

Sirish Gurung

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Sex Trafficking In Nepal: A Rising Concern For All

In Nepal, violence against women leads to high rates of disease and mortality, and has recently come to spotlight. Despite the fact that rest of the world is progressing and modernizing on women's rights, Nepal is still lagging behind, with illicit sex trafficking being one of the major concerns. Women's rights in Nepal have been ignored due to issues such as illiteracy, poverty, unemployment, political instability, and corruption. Such factors have led Nepali women to India and other Gulf countries as well, only to become the survivors of modern-day slavery. Abuse of women and children has become an epidemic that requires more attention than ever before. The heinous conditions in which these helpless victims are trafficked, as well as the circumstances in which some manage to flee and survive, leave them with immense health threats. The victims of this horrific act are frequently forced to work longer hours and engage in unprotected intercourse, putting them at risk for HIV/AIDS, sexually transmitted illnesses, and genital infections (Gurung T, K, 2020). In addition, the lack of adequate nutrition and proper sanitation in Indian brothels causes them to suffer from long-term physical and psychological complications. They are kept in rooms with no access to the outside world, except the clients, making it nearly difficult for them to flee the brothels.

Despite the government of Nepal being well aware of the rising human trafficking issue, its initiatives and strategies have been too minor to be efficient. To save the lives of Nepalese women and girls, a comprehensive approach should be adopted, which will necessarily require the

active participation of the government, non-governmental organizations, as well as the citizens in promoting education, eradicating poverty, and enforcing stronger laws and border security. This paper will explore about the data and statistics of the Nepali sex trade industry, its historical connection, the main contributing factors and finally, the strategies and initiatives taken by the government of Nepal and other non-governmental organizations.

In 2010, a medical journal from Kathmandu University reported that more than 200,000 Nepalese females have been involved in the Nepali sex trade industry and about 50% of Nepalese women and girls have become victims of sex trafficking in India alone (Joshi S, 2010). According to Nepalese anti-trafficking organizations, there is a rising trend in trafficking among middle-class women, who are being trafficked under the guise of enticing employment and lucrative pay. Many studies have shown that conflict-induced migration of women and girls from remote parts of Nepal boost the commercial sexual exploitation and, as a result, increased trafficking. The report from the Human Rights Commission of Nepal states, about 15,000 women and 5,000 girls were victims of this inhumane atrocity in a single year, on 2018 (Nepal's National Human Rights Commission). Also, as per the research published last year by the Nepal Armed Police Force and the Indian Armed Border Force, observed cases of human trafficking from Nepal to India have surged by 500 percent since 2013. From just eight smugglers in 2014 to 148 in 2016, 174 in 2017, and 231 in 2020, the number of smugglers detained by the Nepalese Armed Police Force has increased as well (Nepal's National Human Rights Commission). Experts and law enforcement authorities, however, think that the number of victims and perpetrators identified by the Armed Police Force is just a small portion of the overall. Furthermore, as Nepalese women and girls continue to be trafficked into India, the number of sex trafficking victims continues to increase year after year, and this has been a rapidly rising criminal industry.

According to data and statistics, women's trafficking is said to be the result of their disadvantaged circumstances, which are aggravated by their social exclusion from society as a result of gender discrimination and inefficient development methods that exclude women from work and education (United Nations, 2008). A significant contributor to the trafficking of women in Nepal stems from the lack of professional opportunities available to them. The severe gender division of labor in the country as a whole has traditionally forced women to perform nearly all household responsibilities, including the time-consuming tasks of firewood and water gathering. The time women's spent in household works were far more time consuming than it did for males, restricting a women's professional and social activities, as well as girls school attendance. Women work in semi-skilled and unskilled professions outside the home that are closely connected to their domestic responsibilities (Asian Development Bank, 1999). Their participation in better opportunities is limited by their lack of time, lack of access to financial assets, limited education and vocational skill sets and social discrimination. Looking into different surveys and research, the majority of the female victims targeted by traffickers are from ethnic and minority groups, particularly those from Nepal's rural districts, where people are naïve, illiterate and disadvantaged. Women are more likely to get engaged in unpaid works, have less possessions, be subjected to gender-based violence, and forced into early marriage, all of which hinder their capacity to fully engage in society. Disadvantaged groups in all areas of Nepali society, gender discrimination as well as the country's one-and-a-half-decade-long political instability and internal conflict, all contribute to increased trafficking susceptibility. The traffickers are also believed to have taken control of their routes and destinations, making it easier for them to continue their inhumane crime of trafficking innocent Nepali women and girls.

With an understanding of Nepali sex trade industry and how innocent girls from disadvantaged and minority communities were being targeted by the traffickers, the next topic to look into would be its contributing factors. The three of the most important contributing factors of the Nepali sex trade industry are; the lack of proper education, extreme poverty and the India-Nepal open border.

Firstly, one of the major contributors to sex trafficking in Nepal is a lack of proper education. Until 1951, Nepalese education was restricted to members of the higher classes (Galatin L, 2005). The Rana monarchs, who ruled Nepal for over a century until the beginning of the 1950s, feared an educated society. For years, the privileged access to education enjoyed by members of higher castes and wealthier economic strata has been a distinctive aspect of society. The Ranas kept education as a privilege reserved for the ruling class, leaving the majority of the population uneducated. The average literacy rate was 5% in the early 1950s. Male literacy was 10%, but female literacy was less than 1% (Galatin L, 2005). It was only after the 1970's, girls and women in Nepal were allowed to get educated (Zmarzly L, 2019). Since then, Nepal has shifted its attention to education, establishing a number of schools and universities and progressed in the education sector, yet, figures and numbers do not equate to an effective educational system. The right to education is still denied to many girls in Nepal as girls are often forced to drop out and get engaged with the household chores. Furthermore, the lack of appropriate education leads to fewer job possibilities, forcing these young girls and women to settle for low-wage jobs that are exploited by human traffickers.

Secondly, as a result of low-wage jobs and limited opportunities, extreme poverty is common in Nepal, which further contributes to the trafficking of Nepali women and girl. With a per capita GDP of only \$2,573, Nepal is Asia's fourth poorest country and 25% of the population

still falls below the poverty line, surviving on less than 50 cents a day (Asian Development Bank, 1999). These population are exposed to vulnerable conditions due to lack of human security in terms of shelter, food, good health, and protection. Potential victims are always seeking to move from places of extreme poverty to areas with better opportunities. Innocent Nepalese girls and women from rural regions are particularly vulnerable to sexual exploitation since they are obliged to go to cities and towns in search of jobs. The smugglers take advantage in these conditions and are exploiting the ability of prospective victims to move to escape hardship. The victims are compelled to slip into the pit of smugglers for the sake of better lives. These sex victims are persuaded and duped into believing in a brighter future, a career, and a prosperous lifestyle.

Lastly, apart from Nepal's poor educational facilities and severe poverty, the open border between India and Nepal is another important contributor to illegal sex trafficking. Nepalese girls and women seek to migrate due to a lack of education and extreme poverty, and human traffickers take advantage of this by luring these innocent victims across the easily accessible India-Nepal open border. Nepal and India share a 1751-kilometer border. The 1950 Indo-Nepal Peace and Friendship Treaty provides an open border between the two nations (Banerjee Sreeparna, Ashraf Anikha. 2021). As a result, there has been a long tradition of unrestricted cross-border migration and the Indo-Nepal open border is exposed to dangers like human trafficking, drug trafficking, counterfeit money, and arms trafficking. Traveling between nations does not require a visa or any other documentation, and border control is severely weakened. Also due to the low surveillance of border regions and the corrupt government officials, illegal transit of goods and people is very common (Sharma Geetanjali, 2018). The traffickers take the advantage of these conditions and use these transit routes to traffic Nepali girls and women to different countries. The border becomes a simple pass due to weak laws and regulations, along with falsified records and documents.

With such inhuman act still continuing in today's modern era, India-Nepal remains one of the busiest sex trafficking destinations. Therefore, the major question that arises is, "What is being done to address this problem?" The Nepalese government has increased education access, provided anti-poverty initiatives, and implemented anti-trafficking regulations. In addition, several non-governmental organizations plan, carry out, and manage the vast majority of anti-trafficking activities in Nepal.

Since one of the primary challenges and contributors to the Nepalese sex trafficking industry is the lack of education, the Nepalese government has been working to ensure that everyone has equal access to high-quality education. For the years 2016 to 2023, the government has launched the School Sector Development Plan (SSDP), a seven-year strategic plan aiming at increasing children's involvement in high-quality education. The SSDP aims to improve the quality, equitable access, and efficiency of basic and secondary education in Nepal. It focuses on policy approaches and innovative reform initiatives targeted at improving education system fairness, efficiency, feasibility, governance, and management. (Ministry of Education, Government of Nepal). Since the implementation of the SSDP in 2016, the government has been working to move to a three-tier federal system, with local governments taking over most duties related to primary and secondary education. During the first half of the program, the SSDP made substantial gains in terms of coverage and enrolment rates in basic education. According to a report published by Ministry of education Nepal, there has been a steady increase in the completion rate of grade 8 basic education as well as the increase in the enrollment of the out-of-school children (Ministry of Education, Government of Nepal).

Along with the lack of education, Nepal's extreme poverty is another major contributor in the illegal sex trade and the Nepalese Government has been committed to work towards it. The

government introduced the Poverty Alleviation Fund (PAF) in 2003 as a unique and a focused initiative for the underprivileged and disadvantaged people which aims to improve living conditions, livelihoods, and empowerment among the minorities. Special funds have been allocated under this act to assist those individuals living below the absolute poverty line. “The programs of Poverty Alleviation Fund have been extended 551 local levels of 64 districts to bring economically poor and deprived communities into the mainstream of the national development process” (Government of Nepal, MOF, 2020). According to the same report, the PAF has benefited more than 0.8 million households and has covered a total of 5 million people with its assistance and grants. So, this has helped significantly in reduction of poverty in Nepal.

Apart from government’s plans and strategies for the development of education sector, the government has implemented stronger anti-trafficking regulations and policies to meet the international standards. Nepal’s most notable stand-alone anti-human trafficking laws passed were the Human Trafficking and Transportation Control Act of 2007 (HTTCA) and the Human Trafficking and Transportation Rule 2008 (HTTCR). These laws were established with the aim of bridging the gaps and flaws in a previous law, the Traffic in Human Being Control Act of 1986. These laws consolidated all applicable human trafficking provisions into a single piece of legislation and expanded the definitions of trafficking, transportation, and exploitation. The HTTCA makes human trafficking illegal, prohibiting the purchase and selling of persons and punishing both the vendor and the buyer with a maximum sentence of 20 years in jail. The Act also has rules for victim rehabilitation and cooperative court processes. Victims are entitled to receive compensation under this Act, but only after the offenders have been convicted. Furthermore, a national committee with new board members was also established under The HTTCR to track and manage the monitoring process as well as enforce sex trafficking regulations.

The National Committee and 75 District Committees oversee, monitor, and prevent human trafficking with the aid of this legislation.

Despite adopting numerous plans and strategies, the Nepalese government continues to fall short of its full potential, and several non-governmental organizations (NGOs) have stepped forward to take the responsibility. Non-governmental organizations plan, carry out, and manage the vast majority of anti-trafficking activities in Nepal. These anti-trafficking organizations have been providing inadequate prevention and recovery services and have alleviated most of the burden on the Nepalese government to address trafficking. Some of the most active NGOs in the area of trafficking prevention and reintegration are Maiti Nepal, ABC Nepal, Shakti Samuha and CWIN. These NGO's have been maintaining border control centers, rehabilitation houses along with minimal medical assistance and counseling. They also provide occupational skill training, legal assistance, and basic education (Sharma P, 2014). In addition, Nepali NGO's have played a key role in the fight against sex trafficking in Nepal and are actively engaged in this fight. Maiti Nepal along with several other NGO's frequently organize public awareness campaigns and programs to educate students and raise awareness about human trafficking. They also host a number of workshops for women on empowerment and leadership. Other organizations, such as ABC/Nepal, FWLD and AATWIN provide the necessary support and personnel for vocational skill training, organize, and carry out brothel raids, and concentrate on pushing parliament for better legislation (Sharma P, 2014).

Regardless of these measures taken by the government and several NGOs to prevent sex trafficking in Nepal, there have been no substantial changes and the trafficking business continues to grow. It is clear that the issue needs to be addressed at various levels to come up with a successful strategy to fight against sex trafficking. It's not just the government or the NGOs, but the whole

nation must come together and act together to combat against this issue. Each and every individual should contribute in whatever ways they can and advocate for these issues whenever possible. In addition, as Deputy Secretary General of the United Nations, Ms. Asha-Rose Migiro quoted, “Human trafficking affects us all, whether we live in countries of origin, transit or destination. Preventing and combating it requires a comprehensive international approach. We must act together to stop a crime in our midst that deprives countless victims of their liberty, dignity and human rights” (United Nations, 2007).

A well-rounded approach to addressing this issue would be to not only respond to sex trafficking after the fact with initiatives and policies, but rather to address the core of the issue so that it does not happen in the first place. Although initiatives and policies are also very important to curtail sex-trafficking in Nepal, the core of the issue stems from incivility, which must be addressed. The practice of sex-trafficking is putting a monetary value on human life. Thus, civility and empathy toward others will be necessary to remedy this issue. By acknowledging that human life is sacred and invaluable, this practice might be put to an end.

In conclusion, this paper explored about the modern-day slavery happening in Nepal and the different initiatives and strategies taken to address the issue. Each year, the number sex trafficking victims in Nepal increases, and the Nepal remains one of the most popular transit for traffickers. Looking into different studies and findings, the government of Nepal has made modest efforts to combat against trafficking and to support the victims, yet is seeing minimal to no results. It is important that the government, non-governmental organizations, and other legal authorities work together to prevent these innocent girls from being killed and to combat sex trafficking in Nepal. There should be a coordinated effort at all levels to expand education access, eliminate poverty and increase employment opportunities, as well as enforcing strong rules and regulations.

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