

THE Movement OF WOMEN

*Migration, Trafficking, and Prostitution
in the Context of Nepal's Armed Conflict*



Save the Children®
USA

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in the Context of Nepal's Armed Conflict*

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USA

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Foreword

Save the Children US (SC/US) has been working with local partners for several years to curb the trafficking of women and girls from Nepal to India for commercial sexual exploitation. As with many agencies in Nepal, these programs have primarily focused on raising awareness among high risk communities about the risks of trafficking. SC/US also supported Maiti Nepal to prevent trafficking through the interception of suspected trafficking victims at the border between Nepal and India, as well as their rehabilitation and reintegration with their families.

In the course of observing the impact of our interventions, we began to be concerned that some of the approaches we were supporting might have unintended negative consequences. Prevention messages that characterized trafficking as a definite result of leaving a village seemed to discourage girls and women from exercising their right to migrate in search of a better life. Some women and girls crossing the border to visit relatives or join legitimate jobs were intercepted as suspected trafficking victims, infringing on their right to migrate – an important self-protection mechanism, especially given the current conflict. Furthermore, increased HIV/AIDS awareness also resulted in serious stigmatization of returnees, with some neighbors thinking all returnees must be infected by the virus.

At the same time, SC/US was quite concerned that the current agonizing civil conflict was changing the face of trafficking in Nepal in ways that we may not have understood. We worried that as women and girls fled their home villages in search of security and income, they were becoming increasingly vulnerable to being trafficked — either directly from urban centers in Nepal or during their migration from Nepal to India in search of work. We were also concerned about conflict-induced inflows of women and girls to urban areas in Nepal and the reported increase in commercial sexual exploitation.

As a result of these dual concerns — the potentially negative impact of anti-trafficking approaches and the increased risk of trafficking and commercial sexual exploitation due to the conflict – SC/US decided to shift away from anti-trafficking approaches toward a “safe migration” approach. Through this more balanced rights-based approach, women and girls are not discouraged from exercising

their right to migrate, but, instead, are provided the information and tools they need to protect themselves from being trafficked or otherwise exploited. SC/US's initial plan had been to develop information packets to share with migrating women and girls to help them protect themselves from trafficking. Still, we were not certain of the exact target group for this intervention, as well as the most appropriate locations. Should we intervene at border crossing points? In urban centers? In district headquarters? In home communities? Where?

Given these many unanswered questions, SC/US commissioned this qualitative research study by Dr. Sondra Hausner, an anthropologist with extensive research experience in Nepal and among Nepali society. Our principal aim has been to better understand migration patterns of Nepali women and girls in the context of the current civil conflict. With such information, SC/US and other interested agencies would be in a position to better design, implement and assess effective safe migration programming.

As will be revealed in the following pages, the outcomes of this research show highly complex and nuanced relationships among trafficking, migration, conflict and sex work that challenge some of the underlying assumptions we had before conducting the research. These preconceived conceptions included the fact that cross-border outflows of women and girls are not as high as we had feared, and migrating women and girls do not appear to be at higher risk of being trafficked than women and girls in their home villages. Still, it is important to note that our research indicates that trafficking in Nepal still continues unabated – and has likely increased over time.

Unsurprisingly, this research report concludes that responses to the increasingly complex problem of trafficking need to be varied, innovative and broad-based. Safe migration programs have an important role to play, but should be combined with continued anti-trafficking responses and programs for sex workers, as well as male migrants.

In publishing this report, SC/US hopes that other agencies' anti-trafficking, safe migration, conflict mitigation, and youth-focused programs will benefit from the insights and information presented here. We believe that as a result of continuing research on these important issues, women and girls, as well as men and boys, will be better able to protect themselves in these increasingly uncertain and challenging times.

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Himalayan Field Office Director
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This study would not have been possible without the steadfast support of Tory Clawson, Shova Lama, and Keith Leslie at Save the Children and John Frederick at Ray of Hope, who agreed that we should know more about trafficking and migration before planning new program interventions. Ms. Paula Meehan generously provided the funding to allow this research to take place.

The four research assistants on this project, Ganesh GC, Prerna Rai, Archana Thapa, and Luna Thakur, each brought considerable talent to this work, and together contributed a voluminous amount of high-quality information in conditions that were not always easy. The research coordinators, Divya Rai and Rita Dhungel, assisted with critical background information and on-the-ground field support. Pankaja Bhattarai from The Asia Foundation also provided helpful commentary.

The staff at Maiti Nepal in Kathmandu, and at border points in Kakarbhitta, Bhairahawa, and Nepalganj, welcomed us at every turn. In particular, we thank Santwona Devkota, the Safe Migration Coordinator in Kathmandu, and the highly committed transit home staff in each of our research sites. The NGOs Meet Nepal and General Welfare Pratisthan facilitated important contacts in Kathmandu and Nepalganj respectively.

Finally, although most of the people we spoke with as we conducted this research will never read this report, they were generous in their willingness to speak to strangers about their lives, experiences, and personal decisions. We thank them, and we hope that their stories will serve to inspire programs and projects that protect migrating women and girls in the future.

DR. SONDRA L. HAUSNER
Team Leader and Report Author

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C H A P T E R

Introduction & Summary

Background

This study was conducted to better understand the patterns of girls' and women's movement in contemporary Nepal. There is concrete evidence that the conflict in Nepal is leading to serious threats in the lives of women and girls. There is more displacement, schools are becoming a dangerous place, and the trafficking of women and girls from Nepal to India and in all likelihood the Gulf States remains high.

In recent years Save the Children and other agencies have become increasingly concerned that conflict-induced migration of women and girls within Nepal and to neighboring India may be leading to a heightened risk of trafficking and commercial sexual exploitation. By gathering information about the reasons, paths, and choices that girls and women make when they migrate, voluntarily or involuntarily, we aimed to design better interventions for women in their home villages, women in urban areas who may be considering moving again, and women migrating to India directly.

With real information about problems women face and the choices they make in their home communities and as they migrate for family or work, we hope that new interventions will reach more women and girls throughout Nepal and will better prevent exploitation without infringing on freedom of movement. Migration, with the right protections in place, can be an extremely profitable and strengthening move, and women should not be discouraged from exercising this right. As a young Nepali woman who migrated to Delhi more than ten years ago but still returns to Jhapa annually to visit parents and relatives said about having access to

homes in both Nepal and India, “It’s like your *ghar* and your *maiti*—love everywhere you go!”

This research was designed as an ethnographic action research project. The definition of action research implies a collaborative effort between researchers and informants about what would best ameliorate a situation. The primary informants of this research were women and girls crossing the border from Nepal into India; girls working in dance bars in Kathmandu; and recent migrants – both women and men – to India. The primary information solicited was what life was like for women and girls in their home villages, why they chose to migrate, and what they knew about their destination cities. We also tried to establish what women already knew or imagined about trafficking, labor opportunities, and prostitution and what they wish they had known, or would want future migrant women to know.

This report is written in the hope of focusing programmers’ efforts to where they can be most beneficial. The current state of affairs in the spiraling political and therefore economic crisis is such that programmers know there are troubles everywhere, but it is sometimes difficult to ascertain where the dangers are the greatest, which situations are changing the fastest, and how and where interventions can be the most effective. Some assumptions development efforts have made may not be true, and other obstacles may loom far more seriously. This report tries to lay out our research findings clearly and straightforwardly, paying little heed to current rhetoric or fashion. But it is also just research, conducted in a particular and very limited period of time, and the findings are open to reinterpretation, updating, and scrutiny of all kinds.

Methodology

The research took place in four locations in Nepal, and was corroborated in a series of sites in India. In Nepal, we conducted research in three Terai border crossing points monitored by Maiti-Nepal, a long-time partner of Save the Children, and also in Kathmandu. In India, to corroborate our findings, we conducted research primarily in Delhi, and also in a number of locations in the Himalayan state bordering Nepal to the West, Uttaranchal. Research was conducted in three urban centers (Kathmandu, Nepalganj, also a border town, and Delhi), and in a

series of smaller towns (Kakarbhitta and Bhairahawa, border towns, and Almora and Naini Tal, mountain towns in Uttaranchal). We spoke mostly with migrant laborers, local prostitutes, and dance bar girls. To a limited degree, we spoke with trafficked or previously trafficked women. The emphasis of the research was at the border, where women and girls in multiple circumstances were migrating to India.

Finding out the circumstances of women's migration and how they cope with difficult political and economic realities were key aspects of this research, as were questions about where it really is safer for women to be. The research set out to provide clear answers to the following questions: What is facilitating women's migration? How much information about their destinations do migrating women and girls have? Do they have contacts in receiving communities? Do they plan to find work? Is their migration a result of familial support or of coercion? Has their travel been paid by someone else to whom they owe debts? Have their home communities been ravaged by conflict? Do they want to travel? What do they know about forced migration? About trafficking? What frightens them — the conflict, traveling, rumors of forced prostitution, or the prospect of urban life? What precautions have they already taken, and what information do they wish they had had before they began their journey?

Two important methodological points emerged after the first phase of research: first, people do not necessarily say what is true, a common fact of social science, and second, and perhaps more importantly, they do not always express things the way they experience them. A good example is the conflict in Nepal, where a surprisingly few number of people identified it as the main reason for departure. This could be because they assume it is understood; because they are afraid; or because many direct implications of the conflict really are economic, which is why most people told us they were migrating. Many people said they knew conflict was badly affecting a nearby village, but not their own. Also, those that are most directly affected by political violence may be least likely to migrate: widows with children need to stay and tend homes and land if there are any; in the Nepali context, children rarely move without guardians. Men, of course, stand the greatest risk of conscription and death, and they are migrating in the highest numbers and reported most frequently that conflict was the reason they were moving to India, to look for work.

Main Findings

Our research data, and its analysis, which is presented in this report, should be taken as one measure of what people say at a particular moment in time. At border sites, our research was conducted just after the Dashain and Tihar holiday season, when the number of people migrating was particularly high, and largely constituted by men returning to work in India. In India, our research was at the beginning of the cold season, when migration for work in the Himalayan areas was at a peak. In both instances, this timing meant we were able to speak with people at the precise moment of their migration and their return to work, an instance of reflection, perhaps, on the situation in Nepal. But it is important for the reader to keep in mind that both constitute a particular kind of migration, and that data collected at a different time of year might reveal different kinds of information.

Below is a list of our main findings. Beneath these is a more nuanced discussion of broader themes that were identified and revealed in the course of our research.

1. **Conflict is significantly increasing both external migration and internal migration**, from Nepal to India, and within the country.
2. **The number of women and girls migrating through borders to India in proportion to the number of men and boys is very low.** The vast majority of the migrants from Nepal to India are men and boys looking for wage labor. The high number of men migrating to India seems to corroborate extensive anecdotal reports that women often stay home to tend land and care for the elderly.
3. **Women who do migrate to India do not migrate alone.** In almost all cases, women and girls moving across the border are accompanied by brothers, fathers, husbands, or village members. Since women often need to stay at home, unmarried daughters who want to live with fathers (and/or brothers) working in India means that young girls who migrate are accompanied by village members or brothers. However, some women do travel alone to Kathmandu. If a young woman runs away from home (as a result of experiencing domestic violence, for example – see #8 below), it appears that she is more likely to move within Nepal than to move to India.

4. **A high number of women who migrate to India are moving to join their husbands, not for work.** Although some women migrate to India as part of a labor group, most women move in order to be with their husbands, and have no plans to work other than as housewives.
5. **Women and girls migrating through land borders from Nepal to India do not appear to be at greater risk of being trafficked than women who remain in their home village.** While the practice of trafficking Nepali women to India seems, unfortunately, to remain at very high levels, there was no indication that women and girls migrating across land borders are a particular target of traffickers.
6. **The conflict in Nepal has increased the number of women working as prostitutes in Kathmandu and in Nepali border areas.** This is a global phenomenon: conflict increases prostitution. There was no significant indication, however, that women working as prostitutes had been trafficked. Rather, women reported having made the reluctant decision to work as prostitutes rather than having been lured into the role. One problem they repeatedly reported was harassment by law enforcement officials.
7. **Women who work in Kathmandu dance bars and border areas as waitresses, dancers, and sex workers are from all caste and ethnic groups in Nepal.** We must not assume that all prostitutes or trafficked girls come from *Janaajati* or *Dalit* communities.
8. **Domestic violence causes many girls and women to leave home and move to the capital in search of independence and work.** Many Kathmandu dance bar workers told us that they had a history of violence in the home. This study did not set out to research domestic violence, and yet it appeared again and again as a cause of migration. Girls and women running away from domestic violence may be at a higher risk of being trafficked than women and girls migrating to be with their families, as they appear to be more isolated. (The converse may also be true, however, as some girls with difficult family histories develop a great deal of independence and strength, and are less likely to be duped into false jobs or marriages, or to tolerate bad working conditions.)

9. **People migrating to India cite economic reasons more often than they explicitly cite conflict.** Of course, conflict has increased economic instability for most Nepalis. Also, people may be reluctant to discuss the circumstances of conflict in their villages with researchers, especially on the Nepali side of the border. In Uttaranchal, India, a number of young boys told us they had migrated – for seasonal work if not permanently – partly out of fear of conscription by the Maobadi.
10. **It appears that people migrating to India for wage labor through Bhairawa and Nepalganj are poorer than people migrating to those cities.** People who are slightly better off tend to settle in new urban centers within Nepal, while those who are very poor must cross the border to India to find work and earn cash. The exceptions to this pattern are women who migrate alone; although very poor, single women appear much more likely to move to an urban center in Nepal than to cross the border to India.

The Relationship between Conflict, Migration, and Trafficking

One question that inspired this study was whether increased levels of migration due to conflict in Nepal inevitably lead to a higher incidence of trafficking.¹ There is no concrete evidence this is so. The assumption that higher rates of migration lead to higher rates of trafficking derives from the idea that higher levels of migration mean more women are alone and therefore vulnerable, and this is certainly not true: Women very rarely migrate to India alone. Conflict may well be contributing to an increase in trafficking – demand for Nepali women and girls in brothels remains high, and the state of the Nepali economy is worsening – but not in the way we have previously imagined, whereby more women and girls on the road means more opportunities for traffickers to strike. There is no evidence to show that the ratio of girls trafficked to girls migrating has changed in any way.

Girls migrating from Nepal to India do not appear to be at a higher level of risk of trafficking than girls in their home villages.² If the family members with whom a

¹ The tendency within the NGO community in Nepal to equate prostitution with trafficking may be one reason we have assumed increased rates of prostitution and increased rates of migration must be accompanied by increased rates of trafficking. Another reason may be the understandable propensity among advocates of any issue to play up current conflicts in order to keep awareness and funding levels for their particular agenda high.

² There is some debate within the anti-trafficking movement as to whether more girls are currently trafficked to brothels from cities to which they have already migrated, with or without family members, or directly from rural villages. This would be a good area for further research.

girl lives or travels are protective, she will be safe; indeed, a girl migrating with caring guardians may be safer than if she remains in her village. If the family members with whom a girl lives or travels are inclined to sell her off, however, should a reasonable offer come in, no amount of questioning at a border will protect her. Whether a girl or woman migrating to be with her male relatives is trafficked depends entirely on the intention and moral integrity of her companions.

It is not the act of migrating that makes women and girls vulnerable to trafficking; it is the separation from social structures which might otherwise protect them. In other words, girls from homes with alcoholism are much more vulnerable than girls whose parents decide they should join their husbands or continue their studies in India. Assuming that migrants are somehow more vulnerable than residents of a village involves a somewhat colonial logic that mobile populations are ungovernable, falling outside of sedentary social structures. By contrast, it appears that migration in the Nepali context still largely adheres to traditional social structures.

High levels of migration due to conflict in Nepal certainly mean higher levels of political and economic vulnerability. This probably does mean more trafficking, but not in the way current rhetoric couches the situation, whereby more displacement means more girls standing alone at bus-stops, with nowhere to turn, at immeasurable risk of being snatched up and away by prowling louts. Boy recruitment into armed conflict is probably a greater risk as far as this logic goes, as boys are more often recruited, and also – partly in response to the danger of conscription – leave home in far greater numbers than girls.

Unlinking Migration and Trafficking

Migration and trafficking both involve the movement of people. But it is important not to assume that migration is voluntary and trafficking is forced. Trafficking is one form of forced migration in contemporary Nepal, but violence – either political violence or domestic violence – is another, and poverty is a third. In other contexts, famine might force migration.

Most people migrating to India are men and boys migrating away from the conflict for work; many have a fairly good idea of what they will do when they get to their destination. Almost all of the women and girls migrating through Terai borders to India are migrating to join fathers, brothers, and husbands who already have employment. In most cases, they have no plans to work, and as long as they are living with fairly protective family members, they will likely not be trafficked. Those women who do migrate alone or expressly for work tend to be headed to the Gulf States, where a number have found employment as domestic servants.

This research found that young girls migrating to India – with or without the intention to work – are almost always with nuclear or extended family members, and in some cases, village members. They are almost always going to join migrant men. Very few migrate alone – cultural proscriptions against women’s mobility, especially without accompaniment, remain strong, and so girls and women migrate with uncles, or brothers-in-law, or village men who are themselves moving for work, and can accompany a young girl to her male next-of-kin.³ The main reason women’s migration to India has increased in the context of conflict is because men’s migration has increased, and women want to be with their men.

There are too many factors and too few statistics to make a clear-cut assumption that a higher rate of total population migration means an increased rate of trafficking – it is enough, perhaps, to know that conflict increases women’s risk of being affected by direct violence and economic exploitation, and that being sold into sexual slavery is one of the worst fates that can befall young women in Nepal.

One Hypothesis on What Increases Trafficking

An increase in trafficking comes when families start to break down, such as when girls run away from natal or marital family homes. The young women most vulnerable to trafficking are uneducated, beautiful, and isolated. This may mean that runaways, or girls from abusive, alcoholic, or inattentive families, are more exposed or vulnerable to traffickers than girls migrating in larger groups. It is always possible that traffickers – ever ingenious – will then mimic the less suspicious model, smuggling a girl into a large group migrating for work.

³ See World Bank (2005, forthcoming) for recent data on restrictions on women’s mobility, broken down by caste and ethnic group.

Alcoholism and domestic abuse are problems that existed long before conflict in Nepal began; indeed the lack of recourse from this kind of social suffering may have contributed to the conflict itself. We know that vulnerability to being sold comes from social devolution, which we assume to be at work in the context of the Nepali conflict. But this may be an erroneous assumption: social structures, including caste networks, extended family networks, and village networks appear stronger than ever.⁴ The conflict in Nepal is in many respects based on keeping family “values” in place, including lineage, religion, and land.

Conflict does increase the vulnerability of young girls, but more in the sense of trauma and economic devolution than in the sense of solitude or displacement. Safe migration programming is viable and important in the context of conflict, but it should not be viewed as a replacement for anti-trafficking strategies, which need to be continued and expanded in their own right.

Unlinking Prostitution and Trafficking

For many years, advocates have written that trafficking is not the same as prostitution. This is certainly true, and the distinction is critical in programming and policy efforts. It is also true that migration invariably increases prostitution: around the world, a higher rate of total population migration leads to a higher rate of prostitution, as does a greater population density. Prostitution has certainly increased with conflict in Nepal, in Kathmandu, as the city’s population has exponentially grown;⁵ around army barracks and police posts, as is the case globally;⁶ and at borders, where the population is largely mobile, outside the immediate structures of family and home.

It may help advocates to use a parallel distinction, namely that between *brothel-based prostitution* which, in the case of Nepali girls in major Indian cities such as Mumbai, Calcutta, and Delhi, is almost entirely sustained through trafficking, and *dance bar, bar girl, call girl, or even street-based prostitution*, which implies a much

⁴ One exception to this argument would be those families whose children have joined the Maobadi, producing a fractious break both in the family and in the village where the Maobadi then return to demand more participation.

⁵ Although see Liechty (2001) for a good review of the prostitution that has always existed in Kathmandu.

⁶ See United Nations documentation on increased prostitution wherever large forces are based, including Himalayan Times (2005a), for example.

higher degree of knowledge about terms of employment, on the other.⁷ Although sex is for sale in both scenarios, labor conditions in each case are radically different. *Brothel-based prostitution* in major Indian cities, at least, almost always implies slavery-like conditions, including debt bondage, for the women and girls who work there, almost all of whom have been brutally trafficked from either a home village or a primary migration destination, and who are likely raped into submission during their initial tenure.⁸

Street-based or bar-based prostitution, by contrast, is almost always to some degree voluntary. The women and girls working as bar-based or street-based prostitutes generally say they would prefer a different job, but almost all say they opted for this kind of work because they needed the money. Prostitution in this guise is an unattractive labor option, and women yearn for alternatives. But they have not been trafficked, and the comparative control they hold over their own circumstances is considerable. In Kathmandu dance bars, for example, where we conducted one portion of our research, both waitresses and performers might negotiate for sex with a client. It appears that, in general, girls are themselves largely responsible for negotiations and transactions; they keep some percentage of their earnings; and at least to some degree they choose whether to sell sex as well as drinks. These are not slavery-like conditions. Brothel-based and bar-based prostitution boil down to the same body part for sale, but in entirely different circumstances, with vastly different psychosocial, economic, and somatic repercussions.

The Recommendations in this Report

The recommendations laid out in more detail in the final section of this report try to speak to the complex and separate but related issues of trafficking, migration, prostitution, and conflict. They are designed to help and protect women migrants – those that are and those that are not at greater risk of being trafficked — in the context of anti-trafficking and safe migration programming. The recommendations emphasize programming that tries to protect migrating women and girls from trafficking, but also from violence, trauma, and grave poverty.

⁷ This is a distinction I am suggesting for South Asia, particularly Nepal and India, where this research was conducted. Further research would have to be conducted in other regions, where the clarity of the distinction may not be as vivid.

⁸ While this is an important distinction for advocates of the issue in the Nepali context, we must be careful not to generalize findings too much: circumstances may be quite different in brothels in smaller cities (including Kathmandu), or for girls from other countries in the region, like Bangladesh or India.

Some of the key specific recommendations are as follows:

- The continuation of anti-trafficking education measures, which have been effective and which are a critical part of stemming the traffic of women, a criminal and highly abusive practice.
- The introduction of safe migration programming that includes basic life skills as well as information specific to migration *in addition to* not *instead of* anti-trafficking programming.
- The modification of border interception programs into safe migration programs so that women who travel are able to exercise their right to freedom of movement with as much education and protection as possible
- The general education of girls, who generally migrate with little information, almost no independence, and no idea where to turn if trouble might arise.
- The establishment of migrant resource centers and transit homes, where women and girls – and boys and men – might turn if they face situations of abuse in their new homes.
- The creation of jobs and over time, perhaps, an increased value in employing women in rural areas of Nepal, so that the incentives to sell daughters, sisters, and wives will be fewer.
- An ongoing effort to prosecute traffickers, alongside ongoing advocacy and awareness campaigns to let women and girls know that legal procedures for protection and redress can be solicited in these instances of grave abuse.

2

CHAPTER

Research Findings

Borders

This research was conducted at three border-posts, and in the towns surrounding them, on Nepal's eastern and southern frontiers with India.⁹ These were selected from a total of eleven border crossings at which Maiti Nepal staff have been working, which are fairly evenly spanned across Nepal's eastern, southern and western borders with India. This portion of the research took the form of two weeks of participant-observation and open-ended, ethnographic interviews in:

- 1) Kakarbhitta, Jhapa district, bordering West Bengal, Eastern Development District;
- 2) Bhairawa, Rupandehi district, bordering Uttar Pradesh, Western Development District; and
- 3) Nepalganj, Banke district, also bordering Uttar Pradesh, Mid-Western Development District.

Research was primarily conducted with women and girls crossing the border. Maiti Nepal border guards and local community members, who likely observe a great deal, and are well aware of the various dynamics of voluntary and forced migration, were also interviewed. In Kakarbhitta and Bhairahawa, a research assistant spent two weeks in each border location. In Nepalganj, one research assistant spent two weeks, and two others spent one week each, for a total of four person-weeks.

⁹ The original research plan included a fourth border crossing, Mahendranagar, in Kanchanpur district, but the devolution of the security situation in the Far West prevented researchers from traveling there. Some information about this border crossing was obtained from migrants in Uttaranchal.

Each crossing posed a particular set of geographic, cultural, and political realities, with various histories of trafficking intensity – certain routes are more plied than others, with direct lines to railway stations to Mumbai, for example, while others pose fairly new markets – and of conflict intensity: western Nepal, for example, has experienced the strongest conflict between the Maoist insurgents and security forces. By working in three locations, the team gathered information about the dynamics of migration in conflict, the incidence of trafficking, and the relation between the two in three different settings.

The border between Nepal and India is a porous one: many more crossing points exist than are formally policed or patrolled, and these movements are legal. The Terai region is a place of old migration, and many border town settlers are themselves people who have migrated from the hills some decades ago. The Terai has been a place of migration for close to half a century – people have moved from the hills down, and also from the plains of India up; the majority of migrants settled there in the 1960s and 1970s when agricultural land was redistributed. We must not think of migration as a recent phenomenon, although it has certainly increased in recent years, or of migrants as a new kind of population. The three sites of border research are discussed in turn below.

Kakarbhitta-Siliguri

The Kakarbhitta-Siliguri border falls on an old trade route to Darjeeling, Sikkim, Shillong, and Calcutta. Migration between Kathmandu and these parts of eastern India – and the kind of town such movements give rise to – is a well-known story here.¹⁰ One hotel owner told us, “You see, Kakarbhitta is a place of migrants. Fifteen years ago, people from Meghalaya and Assam started coming and settling down here. Here you find all castes and kinds of people.”

Most of the women traveling from Kakarbhitta through the border to India were not migrating but “shopping,” because goods are cheaper in India. The Maiti Nepal staff are well-trained in spotting local residents and shoppers and distinguishing them from first-time travelers or migrants. Although border traffic is steady, migration does not appear heavy across this border. Most women who were traveling through the border (and not returning with goods) were returning

¹⁰ The earliest settlers came from Burma in the 60s, under King Mahendra’s rule.

to their marital homes after the Dashain and Tihar festivals, usually with children, sisters, sisters-in-law, husbands, or brothers in tow. Cross-border marriages are very common.

Very few Kakarbhitta informants were leaving Nepal for India for good, or for the first time. Nepal's eastern areas were, at the time the research was conducted, less affected by conflict than the west, and this may account for less out-migration.¹¹ Certainly this border is more frequently used to reach hill areas in India, such as Darjeeling and Shillong, than to reach the plains. It is a Maiti Nepal border post because it falls on the route to Calcutta, where the brothel industry always needs fresh stores of trafficked Nepali women. But migration through this border does not seem to have been particularly affected by conflict, which appears much heavier out of the southern borders that lead to the vast plains of India.

Many commercial workers cross the Kakarbhitta – Siliguri border daily in pursuit of work that comes when a large, mobile population needs to be catered to: people shopped for cosmetics and trinkets that could be sold in small shops and market places; merchants shopped for vegetables and foodstuffs that could be cooked and sold in transitory *chiya*-shops; and women crossed the border – in both directions – to do household chores in hotels and restaurants, and to sell sex to migrant workers, truck and bus drivers, local residents, and travelers temporarily freed from small-town scrutiny. Bengali women come to Nepal, and Nepali women go to Siliguri:¹² the Other is always sexy. Local hotel owners told researchers that women would cross the border for the day, servicing clients, and return home in the evenings. Local prostitutes were active in busparks at all hours.

Prostitution in Border Towns

Because it is an old, well-plied border crossing between two poor regions (eastern Nepal and the plains of West Bengal), Kakarbhitta has something of a reputation as a brothel town. The hotel owner told us:

There is prostitution in this town although people are slightly cautious these days. It is not as open as it used to be. But what I have heard is that a recent trend is

¹¹ A UNDP researcher said the same about her work in Biratnagar: the eastern parts of the country appeared notably calmer in terms of active conflict in November 2004, when this research was conducted.

¹² Ray of Hope research recently suggests that Siliguri is one of a number of smaller Indian cities with an up-and-coming brothel business.

A Misguided Crackdown on Prostitution

Following a series of raids, the local Hotel Association in Kakarbhitta recently circulated a petition condemning prostitution as a practice in their establishments. A cabin restaurant visited by the research team was completely empty, possibly as a result of recent crackdowns. It is unclear whether these police crackdowns are related to increased efforts to fight trafficking, with a faulty equation of prostitution and trafficking – Maiti Nepal trains hotel staff in trafficking although it is much more likely that hotels would be involved in local prostitution – or if the police periodically go in to clean up and/or demand payment. Police claim they do random checks in hotels twice a week (presumably for prostitution, not trafficking); Maiti Nepal disputed this. Five women caught with men in hotels were being held as prostitutes at the border police station at the time we did our research. Prostitution is a convenient issue for both police and the Maobadi to crack down on: while prostitutes had recently been arrested by the cops, the Maoists had recently cut the hair off a prominent local madam.

developing; village children – school children 14 or 15 years of age – also engage in sex work. See, the hotels have to pay rent. Look at my hotel – it has been mentioned in the Lonely Planet; it is more expensive than the other hotels and most foreigners come and stay here but still I find it difficult to pay the rent sometimes. How do the other hotels manage? They have to have some side business.

Another informant told us, “according to the police station data, there are 300 hotels in Kakarbhitta.¹³ Let’s say 50 are clean: all the rest are involved in prostitution. There are hotels that do not cook any food; the hotel is just a façade for carrying on sex work.” When asked about migrants who come to work in the hotels, she replied, “What help do they need in the kitchen when no food is being cooked? What to do, sister; it has reached a point where we sometimes feel ashamed to say we are from Kakarbhitta. We have grown-up daughters and it is scary – tomorrow they may come into contact with such people.” Another hotelier told us, “I took over this hotel a few weeks back. People used to come and ask us directly for girls because the previous owner kept girls, but they do not trouble us anymore.”

Informants concurred that women came from India in the morning and returned in the evening. Certainly business in the *chiya* shops around the bus station seemed fairly active in the afternoons, and for a couple of hours very early in the morning. Rates of prostitution are not necessarily higher at night; indeed, sex work might be more commonly practiced during the afternoon when children are at school.

¹³ The Hotel Association lists only 80; take the quote as a perception of ratio.

Trafficking from Kakarbhitta

Maiti Nepal's efforts have certainly heightened awareness about the issue of trafficking in Kakarbhitta, and staff have worked solidly with community members in border towns – primarily hotel owners and rickshaw pullers – to do so. During our research time in Kakarbhitta, for example, a rickshaw puller brought over his clients, a young couple traveling east. Unfortunately, this distracted the Maiti Nepal border guard to the point that she released a much more suspicious young couple in order to grill the new ones, forgetting to give a fifteen-year-old girl who had never heard of trafficking (and who was traveling with a young male family relative who looked quite nervous) the sheet with contact numbers, should there be a problem. There very well may have been.

One very clear location of trafficking is the cluster of Bhutanese refugee camps in the area: our researcher spoke with one of at least three girls who had recently returned to the camps from trafficking experiences (she refused to go to Maiti Nepal). This is a logical finding – these are girls already removed from one social setting, living in the poor conditions of a refugee camp. One resident told us that there were no awareness activities related to anti-trafficking in the camps, which is a clear oversight.

Additionally, one local resident of Kakarbhitta told us she had been trafficked ten years earlier, when she was helping carry goods across the border. She had since returned to the city. Her story is interesting in that it shows how a resident of a migrant city can be trafficked as part of the shipment of goods and commodities moving across the border. She told us, “I was very young and had no idea about trafficking,” and her husband added, “She went to carry goods, but she herself became a commodity [*maal boknu gayeko, manche lai po maal banayo*].” More than increase her vulnerability, being mobile determined the way she was trafficked. When the family acquaintance who sold her told her parents that he'd gotten her married off, they believed him and no longer expected her to return. This means that there need to be better communication circuits in place between the young women who migrate and their families in villages (see Chapter 3). This woman was willing to use her story as an educational tool, locally and beyond.

Bhairahawa-Sunauli

At the Bhairahawa border, as in Kakarbhitta, many local residents travel back and forth to India daily for purchasing goods. The number of people – especially men – migrating to India for work through the Bhairahawa border is extremely high, however: border patrols estimated that as many as 1,000 people cross the border to India daily, more than half of whom are labor migrants. Moving westward through our three border points, the difference in labor migration between Kakarbhitta and Bhairahawa was remarkable.

In Bhairahawa as in Nepalganj and also, according to respondents in Uttaranchal who had crossed the border at Mahendranagar, the most common way people migrated for work was as one of a group of young men. Our Bhairahawa researcher estimated that most migrants were men between the ages of 18 to 30, migrating in a group of 5 to 15. Many had come to visit relatives over the holiday and were returning to India to work. About half of the men (but many fewer of the women) identified conflict – particularly the demands of the Maoists – as the primary reason they had moved to India. The other half identified economic reasons as their primary motivation: they told us that “no matter how hard they worked in the fields, it was not enough for their families to eat two meals a day.”

All the migrant workers we spoke with were sending money to their families, earning about IC 1,500 to 3,000 a month. What is clear is that the political and economic sides of the coin are not far removed from one another: political instability causes economic devolution, and economic devolution causes political instability. People experience the combination of events. How they report them depends on how palpably they feel the effect of each, and on how much they trust the questioner.

In many cases, groups of migrant workers would add a new village member, usually a young boy around 15, to their number when they returned to India after the holidays. Usually, these young men were not happy leaving their villages but felt as if they had no choice: the fear of Maoist conscription was too great. Many had been attending school, but had dropped out because they were afraid they would be recruited into the Maobadi. This is a clear-cut case of increased migration due to conflict, but it is a case that almost entirely seemed to affect young men rather than young women, and has little or no bearing on trafficking. In the

frequent instances of group migration, strong family and village networks are apparent; these can be drawn upon to help new Nepali migrants in destination cities as well. Word of mouth travels far through these networks, and in subsidiary cities especially, village and family networks can play strong roles in getting girls and women out of dangerous or damaging situations.

Women's Migration

Apart from two women traveling back to the Gulf where they had already worked as housemaids, almost no women or girls migrated alone through the Bhairahawa border in two weeks of research there. Close to 100% of the girls to whom we spoke were with male companions – about half with husbands and half with other male relatives like uncles, brothers, or brothers-in-law. (Two girls were traveling together without male accompaniment to Mumbai to meet a manpower agent who had promised to get them jobs as housemaids in Kuwait. They told us they did not feel afraid because they had each other. They were nonetheless detained at the Maiti Nepal transit home.)

Those who were not with their husbands were traveling to meet them. In most cases, husbands paid for the journey. A small number of girls were traveling to India to study; in one rare instance of a female identifying political conflict as a motivation for her travel, a girl in Class X said she had to leave her village school and was moving to Punjab, where her father worked in a Government office, because of the Maoist problem. Her friends had said to her, “We wished our father also lived abroad so we could leave the village too.” She was a little nervous and also, she said, a little “sad to leave my country.”

The two women returning to the Gulf were confident; one was explicit that she felt unsafe living in Nepal in its present condition. Poverty was the main problem she faced and was the reason she wished to migrate: she needed to earn more money.¹⁴ When asked how women's prospects as migrants could be improved, she replied that women should be independent and confident. She emphasized that women need to know where they are going, and should not trust everyone.

¹⁴ She had been working with an organization encouraging “single women,” meaning widows of the conflict.

A third woman on her way to the Gulf was traveling first with her husband to Delhi, and then planning to continue on to Kuwait alone in order to find work as a housemaid, where her sister already had a job. An agency had provided all her papers and tickets. She was excited for the opportunity, and had made her decision to leave in order to give her two-year-old daughter a “better future.” She had not heard of trafficking, however, and when our researcher asked if she still wanted to travel after hearing about tragic cases of women working in the Gulf, she said she did, simply because of “poverty.” When asked what help she might have used at different stages of her journey, she said simply that she wished there were more jobs, and that Nepal was safer.

Another woman, 26, traveling with her parents to Delhi, was on her way to Lebanon where her sister had a housecleaning job and had found her one, too. Her parents had paid for the journey; she owed no money. She wanted women in her village to know that they should ask for help before leaving, and not lie or leave with false reasons. Her response shows that the culture of lying – in order to pass through borders monitored by NGO border guards – is a powerful one, and stands women in poor stead: they are afraid of the wrong people. It appears that border interrogations have the opposite effect of that which is intended, making women feel fearful rather than protected.

The Prospects of Migrant Women

A small number of women traveling to India did anticipate working eventually; one traveled alone to meet her brother in Delhi, in the hopes of finding a job. Two more wanted to work, but had no idea what kind of jobs might be available; their husbands, whom they were traveling to meet in Punjab and Mumbai respectively, had suggested they might learn sewing and open shops. (One said she had heard that women from her village in Nuwakot became housemaids, but she did not want to do that work.) A young Lamjung woman traveling with her brother to meet her husband in Himachal Pradesh thought it might be difficult to find work, as she was uneducated; her husband might be able to find her something, maybe as a housecleaner. A Nawalparasi woman on her way to Madras with her husband said she wouldn't mind working, but her husband had said she would cook and clean just for him.

Notably, a significant majority of women and girls traveling across the border reported they were not migrating for work, but rather to join family members. When asked what they planned to do when they reached Delhi, for example, and their husbands' houses, women said they planned to do housework, and watch TV. One woman said simply that she didn't like to work, and so had no plans to do so; her husband worked at a hotel in Delhi. Those that had traveled to their husbands' Indian homes previously knew very little of the cities in which they had lived; most had clearly remained at home, "eating, cooking, and watching television all the time." One young Palpa woman suspected she was pregnant and said she would prefer to stay on in Delhi with her husband because she had to work too hard in the village and worried that it would not be good for the baby. A group of three newly married women, traveling with their husbands who were cooks in a Delhi hotel, said they would study language for a few years, and only then consider employment.

The girls and women migrating through the Bhairahawa border, mostly from surrounding districts like Gulmi, Syangja, Palpa, and Arghakanchi, were very uneducated. Few had been to school or could read or write; those who had gone to school had dropped out at class five. A few girls knew how to use the telephone. Our researcher found that "they did not know anything about their destinations. Five girls did not know their own village names, or the place in India they were going to. None had the contact address of the destination they were going to nor did they have any money on them. Even women who were going to visit their husbands did not know what kind of jobs their husbands were doing in India."

Almost all did know about trafficking – on the road leading to the border, there were big Nepali language signs warning people about trafficking, for those who could read – but knew no one who had been trafficked or any steps to take if they found themselves in a dangerous position. Many said that whether they worked or not, how long they stayed in India, whether they would be able to study,¹⁵ and whether and when they would return to their home villages were decisions their husbands would make.

¹⁵ One young woman said that upon meeting our researcher, an educated young woman, she would like to study in India. But her new husband would make that decision. He said he might try to find a job for his wife in the hotel in which he worked as a steward, because it was difficult to survive on a single salary.

Fear and Confidence

Almost all the girls we spoke with said they trusted their families, and although a few first-time travelers said they were scared, most told us that they felt no fear as long as they were with their companions. “When I’m traveling with my own brother-in-law, why should I be nervous?” one young woman who did not know the name of her home district asked. A woman from Gulmi said she did not feel scared to migrate as her “husband had not left her for a second.” Others confessed their fears; one woman moving to Lucknow to be with a new husband said she was scared to move to a big city, but as her husband lived in Lucknow, she had to live with him whether she liked it or not. Some reported an understandable combination of fear and excitement.

Many women stated their confidence in husbands they had not met in years. This reflects a deep cultural value that women should look up to and place faith in men, and shows how encouraging women’s independence may be a critical part of preventing trafficking.¹⁶ The essence of anti-trafficking programming lies in teaching girls to believe they have some role to play in their travels, and in questioning the circumstances of their movements, even if this means taking on responsibilities that men normally bear. A number of women said they were looking forward to their trips, and were excited to cross the border, viewing their migration as an opportunity to be in a new setting. Some, when asked what information they wished they had prior to traveling, said that as long as they did not talk to strangers, they felt safe. So far their travels had been protected – they were relying on men folk – and they would know more after they had made the journey once.

It is certainly true that women are probably safer traveling with their husbands or in a group, as long as the intentions of that group are legitimate. It is also true that first-time travelers are more vulnerable than experienced women. But women can be encouraged to watch what their companions are doing, and how they handle the exigencies of travel, rather than stand passively by. In this way, women might gain experience and independence, rather than remain reliant. This is a

¹⁶ Even one of the project’s highly educated research coordinators found herself confronting issues of travel, carrying money, and being in contact with relatives at home a new experience, which is indicative of just how dependent young women are on family and men.

matter of gaining confidence, in part, as well as experience, so that travel, short- or long-term migration, and labor can more easily fall under women's own purview.

Nepalgunj – Rupediya

The most heavily-plied border town of our research period was undeniably Nepalgunj. Upon arriving in Nepalgunj, one researcher reported, "It seems that all of Nepal is emptying out of Nepalgunj." Indeed, bus station officials told us that they had added extra buses to accommodate the extra flow: 30 60-person buses – around 1,800 people – were leaving from the government bus station daily. (Recall that our research period was just after the Tihar holidays, when numbers of migrants were particularly high.) Even with post-holiday traffic, however, this figure indicates an extremely high level of migration to India through Nepalgunj.

Most respondents told us they were leaving for economic reasons, and would return to Nepal after a period. Men were migrating for wage labor, which might include picking apples, cutting firewood, making timber, farming, or chipping stones, sometimes under a contractor. Conflict had clearly impacted many informants' lives, but in most cases they did not identify violence as the main reason for migration, although many said the situation was complicated and uncertain.¹⁷ As one Rolpa woman told us, "We cannot say what will happen."

Many informants said that they did come from conflict-affected areas but that they were "not forced to participate." One group of migrant men did tell us, "Moving away is better than going to their [Maobadi] six-month training [*chha mahina taalim*] and digging ditches." Almost everybody hoped they would be able to return to Nepal at some point in the future, and even appeared mournful at the thought of not being able to. As in Bhairahawa, women reported conflict as a pushing factor less often than men, and they usually told us that the worst problems occurred in other VDCs, not their own. (Whether this is true, or whether more of these women came from district headquarters which are more protected by the Army, is not known.)

¹⁷ Those from Dailekh and Jumla were most directly affected by conflict; families had migrated from these districts to resettle in Nepalgunj proper. A high number of migrants also identified Salyan as their home.

Women's Dependence

As in Bhairahawa, a relatively small percentage of migrants were women and girls (one Nepalganj researcher estimated about 10-15%; another estimated less, about 5%), almost all of whom were traveling with male family members to meet their husbands or brothers (one researcher estimated that about 60% of the women were traveling with their husbands, 20% were traveling with their fathers or brothers, and 20% were traveling with other male relatives or neighbors).¹⁸ Again, with rare exceptions, traveling alone seemed out of the question.

A Dang woman traveling with her husband told us, "Even though I am educated and have been to India many times, I could not travel alone. If I would be scared to travel without my husband, how could other women?" If women did want to go to India, she added, they should confirm their work options with someone they knew and trusted. A Salyan woman said that she would have no idea how to return to Nepal alone, because her husband had always managed everything. Once in India, women told us, they might not even leave the house without their husbands.

The women we spoke to were largely happy about traveling to India – they would be reunited with their husbands or other members of their families, and they were looking forward to seeing a new place. Most viewed their migration as temporary (subject in part to how much they liked being in India) and said they would just see how it went. Most were aware of trafficking and assured us they would not travel alone. A Rolpa woman said, "We have to be clever in other countries like India," referring to incidents of trafficking. Another said women should "only believe in reliable people, and not listen to others. If possible, they should work in their own country," Nepal.

Cross-border marriages were not uncommon; some women had been raised in India with parents who had migrated a generation ago, but had then married men from Nepal and were returning from visiting in-laws. Most were dependent on parents-in-law, and most were illiterate; most told our researchers that they would not be able to travel on their own. (The exceptions to this rule were women who

¹⁸ It may be more likely that a woman traveling to meet her brother would work than a woman traveling to meet her husband, who would fulfill the role of housewife.

had done the trip before.) A fair number did not work or plan to work (other than as housewives); a few had found employment as domestic servants.

Most women were traveling to India with large groups of menfolk from their villages who had briefly returned for the holidays, and who took the opportunity of returning to work to bring sisters, sisters-in-law, and wives.¹⁹ Most women said they were traveling for “treatment of stomach problem,” which appeared to be the word-of-mouth magic formula for passage if harassed by police or NGO border guards. A number did say they would do whatever work they could get [“*je payo te garne*”] to supplement their husbands’ incomes; in some cases they would likely do the same work and be subject to the same labor conditions as their men.

Labor Migration

As in Kakarbhitta and Bhairahawa, labor migration through this Terai border point is a long-standing phenomenon; too few employment opportunities and too little land are problems that preceded the conflict, and indeed gave rise to it.²⁰ Some migrants were traveling with a labor contractor or *thekadar* (manager), who had in some cases paid all their transportation and food. One woman, who had done this work previously, told us that members of her labor group had been quite exploited, both financially and physically, but that she felt she had no choice, as there were no other work possibilities.

A young man similarly said he had worked in Haridwar, Uttaranchal for five months last year under the charge of a *thekadar* who had then run away with all the money. But he, too, was returning to India with a manager – he didn’t have money to travel himself, and he didn’t know where he could get work.

A Surkhet woman traveling with a different contractor said she would probably earn about IC 1,200 per month in a factory. It was difficult to survive without work, she said, and so she was going to India: “How can I educate my kids when it’s difficult to get daily food?” A boy in her group said without education, he could not get a job in Nepal, but he could find work easily in India, through a manager agent.

¹⁹ Ray of Hope research suggests that a new mode of trafficking may be adding a girl from a different village in with a larger group migration.

²⁰ Quite a few men told us that they would be back in Nepal in time for the next harvest.

The only unmarried girl in the group said she had to do work, whether she was happy about it or not, and if she had had any labor opportunity at all in her home district, she wouldn't have had to migrate. But all development in her village had stopped since the conflict began, she said, and so there was no work available. She had heard of trafficking and was scared; she would not go anywhere without her group. Wage labor is available in India for those who know how to find it, but the widespread reliance on labor contractors seems very dangerous for the Nepali labor pool.

Changing Dynamics in the Town of Nepalganj

The population of Nepalganj itself has certainly increased in recent years because of conflict. If migrants to India more often cited economic reasons as their primary motivation for moving, migrants newly resettled in Nepalganj more often cited the conflict itself (although, again, these two motivations should not be viewed as entirely separable entities). Women residents in Nepalganj told us quite explicitly that they had had to leave home because Maoists had demanded too much food and money.²¹

Families migrating to the city of Nepalganj are likely more wealthy, and from higher castes, than those crossing the border from Nepalganj into India for work, who largely come from very poor families, and who largely told us they did not have enough cultivable land to feed the family for the year. More wealth means that a family is first, more heavily targeted by Maoists, but also then more able to reestablish itself in a new city, with the upfront economic investment that requires.

A number of women from Jumla and Humla had opened restaurants, which required about 60 or 70 thousand rupees upfront. A Surkhet woman who had migrated to Nepalganj with her husband a few months earlier now ran a hotel; her husband had been a school teacher, but the Maoists had closed down all the boarding schools. A young Tamang woman from Humla, however, had moved to Nepalganj to escape both conflict and an abusive home situation, and worked in a hotel for no money at all, grateful for food and shelter. (If she migrated further, she said, she planned to move to Kathmandu rather than to India.)

²¹ A Surkhet man and his sister-in-law had moved to Nepalganj because the Maoists had increased their 5% donation requests upon learning that the man's brother had migrated to the Gulf. It appears that a number of recent migrants to Nepalganj are family members of men who have migrated to the Arab States, including wives who find work as prostitutes.

Nepalgunj has also been concentrated somewhat, as people from outlying areas have moved in; surrounding districts are not considered safe. A woman who had moved from Bardiya, a half-hour away, said that Maoists had not allowed her and her husband (who had since migrated to Saudi Arabia) to run their small *bhatti*, or liquor shop. In addition, she said, education was not good, as schools closed down from time to time. In Nepalgunj, opportunities were higher: “After all, a bazaar is a bazaar. We can earn money here somehow.” Another woman who had migrated from Bardiya had been kept by the Maoists for four months; her parents had paid tens of thousands of rupees (her father was retired army personnel) to release her. Both women were Nepalgunj sex workers.

The Realities of Prostitution

As in other border cities, prostitution in Nepalgunj is high – it is a border town, an army base, and an increasingly populated urban center of refuge from the conflict-ridden western and Far Western regions of the country. A researcher estimated that about half of the roughly 150 sex workers in the local organization (which collected Rs. 100/month from each member for the collective welfare fund) were recent migrants. One sex worker complained, actually, that the increasing number of sex workers meant that local rates of services were going down – what used to cost Rs. 500-1000 now cost a tenth of that sum, or Rs. 50-100.

The local support organization for sex workers, supported in part by GWP (General Welfare Pratisthan) appeared to be a model network, providing condoms, a drop-in center, and a phone center, a model that might be built upon for women migrants more generally (see Chapter 3). Nepalgunj sex workers work in small tea and liquor shops, as well as little *paan* stalls, where they meet and solicit customers, many of whom (one researcher estimated 75%) are Indian men crossing the border expressly to find Nepali women. Indeed, Indian men seem to be willing to pay more for a Nepali woman, and are therefore the preferred clients of Nepalgunj prostitutes.

As in the case of women migrants, local sex workers gave our researchers a host of reasons for their work; women from Rukum, Dailekh, and Salyan in particular identified conflict as a motivation for their having become prostitutes. A Bardiya woman whose husband had committed suicide told us that cultural views of widows had contributed to her becoming a prostitute: “I am poor but my thinking

is not poor. I am illiterate and I lost my prestige in this society, but I will invest all my property towards the education of my children.”

A number of sex workers had been abandoned by husbands or had been widowed; others were married to men who didn't earn enough (rickshaw drivers, for example, who earned Rs. 80-100 per day), who might turn a blind eye to their wives' source of supplemental income. Many came from abusive family backgrounds. A very small number of more educated women said they were sex workers because it was fun, a kind of entertainment. The vast majority, however, said they would never encourage women to work in the profession; one woman said that when she met new sex workers, she suggested they leave as quickly as possible.

Additional Difficulties Women Face

Although there is a long history of prostitution in the area – some Badi women were based in Nepalganj municipality – police and other public offices have clamped down on prostitution in the last few years. Police had raided the major hotels and restaurants a few months before our research, and most hotels in the area had since refused to hire new women employees.²² (A client could still bring a prostitute to his room, however.)

This is clearly a policy that discriminates against women laborers because of assumptions that women are prostitutes; such a policy means, of course, that more women may become prostitutes, because there are fewer labor options. All the sex workers with whom we spoke were looking for alternative sources of income generation: most wanted to open a shop or start a small business.

Quite a few women informants in Nepalganj did work in hotels despite the recent crackdown, often in difficult labor conditions. Many turned their paltry earnings over directly to male family members who had determined where and whether they would work. This is further evidence that women tend to have very little control over the circumstances and finances of their labor.

²² Sex workers told us that the RNA and police were both their main clients and their main adversaries. Some Nepalganj residents told us that they had to fight the police when they wanted to close down Badi institutions of prostitution. Police action against prostitutes, then, seems very arbitrary, and more closely related to individual desire than to an execution of duty.

Some of these women and their family members worked under a bonded labor contract system (*maghi*) common in the Tharu areas of the Western Terai. In these cases, girls did not know how much they made, or when they might be paid. In comparison, women who choose to be prostitutes in an urban center appear to be empowered, in control of their finances, and able to identify and sometimes stand up to poor labor conditions. This is true in Nepalganj, and even more so in the Nepali capital, Kathmandu.

Kathmandu

Throughout Nepal, girls have heard there is work available in Kathmandu dance bars, and indeed there appear to be as many openings as there are women migrating to the capital. Work in dance bars has been a source of employment for girls who came from all parts of Nepal before the conflict began, and this remains true. Women are finding work in dance bars in exponentially increasing numbers as the city's population – both women migrating to the capital for safety and work, and men, migrating for the same reasons, who become possible customers in need of female entertainment – dramatically rises.²³

In December 2004, the Nepali-language newspaper Kantipur published a list of 75 dance bars in the city, but unofficial numbers put the number much higher. (A waitress working in Battisputali estimated 600, but this is likely too high.) What is clear is that the dance bar business is booming, with new bars cropping up in pockets all over town: girls from all over Nepal can easily find work. Most bars employ around twenty young women; a high percentage are *Janajati* women from areas outside of Kathmandu.

The popularity of a given bar depends in part on the allure of its girls, both waitresses and dancers. Different bars are known for particularly skimpy clothing on dancers, or particularly sexy dance numbers. Most bars

The Reputation of Kathmandu Dance Bars

Outside of Kathmandu, in more educated circles, people are aware that there is a connotation of prostitution for work in a bar. A woman crossing the border married to a male dancer explicitly said, "We do not dance in restaurants. We get police escorts wherever we go so no one can misbehave with us." If men thought she was even associated with dancing in a restaurant or bar, they might make advances; this was frightening to her, requiring police protection.

²³ One hotelier in Kakarbhitta had heard that girls were migrating to Kathmandu from as far away as Darjeeling to work in hotels and dance bars.

offer a range of cultural dances, disco or rock performances, and Hindi film song numbers; dancers sometimes strip (for which they are both paid more by employers, and tipped more heavily by clients). One bar has a shower onstage under which dancers wriggle in bikinis. One dancer told us that as both the number of bars and the number of migrating girls increases, bars try to come up with something unique so as to attract clients in a saturated market. The bars are competitive with one another, and talented dancers are in some cases highly solicited.

The employees of Kathmandu dance bars are available for sex work with customers if both parties are willing. An interested customer can embrace a waitress or tip a dancer on the premises of a dance bar, and can make arrangements to buy sex as well, after hours. Usually clients select a bar they like (and often a particular woman they like, a pattern in Indian brothels, too) and become regulars. We heard about a number of dancers and prostitutes who ended up marrying former clients.

Labor Conditions

Most women we spoke to felt that the conditions of their employment were very unsteady: some used the fly-by-night quality of their work to their advantage, changing jobs frequently if offered higher salaries; others felt vulnerable, like they could be dismissed and replaced at a moment's notice if they failed to live up to bar standards. Girls and women working in Kathmandu's dance bars, as waitresses and as dancers, told us repeatedly that the reason they worked as they did was because they were poor. More than one woman told us that she didn't like her restaurant job at all, but had children to raise, and felt that she had no other options as a migrant.

Labor conditions at Kathmandu dance bars vary widely: at one dance bar, with little or no ventilation, most of the women looked under-age and drugged; at another, structured staff meetings were held daily, before the night's business began at 6:00 pm, and vehicles were deployed to return girls home after the evening's work. In some establishments, rumors circulated that owners sexually exploited the women working there, either themselves or through forced interaction with clients, but no one corroborated these stories in the course of our relatively short research period.

Conversely, some waitresses told us that while guests can get rude and overbearing when drunk, bar owners can be very protective, throwing out a client who behaves inappropriately. The experience of dancers and waitresses in dance bars clearly varies, and is largely dependent on whether women are properly remunerated and adequately protected. Many bars do employ bouncers. Certainly there are no provisions for complaint in those cases where women feel unfairly treated by employers. Most women do feel some pressure to engage in sex work.

The Realities of Dancing in a Kathmandu Bar: The Ups and the Downs

A small number of women explicitly told us that they liked their jobs. A woman who had migrated from Katari two years earlier to earn money and live independently told us she had taken a dance course, for which she paid Rs. 400, so that she could be employed as a dancer rather than as a lower-paid waitress. Although she hoped eventually to open a cosmetics shop, she said she enjoyed dancing: “For the time being I am happy to work here. Working conditions are good, and the owners are kind to us. If we are ill, they pay for our expenses.”

A Gurung woman from Dharan, also in the Kathmandu area for two years, told us she preferred being a waitress at a popular bar than working in the garment factory where she had first found employment, which was physically hard and very tedious. A 19-year-old girl from Chitwan preferred dance bar employment to working in the Putalisadak photocopy store where she had been for six months; she had been paid less and had to work more hours. This theme – that working in a dance bar was easier and better paid than working elsewhere – was one we heard often.

However, for many girls in Kathmandu, the reality of dance bar working conditions comes as something of a shock, or at least a disappointment. One researcher surmised that most dancers she met were “satisfied financially but not morally.” Most choose not to tell their parents that they are earning money as dancers or waitresses in a potentially seedy establishment, because “people in the village will think badly of [them].” A number of girls told us that even if their parents accepted what they were doing, understanding that they had to earn money (and in many cases send it home), family members still in the village might themselves be ostracized if word got out that a daughter was dancing.

Life in the Big City

As a result of her fear of ostracization, a waitress in New Baneswor said she told her family she worked as cook's helper in a "normal" restaurant. She told us she had left her home town, Nepalganj, almost a year earlier, when Kathmandu-based friends had said they could get her a job in the city. (Four of them live together in Gaushala, sharing the monthly rent.) She said she was disappointed in both the job and the city – she had thought she might earn more, and she had not expected such long working hours. "There is nothing spectacular about city life," she told us. "And it is difficult. Sometimes I feel like going back home, but there is not much to do there."

This phenomenon – where a young woman migrates to the city for work and is disappointed but unwilling to return home having seen the wider world – is very common. One woman told us she wished she had never come, but now that she was here, she couldn't go back. Although she did not like her waitressing job (particularly the clients who got drunk and gave her a hard time), she enjoyed living in Kathmandu, with its shopping malls, restaurants, and nice clothes. Nonetheless, she felt "tricked" by the friend who encouraged her to come to the city from Morang two years earlier, and said she herself would not encourage village friends to move here: "Once you come to the city, you get lost in city life and don't want to go back to the village. Even if you don't like it, you have to live with it."

A Gurung girl who had migrated from Nawalparasi to visit her sister said once she saw the city, Nawalparasi looked too boring to go back to. A Rai woman from Solukhumbu came to Kathmandu because she wanted to see the city, and had nothing to do at home. A woman who had migrated from Sunsari nine years earlier told us she had come with five girls from her village, all of whom went back except for herself, who decided to stay on because of Kathmandu's "charms."

Life in the big city has opportunities and challenges. Certainly many women yearn to move farther once they see how different Kathmandu is from their home villages. It is possible that women who have moved to Kathmandu safely may be trafficked to India or the Gulf after they arrive in the nation's capital, in part because support networks are fewer and more dispersed in large urban centers.

Dance Bars and Prostitution

Not all girls working in dance bars are also sex workers; prostitution is at least to some degree voluntary. One girl told us that she relied on the bouncer of the club to apprehend a misbehaving client. Another said, "A girl's reputation depends on the girl herself. If she is not doing anything bad, then who can point a finger?" She told us that she did not know and was not interested in what other girls in the bar did for extra money: she did her own waitressing work and went home.

One waitress told us, "No job is good or bad – it depends on each individual." A so-called high-caste woman who had worked as a waitress said that when she refused the advances of guests, the bar owner harassed her, taunting, "All the village girls are doing it – why are you refusing?" A number of women said they were not explicitly forced to "provide company" to guests, but that they would lose the favor of their bosses, who might let them go or delay their salary if they did not.

A young woman working in a bar can earn a great deal more money if she agrees to sell sex to clients after her working hours are over, and many (a few respondents estimated 80-90% of their colleagues) choose to do so. A number of girls told us they were happy with their jobs as long as they did not have to sexually entertain clients, and that they were satisfied with the base rate of Rs. 3000/month. (The girl from Nawalparasi said she would tell her village friends to come to Kathmandu only if they had relatives or a place to live, however, so as not to have to pay rent, which she saw as critical to being able to live within her waitressing salary.)

Women who wanted higher salaries could become dancers (who earn roughly double, in the range of Rs. 6000/month; younger – 15 or 16 – and sexier girls willing to strip might earn more), and women wanting more still could sell sex. Some respondents told us they preferred older clients, as they tip more.

A Gurung woman from Ramechhap said she started as a waitress but found that dancers treated their lower-paid colleagues poorly, so she learned to dance, assuming the higher class of staff would be more highly respected. She worried, however, that as she was getting older, she might get fired, since the bar where she worked preferred young dancers. Work at a dance bar is never permanent employment, and a number of women told us that contracts and job appointment

letters would help them, presumably through legitimation. Although she had never accepted a bar client's invitation, she said, she imagined that the lure of extra tips would convince some young women to sell sex as well.

The decision-making process is largely an economic one, but social status and physical comfort also come into play. Although the incentive to earn more money by selling sex is powerful, in almost all cases it appears that the decision to do so falls to women themselves. This is a radical difference from the circumstances of most women who sell sex in Indian brothels.

Dancers as Migrants

Almost all the women employees we spoke with were from outside of Kathmandu, and had come directly to the city from their home villages. Only one had come with a family intending to continue to India (in the end, she had stayed behind with her maternal uncle). Many had migrated to the city in the past year or two, but some had migrated nine or ten years ago, before the onset of conflict.

All felt their status as migrants – usually uneducated – meant they were ineligible for good jobs. A Gurung woman from Morang told us, “If I were from Kathmandu, I wouldn't be doing such a job.” She clearly felt this work fell to migrant women who had not had the educational opportunities of urban girls. She wished there were better jobs – like working in an office or with finances – available for girls like herself. “Who would not take it if given a better option?” she plainly asked. A Newar woman from Dhulikhel, who had moved to Kathmandu because of domestic violence, similarly told us that she didn't particularly like her job, but that she was not sufficiently educated to find something better.

Domestic Violence as a Reason to Migrate

A fair number of our respondents identified conflict as the reason for their migration²⁴ – more women than at the borders – but many more cited domestic violence. A Sindhupalchowk woman told us she would not have left her village had she been “treated with love and respect.”

²⁴ A Kalikot woman said her life had been threatened by Maoists because of her explicit religious belief.

Another Tamang woman, from Dhading, said she had come to Kathmandu three years earlier, at 17, because her father was always drunk and her stepmother hated her. When asked if she was scared, she said, “When things cross the limits of your tolerance, then you don’t get scared. I didn’t even care if Maoists killed me, or if I had to become a sex worker. I was so frustrated and mad at the environment of my home.” She, too, said that had her family home been more peaceful, she would not have left her village. She had met a kind woman who had helped her when she arrived in Kathmandu, and she wondered aloud, “What would other girls from the village do, who come to the city without any information or support?”

A Tamang waitress who had migrated from Sindhupalchowk a year earlier told us she regretted not pursuing her studies so she could find better employment. She would love to open a coffee shop, a venture which she estimated would cost about 60,000 rupees, and she was trying to save money. “But money is never enough, no matter how much you earn,” she told us. “Most of it ends up going to clothes and cosmetics. You look at your friends and you see them all dressed up in the latest fashions, and you want to dress up too.” Her astute observations about the difficulty of saving money are true even for women with some control over their incomes, and indicate the challenges of actually changing professions. A *Bahun* hostess-dancer said she earned a lot of money but it all went to household expenses; she did not save anything, and she did not anticipate being able to change jobs as she would not earn as much elsewhere. She told us she never recommends this kind of job to other young girls.²⁵

The Difficulties of Being Known as a Sex Worker

The public connotation of prostitution in Kathmandu dance bars and the negative reputation of the women who work there is a major difficulty these women face, quite apart from dealing with drunk or rude guests. One woman told us she was furious at the press; another said the largest obstacle she faced were policemen who stopped her on her way to work at night and gave her a hard time. A dancer told us that she is sometimes stopped on her way home by police, who turn on their car headlights and demand that she dance publicly in the street.²⁶ Another said, “Whenever someone looks at me while walking in the street, I feel awkward and ashamed, thinking they will recognize me.”

²⁵ A fair amount of money may go to alcohol in addition to clothing and make-up, as a high number of women working in the sector appear to drink.

²⁶ We were told that every bar pays monthly bribes to the police so as to be able to function without scrutiny.

One eighteen-year-old dancer told us sadly that no one would accept a wife who worked in the restaurant sector; the unlikelihood of marriage after working in a dance bar was something many girls referred to. A seventeen-year-old from Lamjung, who migrated to Kathmandu four years earlier told us that she would tell girls to stay in their own village and marry; this profession, she said, “was like a swamp,” because it was so difficult to leave.

NGO Support for Kathmandu Sex Workers

A number of Kathmandu NGOs do offer free vocational training courses for girls working in dance bars; these include sewing, language, driving, and beautician courses. A staff member at Rakshaya Nepal said she did not agree with those who claimed dancer and massage parlor girls were happy with their jobs: 300 women had come for free training, and 100 had switched to a full-time clothing business, sponsored by Meet Nepal.

Quite a few of our informants said they hoped to change their professions once they had completed the training: two Rai women working as waitresses told us they disliked their jobs, and looked forward to opening a clothing business when their sewing course was finished. They would do so, they said, with the support of Meet Nepal, and in collaboration with a number of other women. One told us that Meet Nepal has given her hope in life; she is no longer so fearful for her future. A waitress who had migrated from Narayanghat last year because of the “Maoist situation” had been taking free sewing lessons at Meet Nepal for five months. She too planned to quit her waitressing job when she finished the course, and had convinced three co-workers from her bar to join her.²⁷

NGOs dedicated to providing vocational skills for sex workers tend to rely inordinately on sewing and homemaker courses, which may not, in fact, be the best fit, and has been questioned by some advocates.²⁸ Not only do they reemphasize very traditional gender roles, which may not be appropriate for women who have already broken social norms, but the earning potential is much less than with sex work. Providing alternative jobs for women in sex work requires

²⁷ We met these informants through Meet Nepal; they reflect the voices of those women who are benefiting from the courses.

²⁸ A long-time advocate working in this area said, “Please no more knitting and sewing!” Indeed, a sex worker had once complained to her, “With all this sewing, I make twenty rupees in an hour. Why should I do it when I can open my legs and make one hundred rupees?” See Chapter 3.

a good match of skills, a sense that they will be valued in their new vocations, and sufficient income to make the labor shift worthwhile.

India

Nepali migrant status in India is a mixed experience: on one hand, most laborers are looked down upon, both as migrants and as Nepalis, who are lumped with “Bengalis and Biharis” – also very poor, mobile, migrant populations – as low status groups. One of our researchers reported that even at the bus station in Nepalganj, Indian staff talked down to Nepali migrants.

On the other hand, leaving Nepal for India allows so-called low-caste people to free themselves from the rigid social hierarchies that they experience in Nepal (which clearly contributed to the Maoist insurgency)²⁹ and instead be thought of as simply “Nepali.” The national need to identify what kind of Nepali someone is – which caste or ethnic groups he or she belongs to – is lifted in the much larger context of India, which poses a different opposition.

Nepali women working as sex workers in India are considered a particularly appealing kind of prostitute, or so the stereotype goes. Certainly there are specific brothels in Delhi designated as places to go for “Nepali girls” only, alongside the brothels containing girls from West Bengal, from Andhra Pradesh, and from many other areas.

Living Conditions for Migrant Laborers

Despite recent efforts by the United Nations and affiliate organizations to ratify international conventions on conditions for migrant workers,³⁰ most Nepali migrants in urban India live in poor, overcrowded homes. This is true both for recent migrants and for the sizeable community of people who moved to India long before the conflict in Nepal began. For example, the “Nepali camp” – which sounds like a recent refugee set-up – in southern Delhi is mostly populated by families who moved to India more than twenty years ago. Indeed, a number of Nepali residents complained to us that the camp had grown inordinately – not with Nepalis, but with Bengalis and Biharis – in recent years.

²⁹ See Friedman (2005, forthcoming).

³⁰ See International Organization for Migration (2003).

The public health ramifications for communities who live in migrant worker conditions – insufficient air and light; no clean water; and not enough money to seek good medical care – are considerable. Within brothels, the additional threat of HIV/AIDS is such that most women and girls trafficked to India are given a sure death sentence.

Living and labor conditions for Nepali migrant workers (including Nepali women voluntarily or involuntarily selling sex) differ greatly, however, between major Indian cities – the megalopolis cities of Delhi, Mumbai, and Calcutta, for example – and the multiple smaller cities in India of over one or two million people. These differ again from conditions in smaller towns, where populations do not exceed a lakh, or a hundred thousand, and again from mountainous, sparsely populated hill areas where Nepali men can usually find physical labor, such as carrying loads, for example. Mega-cities show one kind of economy and job market; smaller cities and towns show another; mountain areas a third. It is impossible to generalize the conditions or circumstances of Nepali migrants in India: thousands go every year, for hundreds of reasons, to scores of locations.

Women's Seasonal Migration Versus Men's Seasonal Migration

Women's migration through Nepal's southern borders to the plains and cities of India does not necessarily follow the rhythmic seasonal flow of men's labor migration in the mountains. If a woman going to meet her husband likes her living situation, or if her husband decides she should remain, she will stay on; if not, she might return to her marital home in Nepal. A woman's familial responsibilities may also require that she stay home, or return home faster than she might otherwise. A woman crossing the Bhairahawa border to meet her husband in Delhi told us that she would certainly return to her Palpa village in a month so as to take care of her in-laws.

Seasonal Migration

Seasonal migration to India is an old story for Nepali villagers. Especially for men, working in India during the unproductive cold season is a way both to earn cash and to reduce the number of people needing food throughout the year.

Both men and women tend to migrate to India for a limited time only, or so they plan. Because they still have family in Nepal, almost everyone we spoke to had plans (or hopes) to return at some determined or undetermined time, to care for aging parents, or to harvest crops during the right season. The rhythm of labor migration is well-established in mountain areas in particular. In Uttaranchal, for example, migrants from the Far Western region of Nepal seasonally move during the cold months when there is nothing to reap at home.

Our research took place a few hours away from Nepal's western border with India, but we also met seasonal labor migrants heading out of Kakarbhitta, on Nepal's eastern border. A number of people in Kakarbhitta were heading for seasonal work on the tea plantations of Darjeeling, in the quarries of Sikkim and the coal mines of Shillong, and in the cardamom and sugarcane fields of West Bengal. Seasonal labor migration is also apparent through the Nepalganj border, where a high number of male migrants told us they had finished their agricultural work for the season, and wanted to use available time to earn cash.

Almost all the men we met in Uttaranchal were from the Far Western districts of Nepal: Accham, Dailekh, and Jumla were most frequently cited as home districts, but groups also came from Kailali and Kalikot. Almost all had come through the Mahendranagar border post within the last month. "Why should we sit idle?" they asked us when we queried why they had come to India. "We need clothes, and money to buy commodities." Even if land cultivation was sufficient to feed all the people in their villages, they told us, they needed the cash they earned as wage laborers to buy clothing and non-agricultural products.

Uttaranchal is a new state in India, having been established as separate from Uttar Pradesh in November, 2000. As a result, the new Government is investing heavily in building new infrastructures, and the work of construction – carrying loads, mixing sand, breaking stones – is widely available. Nepali men are thought of as hard working and diligent, and some mountain establishments have policies that prioritize hiring Nepalis. At the same time, the work is unsteady.

The men we spoke to were glad to find work at all, especially in comparison to the nonexistent labor options in the Nepali villages they called home, and to which they were eager to return.

Women's Migration to Uttaranchal

Although many hundreds of men are migrating into Uttaranchal, it appears that almost no Nepali women are.³¹ We talked to as many as fifty Nepali men and boys in three days in Uttaranchal – and saw many hundreds more, on the Mall on Naini Tal, or walking to work in the hills above Almora. In the same amount of

³¹ Interestingly, prostitution seems to be very low in Uttaranchal towns and hilly areas, despite the enormous influx of migrant men.

time, we met four women, with a total of five daughters, sometimes with the help of local guides who agreed to “lead us to the women” when we asked if there were any at all.

The men we spoke to told us they wished they could have traveled with their wives, but someone had to stay home and look after children who were too small to travel, elderly parents who needed assistance, and farm animals. When asked if their womenfolk had come with them, men asked us plainly, “We would have loved it, but who will stay with our parents in the village?” We did meet four families (the four women we met had all accompanied their husbands and brought their children), but this was fairly unusual.

This was corroborated by women we spoke to at the borders, many of whom planned to stay with their husbands in India for a short while, because it fell to them to care for in-laws in the village. A Syangja woman crossing the border at Bhairahawa, for example, was *en route* to visit her husband who had been working in a Delhi hotel for six years. This was not her first trip; she had visited a year earlier and stayed for three months. When asked if she would like to stay longer, she said she wished she could, “but who would look after my mother and father-in-law?”

The Effect of the Conflict in Nepal on Seasonal Migration to India

The Nepali men we spoke to told us that the groups of labor migrants with which they traveled had increased in size over time, because conditions at home had worsened, especially since the conflict began.³² Both sides of the conflict demanded money, stretching already thin resources. Young boys were fearful of conscription – the Maobadi required boys who were not the last in their household to join the insurgency. As a result, they left school and joined migrating men’s groups earlier than they had in previous years.

We corroborated this finding with young men who had been living in Uttaranchal for some time. We received a striking number of similar responses: the number of men migrating for seasonal work in Uttaranchal from Far Western Nepal had significantly

³² Certainly globalization is also a factor in increasing migration – young men want more opportunities, and to see more of the world. But people agreed that the conflict was indeed a relevant factor, and dated the increase of young men’s migration as coincident with the increase in violence after 2001.

increased in the last two to three years. It appears that the conflict has driven men's labor migration significantly higher, as one kind of protection for young boys in Far Western villages. Migration can be an escape, and this appears to be the case for young men from the region in Nepal most heavily affected by conflict.

Maoist conscription and cultural programming campaigns affect all young people in those areas targeted by the People's War, but boys are particularly vulnerable. Girls are requested to join, but not forced, whereas one boy from each family with more than one son is required. A Rolpa girl migrating through Nepalganj said that Maoist activities were increasing daily in her village.

A Surkhet woman, 18, said forced conscription – of both boys and girls – had been one reason for her early marriage. Crossing the border in Nepalganj, she said her parents wanted to marry her off and send her to India with her husband – working in a Tandoori restaurant in Hariyana – and brother and sister-in-law. She said they had to leave the country whether they liked it or not.

A remarkably high number of people told us that they wished they could remain in Nepal. We repeatedly heard people say that if the situation were safe, or if there was work available, they would prefer to stay in their villages and live with their families. In Naini Tal, a family of Nepali migrants told us plainly, "We would rather be starving in our own home than with a full belly here." But the conflict, in these cases, made it impossible to stay.

Brothels in Delhi

Brothels with Nepali girls in major Indian cities appear to be entirely reliant on trafficking. This was certainly true from the appearances of the two Nepali brothels we visited on GB Road, the red light district in Delhi.³³ Brothels line the street – prostitution is legal in a designated red light district in India – and women call out from their respective hallways and caged balconies, soliciting clients. Small, airless rooms – four or six to a hallway – constitute a brothel, where twenty or more girls sit in cramped quarters waiting until they are called for business.

³³ Ray of Hope research suggests that almost all of the Nepali girls in brothels in Mumbai and Calcutta are trafficked.

Within the brothels, women sit while they wait, applying make-up, and observing who comes through the door. Some merchants do visit to sell fruit, blankets, or clean sheets, but most male visitors are looking to buy sex. Living conditions are cramped and extremely unhygienic: often there are no windows, and semen appears to streak the walls. Brothel owners and bouncers guard the goings-on carefully, as trafficking has been a heated issue in Indian cities. In Delhi, a number of brothels have been closed, because minors were working as prostitutes, which is illegal in all cases.

It is common knowledge that each brothel and each hallway are coded with different nationalities so that men can have their choice of sex worker. Nepali women, for example, live in four specific hallways. On the highest floor, women who had been working in brothels for some time sat, idly watching the television. From the antagonistic way they spoke with us, it appeared that they had suffered years of abuse.

The lower floor looked as if it was the room of recent recruits: young Nepali women with black circles around the eyes looked as if they were in shock and trauma, from being drugged, sleep-deprived, and repeatedly abused. Men moved in and out of the large room in quick succession, disappearing with a girl up a staircase or around a corner. Business was brisk, and the women were ordered to sit here, or stand there, or go with a given man. At no point in any transaction did the women voice an opinion or appear to act of their own volition. They were broken.

These deeply disturbing visits confirmed to us that, very sadly, the trafficking of Nepali girls and women to Indian brothels remains a common — and perhaps increasing — practice.

3

CHAPTER

Recommendations

Fighting trafficking means preventing people from selling women and girls, on one hand, and educating women and girls to doubt, inquire, and question the circumstances of their marriages and the conditions of their employment, on the other.

The recommendations presented here are designed in light of our research findings, and come out of extensive conversations with migrants themselves and with policymakers and programmers in Nepal and in India. They constitute the clearest and most effective ways we could come up with to protect migrating women and girls from trafficking, and ideally from abuse and violence more broadly. We hope that they will be implemented, and that they will have a real impact on the lives of Nepalis on the move.

1) Continue anti-trafficking programs that raise awareness of risks

Prior to conducting this study, Save the Children was considering ceasing its anti-trafficking awareness-raising programs and replacing them with safe migration programs. The findings from this research suggest this is not a wise course of action. While safe migration approaches are logical and useful as a way to educate mobile women (see #2 below), they will not stop trafficking. As this report has tried to argue, migrating women are not necessarily more vulnerable to trafficking than village women. Furthermore, anecdotal evidence from women in villages which were beneficiaries of anti-trafficking programs suggests that awareness-raising campaigns have worked.³⁴

³⁴ For the corroboration of anecdotal evidence collected by the research team, see Clawson (2002).

This means anti-trafficking programs must be kept up – not through border patrol, which is ineffective (see #3 below) – but through continued advocacy; home community policing; and most importantly, education, in all spheres. Many organizations in Nepal, most prominently Maiti Nepal, have worked on anti-trafficking advocacy and education, and on legal reforms that would more effectively penalize traffickers. These efforts are effective, and they should continue to be supported and expanded. Care needs to be taken, however, that such programs do not promote stigmatization of returnees or women migrants, or make women fearful of migrating, which have been serious unintended negative consequence of some anti-trafficking programs.³⁵

Anti-trafficking programming needs to happen in both villages in rural Nepal – where there are plenty of young women seeking opportunity and safety of any kind – and urban centers, particularly Kathmandu, where young women have already migrated in large numbers. Women and girls who have migrated to Kathmandu have been made further aware of the dark ways of the world and the sometimes sinister motives of elders, but they would almost always follow through on an opportunity that promises to improve difficult living conditions.

Awareness about trafficking among *Janajati*, particularly Tamang, communities as well as within so-called higher-caste families with access to development programming has significantly increased in the last decade. Most anti-trafficking development efforts have been directed to these “sending” communities. When asked whether her 14-year-old daughter might be at risk of trafficking if she were to travel, a *Chhetri* Dhangadi woman who had migrated with her family to Naini Tal told us, “A few years ago, girls were in danger – they got an offer for a job in Mumbai and off they went. But now they’ve become clever. It’s not so easy to dupe them anymore. They’ve learned.”

It may not be true that low-caste communities, which have had less access to development efforts in most sectors, have been as well-educated about the realities of trafficking. *Dalit* communities, who have been historically underserved by government education programs, may be at greater risk of being trafficked and should be a special target of such programs.

³⁵ For detailed examples of how this has occurred, see Chen and Marcovici (2003).

2) Introduce safe migration programming that includes basic life skills, and that complements rather than replaces anti-trafficking programming

The model of safe migration is a way to fight trafficking that also protects women's rights to mobility, and access to the opportunities that migration can legitimately offer.

One of the most crucial components in the fight against trafficking is teaching young girls how to protect themselves, at home, at borders, and in urban destinations. As all programmers know, the most important way to protect women and girls is to provide a solid education. Women all over Nepal – migrants and prostitutes, educated and uneducated – hoped most fervently for education for their daughters. The poor levels of education among women and girls crossing the border mean that they are entirely dependent on their male companions, and often unable to muster resources of any kind should trouble arise.

Education about how to migrate safely, such as how to keep records of contact addresses which can be shown to someone for help; the importance of having one's own money; and learning about borders, travel routes, and names of places, could be very protective. A Bardiya woman working in a Nepalganj hotel did not know how much her salary was, as her brother collected it for her. The importance of teaching girls how to control their own money – and indeed that this might be a value at all – should not be underestimated. These education materials could form the basis of a safe migration curriculum, and indeed should be incorporated into other girls' and women's empowerment efforts. Ideally women should have materials that tell them where to go for help (see #5 and 6, on transit homes), and be able to call home to tell family members that they are safe (see #8, on call centers).

Specific program approaches to increase confidence and life skills among women and girls could include the following:

- **The national curriculum should include life skills and safe migration information**, and advocacy should take place to ensure this is supported. In government schools, curricula should provide general life skills, including literacy, numeracy, how to use money, and how to use phones and post offices,

as well as specific reproductive health and women's protection information, about sex, contraception, and trafficking. Furthermore, since many girls drop out of school young, it may be valuable to have **culturally appropriate sex education components** (which could include a segment on trafficking) before they do so, in class IV, say, or at age 10-11.

- For those who have not been educated at the primary level, **youth clubs could provide both sex education and migration information for young and adolescent girls**. Because runaways may be particularly vulnerable to trafficking and abuse, it is important to educate girls themselves, rather than their parents. These programs should not be fear-based, but rather factual. Ultimately education and life skills programs need to encourage young girls and young women to think for themselves, and to be able to protect themselves should the need arise. Education about trafficking should include a legal awareness component, so that girls know they can prosecute traffickers and obtain state support should they need to.
- In addition to regular village schools and youth clubs, **these teaching modules should be used in Bhutanese refugee camps** on the eastern border, and in recent settlement camps in cities on the southern border, including Birganj, Nepalganj, and Biratnagar: girls in these already displaced communities appear to be at greater risk of trafficking, and are too often overlooked by government programs.
- **Media programs**, especially radio, can be one way to spread the message outside of formal schooling. Information about trafficking should be counterbalanced with positive stories about migration, so as not to instill in girls a fear of mobility.
- **Girls need to know how to check offers of potential employment or marriage, and become accustomed to the idea of acting independently**. A long time advocate in this area told us the best results come from programs that encourage girls to “check it out. An offer of marriage? Check it out. An offer of employment? Check it out. Who are these people? Where do they want to take you?” By encouraging scrutiny and critical thinking rather than fear, girls may feel more independent, resourceful, and empowered.

- **Safe migration packages in villages could prepare young girls planning to move to the city for the realities of dance bar work**, because so many end up in that sector, and so many are gravely disappointed. The more information girls have about the reality of trafficking – and the reality of life in big cities – the better. If they could anticipate their circumstances somewhat, they might be more resilient initially, and less vulnerable to the abuse that can sometimes take place.

3) Modify border interception programs to become safe migration programs

A number of organizations, most prominently Maiti Nepal, have trained women border guards to be on the lookout for cases of potential trafficking. The reason behind establishing border patrol programs is very logical: stop suspicious people at the border. But fighting trafficking will not happen effectively at borders for two principal reasons: it infringes on people's right to migrate, and it is simply ineffective given the 1,850-kilometer border between Nepal and India. Rather, existing border guards should be re-trained as safe migration educators.

Attempts to stop legitimate migrants have been badly received by advocates working in this field, and indeed during the course of research, at least one father-daughter team became furious (and near violent) about being questioned in such detail, experiencing the process as pure harassment. Furthermore, there is no way to know whether, in any one case, a patroller is effectively stopping traffickers or disallowing a migrant women's mobility. Those girls who are stopped at a border are permitted to go through once phone contact is established with relatives, a highly illogical process, as anyone can claim to be a parent or guardian on the phone. Worse, legitimate family members need to spend a considerable amount of money – both in terms of tickets for travel and in terms of time taken from work – in order to collect daughters and sisters from

The Strength of Education

One Kakarbhitta informant, age 21, who knew about trafficking, gave us a sense of how strong a woman who was aware of the issues could be when she told us, "If men try and lure me, I would say all right and bring them straight to the police station." Another, 17, said, "Who can fool us? Instead we can make fools out of boys! Yes, we have heard these stories about trafficking and are well aware not to talk to everyone we meet." A third, 18, concurred: "We would never respond to strangers or come under their trap." These young women, aware of the problem, seemed well able to deal with the threat of trafficking, and almost dismissive. Their parents and guardians seemed more frightened in some instances: one grandmother told us, "We never let her go anywhere alone, babu... oh, what it has become to live in this world today."

transit homes.³⁶ Finally, as a Nepalganj border guard pointed out, Maiti Nepal cannot stop a girl traveling with her husband or parents, but trafficking frequently occurs when family members sell their own women.

In addition to stopping legitimate migration, a key reason this approach is ineffective is that Maiti Nepal's advocacy efforts have been so successful that traffickers know they must go through "*chor bato*" – thief roads – with girls. As a Kakarbhitta customs officer told us, "Frankly speaking, there is a great deal of smuggling going on – both goods and people – but not through this route. They go through "*chor-batos*" – through the jungle or border villages. Now that the river is dry, they cross the border by walking through the riverbed."

A Nepalganj Maiti Nepal official agreed that a trafficker would not come through the main border. At least one formerly trafficked informant confirmed that she had been taken through the *chor bato*. Other migrants, too, told us that sometimes they used other border crossings, using the main one only if they had to deliver something to someone specifically in the border town.

Busy times at borders mean traffickers can sneak through easily; slow times at borders mean young women are unnecessarily harassed. Indeed, girls detained in the transit homes were visibly fed up: they told our researchers they didn't want to answer any more questions, as they had already told everybody everything.

In addition, strained relations between border patrols and police officers also mean that productive law enforcement activities against traffickers and productive protection mechanisms for young women are highly arbitrary. In Kakarbhitta, Maiti Nepal staff reported feeling more supported by rickshaw pullers than by police during questioning sessions. And of course stories of policemen and women taking bribes so as not to raid certain hotels (and possibly not to stop certain traffickers) are rampant. In Bhairahawa, one policewoman was accused of sending girls to India for money herself.

³⁶ On a few occasions, Maiti Nepal borderguards stopped couples eloping or running off together, in one instance sending the couple home, in another separating them and sending the girl to the transit home. It is not at all clear whether this is actually a protective mechanism

Still, there is value in the training and placement of people at borders — they can provide valuable information for women migrants. The vast majority of women and girls moving to India are entirely reliant on their male family and village members, with no money, address, contacts, or information. They have no idea how to go about making contact with prospective employers, relatives at home, or institutions that could help or protect them if things go wrong, like the police, the Nepali Embassy, or a transit home.

Border guards from protective women's organizations like Maiti Nepal, Saathi, and ABC Nepal should act as educators and information brokers, rather than as investigators and police. Staff at both transit homes and border patrol stations do their job well, and would welcome additional training about how to protect their *didi-bahini-haru* from fates many of them have experienced.

4) Reduce Reliance on “Official” Documents to Determine if a Woman or Girl is Being Trafficked

As already noted above in #3, we recommend ending the practice of intercepting suspected trafficking cases at the border. To the extent that the status of cross-border migrants continues to be reviewed by police or NGOs, however, reliance on “official” documents to determine that a woman or girl is not being trafficked should be minimized.

The border between Nepal and India is open, and should remain so. The absence of good paperwork is in no way proof that someone is a trafficker. We observed cases where women were called upon to provide “proof that they were migrating safely,” such as a legal marriage certificate, or a medical statement certifying the need for treatment. But this process goes against the principle that Nepalis and Indians should be able to cross their shared border openly.

An Unintended Consequence

Border patrolling may also mean that fewer women migrate at all because there are fewer men who are willing to take them. A man being questioned at the Nepalganj border told us, “If people are stopped like this, no one can move comfortably.” In his village, he said, there were many girls who might want to migrate – “there is no work, and no one knows what might happen tomorrow” – but no one wanted to be responsible for their accompaniment. The risk, he said – to the men – was too great: “If anything wrong happens on the way, we would get in trouble.” As a result, he firmly believed that unmarried women should not be allowed to travel to India. His comments reflect an ideological backlash of sorts: since men might get questioned by border guards, it's better for women not to migrate. This is another indication of the limits of border patrol as an effective pro-woman, anti-trafficking strategy.

Maiti Nepal's current emphasis on identification documents at borders is nothing short of puzzling: what does a card identifying oneself prove in regards to trafficking? The argument is that if someone has obtained a false document, they are more likely to be a liar and a cheat. The inability to provide good identification or citizenship papers may be suspicious, but the process of obtaining legal papers is far from straightforward in Nepal, especially given the devolving state of local government offices.³⁷

In Bhairahawa particularly, the emphasis placed on *sifaris* documents (identification issued by local, ward, or district governments) was enormous. In part, this is testament to Maiti Nepal's extremely powerful voice, and effective advocacy: informants reported that the documents were issued specifically to show Maiti Nepal borderguards. Great pains were taken by patrollers to find any discrepancies between travelers' documents and their appearances or narratives; any indication of untruth was taken as grounds that a migrant was a liar, and therefore liable to be a trafficker, and therefore accompanying someone who was being trafficked.

Such rigid questioning – on some occasions, the same young woman was questioned by as many as eight people – makes people lie: facing the state, combined with the wrath of Maiti Nepal, is enough to make most people adjust their stories to be as lukewarm as possible, therefore straying from the facts, and therefore increasing suspicion. Indeed, almost every single woman crossing the Bhairahawa border said she was going for “treatment of stomach problem.” Word had clearly circulated that this statement, along with a *sifaris*, was sufficient to clear the obstacle of the Maiti Nepal borderguards. The same, powerful mechanism of word-of-mouth could work to spread the word of transit homes, migrant centers, recovery groups, and DDC call centers.

5) Convert Border Transit Homes to Safe Havens for Women and Girls

Currently, transit homes have been established to accommodate those girls intercepted at the border, who must wait for parents or guardians to pick them up

³⁷ Nepalganj informants complained that without local administrations in place, they could not obtain appropriate traveling documents. People want to possess identification as much as guards want to look at identification.

and escort them home or to a legitimate destination.³⁸ But large, well-run, and well-funded transit homes can accommodate many more girls than are stopped at the border. For example, Maiti Nepal reports that in fourteen months of operation (between December 2004 and February 2005), only eighteen girls were intercepted and placed in the Kailali transit home.

In some cases – certainly in both Kailali and Kakarbhitta transit homes – local communities have taken over the homes for a much better purpose: places of refuge for runaway girls, usually from domestic violence from either husbands or parents-in-law. None of the three girls at the Kakarbhitta transit home, for example, had been formally intercepted, and none had been engaged in prostitution.

These transit homes are clearly useful, but they would be more useful still if they publicly acknowledged that their primary purpose was to serve as a refuge for women who need or want to leave their domestic situations. Awareness about the broad uses of a transit home would also help the girls who live there, who said no one came to visit them, perhaps out of a stigma that all the girls and women affiliated with Maiti Nepal were prostitutes or had AIDS. Another programming consideration might be whether transit homes would be appropriate for boys migrating to India out of western Nepal, fearful of being conscripted into mortal combat.³⁹

6) Establish Transit Homes Across the Border in India

The establishment of transit homes in North Indian cities should also be considered for programming. With good transit home refuges in Gorakhpur, Bareilly, Lucknow, and Siliguri, to name a few possibilities, women who have crossed through many different points on the India-Nepal border, in many kinds of configurations, and with many outcomes, will all have a place to go if things go wrong.

In Mumbai, Kolkata, and Delhi, which are major sites of trafficking, and where brothel areas receive protection under the law, a number of active organizations run

³⁸ All reintegration procedures should of course be consonant with international human rights instruments and quality of care standards.

³⁹ The Indian towns of Almora and Naini Tal, for example, are home to thousands of migrant boys, who might be better off in their groups of village men than isolated in a home. There may be migrant boys who could make use of a transit home, however, even if they are not in danger of being trafficked.

transit homes for girls and boys. STOP, the major anti-trafficking organization in Delhi, runs two successful and very highly utilized transit homes, mostly for rescuees.

In addition, long-term Nepali migrants run a number of social clubs and organizations devoted to the general social welfare of Nepalis in Delhi.⁴⁰ These social welfare clubs are very concerned with the issue of Nepali girls being trafficked to India. Almost all of their efforts in these areas come in the form of rescues, however; leaders of the organizations (all volunteers) are particularly concerned with repatriation and rehabilitation. Redirecting these well-intentioned efforts towards the staffing and support of transit homes or migrant resource centers (see below) could be very productive, as large numbers of Nepalis in India are willing and eager to be of use in this area.

7) Establish Migrant Resource Centers

A number of informants told us that well-established and well-publicized “contact points” in Indian cities could be very useful for migrating women, and a transit home writ large in an urban center might well serve this purpose. One programming suggestion that has not yet been acted upon but which holds great promise is the establishment of Migrant Resource Centers,⁴¹ which could provide legal, educational, and refuge facilities for migrants from all areas in major urban cities. These centers, with phones and message boards, could serve as the “contact point” – for both families wanting assurance of a daughter’s safe migration and possible employers – desired by so many migrants with whom we spoke.

From a donor perspective, a migrant resource center is very efficient, as migrants from all countries and in all circumstances can be catered to under a single administrative structure. Women from many different areas of the subcontinent working in neighboring brothels would also be able to convey information to one another about how to get assistance that is not limited to women from a particular country. An ideal model might be transit homes in subsidiary cities and resource centers in large cities, although they would in the end perhaps serve very similar roles.

⁴⁰ There are also a number of social clubs in Delhi affiliated with Nepali parties, or so there were when there were still Nepali parties. Once again, this research took place before the royal takeover.

⁴¹ This programming suggestion was first recommended by advocates of the issue in Bangladesh. The beauty of the model is that it bypasses questions of which country bears responsibility for which migrant: the Centers could be internationally funded, and would benefit migrants to a particular city from any country at all.

8) Establish Call Centers as Contact Points in District Headquarters

One specific policy proposal is the establishment of call centers in DDC headquarters, where migrating women could phone in to report that they reached their destinations safely. Many families have moved to DDC headquarters, but these facilities could be used as message centers even for those families who live in more distant villages. Remote families would have to wait for someone traveling from a district capital to receive a message, but would nonetheless appreciate a mechanism of contact. Most girls' and women's parents know about and support their daughters' migrations; a communications network could help establish when girls safely arrive, and sound a warning bell when girls do not.

Because these centers would be designed for the protection of women and girls, they should be protected by the Maobadi, and because they are located in DDC headquarters, they would in most cases be under the protection of the Army. Staffing the message centers would be a way to provide work for a small number of women in Nepal, something almost everyone we spoke to asked for. These centers could perhaps be linked to other anti-trafficking efforts in each district, partnered with local NGOs, if appropriate.

Finally, call centers could be used by district resident girls to "check out" offers of marriage, travel, or employment. By paying for calls to "check it out," an NGO conveys its intentions to teach girls to question the circumstances of their migration all the more clearly. In this way, efforts to educate girls to inspect closely offers of migration are backed up, through providing a service that allows them to do just that. Traffickers, too, might be somewhat dissuaded if they saw that contact between girls and their families, and between girls and their prospective employers, was easy and effective.

9) Enhance Programming to Protect and Support Prostitutes

Several NGOs such as Meet Nepal and General Welfare Pratisthan are working to support prostitutes, and these programs should continue. Some specific areas these programs could address are presented here.

- Waitresses, dancers, and hostesses in Kathmandu's dance bars suggested that **staff unions could be very productive in maintaining good labor conditions.**

A number of women also suggested establishing collective welfare funds as a critical part of building solid community support among sex workers. Dancers also told us that if their work was above board – if they were provided with formal job letters, as just one example – they would be in a much better position to ensure proper employment conditions. Many women suggested that make-up and costumes should be provided by the bars themselves, for example, and women should have health coverage. Labor conditions in dance bars (and brothels, where they are legal) should be assiduously checked.

- **NGOs providing alternative jobs – beyond sewing or knitting – should be supported;** many girls said they yearned for alternatives. Ideally, loans could be provided as seed money in order that women could start small businesses. A long-time advocate in this area said women should be encouraged to work in business, as they had developed advanced skills as negotiators and managing transactions. They can talk back to men if need be, and with years of experience, they can negotiate with clients as equals. Women themselves suggested opening *paan pasals* or small grocery shops; small-scale factories for chocolate, candles, or soap; or communication centers.
- The women we spoke with explicitly requested that NGOs **offer training or awareness programs for civil society** – the police, the press, and perhaps bar owners too – in order to mitigate the negative reputation and reduce exploitation of girls working in the sector. Many women hoped that impressions of women who worked in this sector could be changed in part so that they might marry. In order to counter negative social experiences, women also requested rehabilitation centers, for those that have become reliant on alcohol, and perhaps most importantly, counseling facilities, especially for those women who have suffered exploitation and abuse.

10) Prosecute traffickers in Nepal and India and improve media advocacy on the issues so that apprehending traffickers is a national priority

Certain multi-lateral and bilateral anti-trafficking organizations focus specifically on penalizing traffickers and ensuring that trafficking is appropriately addressed within the criminal justice system.⁴² These steps are critical, because as long as

⁴² In Nepal, USAID's efforts have taken place largely within the criminal justice system. In India, USAID is now beginning a regional project to encourage safe migration in addition.

trafficking remains a lucrative practice, traffickers will continue to sell girls to brothels. No amount of education will help a girl who is first drugged by a person intent on selling her. The legal system must therefore establish penalties that effectively stop trafficking altogether.

In addition, grassroots anti-trafficking awareness and safe migration projects (see #1 and #2 above) should make clear that cases of trafficking can and should be prosecuted, so that women and girls know they can approach the criminal justice system.

11) Ensure the Distinction between Prostitution and Trafficking in the Legal System

As important as it is to ensure proper legal censure of traffickers, the legal system must be very clear as to the distinctions between prostitution and trafficking. In too many countries, Nepal and India included, the crackdown on trafficking has been equated with a crackdown on prostitution, and this confusion ends up penalizing the wrong people.

Blame must not put on the heads of the prostitutes: in Kakarbhitta, the heads were shaved off sex workers themselves, and a local newspaper article reported that the hotel association “had to take action because the above mentioned girls had sex relations with big business men, rich people, [and] army and police high officials. The Association has warned that more stern action will be taken if such acts are repeated.” The onus of blame here is clearly misogynistic, and entirely misdirected.

In India, red light districts are legal, which makes the brothels and the inhuman conditions in which girls are working protected under the law. Current efforts to close down brothels in Delhi are restricted to proving that minors work there; otherwise the establishments are legal. Prostitution is illegal outside of zoned red light areas, however, which means a woman soliciting on the street – who presumably has a much higher degree of autonomy over her finances and working conditions – is working outside the law.

This is a policy which effectively encourages the trafficking of women, by protecting brothels and their owners, and condemns the independent actions of prostitutes. (At the same time, making brothels illegal would likely push them further underground and would not necessarily translate into better treatment of women.)

Again, it appears that the law is protecting the wrong people – brothel owners in this case – and leaving women open to abuse and recrimination, whether or not they are working in good conditions.

Mechanisms to protect prostitutes rather than penalize them would be quickly felt. In Nepalganj a protective network has been established through local and national NGOs; in Bhairahawa, too, local sex workers were largely very supportive of one another. In the larger and denser context of Kathmandu, this protection fails somewhat, as girls become more competitive and isolated. Certainly those NGOs that provide vocational training and rehabilitation are greatly appreciated. Although there is much debate on this point, legalizing prostitution would probably be the most protective mechanism for prostitutes: above-ground unions can be the best way to make sure labor conditions are sound, for example, and women who are abused by clients could take proper legal redress.

12) Advocate Against Police Harassment of Prostitutes

Police can be a big problem for prostitutes. Whether or not male police undergo a course in gender sensitivity training, they should be roundly penalized for harassing sex workers. Police policies and procedures should be explicit about the penalties of mistreating prostitutes, and all policemen should be held strictly accountable to these.

13) Apprehend and Prosecute Contractors who Abuse Migrant Laborers

The use of labor contractors, *thekadars*, is an issue that should be seriously considered, in the cases of workers migrating both from villages to India and from Kathmandu to the Gulf States. Recall that 300 manpower agencies were attacked after the murders of Nepali hostages in Iraq, as a display of fury towards sometimes very irresponsible contractors.

In cases where migrant laborers are placed into slavery-like conditions, *thekadars* should be classified as traffickers. A woman migrating as part of a 13-person *thekadar*-led group from Surkhet to Himachal Pradesh, through Nepalganj, told us that the contractor had left the group in the railway station to go round up additional members; they were patiently waiting for his return to continue their journey –

overnight – with no information about when he might return. They had no bedding or blankets, and no plates for food; finally they borrowed utensils from a nearby hotel so they could cook and eat food one person at a time. Because they had had to spend no money upfront, they had put themselves entirely in the hands of a *thekadar*, who could take full advantage of their poverty and vulnerability. They had no contact or work information, and no money, even to return to Surkhet if they needed to.

14) Pursue Further Research

The research presented in this document research fills in some gaps; many others remain.

Below is a brief summary of some possible areas to consider for further research. Please see also the matrix of further research developed by Ray of Hope, Terres des Hommes, and the Save the Children Alliance in the Annex.

- **Research which populations are currently targeted by traffickers.** As Tamang communities become more aware of trafficking and more protective of their daughters, traffickers may be turning to other, less well-educated groups. A Maiti Nepal border guard in Kakarbhitta suggested that village dalals target Magar and Gurung communities over *Bahun-Chhetri* communities. Certainly most migrants moving through Bhairahawa appeared to be of *Dalit* or *Janajati* origin: higher caste (and therefore higher income) migrants tended to resettle in Nepal Terai towns. Programmers should be engaged in ongoing, quickly responsive, action research that can immediately target new areas where trafficking is happening. Trafficking is big business, and traffickers will move quickly into new districts if it appears there is a new and untapped market for girls. Programmers need to be fast, flexible, and able to gather and respond to new information.
- **Research whether more women are trafficked from village settings or from urban settings, where they are already migrants.** This is a point of debate among people involved in the anti-trafficking movement. Learning the answer to this question would have very significant policy implications.
- **Research the locations of subsidiary brothel towns in order to help determine where additional transit homes could be established.**

Terres des hommes and Save the Children Alliance Areas of Investigation Regarding the Displacement of Children by the Armed Conflict in Nepal

(‘migrants’ = implies primary focus of study on children and caregivers) (different definitions of ‘migrants’, ‘internally displaced persons’ and ‘refugees’ should be noted)

SITUATION	AREA OF INVESTIGATION (NEED TO KNOW)	EXISTING OR PLANNED RESEARCH
impact at conflict sites	▶ impact on primary child protection and survival	HRW
	▶ impact on basic services and access to them	DFID, HRW
	▶ impact on family environment	HRW
	▶ impact on community environment	HRW
	▶ increased vulnerability to abuse, trafficking, human rights violations, migration/displacement	
	▶ coping mechanisms and existing support networks of children, families and communities	DFID?
	▶ community perception of new coping mechanisms	
	▶ new opportunities for potential interventions	
	▶ community/individual perceptions of migration and trafficking	
	▶ community perceptions of impact of conflict	
initial migratory response	▶ reasons, expectations and expected destinations of out-migrants	
	▶ reasons (perceived/observed) for not migrating	
	▶ situation of those who have not migrated	
	▶ community/individual awareness of migration/trafficking dangers	
	▶ coping mechanisms and existing support networks	

the process of migration within Nepal	▶ migrant flow patterns and volume (intermediate and final destinations)	
	▶ perceptions, reasons, expected destinations at time of in-country migration	
	▶ trafficking, level of choice/coercion, awareness, etc. during in-country migration process	
	▶ coping mechanisms and existing support networks	
	▶ determinants of migratory movement, location, time	
situation at destination sites within Nepal	▶ primary in-country migration destinations (immediately local and distant), disaggregated by etc.,	
	▶ description of migrants at primary in-country sites (age, sex, ethnicity...)	FHI
	▶ general situation of migrants (esp. children) at in-country destinations, with reference to children in labour situations	
	▶ existing abuse, debt servitude, rights violations of migrants at intermediate and final in-country destination sites	
	▶ vulnerability of child and adult IDPs to abuse, trafficking at intermediate and final in-country destination sites	
	▶ retrospective perceptions of migrants regarding of trafficking choice/coercion, expectations, etc. at primary in-country sites	SCUS
	▶ coping mechanisms and existing support networks	
the process of migration within South Asia	▶ cross-border movement, disaggregated	SCN, SCUS
	▶ perceptions, reasons, expected destinations at time of cross-border migration	SCUS
	▶ trafficking, level of choice/coercion, awareness, etc. during cross-border migration	SCUS
	▶ coping mechanisms and existing support networks	

situation at destination sites within South Asia	▶ primary South Asia migration sites	ILO (partial), SCUS (partial)
	▶ description of migrants at South Asia sites (age, sex, ethnicity, etc.)	
	▶ general situation of migrants at primary South Asia sites	
	▶ existing abuse, debt servitude, rights violations of migrants at primary South Asia sites	Tdh/CREHPA
	▶ vulnerability to abuse, debt servitude, rights violations of migrants at primary South Asia sites	Tdh/CREHPA
	▶ retrospective perceptions of migrants regarding of trafficking choice/coercion, expectations, etc. at primary South Asia sites	
	▶ coping mechanisms and existing support networks	
the process of extra-regional migration (to Dubai, Oman, etc.)	▶ extra-regional movement (outside of South Asia) disaggregated, volume	
	▶ perceptions, reasons, expected destinations at time of extra-regional movement	
	▶ trafficking, level of choice/coercion, awareness, etc. during extra-regional movement	(ABC/TAF ?) WOREC ?
	▶ coping mechanisms and existing support networks	
situation at extra-regional destination sites	▶ primary extra-regional sites	
	▶ description of migrants at extra-regional sites (age, sex, ethnicity, etc.)	
	▶ general situation of migrants at primary extra-regional sites	
	▶ existing abuse, debt servitude, rights violations of migrants at primary extra-regional sites	
	▶ vulnerability to abuse, debt servitude, rights violations of migrants at primary extra-regional sites	
	▶ retrospective perceptions of migrants regarding of trafficking choice/coercion, expectations, etc. at primary extra-regional sites	
	▶ coping mechanisms and existing support networks	

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