

Human Trafficking and Open Border: Case of Nepal

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LETTER OF RECOMMENDATION

I certify that this dissertation entitled “*Human Trafficking and Open Border : Case of Nepal*” was prepared by Nistha Upreti under my supervision. I hereby recommend this dissertation for final examination by the Research Committee Master’s in International Relations and Diplomacy, Tribhuvan University, in fulfillment of the requirements for the Degree of MASTER’S IN INTERNATIONAL RELATIONS AND DIPLOMACY.

.....
Prof. Dr. Khadga Kc

11th August, 2019

Declaration

I hereby declare that this dissertation is my own work and that it contains no materials previously published. I have not used its materials for the award of any kind and any other degree. Where other authors' sources of information have been used, they have been acknowledged.

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Nistha Upreti

11th August 2019

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ABSTRACT

The study looks into causes of human trafficking in Nepal, policy challenges and problems caused by open border. Major causes of human trafficking in Nepal are low levels of economic development and poverty, low levels of employment opportunities for women, harmful practices and gender based violence, natural calamities and dependence on tourism. Although Nepal has made various provisions to limit human trafficking through constitution to ratifying international agreements, there are still many challenges. At present Nepal has a blanket policy for women that bar women from going to gulf countries for domestic works. This has encouraged employment seekers to opt for illegal routes that make women vulnerable to trafficking. Nepal still has a long way to go in terms of implementing the laws formed to control trafficking. Open border poses many challenges to controlling human trafficking in Nepal. Traffickers find out different routes and ways to traffic. Trafficking from Western part of Nepal has increased after authorities in Eastern borders have intensified activities. There are various organizations working to control human trafficking in Nepal. Authorities from both India and Nepal have worked in collaboration to control trafficking and rescue trafficked persons.

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CHAPTER 1. INTRODUCTION

The study looks into how human trafficking is happening in Nepal and how open boarder is hindering efforts to control human trafficking. The study broadly looks at international treaties that Nepal has ratified against human trafficking and how they have translated to national policies. The study also looks into causes of human trafficking and impacts. On doing so it looks at gaps where policies have not been helpful and also the positive aspect of these policies. Policy review and expert interview are some methods used in this study.

1.1 Introduction

Migration has become almost a permanent feature of the Nepalese society and it appears that this feature is not going to disappear for a long time. Nepal's history of foreign employment goes back to the 19th century when men from hilly areas migrated to the city of Lahore in the northern region of Punjab and joined up as soldiers in the army of Sikh Rajah Ranjit Singh (Adhikari et al., 2006). It is back then that they earned the nickname "*Lahure*" which is still used today for Nepalese employed in foreign armies abroad (Adhikari et al., 2006). Besides, huge number of Nepalese joined the British Army in India and also the tea estates in Northeast India (Adhikari et al., 2006). International labor migration has become a permanent feature of the Nepalese society ever since then.

Women and girls have accounted for a very high proportion of all international migrants for a long time as female migrants accounted for nearly 47 out of every 100 migrants living outside of their countries of birth back then in 1960s (Lucas, 2005). Migration and the movement it entails have always accompanied civilization in every stage of its development (IOM, 2008). In the year 2000, there were 85 million female migrants as compared to the 90 million male migrants (Arya and Roy, 2006). Similarly, Agarwal (2006) in her studies concluded that migration of women, especially for employments have increased tremendously.

Women constitute almost 55 percent of all internal migrants and 11 percent of international migrants in Nepal, according to UN report 2009. Earlier, women's household work used to be considered unproductive, however, Nepalese women, now have the opportunity to transform the "unproductive" work into productive work through foreign employment (Bhadra, 2007). As stated by Bhadra, a large number of Nepalese women are engaged in the care economy. New labor markets are burgeoning in the Republic of Korea, Malaysia, Qatar, Saudi Arabia and other Middle Eastern countries and along with that has also increased women's foreign labor migration to a great extent. Increasing migration has also seen a rise in human trafficking.

Human trafficking or trafficking in persons is considered a grave crime and is against human rights. In recent years trafficking in person is a growing criminal industry in Nepal. Poverty, natural calamities, lack of employment, open border are some of the major causes of trafficking in persons observed in Nepal. The Protocol to Prevent, Suppress and Punish Trafficking in Persons (United Nations, 2004) defines trafficking in persons as recruitment, transportation, transfer, sheltering or delivery of persons, by threatening, using force, other forms of coercion, abduction, fraud, deception, abuse of power, vulnerable situation, giving or receiving payments for the consent of the person for the purpose of exploitation. According to the definition exploitation includes exploitation for prostitution or other forms of sexual exploitation, forced labor, slavery or similar practices and removal of organs.

As observed in last five years, Nepal is a source, transit and destination country human trafficking (U.S. Embassy in Nepal, 2019). Nepali girls and women are subjected to sex trafficking in South Asia, India, the Middle East, Asia, and geographic area. Nepali men, women, and youngsters are subjected to forced labor in Asian country, India, the Middle East, and Asia in construction, factories, mines, domestic work, begging, and also the adult show business. There have also been instances where manpower industries and employment brokers have been observed to be involved in charging high employment fees and facilitating forced labor. The most vulnerable are migrants who get recruited through unregistered agents through India, they are most vulnerable to sex trafficking and

forced labor. There are labors from other countries illegally working in Nepal as well. This has been observed in sectors of agriculture, brick kilns, stone breaking industry, domestic work, textile embroidering industry or zari industry.

Studies have pointed out that Nepal's open border with India is one of the main challenges faced by agency that are working against human trafficking. At present the studies that have been conducted point out that open border is a major challenge, but there has been lack of data on exact number of persons that are being illegally trafficked every year. This study aims to understand the challenges posed by open border in controlling human trafficking. The study will bring insights on what are the major challenges faced by institutions and Nepali security forces due to open border and what kind of help it is getting from Indian security services in the border areas to control human trafficking.

1.2 Statement of Problem

At present most of the studies relating to human trafficking have looked into the social and economic causes of human trafficking and some have dealt with policies that Nepal has implemented. In the causes section, studies point out that poverty illiteracy are some of the causes, there might be some other causes that may not have been addressed.

Migration and trafficking go hand in hand. In many cases victims do not understand the risks of trafficking and want to have better opportunities. Nepal's policy to ban all female migration has risked lives of many women as they cannot return back once they come back to Nepal due to national policy. This is an instance of one size fits all policy that tried to solve the problems faced by women that were victims of violence and abuse in destination countries where they had migrated to. Such policies and gaps are discussed in the research which will further give opportunities for new researchers to explore deeper in the issue. This study first tries to identify causes of trafficking, then goes to discuss policies and gaps present in addressing trafficking and also tries to identify and discuss efforts at the borders.

1.3 Research Questions

The research will try to answer following research questions:

-) What are the causes of human trafficking in case of Nepal?
-) What are the policy gaps in human trafficking related policies?
-) What are the challenges posed by open border to control human trafficking?

1.4 Objectives

The major objective of the study is to find out the challenges posed by open border in controlling human trafficking and how Indian and Nepali agencies are working together at local level and at government level to prevent human trafficking. Specific objectives of the research are:

-) To identify causes of human trafficking in case of Nepal
-) To review laws and policies relating to human trafficking in Nepal and identify policy gaps
-) To find out challenges posed by open border to control human trafficking

1.5 Delimitation

The study will consider human trafficking that occurs through Nepal India border an internal trafficking within Nepal from rural to urban areas will not be considered. Due to constraints of time and resources the study has focused on policy review and expert interview as major methods. Secondary data that has already been published has been used for statistics on human trafficking.

1.6 Organization of the Study

The study is organized into five chapters. The first chapter gives an introduction to the study with its objectives, rationale and major research questions. The second chapter gives a review of pertinent literature in the topic of concern. Various themes have been discussed in relation to human trafficking. The third chapter gives a methodology of the study with research framework and details of methods used for the study. The fourth chapter gives research findings. The final chapter gives a conclusion of the research.

CHAPTER 2. LITERATURE REVIEW

2.1 Human Trafficking

Human trafficking and human history goes hand in hand. At present human trafficking is considered a modern form of slavery and a grave violation of human rights. The Palermo Convention (2000) or the Protocol against Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime defines trafficking in persons as:

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

The definition touches various aspects and states that the major purpose of any trafficking is for exploitation. According to ILO (2017), indicators of exploitation include bad living conditions, excessive working days or hours, hazardous work, low or no salary, no access to education, no respect of labor laws or contract signed, no social protection, very bad working conditions, wage manipulation. The definition states that the victim has given his or her consent to the other person who has control over them. To receive this control the perpetrator may use cash payments or benefits, exploit vulnerabilities of the victim, use power, coercion, deception or even abduct the victim.

According to Global Report on Trafficking in Persons 2018, women and girls are the largest among victims of trafficking. Fig 2.1 shows the shares of victims that were detected. 49 percent of the detected victims were women, 23 percent were girls, 21 percent were men and 7 percent of the detected victims were boys. Analysis by sub regions shows that there were almost equal number of men and women trafficked in

South Asia followed by girls. In West Africa, Central America and the Caribbean girls were the majority of the victims.

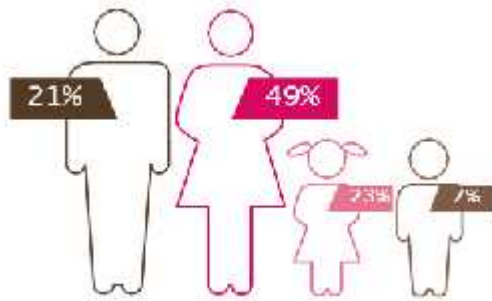


Fig 2.1 Shares of detected victims of trafficking (United Nations Office on Drugs and Crime, 2018)

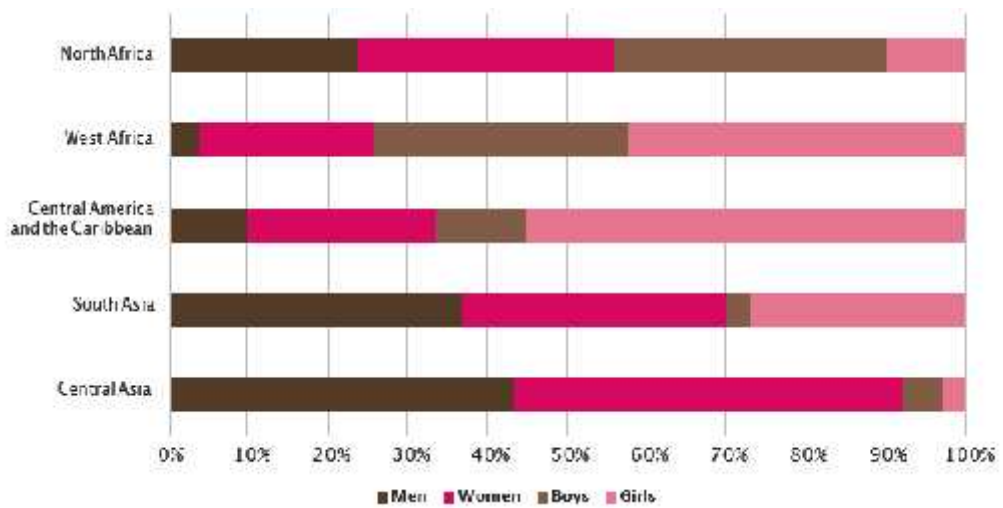


Fig 2.2 Shares of victims by sub-regions 2016 (United Nations Office on Drugs and Crime, 2018)

Around the world women and girls who are trafficked are sexually exploited and some are forced into labor. In North and South America women and girls are sexually exploited similar is the situation in Western and Southern Europe and in East Asia and Pacific. In South Asia and Africa detected victims also had to perform forced labor and begging or other forms of exploitation.

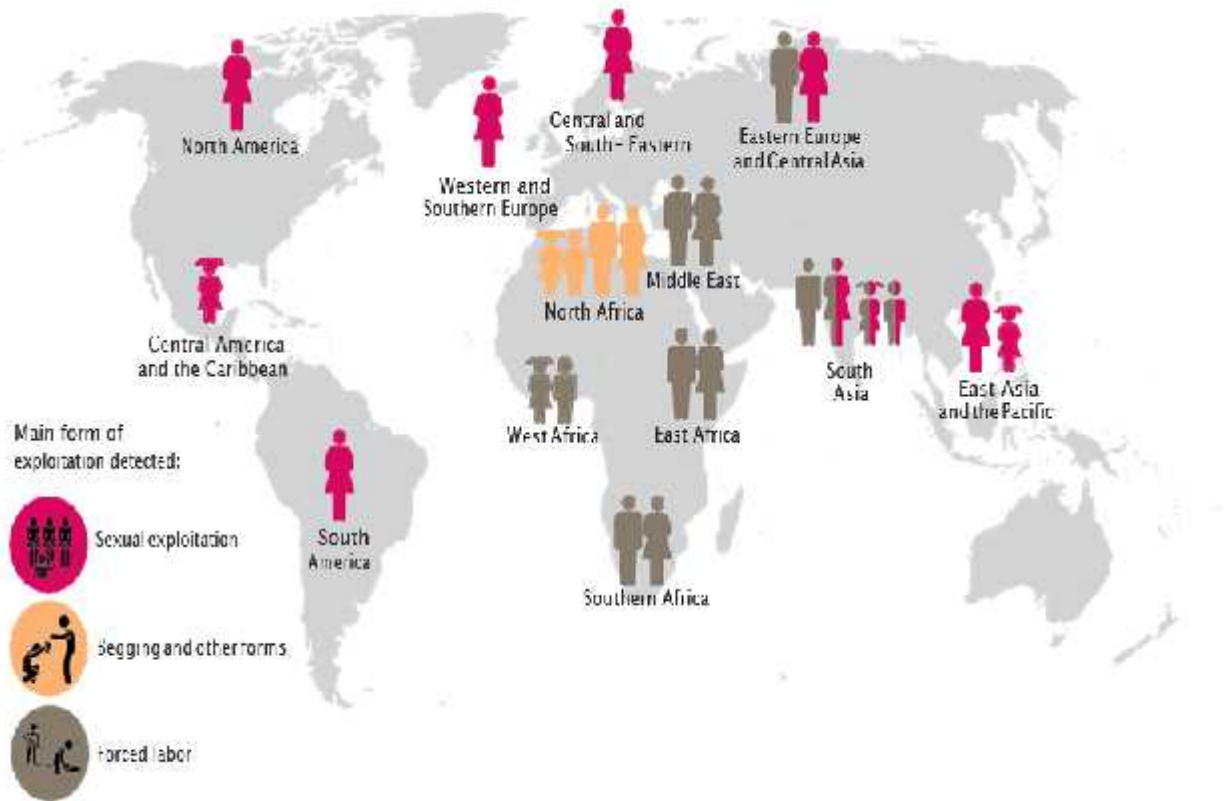


Fig 2.3 Forms of exploitation faced by detected victims (United Nations Office on Drugs and Crime, 2018)

2.2 Women's Empowerment and Trafficking

When women are empowered they are less likely to be trafficked. CARE Nepal (2016) defines women's empowerment as "The combined effect of changes needed for a woman to realize her full human rights. In these efforts, women must struggle to balance practical, daily, individual achievements with strategic, collective, long-term work to challenge biased social rules and institutions". There are three pathways to operationalize

women's empowerment which are enhancing the capacities of women and institutions, strengthening systems and structures for the service delivery and power relations. According to CARE (2016), true empowerment is achieved with interplay of changes in dimensions of agency, structure and relations.

Empowerment means expanding a person's power to bring about change. Empowerment enables people to take control over situations to make things happen. Empowerment also means individual awareness and conscientization, which encourage to work collectively (Rowlands, 1997). According to Moser, 1993, "The origins of the empowerment approach are derived less from the research of the First World women, and more from the emergent feminist writings and grassroots organizational experience of Third World women"(Moser, 1993). The empowerment approach points to the existing structures in our societies as sources of women's subordination and puts a strong emphasis on the necessity of challenging them in all areas and at all levels(Kabeer, 2001).

Patriarchal norms and practices have systematically discriminated against women in many societies. Changing the legislations, rules and regulations alone would not eradicate the discrimination against women in a particular socio-economic setting. A society develops certain norms after a long historical, cultural and religious evolution, which the society tends to preserve. A powerful group that benefits from discriminatory norms maintain and reinforce those norms by formal and informal sanction mechanisms(Acharya, 2001). In some contexts, patriarchal structures and practices restrain women's ability to seek paid work, or even health care, and to participate in social and political life. In the labour market, stereotypes about suitable occupations for women and men serve to maintain the existing gender division of labour(UN Women, 2015).

In a broader context of Nepal, social norms expect that women shall take primary responsibility for domestic works and caring of young children and other family members. This has restricted women's participation in the labour market compared to men or confines them to lower quality and lower paid jobs, often at great cost to women

themselves (ibid). Despite the fact that legal right for property inheritance in Nepal is equal for daughters and sons, most of the women do not claim parental property. It is mainly because of existing social norm that expect women to maintain good family relations with brothers (as women may need brother's support in the time of economic or family crisis in the family they were married), and a belief that dowry covers women's share of parental property (UNDP, 2018).

In Nepali society, gender identity is determined by patriarchal norms and values, which are based on religious creeds. Similarly, gender identity in Nepali society is also intertwined with the class and caste identities where women from so-called lower castes and poorer classes are in the worst life conditions (Acharya, 2001). Various gender development projects have been launched to provide women with more economic opportunities. According to Kabeer (2001), incorporating women in economic activities will provide them with greater power to challenge the discriminative institutional arrangements. Discriminative social arrangements that favour men and that limit women in economic sector is one of the push factors that motivates women to migrate out of their native places. In doing so, they are vulnerable to trafficking.

2.3 Migration and Trafficking

As stated by Arya and Roy (2006), poverty and a search for employment have been the predominant propellants of migration which affords South Asian women the opportunity to explore their life chances. Feminization of migration in the South Asian regions has been impelled by the burgeoning demand for domestic help and cheap labor in the 3D jobs i.e. dangerous, demanding and dirty (UNIFEM, 2005). Nevertheless, the primary reason behind South Asian women's foreign labor migration is to seek for employment and sustain their families (Siddiqui, 2007). According to Osella and Gardner (2004) young women in Eastern Sri Lanka migrate to gain money for their dowries and so that they can afford to build houses for prospective grooms. The experiences of Nepali, Sri Lankan and Bangladeshi women migrating abroad in search of work show that migration is largely a means of negotiating with poverty (Arya and Roy, 2006).

In the absence of good employment opportunities, a large number of Nepalese, both men and women are left with no option but to go abroad to work (Upadhyay, 2010). However, women's migration for foreign employment has been both boon and bane in the Nepalese context (Sharma, 2008). Migrant women face very harsh working conditions in the destination countries; some being victimized by their employers, some being deprived of basic facilities and some often sexually abused (Ghimire, 2010). But in spite of this scenario, they continue to flock to Saudi Arabia, Kuwait, and other Gulf countries.

According to Bhattarai (2005), a number of risks have been associated with women's foreign labor migration i.e. trafficking, prostitution and forced labor, recruitment malpractices such as fraudulent job offers, debt bondage, sexual and physical harassment, mental and verbal abuses, employment in hazardous jobs and under and nonpayment of wages. The low status of women's jobs means lower wages and conditions and while men in lower end jobs are also subject to these, women are susceptible to the additional gender-specific forms of physical and sexual exploitation (UNIFEM, 2002).

Women who are parts of labor contracts to supply households or child care in other countries have the least opportunities as they are often expected to work long hours in restricted situation and are most vulnerable to abuse and exploitation (Massey and Taylor, 2004). Women migrants often lack local language skills and are vulnerable to increasing lawlessness and human rights abuse in some developing countries like Bangladesh and Nepal (Omelaniuk, 2005). Isolation is another common problem in which they can be trapped forever (Rafiq, 1991).

International Organization for Migration (IOM) has reported on suicides among Sri Lankan domestic workers and Ethiopian domestic workers in Lebanon (2009). Though foreign labor employment is developing as an emerging business in the Nepalese context, it has not been a dignified profession at all (Bhattarai, 2005). Another threat faced by immigrants is the high HIV infection rate resulting from their vulnerability to sexual abuse and rapes (IOM, 2008).

2.4 Open Border and Trafficking

According to United Nations Office on Drugs and Crime (UNDOC) (2017) India is a source, transit and destination for human trafficking. It is a destination for individuals trafficked from Bangladesh, which shares a controlled or regulated border with India and from Nepal, which has an open border with India. The provision of an open border between Nepal and India suggests that nationals of either country do not require a passport or visa to cross over into each other's territory.

Trafficking of Nepalese women and girls to Indian brothels was established in 1960. During the Rana regime in Nepal women required a special authorization to go to India. About 50 percent of Nepal's female sex workers have previously worked in Mumbai and more than 200,000 Nepalese girls are involved in the Indian sex trade. The scale of trafficking has increased over the years, but there is lack of data in this regards. Illegal structure of trafficking, community vested interests, and lack of actual information/data and networking among stakeholders are the major limitations to preventive measures of trafficking. Over the past few years, research has been a crucial component of anti-trafficking measures, but statistical data on trafficking victims remains widely varied (PNCC, 2019).

2.5 Scale of Trafficking

According to CIWIN (2015), every year, 5,000 to 7,000 women and children of Nepal are trafficked into India for forced prostitution. 20 percent (i.e. 40,000) of trafficked Nepali. 40 percent trafficked children are under the age of 18 and 76.99 percent of under the age of 16. In 38 cases, traffickers were employer leaders, women in 23 cases, relatives in 9 cases, others in 79 cases. Except for sex trade, thousands of Nepali children are trafficked into India to work in carpet factories in Bhadoi and Mirjapur, circus in Firozabad, potato farms, road construction in Shimla, forced beggary in Banaras, domestic child labor in Delhi, Kolkata, Mumbai, etc. The earlier belief that only girls from specific geographical area and community are being trafficked has been proved false. Rather, this crime has expanded to every area and community including boys and men.

2.6 Conceptual Framework

Fig.2.1 gives an overall picture of trafficking in Nepal. The process of trafficking has been made easier due to open border. The research will try to observe the efforts made in borders to control human trafficking and analyze whether national policies and processes are facilitating or disrupting the prosecution efforts. Interaction with experts and policy review along with observation at the borders will be used as the major research tools. The conceptual framework of the research is presented in fig. 2.2.

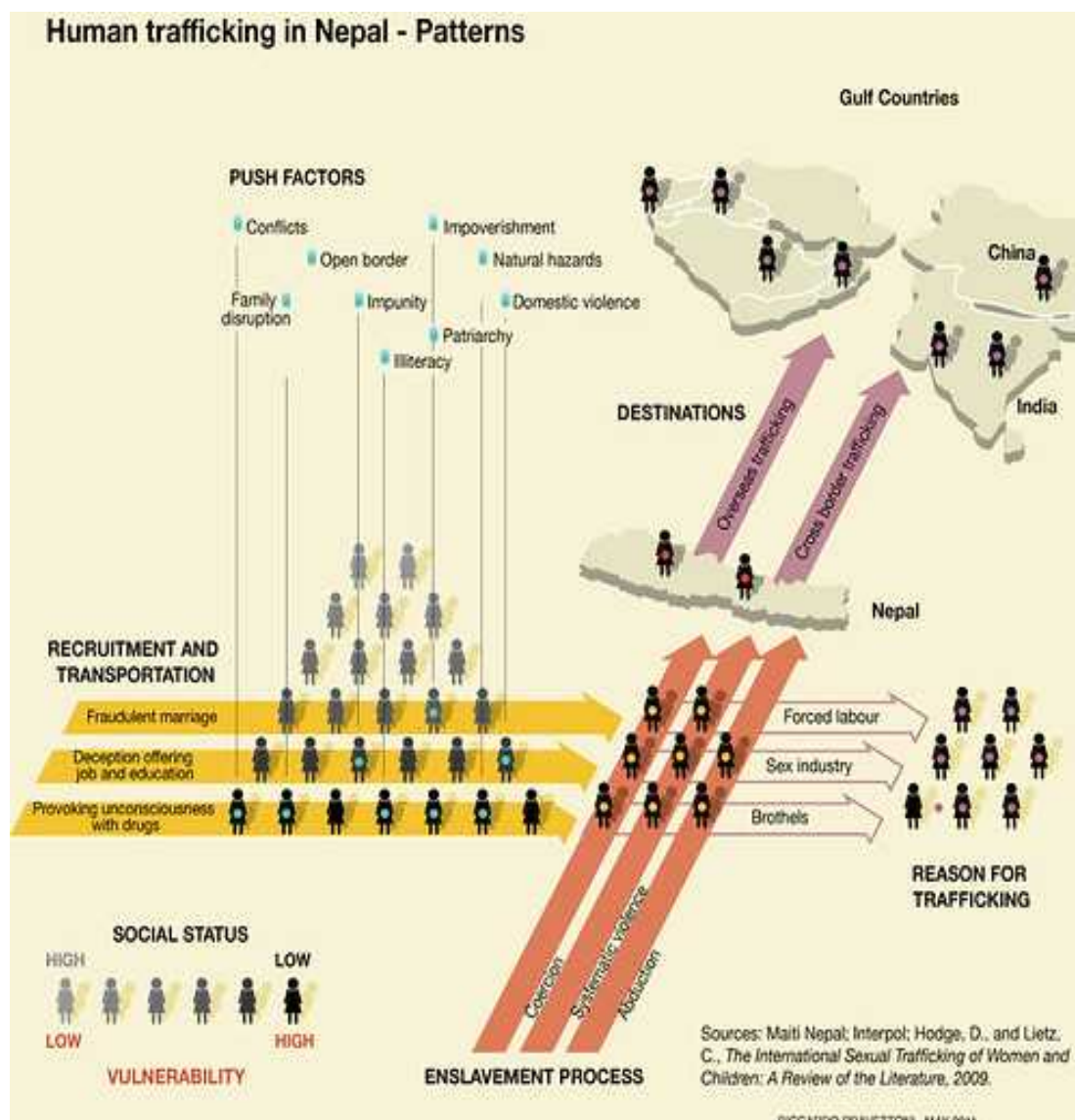


Fig 2.4 Human trafficking in Nepal (Hodge & Leitz, 2007)

Fig 2.2 gives the conceptual framework of the study. Literature review and policy review are the major components of the research. All relevant policies regarding human trafficking and open border will be studied. Along with policies process that are carried out to prosecute parties involved in human trafficking will be studied. Once the policies are studied how these policies are being implemented will be observed in the field. Observations will be made on efforts of Nepal and Indian security forces and other agencies working at borders to prevent human trafficking. Efforts that are carried out at national level will also be studied. The findings of the research will give feedback to agencies working on this sector.

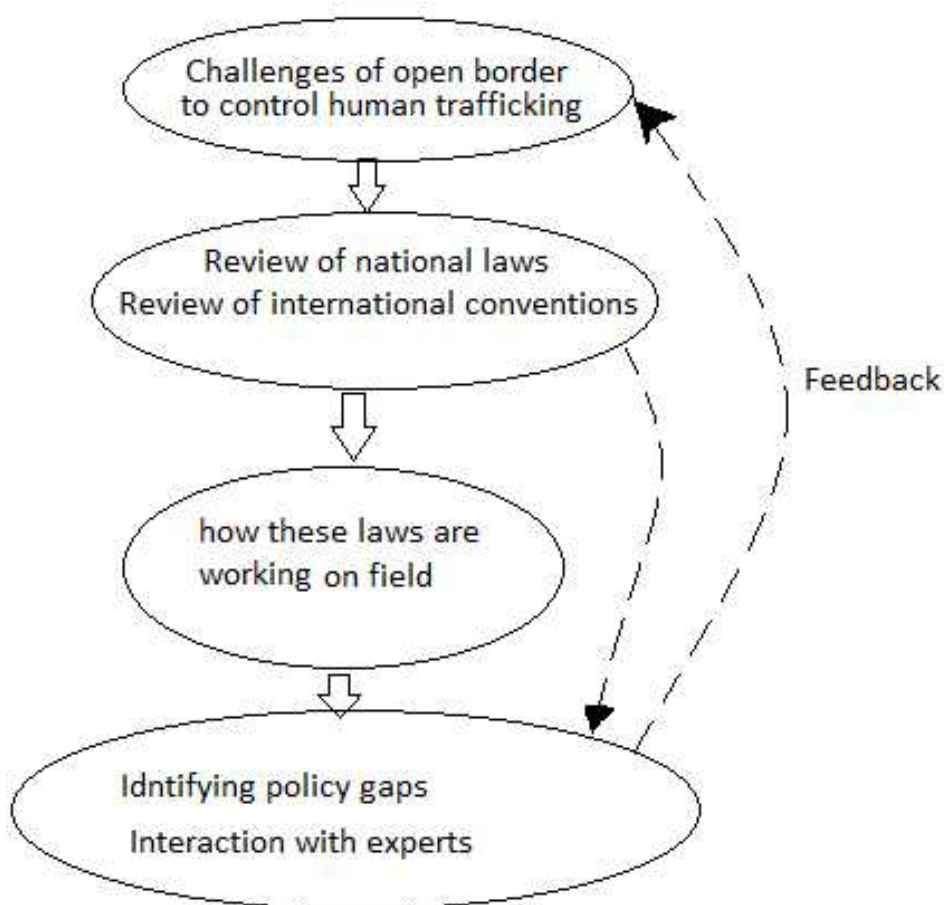


Fig 2.5 Conceptual framework of the study

CHAPTER 3. RESEARCH METHODOLOGY

3.1 Research Design

The study is a qualitative study with some secondary data analysis. Literature review, policy review and expert interviews are the major methods used for the study. Fig 3.1 shows the overall research design.

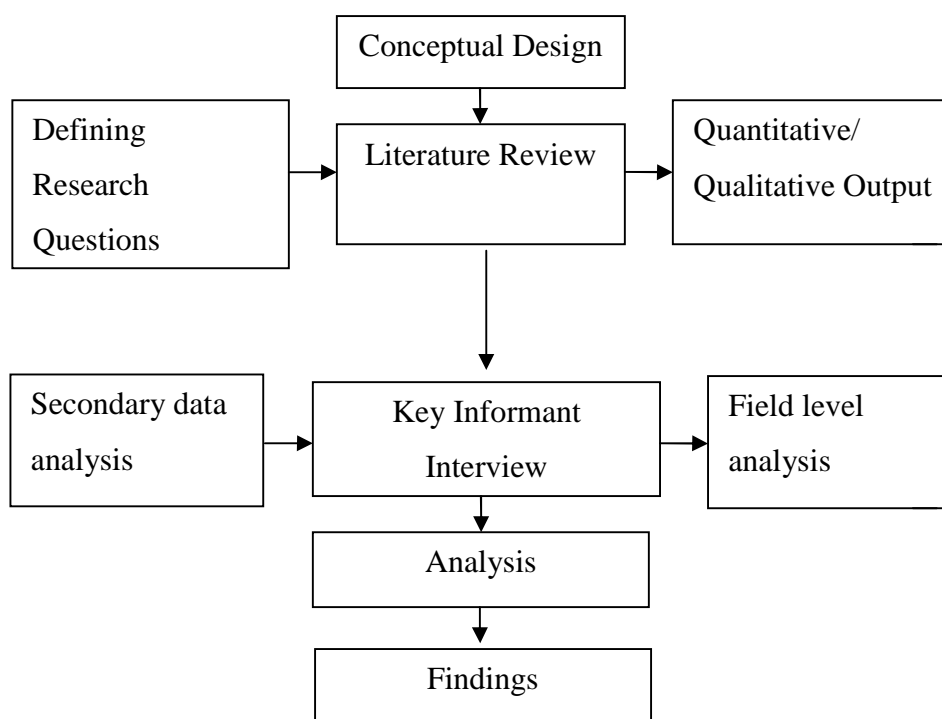


Fig 3.1 Research design

3.2 Data Collection Technique

Following measures were used to collect necessary information for the research.

3.2.1 Policy Review

Various national laws and international conventions ratified by Nepal relevant to human trafficking were studied. Policies relating to open border and treaties were also studied.

How these policies are implemented were discussed with experts. Along with interviews, literature review was done to identify policy gaps.

3.2.2 Expert Interview

Expert interview was carried out with representatives of Maiti Nepal, United Nations Office on Drugs and Crime (UNDOC), representatives from NGOs and Gender experts who have been working in the field of human trafficking at national level. Local level interviews informed on the challenges that are being faced on day to day basis to control human trafficking. Interview with experts working at borders were conducted to understand the present and evolving context of human trafficking. These interviews give an insight on how the process is evolving and the challenges posed on a day to day basis. Insights were also given on how the victims are transported and the channels used for trafficking.

3.2.3 Secondary Data Analysis

Secondary data on human trafficking statistics was collected from various sources. These data gave an overview of present situation of cross border human trafficking. Initial literature review showed a lack of proper data on human trafficking. Data was extracted from national organizations working in human trafficking and UNDOC as well as other international agencies working to control human trafficking. Secondary data analysis also gave the forms of human trafficking in practice at present and how these forms are evolving as well as consequences of human trafficking faced by the victims.

3.3 Analysis

Analysis of findings will be done by triangulating findings from literature review, data analysis from secondary sources, KII and field observation. Graphs have been prepared using Microsoft Excel 2013. Findings are related with policy gaps where possible or with information from secondary sources to give an overview of human trafficking through open border in Nepal.

3.4 Reliability

The findings of the research are reliable as they are based on published literature and data. The results of the findings have been triangulated with literature where possible. To ensure reliability of the study, experienced experts, who have been working in the field were consulted. The findings of the research have also been supported by other literature, hence the findings can be reliable.

3.5 Ethical considerations

Consent was acquired with the participants before carrying out questionnaire survey. The research objectives were clearly explained to the respondents before proceeding. Some of the respondents did not want to participate in the research, such respondents were left out. The privacy of respondents was maintained throughout the research. The research was carried out to the best ability of the researcher without plagiarism. The findings of the research are presented as they are without tampering the data to show significant results.

CHAPTER 4. HUMAN TRAFFICKING CAUSES

4.1 Causes of Trafficking

Various causes of trafficking have been outlined based on literature review and expert interview. These causes have been mentioned below.

4.1.1 Low Levels of Economic Development and Poverty

According to the National Review of the Sustainable Development Goals (SDGs) (2017) published by National Planning Commission, Nepal has achieved remarkable outcomes in human development parameters, including poverty reduction, and improvements in people's health and education (National Planning Commission, 2017). However, the report acknowledges that some of the significant Millennium Development Goals (MDG) agendas remained unachieved, and required further strengthening in order to successfully implement the agendas of SDGs. Especially SDG 5 on gender equality and the empowerment of women and girls as well as integration of Gender Equality and Social Inclusion (GESI) aspects across all development goals. The report particularly focused in reducing wide gaps between the level of poverty across male and female populations, increasing the grade promotion rate of girls in secondary education and maximizing the enrolment of women in technical education and vocational trainings.

Inclusive growth has remained a hard challenge as development progress in Nepal continued to be uneven across ethnic, caste, gender and other social categories, which also accelerated already existing vulnerabilities and inequalities pertaining to geographical and environmental factors. A country analysis done by UN in 2013 indicates persistent discriminations resulted from social norms, traditions and practices are major impediments for broad-based economic growth and poverty alleviation in Nepal (United Nations Country Team in Nepal, 2013). United Nation's Human Development Report 2016 shows that gender inequality remain high in Nepal (United Nations Development Programme, 2017) as indicated by the Gender Inequality Index (GII) at 0.497 in 2015. Nepal is ranked on 102nd position for Gender Development Index

(GDI) as of 2014. According to the GDI, women have lower mean year of schooling than men (3.2 and 5 years respectively). Similarly, Gross National Income (GNI) per capita for female population is 739 USD lower than that of male population (1979 and 2718 USD with 2011 PPP\$, respectively).

Gender inequalities largely vary across the population groups such as caste, class, geographical regions, physical disabilities, and sexual orientations. Women who are considered of “lower caste” continue to be deprived of economic opportunities than women who are considered of “higher caste” (United Nations Development Programme, 2017). Although the constitution and legal frameworks provide equal rights to women and sexual minority citizens, the provisions have not been fully implemented. Women and sexual minorities experience discriminations and violence in all aspects of their life. For materializing the vision of political and economic inclusion, it requires going beyond gender equality by addressing all form of discriminations across different social groups and minority citizens.

Studies as well as expert interview revealed that at the heart of human trafficking was poverty and deprivation rampant in Nepalese society. Migration at present is only way out for many families that do not get employment opportunities at their locality. Lack of economic development combined with age old discriminatory social structures have motivated people to migrate and in many case become victims of trafficking.

4.1.2 Low Levels of Employment and Economic Opportunities for Women

Most of the women are engaged in unpaid domestic labour (74.8 percent of total domestic labour), compounded by lack of employment or livelihood opportunities and their limited access and control to economic resources. Women’s unemployment rate is higher than that of men’s. Among employed women, two third work in low-rewarding sector such as agriculture compared to only one third men (Central Bureau of Statistics, 2015). Young women, particularly, have higher social restrictions for mobility, which, as a result, excludes them from getting equal opportunity in education and leadership. This is evident by a Nepal Demographic and Health Survey 2016’s finding, which shows that

men are migrating more than women in connection to work and study (9.6 and 78.3, and 10.9 and 14.2 percent respectively). Remarkably lower number of women have occupied managerial positions (only 17 percent of private firms have women in top management positions) and very few considered as “professionals” within their sectors, in comparison to men. The limited opportunities have also compelled many women to look employment opportunities elsewhere in Nepal or abroad. This trend has made women more vulnerable to sexual exploitation, forced labour and abuse, and their concentration in the informal sector only, often not recognized by mainstream national economy.

According to NDHS 2016, around 19 percent women own land or house in their name. The constitution of Nepal 2015 - breaking the long-rooted tradition of transferring ancestral properties to sons only- has granted equal right to daughters over their ancestral property. Among the working age population (15-64) the share of female population is more than half. However, their employment is considerably low in formal sector where wage rates for women are also significantly lower than that for men in the same type of job(United Nations Population Fund, Nepal, 2017). On the other hand, as noted in Nepal MDG Status Report 2016, number of milestones have been crossed on women’s representation in different economic sectors. For example, women’s share in civil service has been doubled in the decade, and more women are choosing non-traditional works such as overseas employment and jobs in police and military.

4.1.3 Harmful Practice and Gender Based Violence

Violence against women has been acknowledged worldwide as a violation of basic human rights. Number of research has highlighted the health burdens, intergenerational effects, and demographic consequences of such violence. In 1993 the United Nations Declaration on the Elimination of Violence against Women gave a universal definition of gender-based violence (GBV) as any act that results in, or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or the arbitrary deprivation of liberty, whether occurring in public or in private life.

Nonetheless, women in Nepal across all caste, ethnic, and socioeconomic groups continue to

face discrimination and are subject to various forms of violence. Nepal Demographic and Health Survey (NDHS) 2016 shows that 22 percent of women age 15-49 have experienced physical violence since age 15, including 9 percent of women who have experienced physical violence often or sometimes in the 12 months preceding the survey. Women's experience of physical violence increases sharply with age, from 11 percent among women age 15-19 to 28 percent among women age 40-49 (Ministry of Health, Nepal, New Era and ICF, 2017). Most of the married women who have experienced physical violence since age 15 reported current husbands as perpetrators of violence. Divorced, separated, or widowed women are much more likely to have experienced physical and sexual violence. Women with only primary or no education are more vulnerable to physical and sexual violence than educated women.

List of some harmful practices against women in Nepal.

- ♀ **Dowry** is the transfer of parental property, gifts or money at the marriage of a daughter
- ♀ **Son preference** refers to an attitude founded on the belief that girls are inadequate and of lesser value than boys. As a major form of gender discrimination, it can give way to an array of practices harmful to girls and women.
- ♀ **Sex selection** can take place before a pregnancy is established, during pregnancy through prenatal sex detection and selective abortion, or following birth through infanticide or child neglect.
- ♀ **Witchcraft** refers to branding of widows and elderly as witches
- ♀ **Chauppadi** is a practice where girls/women are not allowed to enter inside the house and touch water and milk for four to seven days during their menstruation period. They must live, sleep and stay in a hut outside identified as a Chauppadi goth
- ♀ **Deuki** is the offering of young girls to temples for ceremonial purposes
- ♀ **Jhuma** is enforced nunhood.
- ♀ **Kamlari** is a traditional system of bonded labour practiced in southern Nepal, in which socially and economically disadvantaged parents (mostly indigenous southerners and Dalits) would sell their daughter to domestic service for a contracted period to wealthier landowners as buyers.

Despite of very strong constitutional and legal provisions against gender discriminations, biased norms and harmful cultural practices continue to exist in many parts of Nepal, especially in Terai-Madhesh and Far-west. Marriage play a decisive role in all women's life choices and socio-economic position in Nepal. Almost half of the population gets married between the age of 14-19 years, despite the fact that legal age of first marriage is 20 years. Dowry system has been long existed in Hindu-dominant social groups. It is a major drive for child marriage as parents need to pay less in dowry if they marry away their girls as early as

possible (United Nations Population Fund, Nepal, 2017). Hindu religion based social groups. General restrictions include untouchability, restriction from cooking and eating together with family members, and restriction from attending religious functions.

As society has tagged women as second class citizens they are the first targets of traffickers as they are more vulnerable compared to men. Lack of employment opportunities, education, discrimination in family and society are some factors that makes women seek employment opportunities outside their native place. Traffickers target gullible men, women and children giving them false hope of high earning jobs and they are forced to comply due to their family situation and situation of the community.

4.1.4 Natural Calamities

Earthquake of 2015 left many children homeless. It was reported that trafficking of children and girls from the earthquake affected areas increased drastically in days that followed. Lack of education, awareness, proper income and care from families were the major reasons. Sindhupalchowk is one of the major source of trafficked girls to other countries and it was also one of the worst affected by earthquakes. The vulnerability of families made it easy for traffickers to target children and young girls in the area.

4.1.5 Dependence on Tourism

Nepal is a growing tourist hub for international tourists. With increment in inflow of foreign tourist, sex trade also increases. Tourist places like Kathmandu and Pokhara are notorious for sex tourism. Sex tourism gives rise to internal trafficking and victims can be internationally trafficked as well. Demand for Nepali girls who have fair skin and docile nature is high in India as well as Middle Eastern countries.

4.1.6 International Migration

Nepal has largely been sustained by remittances from abroad. As migration has become a common phenomenon, it is easy for traffickers to pose as agents and traffic victims with false hopes. Many rescued victims have mentioned that they can only recall part of their journey. They do not know where they are going until they reach their destinations where they are crammed up in unhygienic and exploitative environments.

CHAPTER 5. HUMAN TRAFFICKING OPEN BORDER & NEPAL

5.1 Types and Forms of Trafficking

The types and forms of trafficking such as trafficking for circus establishments, trafficking for organs, trafficking for marriages, trafficking for labor and internal trafficking can be observed in case of Nepal. Children were also trafficked so that they could be used as beggars in big cities of India.

5.2 Challenges Faced by Organizations Working to Control trafficking

There are more than 50 organizations working towards abolition of human trafficking and modern slavery in Nepal. The range of activities is presented in figure 4.1 (Baumann & Dharel, 2014). Government agencies, NGOs, INGOs and Unions are working towards ensuring that trafficking and other kinds of slavery are controlled. These organizations carry out activities such as running hotlines, working at border crossings, providing shelter to victims, raiding potential areas of concern, providing savings and cooperative services, community reintegration of victims, psychological assistance, raising awareness to name a few. It has been observed that there are more programmes related to advocacy and raising public awareness.

Although various NGOs and INGOs are working towards controlling trafficking, traffickers find new routes. According to an employee of Maiti Nepal working in Eastern border of Nepal, traffickers now operate from Manipur, Mizoram areas of North East India after the Delhi police tightened the security. It was also reported that traffickers from Nepal were using the Western borders of Nepal once the Eastern borders increased security.

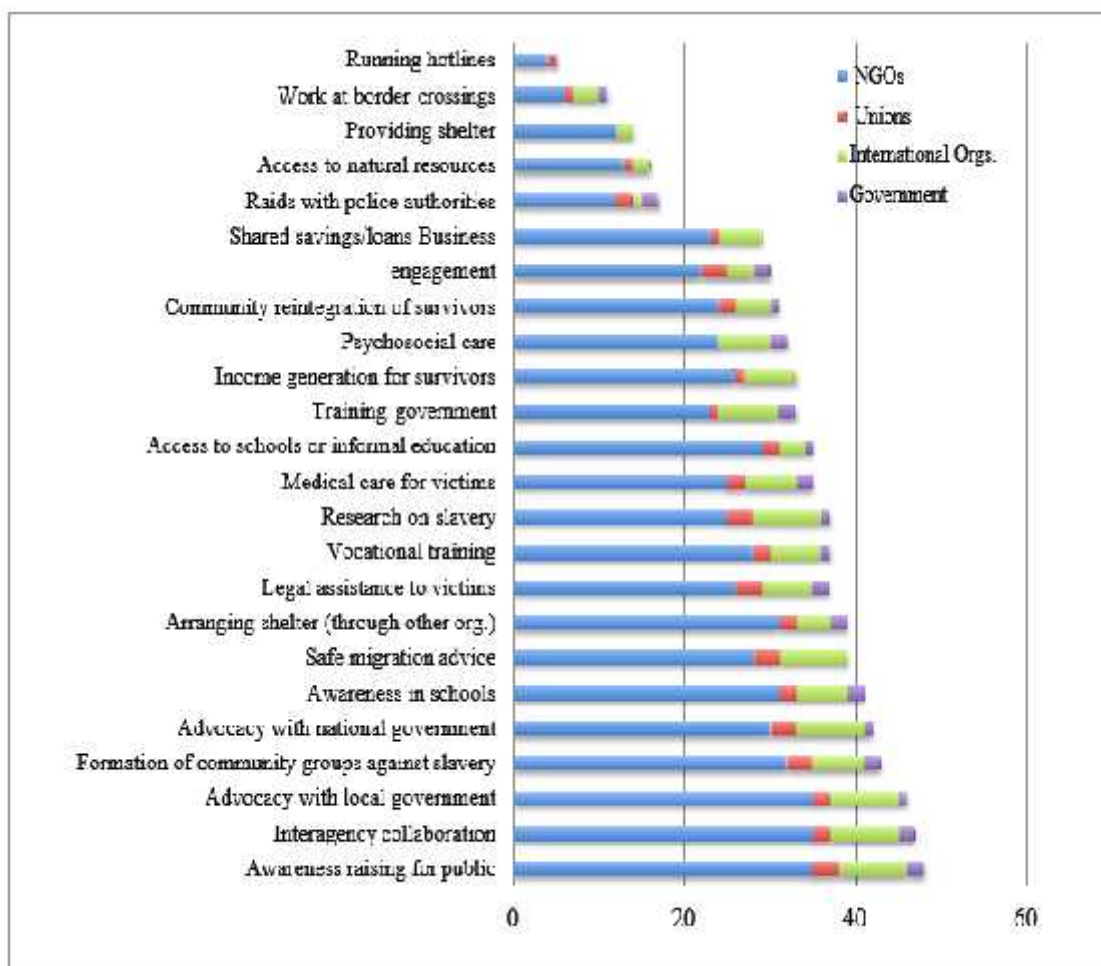


Fig. 5.1 Activities carried out by various organizations to combat trafficking and modern slavery

5.3 Conditions of Nepalese Trafficked Persons(Walk Free Foundation, 2019)

In 2017 Government of Nepal totally banned sending women to Gulf countries (Pyakurel, 2018). Although the Government has put a ban on women from migrating for domestic work legally, they are forced to migrate illegally or in many cases become vulnerable to trafficking. This policy has made it difficult for women already working outside Nepal.

This is secondary data obtained from Minderoo foundation on reports of global slavery (2018). It is based on reports of various workers, working in exploited conditions abroad. While seeking Nepal's data, data of middle aged women between 30 to 50 were found in

this portal for the year 2015. Although this is not the exact representation of what trafficked people would face, it gives an existing scenario.

The data is the response of 27 women 12 between 30 to 38 and 15 between 39 to 47 working in Lebanon. These women faced various types of threats and abuses that are discussed below. The database points out various forms of exploitation that women who reported abuse had faced. Although hundreds of cases go unreported, these cases give us an idea of types of exploitation that women had to face. Reporting of violence and abuse may be in decline because if migrants are deported back to Nepal, they will not be allowed to leave the country and will have to give up their source of income. These findings point out the limitations of one size fits all policy and the consequences that Nepali migrant women have to face. With fraudulent policies and no state support, many cases of violence and abuse go unreported.

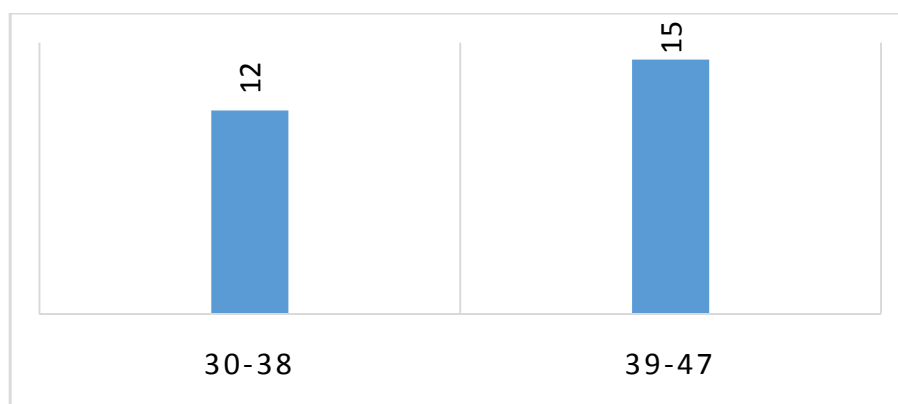


Fig 6.1 Women considered in the database

Around 41 percent of the victims reported that their earnings were taken by their agents. This is a common practice amongst foreign migrants, the agents take part of their salaries.



Fig 6.2 Reporting earnings are taken

Around 33 percent of the victims reported that they were threatened by their employers and agents. When women migrate illegally, they have to face threatening from the traffickers along with their employers. For women it is a loss in both hands.

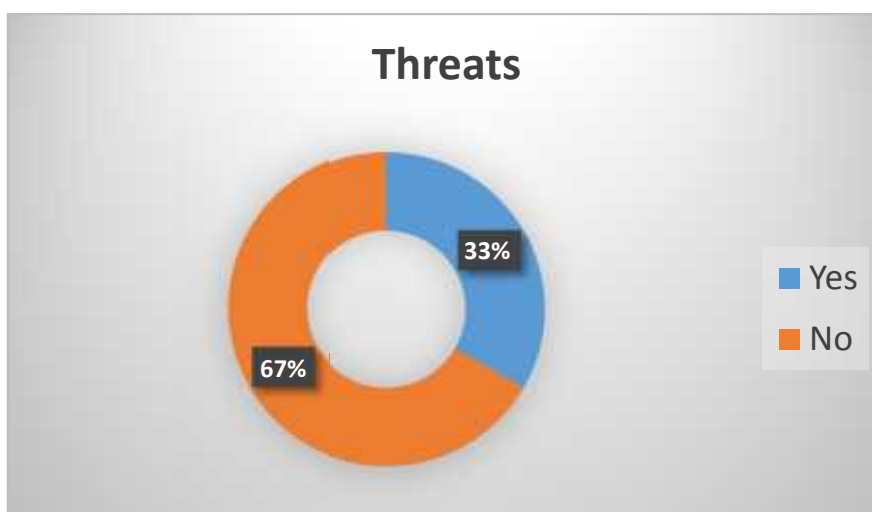


Fig 6.3 Reporting threats received

Around 78 percent of victims had faced psychological abuse in the duration of last one year from their employers. Types of psychological abuse included demotivating, scolding, not letting to communicate at home and withholding their documents. All of these caused severe mental stress to the victims.



Fig 6.4 Reporting psychological abuse

Physical abuse was also experienced by 70 percent of the victims who had reported. Lack of proper organization of Nepalese domestic workers, being unaware of their rights make it difficult for Nepalese women to seek help.

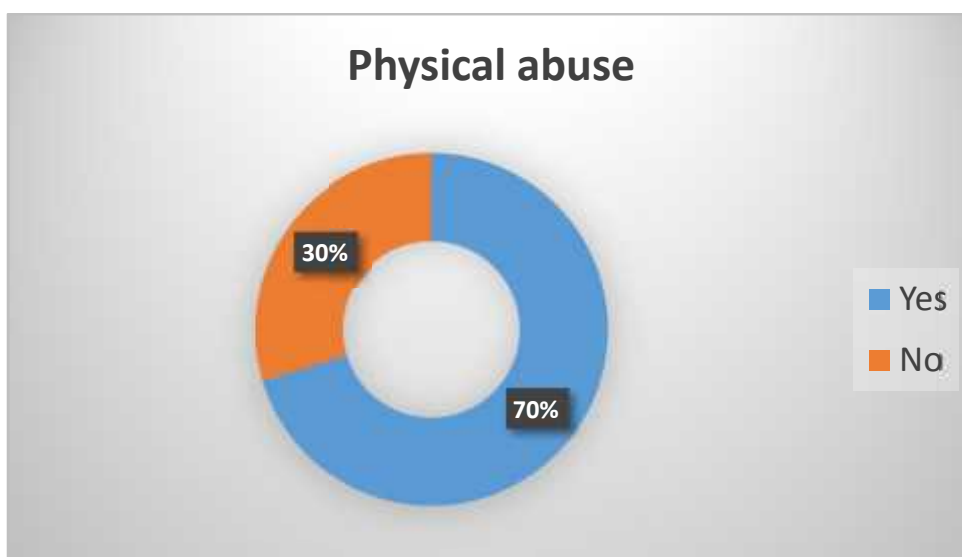


Fig 6.5 Reporting physical abuse

Around 4 percent of domestic workers also had experienced sexual abuse within last one year. Such cases of sexual abuse and physical abuse led to the ban of women migration for foreign employment in 2017.



Fig 6.6 Reporting sexual abuse

All of the victims reported that they were given false promise of better jobs by their recruiters. About 4 percent of the victims also reported to have been induced to psychoactive substances.

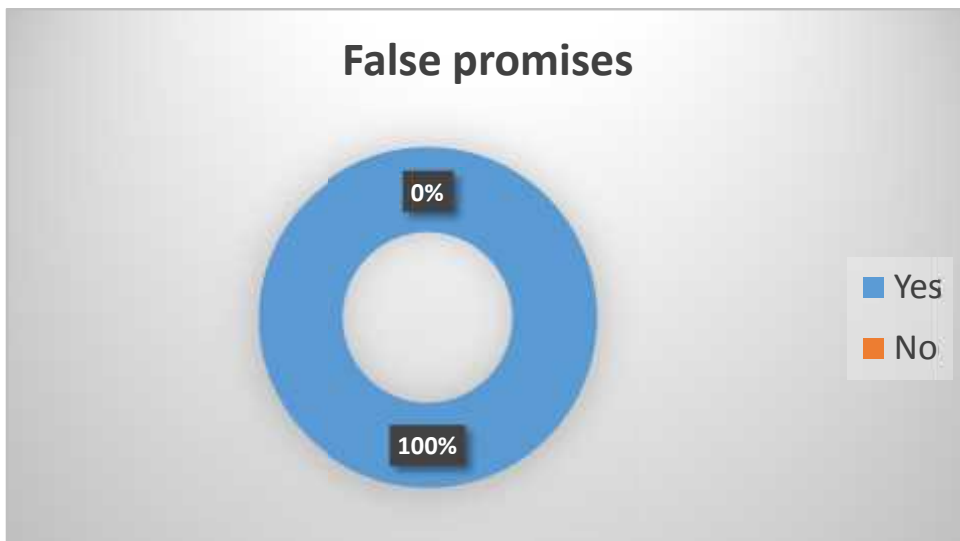


Fig 6.7 Reporting psychological abuse

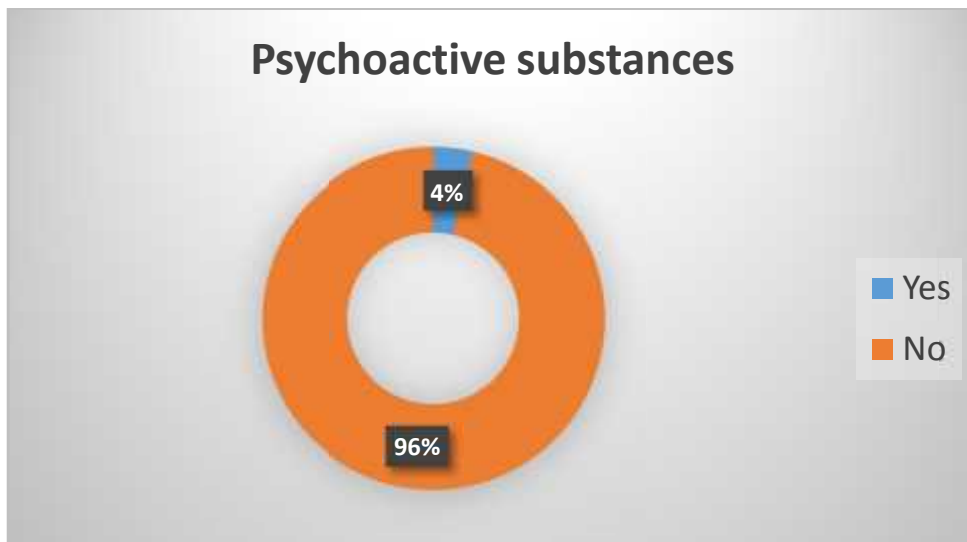


Fig 6.8 Reporting use of psychoactive substances

Movement restriction was observed to be a common phenomenon as reported by 67 percent of the victims. However medical care restrictions was faced by 26 percent of the victims.

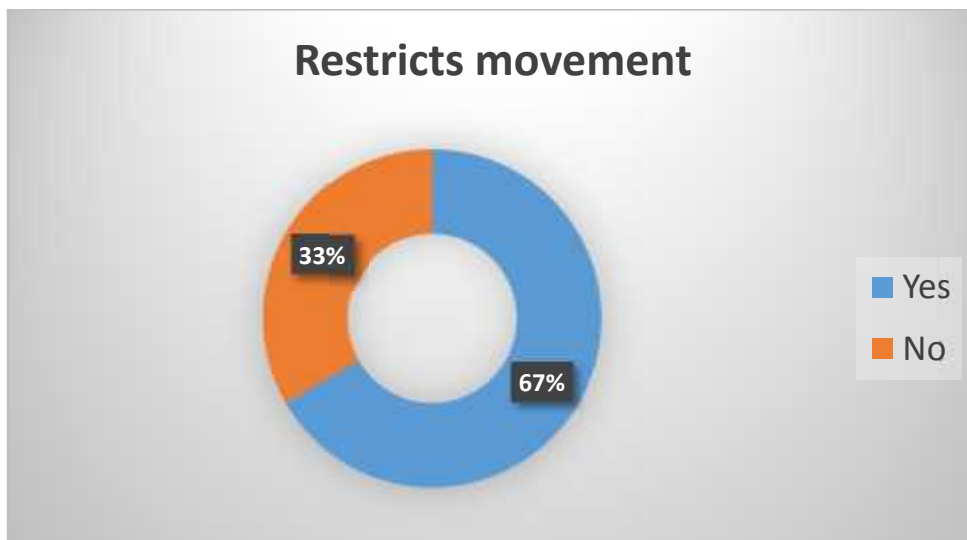


Fig 6.9 Reporting restriction on movement

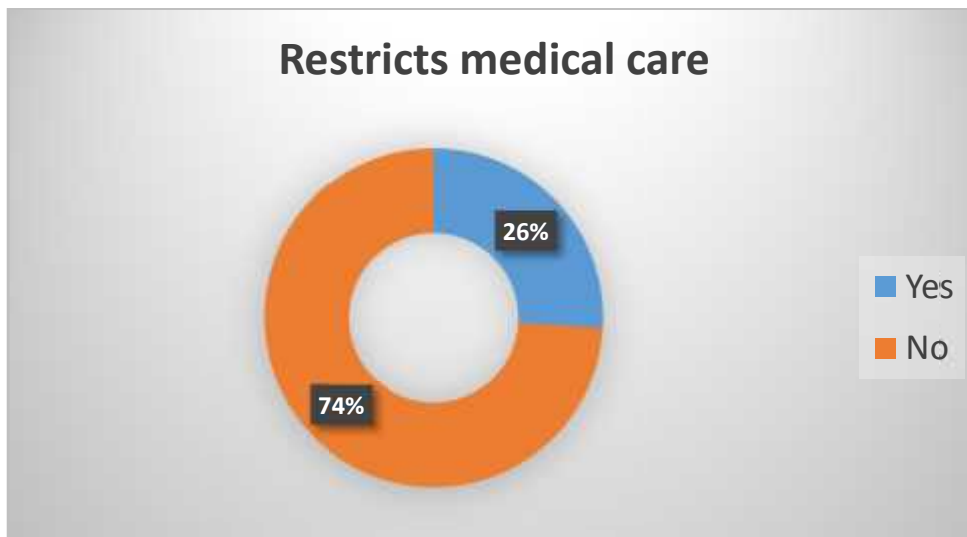


Fig 6.10 Reporting restriction on medical care

Another common feature among the victims was excessive working hours, as faced by 81 percent of the victims. 7 percent of the victims were also threatened by their owners on the name of law enforcements.



Fig 6.11 Reporting excessive working hours

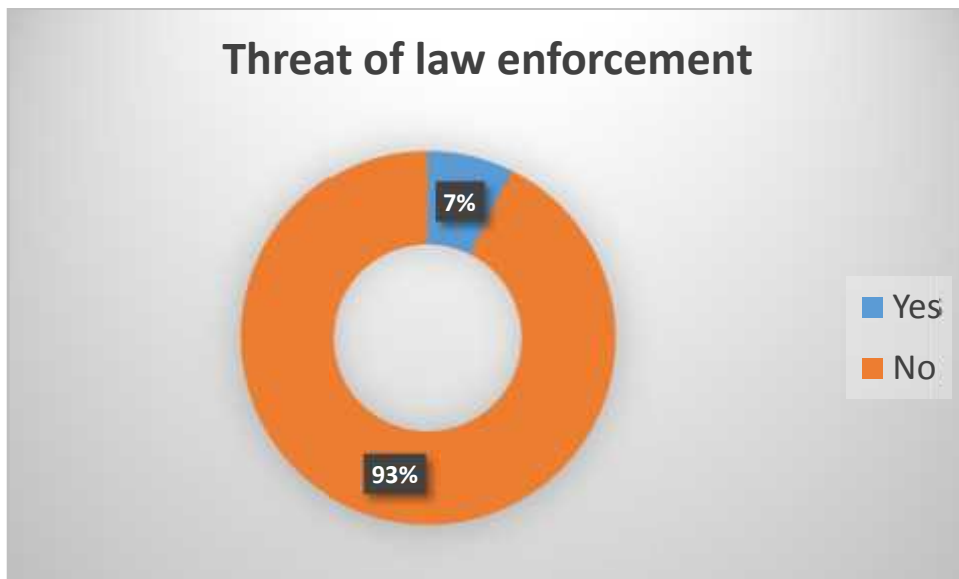


Fig 6.12 Reporting threat of law enforcement

70 percent victims were not able to access to daily necessities while 96 percent of the victims claimed that their documents were withheld by the employers.

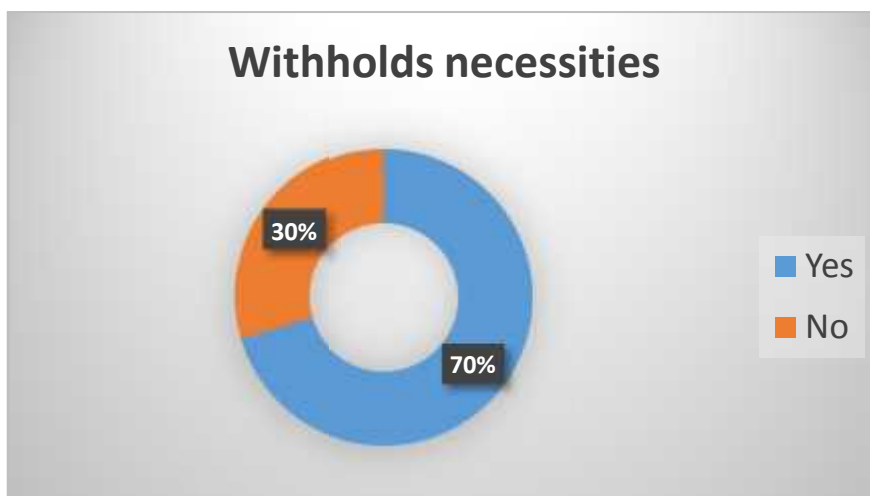


Fig 6.13 Reporting withholding necessities

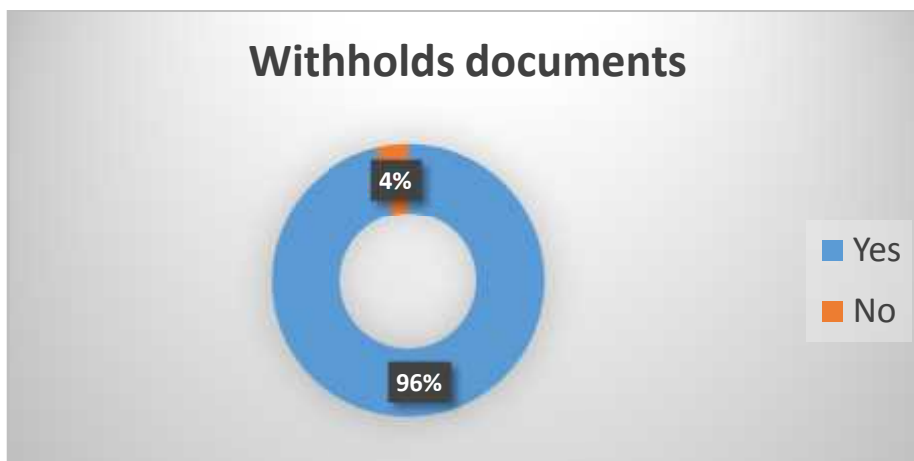


Fig 6.14 Reporting withholding documents

The situation of Nepali domestic workers presents some glimpse of life abroad. However cases are much worse for victims of trafficking. In many cases children have been maimed and amputated for begging, they are forced to work in low pay and exploitative environment. Women that are trafficked to brothels are first subjected to psychoactive substances and abused in the brothels, without proper help they are forced to lead a hell like life as claimed by rescued victims.

CHAPTER 6. MEASURES TO COMBAT HUMAN TRAFFICKING

6.1 The Constitution

Article 29 of the Constitution of Nepal (2015) "Right against exploitation" include: Every person shall have the right against exploitation, no person shall be exploited in any manner on the grounds of religion, custom, tradition, usage, practice or on any other grounds, no one shall be subjected to trafficking nor shall one be held in slavery or servitude, no one shall be forced to work against his or her will. Similarly, Article 51 (i) "Policies relating to labor and employment" include: to guarantee social security, while ensuring the basic rights of all labors, in consonance with the concept of decent labor, to abolish all forms of labor exploitation including child labor, to regulate and manage the sector in order to make foreign employment free from exploitation, safe and systematic and to guarantee employment and rights of the labors.

6.2 Human Trafficking and Transportation (Control) Act, 2007

Human Trafficking and Transportation (Control) Act, 2007 prohibits the two activities of "trafficking" and "transportation." Section 4 (1) of the act provisions the following activities under human trafficking: To sell or purchase a person for any purpose, to use someone into prostitution, with or without any benefit, to extract human organ except otherwise determined by law, to go for in prostitution. Section 4 (2) of the act provisions the following activities under human transportation: to take a person out of the country for the purpose of buying and selling, to take anyone from his /her home, place of residence or from a person by any means such as enticement, inducement, misinformation, forgery, tricks, coercion, abduction, hostage, allurements, influence, threat, abuse of power and by means of inducement, fear, threat or coercion to the guardian or custodian and keep him/her into ones custody or take to any place within Nepal or abroad or handover him/her to somebody else for the purpose of prostitution and exploitation.

6.3 Foreign Employment Act, 2007

The principle law which regulates foreign labor migration from Nepal is Foreign Employment Act, 2007. As per the preamble mentioned in the act, it keeps intention to "make foreign employment safe, managed and decent, and to protect the rights and interests of both the workers who go for foreign employment and the foreign employment entrepreneurs." Section 5 1 (a) provisions that while selecting licensee institution, there should be consideration on if any complaints have been filed or not against the institution, regarding torture experienced by the women migrant worker gone through that institution.

Nepal has maintained a restrictive policy against women migrants. This seems to be a limitation of the Government that chose to take a one size fits all approach without analyzing the consequences of the policy. This policy has further aggravated the situation of Nepali migrant women. On one hand they cannot visit their family members on the other hand they will not be able to access services from authorities with fear of deportation.

Table 6.1 Various amendments in female migration policy (Pyakurel, 2018)

1985-1998	Women are required to obtain consent of a 'guardian' (parent, husband, or other relatives) to go for foreign employment.
1997	Decision to permit women to work in foreign countries in certain organized sectors.
1998	A ban on international labour migration for women is introduced
2000	The ban on international labour migration for women is withdrawn with a condition that a woman must obtain a guarantee for her security by the Nepali mission in the destination countries; this provision was not applicable in the case of the Gulf countries, hence women could not migrate to these countries.
2003	Women are allowed to go for work in the Gulf countries on the condition that the Nepali embassy or consulate provides a certificate guaranteeing full security at the destination
2003	Additional conditions are imposed for female migrants, such as getting re-approval from the government after temporarily visiting Nepal

2003	A requirement for women to obtain approval from the local government and family members before departing for foreign employment is introduced.
2005	Foreign employment to Malaysia for female migrants is opened for employment in the organized sector.
2007	Various decisions pertaining to restrictions and bans on female migrant workers are withdrawn so as to permit women to go for foreign employment in the organized sector.
2007	All additional conditions for female migration (i.e. age, working condition in the destination, etc.) are withdrawn.
2008	Female migrant workers allowed to go for work to the Persian Gulf countries and Malaysia but not as a domestic help.
2009	A complete ban is introduced on female domestic workers going to Lebanon
2010	Government allows women to go to Saudi Arabia, Kuwait, the United Arab Emirates and Qatar for work
2011	Nepal lifts the ban on women migrant workers going to work as domestic helps to the Gulf countries and aims to send about 150,000 female workers to the region.
2012	The government decided to bar women less than 30 years of age from working in Saudi Arabia, Qatar, Kuwait and United Arab Emirates as domestic workers.
2014	Nepal imposes a temporary ban on sending housemaids citing the need for stronger “regulations to protect them from widespread abuse and exploitation”.
2015	Prohibition on women under 25 years of age migrating to the Gulf countries as domestic workers
2016	The government allows Nepali women aged 24 and above in domestic jobs in the Gulf and Malaysia with the help of selected recruiting agencies on the basis of signing separate labor agreements with the host countries.
2017	The government stopped sending women to the Gulf countries after the parliamentary committee had ordered the government to ban Nepalese traveling to the Gulf countries as domestic workers

6.4 Domestic Violence (Offence and Punishment) Act

Nepal passed the 2008 Domestic Violence (Offence and Punishment) Act in May 2009; the act defines domestic violence as “any form of physical, mental, sexual, and economic

abuse perpetrated by any person to the other person with whom he has a family relationship.” The definition also applies to acts of reprimand or emotional abuse (Ministry of Law and Justice Nepal, 2009). In addition, the country has taken several other steps to fight Gender Based Violence (GBV), including the 2010 National Action Plan against gender-based violence and 2012/13–2016/17 National Strategy and Action Plan for Gender Empowerment to End Gender Based Violence aimed at ending gender-based violence. Further, the new constitution of Nepal is a significant milestone for gender equity and social inclusion and protects equal rights for women, the poor, GBV survivors, and other vulnerable and marginalized groups.

6.5 United Nations Convention against Transnational Organized Crime and its protocols

According to Trafficking in Persons report (U.S. Embassy in Nepal, 2019), Nepal needs to amend Human and Transportation Control Act to bring it in line with UN TIP Protocol (2000). This is necessary to expedite investigation process, increase volumes of investigation prosecution on all cases of trafficking and against officials that are involved in such crimes. The report also states that the ban on female migration should be lifted so that women do not migrate through illegal channels that makes them more vulnerable. Although the act criminalizes slavery and bonded labor it does not criminalize the process of recruitment, harboring, transportation, harboring, or receipt of persons by force, fraud, or coercion, for purpose of forced labor. The act also criminalizes forced prostitution indicating the requirement of force, fraud or coercion as initiating factors for child sex trafficking offence, in this regards all forms of child sex trafficking has not been criminalized.

Although Nepal has signed United Nations Convention against Transnational Organized Crime, it is still in progress to sign its protocols. Nepal at present is in process to sign *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.*

The signatory members of this protocol have to ensure the rights of victims and promulgate policies in line with the protocol. This indicates that Nepal still has a long way to go in addressing trafficking and making stringent laws to punish the perpetrators.

6.6 Sustainable Development Goals (SDGs)

The eighth goal (Decent Work and Economic Growth) of Sustainable Development Goals (UNDP, 2015) gives the focus on job creation encouraging with equal participation of men and women in all the avenues through the fifth goal (Gender Equality). Decent work involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.

CHAPTER 7. SUMMARY & CONCLUSION

7.1 Summary

Human trafficking is prevalent in Nepal and traffickers are finding new ways to lure victims. Organizations have carried out various activities to control trafficking but traffickers are finding new ways to traffic victims. Without addressing the root cause of trafficking, only making effort to stop instances of trafficking may not be enough. Nepal need to reform migration laws and make it women friendly rather than taking a one size fits all approach. The recent changes in migration policy has made it difficult for women to seek jobs abroad legally and are forced to choose illegal ways that has increased their risk of being trafficked. Communities have to be made aware of root cause of trafficking. Discriminatory social norms are the root cause of human trafficking and reforms have to be made so that women are educated, aware and empowered.

Nepal is far from achieving a society free from trafficking. In order to do so economic development has to be emphasized that takes into consideration women's empowerment as well. When women are empowered trafficking of women and children are bound to reduce as it has spillover effects. In many cases women are forced to migrate and become victims of traffickers as they are promised good paying jobs that their skills can gain. Skill levels of both men and women are very low in Nepal hence they have to settle mostly for low paying labor intensive jobs.

The Government should invest more on education and health so that men and women are more technically skilled and investments have to be made on industries so that their skills can be utilized. Trafficking is a modern form of slavery which has serious health consequences for the victim. Also the victim loses faith in the country and life itself. Investments have to be made on programmes that directly benefit the victims along with awareness raising and vigilance. Strong actions have to be taken against perpetrators so that they do not repeat the crime again. Nepal still has a long way to go in implementing

various international treaties it has ratified or is in the process to combat human trafficking.

7.2 Conclusion

This research is based on secondary information and more needs to be looked into based on primary sources. This research can be a starting point for further future research. Based on the findings of the research following conclusions have been made.

-) Major causes of human trafficking in Nepal are low levels of economic development and poverty, low levels of employment opportunities for women, harmful practices and gender based violence, natural calamities and dependence on tourism.
-) Although Nepal has made various provisions to limit human trafficking through constitution to ratifying international agreements, there are still many challenges. At present Nepal has a blanket policy for women that bars women from going to gulf countries for domestic works. This has encouraged employment seekers to opt for illegal routes that make women vulnerable to trafficking. Nepal still has a long way to go in terms of implementing the laws formed to control trafficking.
-) Open border poses many challenges to controlling human trafficking in Nepal. Traffickers find out different routes and ways to traffic. Trafficking from Western part of Nepal has increased after authorities in Eastern borders have intensified activities. There are various organizations working to control human trafficking in Nepal. Authorities from both India and Nepal have worked in collaboration to control trafficking and rescue trafficked persons.

Bibliography

- Acharya, M. (2001). Women and Economy: The Key Issues. In L. Manandhar, & K. Bhattachan, *Gender and Democracy in Nepal*.
- Adhikari, J., Bhadra, C., Gurung, G., Niroula B. and Seddon, D. (2006). Nepali Women and Foreign Labor Migration. Kathmandu, UNIFEM and NIDS.
- Agarwal, A. (Ed.). (2006). Migrant Women and Work. Women and Migration in Asia. Vol.4. Sage Publications India Pvt Ltd. New Delhi.
- Arya, S., and Roy, A. (Eds.). (2006). Poverty, Gender and Migration, Women and Migration in Asia. Vol. 2. Sage Publications India Pvt Ltd. New Delhi.
- Baumann, G., & Dharel, M. (2014). *Modern Slavery in Nepal Understanding the Problem and Existing Responses*. Walk Free Foundation and the Alliance Against Trafficking of Women and Children in Nepal.
- Bhadra, C. (2007). International Labor Migration of Nepalese Women: The Impact of their Remittances on Poverty Reduction. *Asia Pacific Research and Training Network on Trade. Working Paper Series*. No. 44.
- Bhattarai, P. (2005). Migration of Nepalese Youth for Foreign Employment: Problems and Prospects. A Review of Existing Government Policies and Programmes. Youth Action Nepal.
- Central Bureau of Statistics. (2015). *Nepal Multiple Indicator Cluster Survey*. Kathmandu: Central Bureau of Statistics.
- Ghimire, K. (2010). Nepalese Women Migrants Victimized at Workplace. Nepal Magazine. Kantipur Publications.

Hodge, D., & Leitz, S. (2007). The International Sexual Trafficking of Women and Children. *Journal of Women and Social Work*, 22(2), 164-174.

International Organization for Migration (IOM). (2008). Managing Labor mobility in Evolving Global Economy.

International Organization for Migration (IOM). (2009). Labor and Migration in Asia.

Kabeer, N. (2001). Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment. *Discussing Women's Empowerment: Theory and Practice*, SIDA, 17-57.

Lucas, R. E. B. (2005). International Migration and Economic Development: Lessons from Low Income Countries. Edward Elgar Publishing Limited. London.

Ministry of Health, Nepal, New Era and ICF. (2017). *Nepal Demographic and Health Survey 2016*. Kathmandu: Ministry of Health, Nepal.

Ministry of Law and Justice Nepal. (2009). *Domestic Violence (Offence and Punishment) Act*. Kathmandu: Ministry of Law and Justice Nepal.

Moser, C. (1993). *Gender Planning and Development: Theory, Practice and Training*. London: Routledge.

National Planning Commission. (2017). *National Review of the Sustainable Development Goals*. Kathmandu: National Planning Commission, Government of Nepal.

Omelandiuk, I., (2005). Gender, Poverty Reduction and Migration, in the proceedings of the International Conference for Women Leaders: Migration and Gender Issues with the Millennium Development Goals, 25-28 September 2005, Haifa, Israel.

- Osella, F., and Gardner, K. (Eds.). (2004). *Migration, Modernity and Social Transformation in South Asia*. Sage Publications India Pvt. Ltd. New Delhi.
- Pyakurel, U. (2018). Restrictive Labour Migration Policy on Nepalese Women and Consequences. *Sociology and Anthropology*, 6(8), 650-656.
- Rowlands, J. (1997). *Questioning Empowerment: Working with Women in Honduras*. Oxfam.
- Rafiq, F., (1991). *Towards Equal Access: A Hand Book for Service Providers Working with Immigrant Women Survivors of Wife Assault, Immigrant and Visible Minority Women against Abuse's Publication*.
- Sharma, K.R. (2008). *The Mounting Demand of Nepalese Women in the Middle East*. Nepal Magazine. Kantipur Publications.
- Siddiqui, T. (2007). *Contribution of Remittance in Poverty Alleviation in South Asia, paper presented at the regional seminar on Labor Migration, Employment and Poverty Alleviation in South Asia*, jointly organized by the South Asia Centre for Policy Studies and Friedrich Ebert Stiftung- Nepal, 9-10 August 2007, Kathmandu.
- Upadhyaya, B. (2010). *Beyond Remittances*. The Kathmandu Post. Kantipur Publications.
- United Nations Development Programme (UNDP). (2009). *Overcoming Barriers in Human Mobility and Development*. Human Development Report.
- U.S. Embassy in Nepal. (2019, May 5). *Trafficking in Persons Report 2018*. Retrieved from <https://np.usembassy.gov>: <https://np.usembassy.gov/trafficking-in-persons-report-2018/>

- UN Women. (2015). *Progress of the World's Women*.
- United Nations. (2004). *United Nations convention Against Transnational Organized Crime and The Protocols Thereto*. New York: United Nations.
- United Nations Country Team in Nepal. (2013). *A Country with a Human Face*. United Nations.
- United Nations Development Programme. (2017). *Human Development Report 2016: Human Development for Everyone*. New York: United Nations Development Programme.
- United Nations Office on Drugs and Crime. (2018). *Global Report on Trafficking in Persons*. Vienna: United Nations Publications.
- United Nations Population Fund, Nepal. (2017). *Population Situation Analysis of Nepal*. United Nations Population Fund, Nepal.
- Walk Free Foundation. (2019, June 15). *Global Slavery Index*. Retrieved from www.globalsslaveryindex.org:
<https://www.globalsslaveryindex.org/resources/downloads/>

APPENDIX

Questions asked to experts:

1. What are the major challenges in combating trafficking in Nepal?
2. What are the major policy challenges
3. What is the present scenario of trafficking?
4. What are the major reasons for trafficking?
5. What should be done to decrease trafficking?
6. What are the major challenges being felt at the border areas at present?
7. What is the composition of trafficked victims?
8. Does the Indian border police cooperate with Nepali agencies?
9. Is there a coordination between Nepali agencies and Indian agencies to combat trafficking?
10. What are major limitations of Nepal's present policies?