

Executive summary of the Anti-Trafficking Survey



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Child Rescue Nepal (EBT-N)
Kathmandu, Nepal

Submitted By:



SEEPORT Consultancy (P) Ltd.

GPO Box No: 7301, Jitjung Marga 26, Thapathali, Kathmandu, Nepal
Tel: 9851071355
Email: seeport.consultancy@gmail.com

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SEEPOR Consultancy Company (P) Ltd.
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Background of the Study

Human trafficking, including child trafficking, is one of the severe problems in Nepal. Child trafficking, though the actual number of being trafficked is not established through empirical studies, has been reported occurring both internally and cross-border. Different factors have triggered the rate of child trafficking. In some of the literature, vulnerability has been reported evident among children in financially marginalized families, dysfunctional families, adoption (inter-country) and even in the Children's Homes. In a difficult situation after the earthquake of 25 April, 2015 followed by 400+ aftershocks, it is reported that child trafficking has increased after the earthquake. However, this is not corroborated by credible facts and figures. A comprehensive research with standard methodology can, therefore, tell more about the dynamics of child trafficking in detail.

Esther Benjamins Trust Nepal (EBT Nepal) and Esther Benjamins Memorial Foundation (EBMF), a Nepali NGO engaged in preventing child trafficking, recognised the need to know about the causes and consequences, tricks and tactics of the traffickers, context of trafficking, push and pull factors and its dynamism in entirety. In this regard, Socio-Economic and Ethno-Political Research and Training (SEEPOR) Consultancy, a well-experienced organization carried out a comprehensive survey on child trafficking.

Objectives

The main objective of the study was to know about the causes and consequences of child trafficking, tricks and tactics of the traffickers, context of trafficking, push and pull factors and its entire dynamism in three districts, two earthquake-affected and one adjacent to the Nepal-India border. The study involved review of available literature in child trafficking in Nepal, consultation with relevant stakeholders at different levels, and survey of 1,134 households in three districts.

Scope

The study analysed the situation of child trafficking in the sample districts and VDCs. The study established a quantitative data base and traced the trend of child trafficking. The study provides an understanding of the factors that have triggered child trafficking. It also explores the consequences of child trafficking. The study has further explored the changing tricks and tactics of the traffickers in the post-earthquake situations. It has also attempted to identify gaps in anti-trafficking campaigns and existing support mechanisms for the survivors, and has assessed the effectiveness of existing communication strategies against child trafficking. An extensive review of relevant literature is another remarkable outcome of the study.

Approaches and Methods

The study is based on both primary and secondary sources of data which have been collected using both quantitative and qualitative techniques of data collection. Primary (quantitative) data was collected largely from household level individual interviews. Qualitative data was collected from focus group discussions (FGD), key informant interviews (KII) and case studies whereas secondary data were collected from publications/office documents of the Ministry of Women, Children and Social Welfare (MoWCSW), District Women and Children Development Offices (WCDO), Village Development Committees (VDC) and concerned (I)NGOs.

The prime concern of the study was to know the current situation of trafficking compared with the pre-earthquake situation. It was thus essential to use the **before** and **after** technique of data collection. So, questions related to the key indicators were asked for both before and after situation.

The study is based primarily on the survey of 1,134 households sampled from three districts in the Central Development Region of Nepal, namely, Bara, Dhading and Makwanpur. Bara was selected in order to capture the situation of cross-border trafficking before and after the earthquake. Dhading was selected to represent the situation of trafficking of children in the earthquake-affected high hill and remote areas. Similarly, Makwanpur was selected to represent both the earthquake-affected hill areas and the inner Tarai areas which are the nearest transit route to the bordering districts.

One individual informant was interviewed from each household. Both male and female informants were interviewed in order to ensure proper caste/ethnic representation to capture the gender and caste/ethnic disaggregation of data. A user-friendly and menu-driven data entry format was designed in Microsoft Access. The format was carefully scrutinised to avoid out of range data punching. Once the data entry was completed, data were transferred to STATA. All the necessary analyses were done in STATA.

Major Findings

Review of existing literature reveals that history of child trafficking in Nepal can be traced back to the Rana Regime (1846-1951) but, data of that period is seriously lacking. Growth of the carpet industry in Kathmandu during the 1990s also accelerated the magnitude of child trafficking. Many of the well-off families in Kathmandu and other urban areas have been keeping children brought from surrounding districts as domestic workers. The traffickers/human traders involved in supplying young girls and boys have subsequently established connections with brothels in Indian cities, circuses and individual families who use child labour.

There has been always a strong tendency to consider poverty as the main cause of child trafficking. Poverty is a broader phenomenon in Nepali society and it has been reported as the main cause of child trafficking. Moreover, deeply rooted unequal distribution of land and other natural resources, food insecurity, increasing gap between the rich and the poor, inadequacy of access to free education, increasing direct and indirect cost of education, domestic violence, gender discrimination and many other socio-culturally imposed miseries have caused child trafficking. Many of the cases of child trafficking in Nepal occur with the involvement of children's own families. Trafficking of children is often a direct result of migration. When this group of people (children) migrates from one place to another, they may obviously become vulnerable to abuses and their trafficking can take place in the migratory process.

Adequate quantitative data on child trafficking is not available in Nepal. Gathering quantitative data is difficult due to the covert nature of research required and the crime-related issue of trafficking. As such, people are often reluctant to divulge the truth.

Nepal is a signatory to many of the international conventions related to child trafficking such as Convention on the Rights of the Child (CRC). The government has promulgated Human Trafficking and Transportation Control Act 2007 and Human Trafficking and Transportation Control Regulation 2008 to address the issue. Even though the act is not exclusively for children, but it covers children as well. Available literature demonstrates that survivors (victims) are not protected by the laws of the State and consequently the victim is often exposed to the danger of being threatened or forced by the accused (traffickers) to change their statement or remain silent. The government in collaboration with NGOs has been running eight rehabilitation centres (transit homes) in different parts of the country. The number of existing rehabilitation centres shows that the State has not paid sufficient attention to victims' rehabilitation. This scenario clearly points to the need for establishing additional centres in collaboration with partner NGOs.

MoWCSW including the National Committee for Controlling Human Trafficking (NCCHT), District Women and Children Offices (DWCO) including District Committee for Controlling Human Trafficking (DCCHT) under MoWCSW, Village Committees for Controlling Human Trafficking (VCCHT) under DWCO, Nepal Police, Court, and Attorney General's Office are the organizations responsible for, among others, combatting trafficking in children. As these committees at different levels have been formed recently and VCCHT in many VDCs have not yet been formed, it seems too early to assess their effectiveness.

The Government of Nepal (GoN) has been supporting awareness raising in the communities, expansion of VCCHTs and funding rehabilitation centres for the survivors. GoN has increased its efforts to combat trafficking, for instance, for three months after the earthquake. It suspended inter-country adoption of children and took a decision that children could not be taken from one district to another without legal documents or guardians. UNICEF Nepal has been supporting establishment and strengthening of 84 police stations and checkpoints around the country, including the borders with India and China. The Department of Immigration in collaboration with UNICEF has been providing training to all immigration officials to equip them with knowledge and skills on trafficking. Besides, NGOs like CWIN, Maiti Nepal, Shakti Samuha, and EBT/EBMF have been engaging in anti-trafficking related activities including rescue and rehabilitation.

Sending children to Kathmandu and other urban places for better education, domestic work and circuses is done with parent's consent. However, some children leave their home without consent of their family members. Majority of children who leave their home belong to families of low economic status and families where domestic violence and other household problems occur. After the earthquake, attempts were made to traffic some children of Dhading to Kathmandu and the case was investigated during the present survey.

Based on the review of existing literature, it has been found that the largest number of children, especially girl children, is trafficked across the border to India. In recent times, human trafficking has been diversified with new destinations such as Hong Kong, Singapore, Bangkok and the Gulf states. Over the past couple of years, there is a new trend of internal trafficking from rural to urban places for exploitation in entertainment-related businesses (dance bars, restaurants massage parlours and prostitution). This situation points to the need for additional efforts to rescue children from these places and rehabilitate them.

Among the study districts, households of Dhading were affected most from the earthquake. More than one-half of them experienced collapse of buildings but the proportion of human fatality was low. Information given by the informants during the household survey, key informant interviews and discussion with community members reveals that there has been an increase in migration and/or disappearance of children after earthquake. One of the reasons cited was trauma in the aftermath of the earthquake for many household members. There were other pull and push factors behind migration and/or disappearance of children after the earthquake. Many of the children were reported leaving home alone and with their friends and relatives. Majority of these migrated children were reported engaged in daily wage labour and domestic work.

Community members possess moderate level of knowledge regarding the issues related to child trafficking. Although there are different governmental and non-governmental organizations in the districts engaged in anti-trafficking campaigns, awareness raising activities have not been targeted to the needy households.

Children who had returned home in the surveyed communities had both positive and negative experiences. However, negative aspects were reported mostly by the key informants and the returnees were found weaker in terms of self-esteem and social distance between them and the family/community members had increased. Returnees had to experience social stigma and many of them could not be reintegrated in the family/community, especially in the case of girls.

Key informants and focus group discussion participants reported that children hailing from Chepang, Tamang and Dalit groups in Makwanpur, and Tamang and Dalit in Dhading had left their home after the earthquake. Some of them have returned home after few months and some of them have not returned. It was also reported that some of the children were taken by "sanstha" (organization) that promised support for better schooling of the children. In this regard, the household survey investigated few cases of children trafficked after the earthquake. According to the household survey, trafficking of children after the earthquake had increased particularly in Makwanpur. In case of Bara, child trafficking was reported to have increased due to increased migration of people from hill areas to various parts of the district, especially in the transit routes and due to its proximity to the Indian border.

The Nepal police, organisations involved in anti-trafficking, women groups, mothers' groups and child clubs have been involved in rescuing and rehabilitating the survivors of child trafficking. Organisations in Makwanpur and Dhading are reportedly more active in combating child trafficking. These organisations have been involved in raising awareness through information, education and communication (IEC) materials, forming and institutionalising monitoring bodies, providing skill enhancing training, establishing and managing rehabilitation centre/home, providing legal support, supporting income generation activities, supporting education, checking and monitoring exit points in the Nepal-India border and providing counselling services. According to household survey respondents, FGD participants and key informants, rescue and rehabilitation support provided by these institutions were moderately effective. Reported reasons behind less and non-effectiveness of the support mechanisms include inadequate capacity to manage resources, lack of sufficient resources, complexity in legal procedures, political interference, lack of clear legal provisions and inadequate coordination between or among the concerned agencies, and lack of provision regarding compensation for and protection of the witness.

Efforts to render information, education and communication services were also reported as less effective due to limited access to IEC services and resources, less access of vulnerable communities to IEC services, inadequate use of common and simple language in IEC materials, insufficiency of audio-visual materials in IEC, and low attention paid by the concerned agencies. Problems related to awareness and communication have been found occurring mostly at family/household level but support mechanisms have reached only to the district/community level.

Informants have mentioned different types of relations that were established by the traffickers. They have been using both the existing (real ones) as well as newly established (almost fake) relations. They often cite examples of progress made after leaving the village/community to convince the parents and children. Showing fake identity and working condition in a reputed company, posing themselves as wealthy, presenting her/himself as social worker, and establishing friendship with influential persons in the community have been reported as other tricks and tactics used by the traffickers. Tricks and tactics like trying to mix up with the children, talking about new places and lifestyles, giving things that are liked most by the children, meeting the children frequently, asking the children to keep their discussion and meeting confidential and not sharing with family members have also been used. Besides, making false promises to the parents and children and winning trust of parents are other tricks and tactics used by the traffickers. Convincing

parents and children in the name of rescue and relief is the changed trick and tactic that have been used by the traffickers after the earthquake. Tricks and tactics used by the traffickers reveal that soft form of child trafficking prevails in the study areas. Trafficking in children through abduction and threats have not been reported.

Making the children aware of child trafficking and teaching children/students about the consequences of child trafficking, listening well to the ideas, curiosities and aspirations of the children positively, informing the children about the false promises usually spelled out by the traffickers, orienting children to keep the contact address of family members and relatives, monitoring children if they are getting anything from the strangers or are being attracted, and monitoring and inspecting the strangers are the suggestions provided by the informants to prevent their children being trafficked. Moreover, provisioning of strong penalty against the person involved in trafficking, ensuring effective channels and networks of information and education, complying with existing laws and their proper implementation, putting pressure on the concerned authorities to follow a fast-track approach to address the issue of child trafficking have been suggested as methods to control child trafficking.

Conclusions

Level of knowledge/awareness regarding (un)safe child migration and child trafficking is still low among the people despite of various endeavours of the governmental and non-governmental organizations.

Poverty is the main cause of child migration and trafficking and it occurs more in low cash income category. Along with poverty, school dropout is directly associated with child migration and trafficking.

Almost all support mechanisms adopted by both the governmental non-governmental organizations have been focusing more on community level issues regarding child trafficking and less on household/family level factors triggering child migration and child trafficking. Local support mechanisms/structures are less effective due to resource constraints and inadequacy of coordination. Also, there is duplication in anti-trafficking programmes and activities due to inadequacy of proper coordination and collaboration. There is not an effective mechanism in place to monitor the programmes conducted by concerned organizations.

In-country trafficking has evolved as a major issue. Children were migrated and trafficked to Kathmandu and other urban centres, especially after the earthquake and almost children were reported engaged in exploitative and vulnerable forms of child labour.

The existing Implementation Plan for Combating Human Trafficking does not address child trafficking specifically and as a result, most of the programmes and activities implemented have focused more on women rather than children. Furthermore, there is an absence of case management plan (CMP) including follow up plan to support the survivors of child traffickers. There are some shortcomings and overlaps in plans and policies, operational guidelines, structural adjustment/mechanisms and their execution.

Recommendations

Overall findings of this anti-trafficking survey suggest that child trafficking has been increasing in Nepal. Based on the findings of this study and previous studies, it is clear that child trafficking has increased in the post-earthquake situation. In this regard, both governmental and non-

governmental organisations, will have to act more effectively to implement anti-trafficking programmes. EBT Nepal's initiation on exploring field-based facts through this survey has come up with some conclusive observations and recommendations. The following are ways forward through which EBT Nepal can initiate and continue its endeavours to combat child trafficking in Nepal.

- Information obtained through the household survey, key informant interviews and focus group discussions points out that further intervention is essential in awareness-raising programmes. These awareness programmes should focus on imparting knowledge on child-trafficking to different groups of people, namely, families/parents, children, and general public. They can be oriented through non-formal education (NFE) and/or REFLECT sessions, school-based extra classes, community level street drama and village/community level mass meetings and broadcasting more effective and locally explicable jingle-type public service announcements (PSA) through audio-visual media covering the issues about the nature and types of child labour, child migration and child trafficking, child smuggling and child prostitution, and their causes and consequences. A quick assessment including content analysis and audience response also seems imperative. Findings also point out that people spend substantial amounts of cash in social/cultural functions and feasts/festivals, and also in cigarette and alcohol consumption. In this context, awareness campaigns should also focus on considering contents in their PSAs for encouraging people to exercise thrift and pursue simple lifestyles.
- There is a need to support livelihood enhancement programmes including locally feasible and sustainable income generating micro-enterprise development activities for the needy families. Poverty is the prime cause of child trafficking and it occurs more among the low cash income category of households. This is why integrated efforts are needed to combat child trafficking focusing on livelihood support for poorer and marginal groups of people. Almost all support mechanisms adopted by both governmental non-governmental organisations have reached the community level but the problem lies at the household level. In this context, there is a great need for addressing these problems by considering household/family as the main unit of intervention in livelihood support.
- Overall findings of the survey point out that the nature of child trafficking in the study districts falls under the soft form of trafficking. Hence, there is a need for formulating programmes to address the issues pertaining to awareness-raising, educational support, livelihood support, and rescue and rehabilitation of the trafficked children. Awareness-raising on how the family members' activities result in child trafficking and suffering also needs to be addressed. Mobilisation of all stakeholders at the local level against child trafficking needs to be effective. Ward Citizen Forum can be the best forum for operationalising more effective anti-child trafficking awareness campaigns.
- Information obtained from key informants, FGD participants and literature review points to the need for an integrated approach. Combination of support to children's education and support to livelihood of the families should get higher priority while designing further anti-trafficking programmes. Children who dropped out school were migrated to Kathmandu and other urban centres for earning a better living and supporting their family. They were reportedly engaged in low-paid hazardous workplaces like brick kilns, public transportation, small hotels and restaurants, and dance bars. School dropout, child migration and child trafficking are interrelated. In this context, integration of educational and livelihood support helps reduce the rate of school dropout and child trafficking.
- Information obtained through literature review points to the need for initiating and/or continuing efforts to rescue and rehabilitate the children from the places like dance bars, restaurants, massage parlours, brick kilns, etc., where children have been exploited. This is because over the past couple of years, a new trend has also been developed, namely, in-country trafficking

from rural to urban places for exploitation in the entertainment sector (for instance, massage parlours, dance bars and restaurants, etc.) and sex markets for prostitution.

- Overall survey findings show that unsafe migration can result in trafficking and suffering. When children leave home without family consent and unaccompanied by a relative, there is high possibility of children being trafficked. In this context, there is a need for reaching out the most vulnerable communities and families with appropriate awareness-raising campaigns and support activities. Such awareness campaigns should concentrate on the content related to the causes and consequences of unsafe migration and their relation with child trafficking. This further helps to ensure safe migration. Agencies with social mobilisation skills can more effectively conduct such awareness campaigns.
- Information obtained through key informant interviews and review of literature depicts the fact that DCCHTs need to be assisted to form and mobilise VCCHTs and these VCCHTs need to be capacitated/strengthened. VCCHTs have not yet been formed in many districts and VDCs. In districts, DCCHTs also were not functioning well due to resource constraints and due to lack of proper coordination. VCCHTs which were already formed were reportedly functioning when they received external support. This situation obviously raises questions about sustainability of these local structures/mechanisms. In order to ensure their sustainable outcomes, programmes should be designed in order to institutionalise these state-led structures/mechanisms through assistance from (I)NGOs like EBT/EBMF.
- A reliable database on child trafficking is lacking. Hence, a human trafficking information system (HTIS) needs to be developed and implemented. Collaboration and coordination among the governmental line agencies (MoWCSW, MoHA, MoLJPA, etc.) and non-governmental organisations (UNICEF, ILO, EBT Nepal, Save the Children, Plan International Nepal, AATWIN, Shakti Samuha, CWIN, etc.) is essential to develop HTIS. All the relevant organisations need to be brought under a common network and the database child trafficking should be updated regularly.
- There is need for initiating district and VDC level stakeholder interactions. There were organisations, especially non-governmental organisations, engaging in similar type of anti-trafficking activities within a single district/VDC. Such duplication and/or overlap in programmes points to the need to foster close coordination across the concerned agencies. Any (I)NGOs working in the districts, for instance EBMF in Makwanpur, can assist DDC in taking a lead role in organising such interactions/workshops in order to develop district level mechanisms for better coordination as well as networking among the concerned organisations. Moreover, these organisations should focus on interventions that contribute to institutional development, networking and collaboration. In this regard, resource mapping can be one of the options.
- A strong coordination is essential among all the concerned organisations in matters of programme monitoring and implementation. A Child Protection Policy and Code of Conduct should be developed. As transpired during consultation with MoWCSW, AATWIN, and (I)NGOs, there is no effective mechanism in place to monitor the concerned organisation's regarding whether they have developed and followed the Code of Conduct for their staff members. Consequently, many of the staff members of the concerned organisations were reported involved in violating child rights. In order to make anti-child trafficking efforts more effective, efficient and sustainable, non-governmental organisations like EBT Nepal can play a crucial role in ensuring improved coordination while working together with MoWCSW and Women and Children Offices. It can assist the concerned organisations in preparing the Code of Conduct and Child Protection Policy for them. EBT/EBMF should share its knowledge and experience in adopting a Code of Conduct and Child Protection Policy with other concerned organisations which have not yet done so.
- It is essential to prepare a separate policy and implementation plan for the rescue and rehabilitation of trafficked children. The existing Implementation Plan for combatting human

trafficking does not address child trafficking specifically, and as a result, most of the implemented programmes and activities have focused more on women rather than children. Furthermore, there is a lack of case management plan (CMP) including follow up plan to support the survivors of child trafficking. This situation points to the need for developing CMP in coordination with the concerned stakeholders.

- There is need for further studies to identify the degree and dimensions of the in-country child trafficking. In-country trafficking has evolved as a major issue among the children in the study districts. This is similar to the findings of the survey carried out by EBMF in Makwanpur in 2014. Children were migrated and trafficked to Kathmandu and other urban centres within the country and almost all children were engaged as domestic child labour, child labour in entertainment sectors like dance bars and restaurants, transportation sector, and illegal prostitution. In order to trace the causes and consequences of recently emerged in-country child migration and trafficking, especially in the entertainment sector, Master of Arts degree or Ph.D. students from anthropology and sociology can be engaged through research apprenticeship. This is also useful for continuation of academic discourses on the theme.
- An ethnographic study is essential to obtain qualitative and subjective nature of information regarding association between impacts of earthquake and child trafficking. Many of the children in the Dhading and Makwanpur were reported migrating to Kathmandu and other places within the country after the earthquake. The SEEPORT study team realises that unless researchers adopt a more participatory approach through intensive and extended stay in the communities, it is very difficult to come up with realities behind child trafficking and its subjective dimensions. In order understand a more comprehensive and holistic picture of child migration and trafficking before and after the earthquake in earthquake-affected districts, students of anthropology/sociology who need to prepare thesis as an academic requirement should be engaged through research apprenticeship.
- There is need for policy ethnography for more in-depth critical review of legal provisions and gaps. There are some shortcomings and overlaps in plans and policies, operational guidelines, structural adjustment and their execution. Unless the limitations/hindrances inherent in the legal frameworks are identified and gaps between policies and implementation are explored, efforts of state and non-state actors engaged in anti-trafficking cannot be expected to succeed effectively in an efficient and sustainable manner.

A full version of the Anti-Trafficking report can be downloaded from www.childrescueneal.org

ABBREVIATIONS

AATWIN	-	Alliance Against Trafficking of Women and Children in Nepal
CBO	-	Community Based Organization
CBS	-	Central Bureau of Statistics
CC	-	Child Club
CDR	-	Central Development Region
CDO	-	Chief District Officer from DAO
CFUG	-	Community Forest User Group
CRO	-	Child Rights Officer
CWIN	-	Child Workers Concern Centre Nepal
DAO	-	District Administration Office
DCCHT	-	District Committee on Control of Human Trafficking
DDC	-	District Development Committee
DPO	-	District Police Office
DWCO	-	District Women and Children Office
FGD	-	Focus Group Discussion
GO	-	Government Organization
GoN	-	Government of Nepal
HTIS	-	Human Trafficking Information System
IGA	-	Income Generating Activities
ILO	-	International Labour Organization
KII	-	Key Informant Interview
MoHA	-	Ministry of Home Affairs
MoLJPA	-	Ministry of Law, Justice and Parliamentary Affairs
MoWCSW	-	Ministry of Women, Children and Social Welfare
NCCHT	-	National Committee for Controlling Human Trafficking
NGO	-	Non-Governmental Organization
UNICEF	-	United Nations Children's Fund
VCCHT	-	Village Committee for Controlling Human Trafficking
VDC	-	Village Development Committee