effective legal adaptation. Establishing a threshold for mens rea, prescribing graded penalties and upholding proportionality under Article 14 can mitigate concerns of overreach while ensuring that the deterrent value is preserved appropriately. Jurisprudence established in cases like Navtej Singh Johar further clarified the boundaries of consensual sexual activities, allowing the targeted interventions that isolate exploitative conduct from consensual sexual intimacy, upholding bodily autonomy.⁴⁸ A pragmatic policy design is very important to transform these principles into an effective, actionable framework.

Recommended interventions include:

1. Immoral Traffic Prevention (Amendment) Bill 2026: Codifying criminalisation of the buy with graded penalties, sunset review clauses, and an expressed threshold related to mens rea.

⁴³ NALSA, Guidelines on Trafficking (2022).

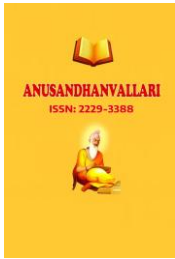
⁴⁴ NCRB, Cybercrime Module 2024.

⁴⁵ National Commission for Women, Caste & Trafficking (2023).

⁴⁶ Kerala Education Dept., Survey (2024).

⁴⁷ Prasad Foundation, Impact Assessment (2025).

⁴⁸ Navtej Singh Johar v. Union of India, (2018) 10 SCC 1.



2. National Anti-Trafficking Authority: Establishing a special national anti-trafficking authority under Article 263 of the Constitution for creating a centralised oversight ensuring harmonisation amongst the state, empowered to create standardisation in the process of enforcement and monitoring the outcomes.
3. Exit fund of approximately Rs. 5000 CR.: Dedicating a good financial fund for rehabilitation, vocational training, and integrated support services through financing one-stop centres and comprehensive rehabilitation programs.
4. Technology-enabled monitoring: Deployment of an AI-driven demand mapping to identify geospatial risks and optimise the resource allocation, along with extensive digital reporting data collection to create pre-emptive disruptions for trafficking networks.

State-level pilots, especially in the NCRB-designated hotspots, can be used as laboratories for evidence-based refinements with projected reductions in the rate of trafficking by 40 over a decade. Financial and institutional support, along with doctrinal fidelity and integration of technology, can help India to bring the victim population substantially by 2035.⁴⁹

However, challenges like enforcement disparity, technological evasion, patriarchal norms, and socioeconomic inequalities cannot be ignored before assessing the possibility of full-scale implementation. Still, a coordinated multi-level strategy integrating legislation, normative campaigns, and victim support can offer a robust buffer against these obstacles, ensuring that legal reform is brought, forced and justified appropriately.

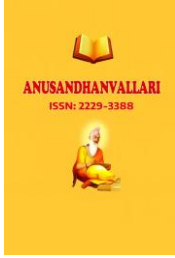
Conclusion: A Nordic Model-Infused, Victim-Centric Anti-Trafficking Paradigm In India

The Nordic model definitely provides a transformative road map for anti-trafficking laws in India, shifting from punitive actions against to demand reduction and victim-centric prevention. By strategically integrating the doctrinal safeguards under Articles 21, 23 and 39A, empirical insights, and various policy innovations, India can effectively operationalise criminalisation of the buyers, establishment of rehabilitative support, and a mechanism to create a normative preventive education system. Local state-level adaptations, technological tools, and expensive victim services can address caste, socio-economic and gender-based vulnerabilities, while normative campaigns can reshape the social mindset and cultural attitudes. Alignment with CEDAW, the Palermo protocol and SDG 5.2 further ensure international legitimacy of these initiatives. These measures promise an evidence-driven and right based socio-legal framework to combat trafficking for commercial sexual exploitation.

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