

Research Report 2017

# CAUSES, PROCESSES *and* VULNERABILITY *of* SEXUAL TRAFFICKING *in* NEPAL



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# ABSTRACT

The study begins with an assumption that an understanding of people's vulnerability, together with recruitment and transportation processes, can ultimately lead towards prevention of trafficking. Hence, the study examines the vulnerability characteristics of female sex traffic survivors. The study adopts the livelihood asset framework to measure the livelihood assets of survivors prior to their trafficking, and the victimology framework to examine victim-perpetrator relations during the recruitment and transportation stages. The study concludes that the education, skills, network and membership aspects of survivors' assets were severely deprived, followed by employment and income sources. Further, vulnerability is deeply embedded in patriarchal culture and social acceptance of gender inequality, discrimination and violence. The study also argues that a fair number of survivors themselves add to their own vulnerability (or increase their risk factors) by careless behaviour and fatal mistakes, knowingly committed. After analysing recruitment and transportation processes, the study illustrates how the skills and strategies of the trafficker outweigh the rationality of victims. Therefore, the study recommends for a broader framework for preventive strategies that should focus on:

- i) designing strategies that prevent a crime from happening, especially through increasing the cost of crime compared to its benefits;
- ii) designing strategies that minimise the demand for commercial sexual exploitation, nationally and internationally; and
- iii) designing strategies that reduce the conditions that make an individual vulnerable to trafficking (both structurally and individually-induced vulnerability).

When these three types of strategies are employed, theoretically trafficking is less likely to occur. On the other hand, an intervention omitting any of these three strategies might well fail to prevent trafficking.

**Keywords:** livelihood assets, vulnerability, traffic survivor/victims, sex trafficking, prevention, recruitment and transportation



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**INTERACT**

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## A message from Interact

Focused on the experiences of survivors of sexual trafficking, this report is an important read for all wishing to understand the contexts of trafficking in Nepal better. It offers valuable insights concerning the characteristics of what makes an individual vulnerable to human trafficking, and how we can form our preventive work. The report also examines an under-researched area as it maps the recruitment processes of human trafficking in Nepal.

At Interact, we are proud to work together with UMN in targeting the root causes of trafficking. With a preventive focus on their anti-human trafficking work, UMN leads the way forward and challenges us all to better shape our policies and projects to fit the needs of our society.

Andreas Henriksson  
Regional Director  
Interact

Sofia Jonsson  
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# FOREWORD

Nepal is better connected to the rest of the world today than at any point in the country's history. Even in many of the remotest hill villages, this generation of Nepalis enjoys mobile networks, motorable roads, and expanded opportunities for labour migration which their grandparents could barely have imagined.

Yet with this greater connectivity has come increased vulnerability to one of the great social evils of our time: human trafficking. Exploitative industries with regional and global demand are now able easily to reach areas that were once protected by isolation. In many villages and urban neighbourhoods, awareness of new international economic opportunities is high but knowledge about the dangers of trafficking remains low. As long as prosperity and education lag behind cross-border connectedness, traffickers will continue to enjoy a major structural opportunity.

The selling of women and girls for commercial sexual exploitation, specifically, remains widespread across Nepal despite the efforts of legislators, community authorities, and civil society organisations. This research report is based on the experiences of some of those trafficked Nepali women and girls. Their stories highlight many of the gaps and vulnerabilities that allow traffickers to transport targets like them away from their families, across a border, and into unsought and unwanted sex work.

Motivated by the significant profits involved, traffickers are skilled at identifying vulnerable candidates and have developed many techniques to manipulate them into leaving their villages. For two-fifths of the women surveyed, the persuasion process took a week or less. Institutions working against trafficking must improve their own ability to identify vulnerable women and girls, and proactively disseminate messages that help them recognize and reject common manipulative tactics.

The survivors analysed in this report tended to be lacking in certain key livelihood assets at the time of their abduction—especially skills and education, non-family social networks, and savings and other economic assets. There is a plausible connection between these gaps and susceptibility to trafficking; part of the solution is surely mobilizing vulnerable women into local groups and networks where they can save money, develop their skills, and raise awareness of trafficking risks in the group and wider community.

Reducing vulnerability at village or neighbourhood level cannot be the whole solution, however. The stories analysed in this report suggest several opportunities to intervene along the transport chain, as well as policy and institutional changes that could increase the risks to traffickers.

If today's greater connectedness contributes to the challenges around trafficking, it also offers opportunities to organisations working to address those challenges. UMN is happy to share these stories and findings with a wider community of practitioners and researchers, in the hopes that they will contribute to the common goal of ending human trafficking.



Joel Hafvenstein  
UMN Executive Director  
February 2017

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# ACRONYMS AND ABBREVIATIONS

ABA:	American Bar Association
CATW:	Coalition Against Trafficking in Women International
CeLRRd:	Center for Legal Research and Resource Development
DCCHT:	District Committee for Controlling Human Trafficking
DFID:	Department for International Development
FGD:	Focus Group Discussion
GAATW:	Global Alliance Against Trafficking in Women
HTTCA:	Human Trafficking and Transportation Control Act
ILO:	International Labour Organization
KII:	Key Informant Interview
MoWCSW:	Ministry of Women, Children and Social Welfare – Government of Nepal
NCCHT:	National Committee for Controlling Human Trafficking
NHRC:	The National Human Rights Commission - Nepal
NNAGT:	National Network Against Girl Trafficking
NPA:	National Plan of Action
NWC:	National Women’s Commission
TVPA:	Trafficking Victims Protection Act
SAARC:	South Asian Association for Regional Cooperation
UMN:	United Mission to Nepal
UN:	United Nations
UNODC:	United Nations Office on Drugs and Crime



# 1 BACKGROUND

Human trafficking is globally conceived as a new form of human slavery that breaches the universal human right of people to live free, secure and dignified lives. The recruitment and transportation of people by means of force, fraud and abuse over vulnerability for the purpose of exploitation<sup>1</sup> are serious violations of individual rights. Legally, it has now become a global crime to trade in any human lives, despite the age, gender, caste and nationality of people.

Unfortunately, the extent of global human trafficking is alarming. It is not possible to extract an accurate global and internal estimation, because of different definitions of human trafficking, different criteria and methodologies employed in gathering data from various agencies, and the socio-political sensitivity of the issue. Nevertheless, the general estimate of the International Labour Organization (ILO) indicates that 20.9 million people are victims of trafficking globally, where 78% of this figure were forced labour victims and 22% were victims of sexually-related trafficking (ILO, 2012: 13)<sup>2</sup>. The report also identified that 55% of trafficked people are women and girls, 45% are men and boys, and 74% are adult victims, indicating that women and adults are more vulnerable to trafficking globally (ibid). This massive volume of overall global trafficking involves a huge and lucrative economy. Two ILO reports estimated that the global annual profits generated by human trafficking are around USD 31.6 billion<sup>3</sup> (ILO, 2005: 55) and the total financial cost of coercion experienced by forced labour workers, including trafficked victims, would be over USD 20.9 billion<sup>4</sup> (ILO, 2009: 32). The scale of this trafficking problem is now not only limited to the human rights domain, but also cuts across diverse aspects of contemporary developmental discourses like poverty, governance, health, education, migration and global economies. Hence, the matter must be seen as an international problem and requires a global collaboration, rather than merely a national attempt to take action against trafficking.

In the midst of global discourses that view trafficking as a unilateral, bilateral or multilateral issue, Nepal is deeply involved. It has become the source, transit hub and destination for various forms of trafficking. Cross-border trafficking geographically reaches from neighbouring India to other Asian countries, the Middle East, Sub-Saharan Africa and the United States. The National Human Rights Commission (NHRC, 2011: 17) has roughly estimated that 11,500 persons were trafficked or were victims of attempted trafficking from January 2011 to December 2011, compared with 5,500 in the fiscal year 2009-10, indicating a doubling of the trafficking number within one year. India has always dominated various forms of human trafficking as a destination, because of its close socio-economic connections and the open border policy between India and Nepal. The ILO study, after reviewing the literature and sources from 1997-99, identifies that between 21,000 to 200,000 Nepalese women and girls had been trafficked and were working in sex businesses (KC et al., 2001: 7). The latest report from 2011 by the American Bar Association (ABA) and the Center for Legal Research and Resource Development (CeLRRd) shows that around 5,000 to 15,000 women and girls are trafficked annually to India for the purposes of commercial sexual exploitation, and approximately 600-2,000 Nepali children are working in Indian circuses at any point in time, 90% of them girls and 10% boys (ABA and CeLRRd, 2011: 20). Apart from Nepalese people being trafficked, traffickers, especially from South-Asian countries, were also noted to be using Nepal as a transit point to transport people from various Asian countries through Nepal, taking advantage of its weak governance and legal structure. This reflects human trafficking having a complex transnational nexus.

In-house trafficking in Nepal is also extensive. Internal trafficking of children, women and men in the sectors of construction, domestic work, brick kilns, textile factories and commercial sex industries is widespread in Nepal. The most booming trafficking includes the trafficking of women and girls for sexual purposes, and children and men for cheap labour in urban centres in Nepalese cities. The sexual entertainment sector includes cabin restaurants, dance

<sup>1</sup> The United Nations (UN) Trafficking in Persons Protocol, Article 3, defines human trafficking as 'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of a threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.' It specifies three elements in any trafficking: 'the act', 'the means' and 'the purpose' (UNODC, 2008)

<sup>2</sup> The reliability of data on trafficking, both national and international, has always been questioned by many scholars criticizing the numbers game on available data on trafficking by claiming 'Helping victims gets good press' (Clark, 2008: 78) indicating media-driven data; 'moral panic' (Chapkis, 2003) indicating inaccurate estimation or exaggerating data creating social panic about sex trafficking and 'highly polemic rather than academic' (Meshkovska, et al., 2015: 391) indicating controversial information.

<sup>3</sup> The profit figure covers global annual profits per forced labourer in commercial sexual exploitation and profits per forced labourer in other forms of economic exploitation.

<sup>4</sup> The total cost of coercion includes the 'opportunity cost' of being in forced labour and human trafficking, in the form of lost income due to unpaid wages, plus recruiting fees paid by victims. It does not include the figure of forced commercial sexual exploitation

bars, *dohori* restaurants<sup>5</sup> and massage parlours, and the cheap labour sector includes child labour in restaurants and exploitation in urban markets. Studies carried out by the Government of Nepal in 2008 disclosed that there were nearly 1,200 massage parlours, dance bars, and cabin restaurants in Kathmandu alone, employing nearly 50,000 workers out of which 80% were women aged 12 to 30 (Subedi, 2009). Approximately 50% of workers suffer from some form of exploitation, including 9,000-15,000 of them who are underage (ibid). Most trafficking survivors, internally and cross-border, come from the central development region and from the *Janajati*<sup>6</sup> community, who are barely educationally literate (NHRC, 2011).

Legally, the Nepal Country Code of 1963 (*Ain*) has expressly prohibited the trading of any person. The Government of Nepal has also passed many policies, acts and regulations as legal measures to combat trafficking. The Human Trafficking and Transportation (Control) Act of 2007 (HTTCA) is a comprehensive legal framework that addresses human trafficking. The Foreign Employment Policy (2012) and Act (2007) and various other laws on violence against women and child protection are some related instruments against trafficking by the Government. Nepal has also signed various UN conventions and treaties related to the rights of children, forced labour conventions, ILO conventions, the SAARC Convention on Preventing and Combating the Trafficking in Women, etc. The National Plan of Action (NPA) Against Trafficking in Persons, especially trafficking in women and children, was endorsed by the Cabinet in March 2012. It lays the foundation for a national plan to combat trafficking, and identifies five areas of intervention:

- i) prevention<sup>7</sup>;
- ii) protection;
- iii) prosecution;
- iv) capacity building; and
- v) collaboration and cooperation.

With various legal frameworks and national plans, the government has also prioritized developing the institutional setup and scaling-up its capacities. The Ministry of Women, Children and Social Welfare (MoWCSW) is the lead government agency in combating human trafficking in Nepal. The National Human Rights Commission (NHRC) has established a special rapporteur on trafficking; the National Women's Commission (NWC) aims to protect and safeguard the interests and rights of women; the National Committee for Controlling Human Trafficking (NCCHT) has a clear mandate and structure to develop, facilitate and coordinate government-led anti-trafficking initiatives; and the District Committee for Controlling Human Trafficking (DCCHT) is responsible for public awareness, monitoring of rehabilitation centres and implementation of national programmes. Some important national acts and guideline to regulate trafficking includes: Human Trafficking and Transportation (Control) Act, 2064; Human Trafficking and Transportation (Control) Regulation, 2065; Guidelines for the Prevention of Sexual Harassment Against Working Women at Workplaces like Dance Restaurants and Dance Bars, 2065; Guidelines on Local Committee (formation and mobilization) Against Human Trafficking, 2070 etc. Other strategic initiatives include the establishment of safe homes, increasing investigation and prosecution, incremental increases in national budgets for anti-trafficking, publication of awareness materials, information desks at borders and airports, and human trafficking-related content in the national school curriculum for Grade 10. Nepal also celebrates National Day Against Human Trafficking in the first week of September every year, respecting human dignity and freedom. Despite these efforts, the Government of Nepal is not fully complying with the minimum international standards for the elimination of trafficking, as the US Department of Trafficking in Persons Report lists Nepal in Tier 2<sup>8</sup>. Besides government efforts, numerous civil society organisations, like Maiti Nepal, Three Angels, ABC Nepal, the National Network Against Girl Trafficking (NNAGT) and Shakti Samuha etc., are also active in anti-human trafficking campaigns. They are actively involved in policy advocacy, grassroots awareness-raising, establishing helpline services and checkpoints along the border, legal services, rescue and reparation, and documentation.

Despite all these efforts, institutional engagements and resource mobilizations, Nepal is still far behind in bringing trafficking under control. Traffickers are developing new tactics and operational mechanisms to continue their trade. Hence, this study examines the nature of vulnerability that leads to trafficking and seeks to understand the recruitment and transportation processes associated with it, in order to recommend a holistic preventive strategy model to mitigate trafficking. The study only focuses on female sex trafficking, both internal and international. This study uses the term 'victims' and 'survivors' synonymously to indicate a person who has been sexually trafficked at some point of time in their lives. The study holds the assumption that better understanding the nature of vulnerability, recruitment and transportation leads to the design of better preventative strategies.

<sup>5</sup> Restaurants where live Nepali folk songs are played to entertain the customers.

<sup>6</sup> Janajati are Nepal's indigenous nationalities.

<sup>7</sup> Ministry of Women, Children and Social welfare, Nepal has recently carried out the comprehensive research titled "Progression in the Trafficking in Persons Scenario and Response for Prevention, Protection and Prosecution" as directed by NAP on prevention strategies.

<sup>8</sup> Tier 2 is the categorization of countries according to human trafficking issues that signifies countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

## 2 OBJECTIVES OF THE RESEARCH

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Following are the research objectives and questions for this study:

**Objective 1:** To identify the characteristics that make an individual vulnerable to human trafficking, through livelihood assets measurement and examining socio-economic contexts.

**Research Questions:**

- Who are the most vulnerable people, and why?
- What are their socioeconomic, cultural and family backgrounds?
- The lack of which livelihood assets makes an individual vulnerable to trafficking, and how?

**Objective 2:** To map the recruitment and transportation processes and approaches of contemporary human trafficking in Nepal.

**Research questions:**

- What methods and approaches are used by the traffickers to recruit and transport people?
- Who recruit people, and what are the characteristics of the recruiters and traffickers?



## 3 LITERATURE REVIEW

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### 3.1 Discourse on consent in the definition of sex trafficking

Among the definitional debates in sex trafficking, one of the critical discourses lies in the issue of consent of individuals who engage in sexual activities. Gallagher (2001: 984) questions “whether non-coerced, adult migrant prostitution should be included in the definition of trafficking”. The first camp, led by the Global Alliance Against Trafficking in Women (GAATW), supports prostitution as legitimate, indicating that if adult women voluntary enter into the sex industry, to escape poverty or for any other reason/s, the trafficking concept does not apply (Gozdziak and Collett, 2005; Doezema, 2005). The other camp led by the Coalition Against Trafficking in Women International (CATW), strongly disagrees, claiming any women who are in the sex industry are exploited, abused, involved in coercion and risks and have been deceived at some point in origin or destination, and hence are the victims of trafficking (O’Connor & Healy, 2006; Cameron, 2008). Hughes (2004) argues that women’s consciences never desire to be engaged in the sex industry, and hence whether it involves coercion or is voluntary, they are trafficking victims. Even when women knew that they were leaving to engage in prostitution, Aronowitz (2015) claims that exploitation and deception await them at their destination. This study uses thinking from both sides when identifying who are victims, and why.

### 3.2 Identifying the vulnerable

The literature has identified characteristics associated with vulnerable groups, from general to specific. Typical features of those vulnerable to trafficking include poverty, unemployment, limited access to education, people from rural areas and people who migrate as a livelihood coping strategy, etc. As Feingold (2005: 32) puts it, “trafficking is often migration gone terribly wrong”. Others try to identify the specific vulnerability characteristics linked to sexual trafficking. Vijayarasa (2013:1024) places emphasis on the gender variable in sex trafficking, saying “trafficking is gendered, and the gender is female”. A study by KC et al. (2001) for the ILO identifies mistreatment and physical abuse, alcoholism, mental torture, multiple marriages, large family size, patriarchy, and child marriage, and excessive spending at times of feasts and festivals etc. as leading to vulnerability which might result in trafficking. On other hand, MoWCSW, (2016) has identified the people with background from under 18 age, migrants outside Kathmandu valley, unmarried, living with other family members, limited education etc. are vulnerable group.

Research undertaken by Artadi et al. (2010) on vulnerability factors in trafficking in the Philippines helps us to understand the characteristics of vulnerability better. They found almost 50% of survivors had a lower level of education (primary schooling or below). Of the girls, 85% decided on their own to leave the home, with high expectations, overestimating the benefits and underestimating the risks. 65% of girls entered into sexual jobs through a friend or an acquaintance. Family status was also found to be an important variable contributing to trafficking. Their research identified that 20% of the girls interviewed had their mother absent; often quarrels were taking place between the survivor and her parents at home. The eldest girl in the family is the most vulnerable, and the greater the number of siblings, the greater the ratio of boys to girls in the household, the higher the likelihood that patriarchal gender discrimination in the family will leave the female child vulnerable to trafficking.

Nils Christie’s concept of the ‘ideal victim’ further helps to conceptualize who are vulnerable and the attributes of victims. His six typologies of ‘ideal victim’ are:

- i) The victim is weak in relation to the offender - the ‘ideal victim’ is likely to be either female, sick, very old or very young (or a combination of these);
- ii) The victim is, if not acting virtuously, then at least going about their legitimate, ordinary everyday business;
- iii) The victim is blameless for what happened;
- iv) The victim is unrelated to and does not know the ‘stranger’ who has committed the offence;
- v) The offender is unambiguously big and bad;

- vi) The victim has the right combination of power, influence or sympathy to successfully elicit victim status without threatening strong countervailing vested interests (Christie, 1986, in Dignan, 2004: 17).

Since this study aims to study the vulnerability aspects of trafficking survivors, these examples from the literature helps us understand what characterizes vulnerability, and what aspects need to be explored.

### 3.3 Recruitment and transportation

Recruitment is the process, approaches and actions that a trafficker undertakes to persuade the potential victim, and deception is the underlying strategy associated with trafficking (Angelina and Blagojce, 2014). Luty and Lanier (2012: 564) put forward the argument that the precondition for any recruitment in trafficking is accompanied by the “unequal power difference between the trafficker and the victim”. The commonly-adopted method of recruitment involves capitalizing on the economic vulnerability of women, and falsely promising them better job opportunities (Crawford and Kaufman, 2008; Vindhya and Dev, 2011), fake marriages and recreational travel (IOM, undated; Zimmerman et al., 2003). Sometimes the recruitment also takes place where the trafficker mobilizes a third party, who might or might not know that they are engaged in recruitment, to recruit potential victims.

In terms of the movement of victims, Angelina and Blagojce (2014) describe traffickers as ‘specialists’ in transporting victims. They are highly organized groups (Shelley, 2010) who are ‘learning organisations’ according to Leman and Janssens (2008) that constantly adapt to the changing contexts and find new ways to continue recruiting and transporting victims. Transportation goes beyond formal straight routes to destination, but rather follows unconventional and multiple routes, transit points and modes of transportation (KC et al., 2001). Victims are vulnerable to abuse in these stages, as they are in very risky circumstances. Motus (2004) sees that victims are re-sold to numerous agents and are subjected to exploitation on the way. The literature gives an insight on how transportation takes place. This is the second objective of this study, to map the transportation and transit points of Nepalese trafficking.

### 3.4 Livelihood assets framework

Trafficking vulnerability is deeply associated with poverty as a fundamental cause. To understand vulnerability better, this study attempts to dissect poverty through the livelihood assets framework. Erenstein et al. (2010) links lack of livelihood assets and poverty. They argue that poverty and vulnerability levels decrease with an increase in people’s livelihood assets. Moser and Felton (2007) and Erenstein (2009) also assert that assessing assets may provide a healthier picture of an individual’s living quality or a proxy for poverty evaluation. DFID’s livelihood approach pentagon (1999) considers five types of assets<sup>9</sup> (physical, financial, human, natural and social) as necessary conditions contributing to a secure livelihood and mitigating poverty. The livelihood assets framework aims to “gain an accurate and realistic understanding of people’s strengths (assets or capital endowments) and how they endeavour to convert these into positive livelihood outcomes. The approach is founded on a belief that people require a range of assets to achieve positive livelihood outcomes; no single category of assets on its own is sufficient to yield all the many and varied livelihood outcomes that people seek.” (ibid: 5).

Various scholars on trafficking (Clark, 2008; Kempadoo et al., 2005; NHRC Nepal, 2011) have argued that the conditions of vulnerability are entrenched in the social, cultural, economic and political spheres, and prevention models should consider these dimensions. Hence, deprivation of their asset base could lead individuals to vulnerability. According to Gallagher (2013:15), traffickers can capitalize on this vulnerability, as “abuse of vulnerability is a means by which trafficking is perpetrated”. Therefore, asset-based mapping helps us to understand the interaction of livelihood assets and vulnerability, leading to trafficking. This information is crucial to minimise vulnerability and design preventive strategies through building up the livelihood asset bases of potential victims.

This research adopts the livelihood asset component of DFID’s (1999) Sustainable Livelihoods Framework to measure the livelihood assets of the survivors prior to their trafficking, and to understand the nature of vulnerability in trafficking. It is acknowledged that focusing solely on the assets component and making other important components of the framework constant might not paint a reliable picture of an individual’s livelihood outcome; nevertheless, this study considers the assets component as a fundamental building block in determining individual livelihood level, and in turn their vulnerability. The identification of people’s particular asset deficits is considered crucial in designing preventive models.

<sup>9</sup> i) Human capital: skills, knowledge, the ability to work and good health; ii) Social capital: the social resources that people draw on to make a living, such as relationships with either more powerful people (vertical connections) or with others like themselves (horizontal connections), or membership of groups or organizations. iii) Natural capital: the natural resource stocks that people can draw on for their livelihoods, including land, forests, water, air and so on; iv) Physical capital: the basic infrastructure that people need to make a living, as well as the tools and equipment that they use; v) Financial capital: savings, in whichever form, access to financial services, and regular inflows of money (DFID, 1999).

### 3.5 Why and how crime occurs

It is fundamental to understand the theoretical underpinning of trafficking as a crime in order to understand the trafficking process. Through various literature reviews on criminology, Lutya and Lanier (2012:563) have developed an integrated theoretical framework to describe human trafficking. According to them, "There are three causal or explanatory factors to the decision-making process for committing the crime of human trafficking of young women and girls for involuntary prostitution: free will, the demand and victim vulnerability. The decision-making process becomes an independent variable because it precedes the free will, demand and victim vulnerability." Free will here signifies the rational choice of the trafficker, based on cost-benefit analysis of committing the crime; demand indicates the need for women and girls in the sex industry at destination<sup>10</sup>; and victim vulnerability means capitalizing on the weak aspects of victims by the trafficker to persuade. According to Lutya and Lanier, after the trafficker calculates the expected return on the crime<sup>11</sup>, sees the demand for committing the crime, and identifies the potential victim, the recruitment process begins.

They further write that in order for the recruitment phase to occur, "A causal relationship exists between power and inequality, free will and lifestyle exposure creating opportunities for the recruitment process to occur." This means that the trafficker is always superior and powerful compared with their victim, in terms of knowledge and skills or any other factors. Similarly, the potential victim also calculates the cost-benefit in reference to the proposal of the trafficker, and decides. Finally, the lifestyle of the victims is associated with leading them to vulnerability (discussed in Section 3.6, below). Therefore, Lutya and Lanier claim, "With little or no knowledge of victims' lifestyle, gender, socio-economic status, ethnicity and race per preference of the demand, the traffickers will not recruit victims" (ibid: 564). Other scholars also put forward the necessary conditions and components of crime. In the view of Cohen and Felson (1979) and Miethe and Meier (1994), crime should include; the victim, absent or reduced guardianship, a motivated offender, exposure to crime and proximity. This provides a clear theoretical picture of the actors, processes and mechanisms of trafficking as fundamentally a crime.

### 3.6 Victimology theory

Victimology is the theoretical framework that aims for a better explanation as to why some individuals or groups are victimized or are at greater risk, than others. It discusses the causative factors, phenomenon, contexts and relationships between victim and perpetrator in order to study victimization. Numerous hypotheses have been devised to understand the dynamics of victimology. This study will try to understand them under two categories;

- i) the victim as stimulating to their own victimization; and
- ii) cultural and structural contexts that contribute to victimization.

Scholars like Van den Hoven and Maree (2005), Franklin et al. (2012), Amir (1971), and Von Hentig (1941) take the position that the victim him/herself plays a significant role in contributing to their own harm because of their lifestyles, careless and risky behaviour, innocent, proactive, low self-control personality etc. Von Hentig (1941) argued that the victim triggers a chain of events that provokes, allows or facilitates the trafficker's recruitment process, which eventually leads them to the state of victimization. Similarly, Lutya and Lanier (2012) view the victim's proneness, precipitation and provocation as key factors determining the trafficking vulnerability of women and children. The view is criticized for its apathy for the victim and its sharp blame for them as responsible agents or guilty, rather than sympathizing with them (Mendelsohn, 1956).

The alternative view argues that they should be 'blameless' (Cameron, 2008). This school of thought argues that social contexts are responsible for or facilitate victimization (Hindelang et al., 1978; Berg et al., 2012; KC et al., 2001). It claims that socially-defined roles and responsibility and cultural contexts lead to victimization. Sometimes a specific community's culture and norms also safeguard, allow or accept violence, exploitation and discrimination (eg. discrimination against Dalits<sup>12</sup>, bonded labour, violence against women), where even statutory law is powerless against these cultural practices (Anderson, 1999; Berg et al., 2012). Feminists view the patriarchal culture as a responsible agent for women's victimization in society (DeKeseredy and Schwartz, 2009; Usman, 2014), claiming that trafficking in women has its root in 'globalization of the patriarchal capitalist'.

In summary, vulnerability can be seen as personal factors on one hand and structural factors on the other. This theoretical framework forms a basis to analyse how a person becomes the victim of trafficking.

<sup>10</sup> For Hughes (2004) identifies trafficking is the result of supply and demand in the sex industry leading to motivate traffickers to supply women and girls to fulfill demand.

<sup>11</sup> McCray (2006) sees the lesser the punishment, the higher the likelihood that the trafficker makes the decision to undertake the crime by noting "Certainty is more important than severity".

<sup>12</sup> Dalits: According to conventional caste hierarchy system, they are treated as lowest caste people.

## 4 METHODOLOGY

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### 4.1 Identifying interviewees

This study is based on primary information from trafficking survivors who were either rescued, or had escaped from the brothel and were living in safe homes or were reintegrated to society and living normal lives. Sex-related trafficking is a very sensitive issue in the Nepalese community. Therefore, a small pre-study was conducted to get a cursory picture about the availability of potential respondents, and to refine the research methodology. Based on the pre-study, the respondents were accessed mainly from the Nepal-India border slum area and various safe homes run by rescue organisations. Altogether, 28 female trafficking survivors were interviewed. Their ages, when they were first trafficked, range from nine years to 38 years. However, after completing the data collection, six cases were removed from dataset before the analysis. This was necessary to prevent their influence on the authenticity of data, as they demonstrated other forms of trafficking rather than sexual, which was the focus of the study. Some of these included cases presenting highly conflicting responses. Hence, a sample size of 22 cases formed the basis for analysis.

The geographical areas from which the trafficking of survivors took place mainly consisted of the Western Tarai<sup>13</sup> (Nawalparasi and Rupandehi districts) and Central-Hilly regions (Dhading, Nuwakot and Sindupalchowk districts and Kathmandu valley) of Nepal. A snowball sampling was adopted to identify trafficking survivors in the border and slum area, and purposive sampling was undertaken in various safe homes. A simple sampling criterion was developed to identify potential respondents. Each respondent should be:

- i) a sexual trafficking survivor;
- ii) female of any age group; and
- iii) trafficked from Nepal.

### 4.2 Focus Group Discussions and Key Informant Interviews

Three Focus Group Discussions (FGDs) with organisations and networks working against trafficking were conducted. In addition to these, seven Key Informant Interviews (KIIs) were carried out with rescue, media, activist, academic, and government personnel.

### 4.3 Interview process

Considering the sensitivity of the issues, the in-depth interviews were conducted by qualified enumerators, with whom the survivors felt comfortable to share the information. Adopting a gender-friendly research approach, only female enumerators were chosen so that the female survivors would feel easy to share their painful thoughts and experiences. The female enumerators were carefully selected from rescue organisations and individuals who were working in anti-trafficking sectors at a grassroots level. The research team provided orientation for the enumerators about the research concept, methodology and interview guidelines, and constantly verified and scrutinized the authenticity of the data. The in-depth interview guidelines focused on pre-departure recruitment, transportation processes and rating livelihood assets. Pre-departure recruitment issues include trafficking survivor-perpetrator interaction, recruiter relationship with family, time taken to recruit and traffic, and victims' aspirations and dreams. Transportation process issues included mode of transportation, transit points, extent of the imprisonment during the journey etc. Information on various livelihood assets prior to trafficking was also gathered.

## 4.4 Analysis

Necessary keywords for the study were identified before reviewing secondary data, helping to filter the appropriate documents efficiently from the wider secondary literature on trafficking. Authentic document sources, such as key scholars on the issue, journal articles, reports of organisations working on trafficking, discussion papers, PhD dissertations etc. were accessed for the review.

The concepts of livelihood assets and victimology have been adopted as a framework for analysis. The asset level of survivors prior to their trafficking, according to the five categories of the framework, were tabulated in a spread sheet and the average mean calculated to measure the assets on a scale of high, medium, and low through a radar chart. The highest score, rated as '2' in this study, is a person having sufficient livelihood assets as a proxy indicator of living a quality life, as explained in the DFID livelihood pentagon. This sufficiency and decent life may well prevent them from moving with traffickers in search for better life. The scale '1' has been used as the medium level of sufficiency. Below this scale, a person scoring '0' is deemed to have deficient livelihood assets for the purposes of this study. For example, employment was taken as one of the indicators (variables) to measure financial assets. This indicator was measured with a further three sub-variables;

- i) the status 'unemployed' scores 0 in the index, signifying no source of financial income;
- ii) 'partial or seasonal employment' scores 1 in the index, signifying at least some source of financial income; and
- iii) 'full-time employment' scores 2, signifying having a secure source of income.

This will facilitate analysis of the relationship between survivors' livelihood assets and trafficking vulnerability. Qualitative content analysis was conducted to get insight on how perpetrators recruit and transport potential women and girls for the purpose of sex trafficking. It also gives an insight into the characteristics of the recruiter and the relationship between victim and perpetrator. These qualitative approaches better explain the phenomenon, meaning and description of events (Silvermann, 2000) and hence are appropriate for qualitative information analysis gathered in this study.

The whole study period, including pre-study, was from February to December 2016.

## 4.5 Ethics

Research ethics was followed carefully in view of the sensitivity of the issue. A consent form was signed prior to recording of the interviews. All respondents agreed to the use of their information for publication, on condition of anonymity and confidentiality. Hence, their identity has been protected in this study. The gathered data were framed under the working definition of sex trafficking as defined by the United Nations Office on Drugs and Crime in *Toolkit to Combat Trafficking in Persons* for this study (see footnote #1).

## 4.6 Limitations of the research

The study acknowledges limitations of the research, as some survivors failed to recall some memories associated with trafficking events, and they were not willing to share some sensitive information during the interview, even though it was important for the study. It was also not feasible to gather information from recent survivor cases to mitigate the memory issue, as recent survivors were mentally and emotionally disturbed and not willing to be interviewed. Further, it is acknowledged that focusing solely on the assets component and making other important components of the livelihood framework constant might not paint a reliable picture of the individual's livelihood outcome. Nevertheless, this study is based in the assumption that deficiency in livelihood assets is a fundamental component that might lead individuals to trafficking vulnerability. The approaches, tactics and analysis in understanding trafficking is only derived from the information generated from the perspective of survivors and people working against trafficking, and does not include the traffickers' perspective. It should also be noted that the findings represent insight for sexually-related trafficking of women and girls, and might not be generalizable to other forms of trafficking. Some old literatures are also use due to limited study over the topics.



## 5 CONCEPTUAL FRAMEWORK

This study draws on the human rights approach to trafficking that considers that everyone is entitled to live a free, secure and dignified life. It views trafficking in persons as an abusive form of migration and hence takes into account the responsibility of the state to respect and guarantee people's rights through constitutional means and effective implementation of inter/national laws.

According to this perspective, the study frames that deprivation in the livelihood asset bases of people, structurally-induced vulnerability and personally-induced vulnerability all combine to create trafficking vulnerability. Thus the study is based on two concepts as an analytical framework, namely:

- i) the concept of livelihood assets, from DFID's Sustainable Livelihood Framework; and
- ii) the concept of victimology, from criminology literature.

The central idea of the livelihood assets concept is that the livelihood strategy or sustainable quality of living of a person mainly depends on the access to and control over these five types of assets:

- i) natural capital;
- ii) physical capital;
- iii) human capital;
- iv) financial capital; and
- v) social capital.

They and the relationship between them provide a multi-dimensional proxy for poverty (Erenstein, 2011). Often one type of asset can influence access to other capital. The relationship of deficient or limited access to livelihood capital, resulting in greater poverty, is a basis for making an individual vulnerable to trafficking. Various documents discussed in the literature section have shown that people from illiterate, economically poor families, rural populations, dysfunctional families, families with limited material resources etc. are highly vulnerable to trafficking. Hence, measuring the livelihood assets of trafficking survivors at the time of their trafficking is a major intention of the study. The study expects to unearth key vulnerability characteristics associated with survivors' livelihood assets.

The rationale for using this concept to analyse vulnerability is that it projects a clear representation and segregated data of the livelihood asset deficiencies that could make an individual vulnerable to trafficking. Measurement of the livelihood assets of trafficking survivors also provides better information/data on their specific vulnerability status based on their type of livelihood assets, rather than generalizing and making broad assumptions of vulnerability factors.

The concept of victimology will be adopted in this study to map and explain the recruitment pattern in trafficking. The victimology paradigm explores chains of events and relationships, explaining "why certain women (or persons) might be at greater risk of being victimised than others" (Lutya and Lanier, 2012: 560). It analyses victim proneness, the lifestyle of potential victims and victim-offender interaction as factors of people being victimized. The rationale behind using this framework is that it provides the critical space to analyse the victim-perpetrator relationship and how the victim's lifestyle and provocation contribute to recruiting and transporting them for sex trafficking. Analysis of victim-perpetrator relationships during recruitment and transportation helps us to better understand the vulnerability dimensions that could be milestones for preventive measures.

Therefore, the information from this research will be analysed based upon these analytical frameworks. Finally, the study will try to map the transportation process undertaken in trafficking to gain insight into various approaches and tactics adopted by traffickers.

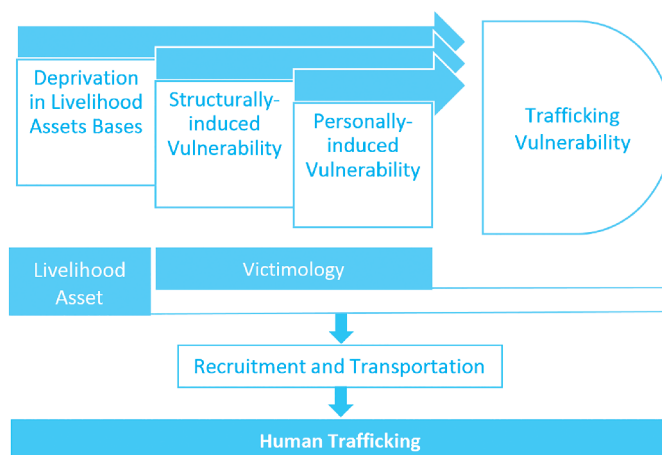


Figure 1: Conceptual framework for this study.

## 6 FINDINGS AND DISCUSSION

### 6.1 Livelihood assets and vulnerability

This section deals with measuring the livelihood assets of trafficking survivors prior to trafficking. The measurement helps to assess their vulnerability and thereby recommend evidence-based designing of preventive measures.

#### 6.1.1 Basic information about the survivors

Half (50%) of the cases in the study were below 16 years of age, with one case only nine years old. These victims are children, according to the international definition. The remaining 50% fall into the category of youth and young adult (20-39 years).

Based on ethnicity, 60% of respondents were from indigenous ethnic groups, mainly *Magar* and *Tamang* castes; 23% were *Dalits*, and the remainder from the *Chhetri*<sup>14</sup> and *Madesh*<sup>15</sup> caste and ethnic groups.

Around 23% were married, while 60% within the married category were living as single women.

Education-wise, respondents were minimally educated<sup>16</sup> with basic education from Grade 1 to 10 (School Leaving Certificate [SLC] in Nepal). The highest class attended was Grade 8. 55% attended from Grade 3 to Grade 8 before they were trafficked, and 45% were illiterate (they could not read or write at all) when they were trafficked. None of the respondents have attended higher level education, above SLC.

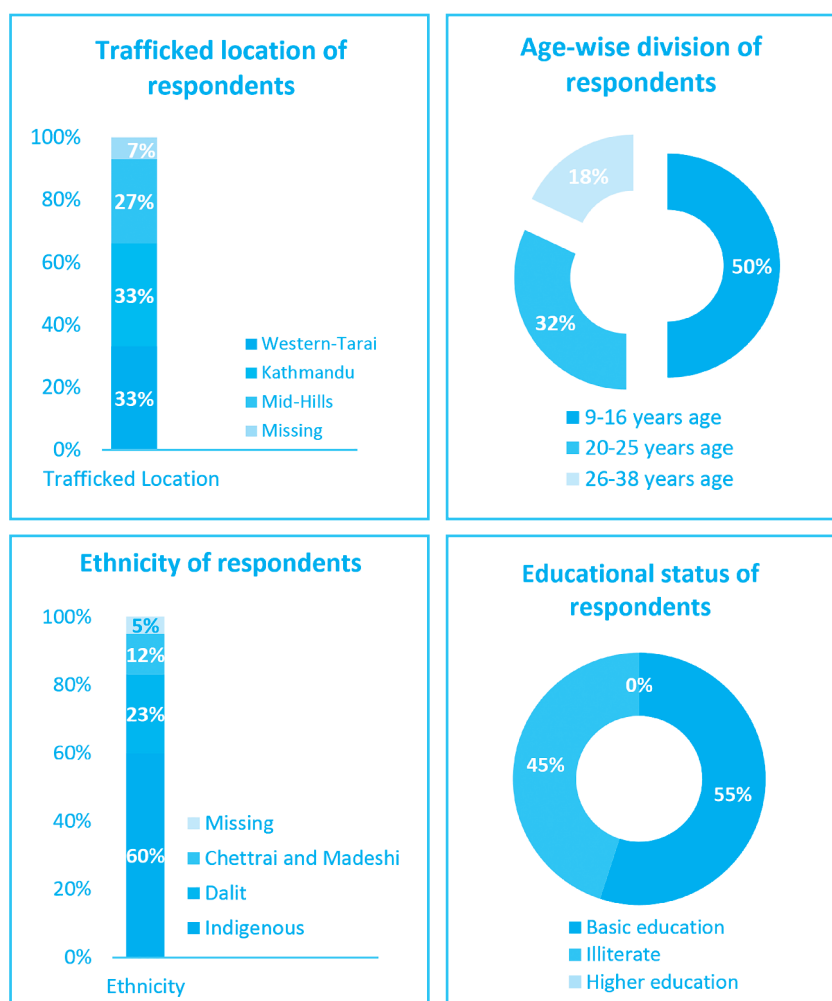


Figure 2: Characteristics of respondents.

Geographically, when traced from where they were trafficked (not their native location where they were born), around 33% of respondents were trafficked from districts in the Western Tarai (Nawalparasi and Rupandehi districts), 33% from Kathmandu, 27% from the Mid-hills (Dhading, Nuwakot and Sindupalchowk districts) and 7% were 'data missing'. The KIIs and FGDs also indicated that the indigenous (mainly *Magar* and *Tamang* caste) and *Dalits* are the most vulnerable groups. The study carried out by KC et al. (2001) in Nepal also identified hill ethnic groups and lower castes, and girls who are at the onset of puberty as at high risk. Their survey with 85 survivors found 47% of survivors were from hill ethnic groups (*Brahmin/Chhetri* - 23.5%, *Dalits* - 17.7%) and Tarai groups (11.8%). Based on caste and ethnicity, they were *Tamang* followed by *Chhetri*. Based on age, one-quarter were under 14 years of age, and more than half were under 16. KC et al.'s findings are similar to those of the current study, which indicates *Tamang* followed by *Dalit*, *Chhetri* and *Madesh* as highly vulnerable groups.

<sup>14</sup> *Chhetri*: According to the conventional caste hierarchy system of Nepal, the ruler caste group.

<sup>15</sup> *Madesh*: people inhabiting in southern region (Tarai belt) of Nepal.

<sup>16</sup> Educationally literate here does not mean that respondents were literate about human trafficking risks and issues, and illiterate does not mean that respondents do not have any understanding about trafficking. However, educational level plays a huge role in preventing trafficking.

It is interesting to see that recruitment is equally high from urban (Kathmandu) areas as rural areas. It has been similarly argued by Evans and Bhattarai (2000) that there exist many cases of women being trafficked from their urban workplaces. Girls between nine and 16 years of age are particularly vulnerable. Survivors are also very low in education level, indicating the 'power inequality' (Lutya and Lanier, 2012) that gives the trafficker an extra edge to easily control victims.

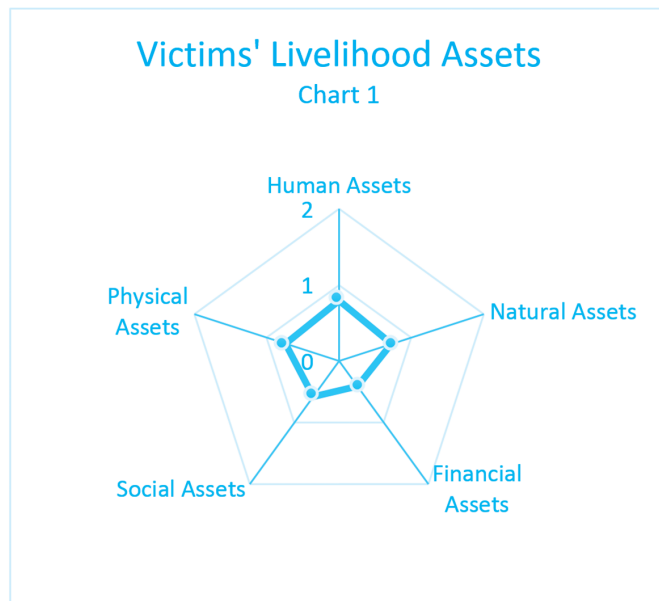
### 6.1.2 Livelihood assets measurement

This section measures the livelihood assets status of survivors prior to their trafficking. Chart 1 shows the summarized livelihood assets of the survivors in three levels: high (score at 2), medium (score at 1) and low (score at 0).

The findings reveal that human assets score highest compared to other livelihood assets, with a score of 0.80 out of 2. This is then followed by physical assets with a score of 0.74, natural assets scoring 0.73, social assets scoring 0.58, and finally the lowest is financial assets scoring 0.41.

Table 1 shows the distribution of all scores, where the variables education, skills, network, membership, and savings are below 0.5, indicating extreme deprivation of assets. Apart from health, the remaining variables are below 1.0, indicating the existence of deprivation. According to Erenstein et al. (2010) and Gallagher

(2013), deprivation in asset bases could trigger the trafficking vulnerability of an individual. It is thus critical to address the context of deprivation that makes individuals vulnerable, what Ray (2005) denotes as dismantling the environment of deprivation that facilitates recruitment. The assets measurement framework has also illustrated that vulnerability goes beyond the individual income poverty perspective. Clark (2008) sees that unfortunately, despite the interrelationship between social, cultural, economic and political vulnerability in trafficking, preventive strategies have neglected this analysis in practice. Preventive strategies must thus primarily focus on building deficient livelihood assets, especially the extremely deficient assets bases of potential victims. A further dissection is illustrated in Charts 2, 3, 4, 5 and 6, with descending orders of scores respectively.



Livelihood assets	Scores	Variables	Scores	Remarks
Human assets	0.80	Health <sup>17</sup>	1.86	
		Education	0.32	
		Skills	0.20	
Physical assets	0.74	Public goods	0.89	
		Private goods	0.60	
Natural assets	0.73	Land	0.82	
		Forest	0.82	
		Water	0.77	
Social assets	0.46 instead of 0.58	Family relations	0.93 instead of 1.30	See the social asset section
		Networks	0.44	
		Membership	0.00	
Financial assets	0.41	Other sources of income	0.61	
		Employment	0.57	
		Savings	0.05	

Table 1: Livelihoods Assets with summarized scores of livelihood assets and its variables

<sup>17</sup> The sub-variable to measure each asset and its variable were identified based on the literature (DFID, 1999; Moser and Felton, 2007; Erenstein et al., 2010) and UMN's development work experience on livelihoods.

### 6.1.3 Victims' human assets

Three variables were selected to measure the human assets of the survivors:

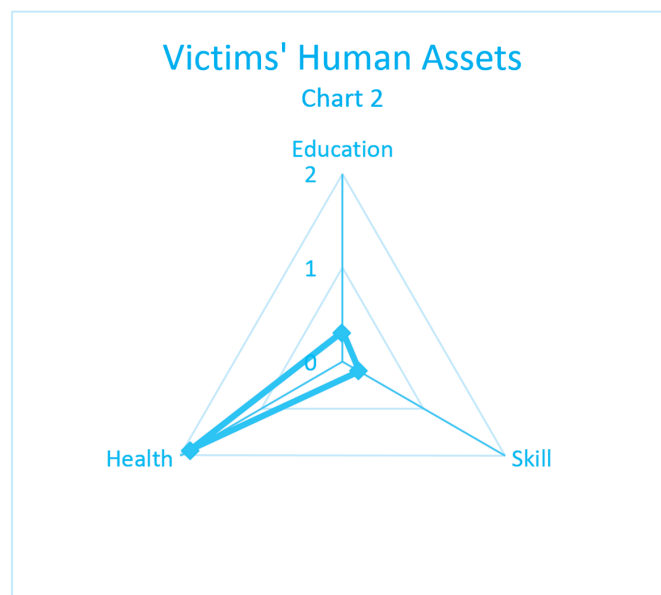
- i) education level;
- ii) health status; and
- iii) skills equipped.

Education was rated based on the level of education received by survivor, health based on the health status, and skills based on the level of professional skills and training they had received. The education variable scored 0.32, health scored 1.86 and skill scored 0.20 out of a total score of 2<sup>18</sup>.

The chart illustrates that almost all survivors were healthy before they were trafficked. Without doubt, it signifies that traffickers target able persons rather than the physically challenged. Compared to health, the education and skill variables are both exceedingly low.

Educational status ranged from basic illiteracy to a maximum of Grade 8 schooling. Only 55% had received any formal education at all, attending school for Grades 3-8 only (literate here does not mean that they were literate about trafficking – see footnote #15), and 45% were illiterate. Survivors also lacked basic skills, which limited their ability to undertake productive work. 69% of respondents were either small children without skills, or housewives<sup>19</sup>. Some 31% had general skills associated with agriculture. In total, only 9% reported that they had received some training that would provide them with skills.

If the health variable remains concealed in the average analysis, the score of survivors' human assets would sharply diminish. Meanwhile, it should also be noted that even educated people become victims of trafficking, as per the information gathered from KII and FGD, especially from rescue personnel. One rescue informant shared "even students at undergraduate level from good colleges were trafficked." KC et al. (2001) note that half of the assisted survivors in their study had technical or university degrees. This reflects that education may reduce the likelihood of trafficking, but in itself does not determine the likelihood of trafficking. It also implies that the educated might not be informed about issues related to trafficking and its risks.

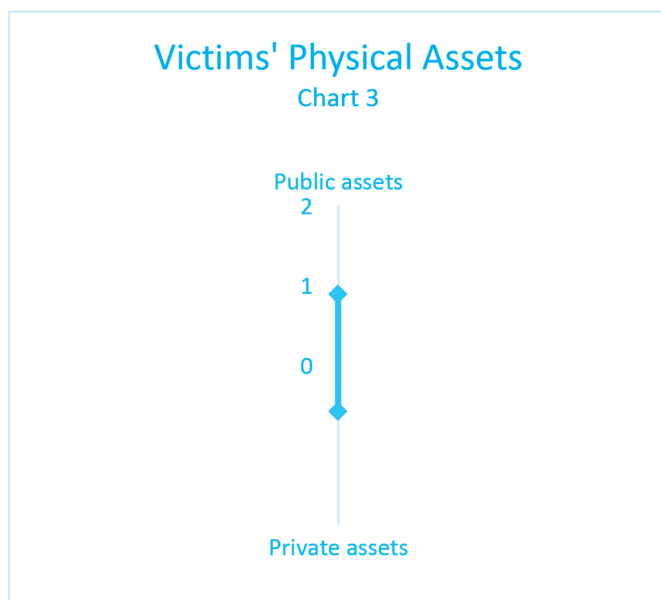


### 6.1.4 Victims' physical assets:

This was measured according to two variables:

- i) the level of survivors' access to public goods like roads, electricity, communication, drinking water, markets, schools, health services and police, and
- ii) the level of survivors' access and control over private goods, like the type of house, private vehicle, livestock, gadgets, and the trafficking survivors' decision-making position at home.

A cursory picture of survivors' access to public goods shows: 77% had access to trail roads; 50% had no access to electricity; 68% did not have communication access; 54% had to spend between 30 minutes and two hours to fetch drinking water; 45% had to spend 30 minutes to two hours to reach the nearest market; 59% had good access to schools within 30 minutes (however this information does not indicate that they actually attended school); 50% had good access to health services within 30 minutes of their residence; and 41% had to spend more than two hours to reach a police station. For private goods, 45% had a traditional home that was better than a hut; 90% did not have any sort of vehicle at the household level; 54% had livestock at their home; 64% did not have modern household electrical appliances; and 55% had strong decision-making power at the household level. Overall, access to public goods scored 0.89 and private goods scored 0.60 out of a total score of 2. Compared to other variables in the study, these variables are better; however for an ideal asset framework, they are well below desirability.



<sup>18</sup> Only the composite value of the calculated highest percentage of sub-variable of livelihood assets' variable is mentioned in all livelihood assets from here.

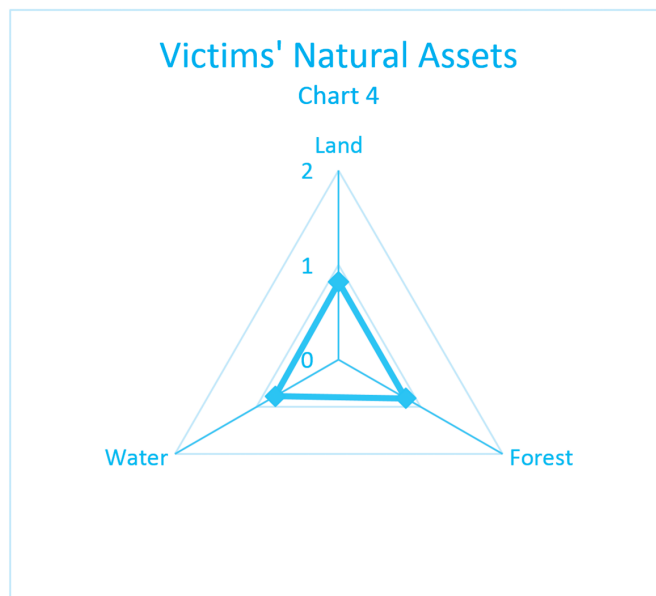
<sup>19</sup> For this study, the housewife is categorized as unskilled, despite their considerable skills as discussed in gender literature.

### 6.1.5 Victims' natural assets:

Natural assets have been measured using three variables: access to

- i) land;
- ii) water; and
- iii) forest resources.

The land variable scores 0.82, forest 0.82 and water 0.77 out of a total of 2. Half the respondents reported that they were living in their own home rather than rented or squatters' quarters, and 54% had agricultural land that provided food for from four to 11 months of the year. This indicates that almost 50% had some access to land resources. On the other hand, only the highest 27% had good access to forest resources, while 55% did not have irrigation facilities on their agricultural land and were dependent on rain water. The highest 31% had enough water for their livestock. The statistics reveal some wide distribution over scoring of variables and its sub-variables land, forest and water, but even so highest percentages only range between 27% and 31%. Overall, however, these three variables demonstrate a similar range of scores or are evenly distributed.



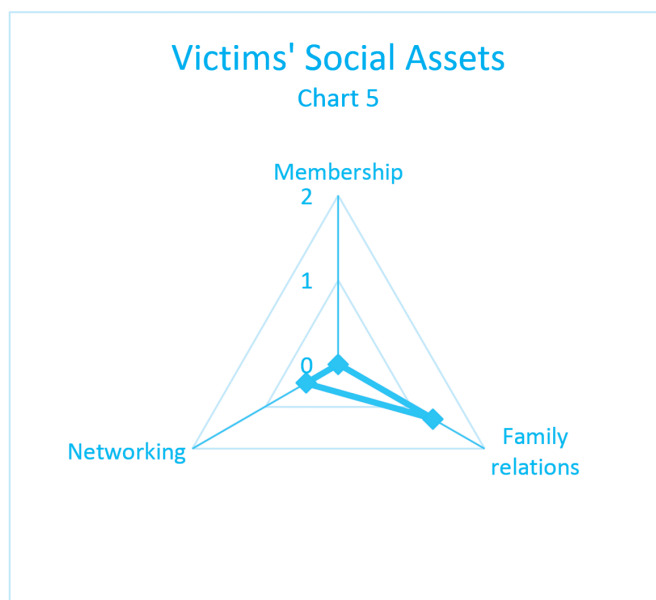
### 6.1.6 Victims' social assets:

Social assets were analysed according to three variables:

- i) membership of various institutions to explore social engagements;
- ii) networks to examine who are close to them who can help in time of need; and
- iii) family status to identify family relationships.

Out of a total score of 2, membership scored 0, networking scored 0.44 and family relationships scored 1.30.

While exploring the membership variable, it was clear that none of the survivors were affiliated with any institutions, whether a mother's group, cooperative group, child club, or any development project groups. On networking, 59% identified that there was no secure external support (from friends or family) during an emergency, whether it be financial or socio-political support. On average 60% of survivors perceived that they would have been on their own if any crisis took place, including trafficking. In the context of family relationships, the study found that compared to other variables, the family variable scored higher, categorising the family status of the survivors as decent.



Examination of the sub-variables of the family relationships shows that only 59% reported that they had a well-organized family, and 50% reported that they did not get any abuse or discrimination at home. However, this information was sharply in contrast with the qualitative information. Qualitative analysis found that family dysfunction – being an orphan, absence of a guardian, divorced parents, having a single mother, polygamy etc. – was one of the major correlations with being trafficked. The quantitative information about family status was measured through two sub-variables:

- i) family status, identifying whether the survivor was an orphan, had a single parent or was from a well-organized family, and
- ii) exposure to abuse and violence in their homes.

When the dataset of quantitative responses and qualitative information from the individual responses were compared and reviewed carefully, the respondents who had family but were living away from them, leading to absent guardians during some period before trafficking, responded that they had a well-functioning family. However, these kinds of cases were identified as dysfunctional family when designing the research questionnaires. This kind of



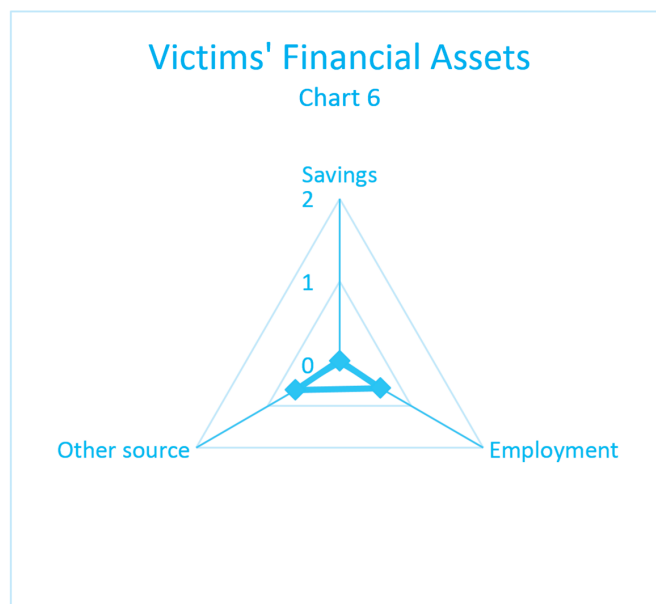
response amounts to 23%. Similarly, the respondents who were orphans or had an absent guardian responded that they did not get any abuse at home, which is obvious as they were living alone and there was no one to abuse and discriminate against them. This kind of response comes to 18%. These two reasons were found to be increasing the scores. If these cases were considered, the family relationship variable would have scored 0.93 instead of 1.30. The literature also stresses that children raised in a violent environment, in unstable and abusive families or by single parents, or who are orphans, runaway children or living in refugee centres are the most vulnerable groups (Motus, 2004).

### 6.1.7 Victims' financial assets:

Financial assets are measured as the lowest in this study. They are calculated according to three variables:

- i) status of their savings;
- ii) the employments status of the survivor and their family; and
- iii) any other secondary income sources.

Chart 6 shows the score of 0.05 for savings, 0.57 for employment and 0.61 for other income sources. Reviewing the sub-variable, none of the survivors had personal savings, 50% were partially employed and 63% had uncertain sources like seasonal jobs, short term labour etc. However, these sources brought very low income to the survivors.



## 6.2 First stage of relations between trafficking victim and perpetrator

It will be helpful to know the first stage of relations between trafficking survivors and perpetrators: how they came to know each other, where and what they share in these meetings, how they began to meet frequently etc., in order to understand the commencement of the recruitment process. Three key ways were seen in this study by which the survivor and perpetrator came to know each other:

- i) previously and personally known to each other;
- ii) met through a network of friends; and
- iii) met accidentally or unexpectedly.

The chain often started with someone they personally knew who primarily made the first move on recruitment; often a family cousin, a neighbour or a close acquaintance from the village. About 60% of respondents shared that the trafficker was a known person. It is thus impractical to highlight first meetings as they are so familiar, but the early stages where the trafficker makes the initial moves can be traced.

One girl was persuaded by her neighbour when she was found to be staying alone at home: *"The one who persuaded me was my village neighbour sister<sup>20</sup>. We used to go together to cut grass for our livestock. I used to live with my grandmother (she had no parents but her brother lives in Kathmandu). She went to stay with her sister-in-law for some days. As she noticed I was living alone, one day while cutting the grass, my neighbour verified this information with me. Strangely, she began to meet me frequently and our conversation turned mainly on my situation and dreams. She began to behave differently and started persuading me over things that attract me and promising not to share the talk with anyone. After a week of such meetings, she began to ask: 'How many days will you spend in poor conditions like this? Do not you want to go to some good places? There are countless people, not just you, who are leaving for abroad to earn money. You can then look after your grandmother independently.'"*

These kinds of acquainted recruiters have a lot of advantages over others, as they can easily communicate with the potential victim, without giving a sense of risk as outsiders, and they are not only easily, but blindly trusted. The above and other similar cases show that they start recruiting when they are alone with the victim, not surrounded by family members. They share incomplete information, but try to gain as much information about the victim's situation as they can; they give their perspective on current engagements, dreams etc. at initial discussions, assuring that they will share details someday. Looking for opportunities to meet frequently, they continue to persuade. It is interesting to note here that in more than half of respondents' cases, the family did not know about their plans to travel with the recruiter. They either fled from home with a recruiter or were living away from the family in this particular period (this issue is further discussed in Section 6.6). In their study, Artadi et al. (2010) found 65% of girls

got a job in the sex industry through a friend or an acquaintance. It shows most of the recruiters are known to the victims. It also supports the argument of Lutya and Lanier (2012), that recruitment does not take place unless the trafficker has some background information about the victim; an acquaintance trafficker has this information.

Some 30% of the respondents came to know the trafficker through their network of friends. As the trafficker is targeting a person, their friend is pulled unintentionally into the recruitment process. A repetitive pattern is seen in these kinds of cases, where some person is planning to go with the trafficker, and she asks her friend if they also want to go. Based on the dataset available, it cannot be verified if the trafficker was targeting the friend or not, but often the trafficker requests the initial person to bring any friends who are also interested in the job. She invites the interested friend to join, and this is how the victim and the trafficker first meet. Much of the communication with the trafficker is done by the initial friend, and later shared/updated with their friend. From the cases seen in this study, this type of structure was found to be more risky than others, as the friend lays her full trust in and relies on her informed friend, and does not try to explore in-depth the details of the trafficker or the offered job.

The third type of meeting is where the trafficker and potential victim meet suddenly and unexpectedly. This type of case is exceptional, but they do occur. The study found two such cases. One case occurred when a frustrated 11-year-old girl<sup>21</sup> ran away from home and came to Kathmandu. With nowhere to go and knowing no-one in the city, she blindly rode a random bus in Kathmandu. The woman sitting next to her turned out to be a trafficker. The girl shared all her painful stories with her, which is exactly what the traffickers are looking for, as vulnerable spots to influence and recruit. During that brief conversation on the bus, the girl decided to move in with that trafficker. The other case is equally surprising: a 16-year-old girl got a missed call on her mobile from an unidentified number. She called it back, thinking it was her relative's number. The phone call was received by a stranger and they began to talk. Gradually, she was seduced by the caller's talk; he promised to look for a job for her in India. The survivor met him in Kathmandu at a time when she came to visit her sister. Finally, she went with him and was sold in India.

The commonalities observed between all these three kinds of recruitment include the initial conversation linking with their current difficult situation and promising a better job opportunity<sup>22</sup>. KC et al. (2001) also found that almost half of all their cases were related to the offer of good employment opportunities. The majority of respondents in this study hardly explored or had any idea about the job they thought they were going to before they went. A few reported jobs which they were told about: a supporting role in tailoring and handicraft, herbs and keyring supply, physical work on marriage ceremonies and babysitting. The reported job sectors reflect that the promised job would be low-skilled in nature. People being motivated even for these low-skilled jobs acts as a proxy indicator to reflect the respondents' educational background, family status and lack of job opportunities in the home area.

The initial and following conversations between victim and trafficker in all the cases use a wide range of places/venues: holiday/recreational visits to the zoo, bus parks, local alcohol shops and tea houses, meetings in the workplace, arrival at the victim's home (but their family is unaware of the nature of the conversation between them), gathering at a friend's house, talking in the middle of the road when both happen to come across each other, accompanying each other during household work (firewood collection and animal grazing). Sometimes traffickers take victims to their own rooms, perhaps their temporary homes, to build trust. There is no trend seen for selecting public or private conversation places; however, they made sure that no-one was around while the conversation was taking place.

Cases where strangers come to a village to recruit for trafficking are relatively rare. During the pre-study, elderly people in one community in Nawalparasi district were seen to be very cautious when noticing strangers in their village. They try to find out what they are doing there. They are playing a vital role as 'watchdogs', which might help in minimizing trafficking in their community.

The critical thing to note is that almost all respondents reflected that they did not share the conversation with the trafficker with anyone else. On asking why, the answer simply was that the traffickers told them not to tell anyone, and so they did not (this issue is further explored Section 6.4, particularly 6.4.7). Only in a couple of cases did the victim share with friends and family. They were advised to be cautious, but this did not prevent them from leaving, as they only shared limited information.

### 6.3 Aspirations and behaviours of victims associated with vulnerability

The common trend of seeking better employment opportunity surfaces in most survivors' thinking when they were planning to leave. The segregated dataset reveals some practical plans and some fantastic dreams of various age groups and the contexts in which they were living. In general, two-thirds of the respondents have some dream of earning money and being economically independent. One-fourth of the respondents were desperate to see the

<sup>21</sup> According to her, in Sindupalchowk there is a Tamang tradition called 'haat tannu'. It's a tradition where the girl is forced to agree to a marriage despite her and her parents' interest. The boy's family threatens them and mentally tortures the girl, saying that it would result in worse if she does not marry. One day in the early morning, she ran away without her family noticing.

<sup>22</sup> The desperate need for jobs for women can also be related or caused by the growing trend of 'feminization of unemployment' according to Ray (2005).

outside world beyond their home. Unsurprisingly, these respondents were mainly children of 13-18 years of age, particularly girls who had a heavy household work burden, restricted mobility and exposure and limited pocket money, as well as orphans and child labourers. Upon examining how their dreams and behaviours are associated with vulnerability, the study finds a common series of acts and some reasons behind them, discussed below.

Three cases of older women trafficked between 30-35 years of age reveal that they dreamed of earning enough money to buy a piece of land and build a house. These cases, including other two respondents who were married and had children before being trafficked (some were single women), dreamed of educating their child/children and giving them a comfortable life through doing whatever they could, including the work promised by the trafficker. One single woman pushed herself to the edge and was mentally prepared to sell her kidney to meet household financial needs. Unfortunately, the trafficker tapped this opportunity and made the clever move of convincing the mother that her daughter would be a good caretaker for her after the kidney operation. The trafficker took both mother and daughter to India. The daughter has been rescued from the brothel, but no-one knows what happened to the mother. The households where a woman alone has to shoulder much of the responsibility of supporting the family by doing whatever it takes, including accepting separation from young children, are the ones compelled to look for alternatives. In around one-third of the cases in the study, women household heads, including orphaned daughters who have to look after their remaining family, dream of a better life.

Your age rank as an elder or younger child in the family also influences what dreams you have over time. The study found that in one-fourth of the cases the survivors were elder daughters in the family and had the moral pressure to look after the family. This role was seen as an important variable that shaped their aspirations. This perspective portrays the older daughters as vulnerable individuals among other children in a family. Gender dimensions are also seen as shaping a girl's dreams. In one-fourth of the cases, the girls reported a heavier work burden and limited opportunities and freedom, compared with male children. The confined nature of their current world unconsciously drives them to fantasize about a more ideal situation.

One case presents how fragile and vulnerable these adolescent age groups are with their fantasies. The 13-year-girl, whose Indian army father was married to another spouse and living in India, dreamed that she could earn some money and help her exhausted mother, so she planned to run away from the home to earn. She shared her desperation: *"I did not like going to school. At that time I used to dream 'Where is Kathmandu city (capital of Nepal)? How far it is? What if I can work and provide some financial support to my mother?' One day while going to cut grass in the forest, we four 'cousin-sisters' made a plan to run from our homes for Kathmandu. We all dreamt of earning lots of money and coming back to the village as rich and well-off people. We grabbed a change of clothes and ran away. It took two hours to reach the nearest market, and we lied to whoever asked, saying we are going to a friend's home, and we ran faster."* Sadly, she and one of her 'cousin-sisters' got trafficked two months after their arrival in Kathmandu. It seems clear from these cases that the girls' aspirations and behaviours put them in vulnerable situations. Other cases reveal the general social outlook towards poverty and low-caste status influencing the survivors' mind-sets, telling them that economic improvement is only the way out of this discrimination. This helps them make the decision to leave.

On close examination, this study's data reveals two sets of independent dreams of survivors before being trafficked. One includes the dreams and aspirations of self, generally developed under diverse contexts, age groups and geographical settings, which have been discussed above. The other set of dreams is introduced by the trafficker into the mind-set of the survivor during the recruitment stage. This kind of recruitment was seen to have taken a longer time than the initial one. Three-quarters of the respondents had their own dreams, which the recruiter influenced further and capitalized on to convince them that moving out with the trafficker was a rational option. Around one-third of the respondents did not have concrete dreams of their own, but were persuaded by the trafficker to imagine that they will have a wonderful life beyond their current lifestyle.

One respondent, who was married and had children, shared her excitement when a recruiter portrayed a cosy lifestyle in a foreign land, and how that feeling of desperation even overcomes the feelings of attachment to her children. She says: *"When she (the recruiter) used to share with me about the foreign lifestyle, employment opportunities, the infrastructure of the foreign land, I was so excited and felt desperate, thinking 'When I will have the chance to go there, to see those places, to know what is out there?' I acted like a child at that time. Sometimes, I remembered that there is my small child at home (the child is 5-6 years old) and thought 'How could I go abroad?' Sometimes, the feeling was so intense: all I could think of was 'When I will get the chance to go abroad?'"* (This issue is further explored in Section 6.4, particularly 6.4.1 and 6.4.4). Even very young girls of 9-13 years of age were recruited in the name of giving better job opportunities. Mostly these children were found to have run away from their home and were working as cheap labourers in cities, while others were orphans. These cases indicate that dysfunctional/broken families and trafficking are positively correlated. Around 50% of the cases have absenteeism of guardians in some way, a divorced family, ill-informed parents/guardians, polygamy etc.

Both practical needs and the fantasy dreams of the survivors made them take some decisive behavioural moves, which can be portrayed as fatal mistakes that made the recruiter's job easier. One-quarter of the respondents knew before they left that the offered job was lucrative, but illegal or dishonest. In one among three similar cases, the respondent admits that she knew the nature of the job before by saying: *"There was some work related to the trade in drugs, according to the trafficker. Those drugs are sold in Pokhara (a tourist destination of Nepal) and you will earn a lot. It is risky for men to go and sell those products as there is police surveillance. However, police would not suspect a woman. You just have to wear underwear with a zipper and hide it there. Even if they do a body search, they would not search the private parts of people."* Later on during the interview, she mentioned that her mother used to warn her not to engage in dishonest jobs at any cost. That is why she never informed anyone at home about the work and her travel.

Some cases alarmingly reveal the low awareness about trafficking issues at the village level. Around one-third, mostly adolescent girls aged between 11-14 years of age, shared that they had no awareness of human trafficking. Here are some of their responses:

*"At that time I only knew that we used to rear goats, chickens, cows, and buffalo in the village and sell them to earn money. But people can be sold too. I only realised this at that time (when she realised that she had been sold)."*

*"We were Magar caste, a socially disadvantaged group. I only knew about people being discriminated against and exploited, and the richer dominating the poorer. But I did not have any idea about selling people."*

*"I had a question about how I was sold. How come people sell people?"*

These expose the bitter truth that they had never come across the idea trafficking, not even the word. The survivor in the last quote was so confused that even when she was told at the transit point that she had been sold, she still do not know the meaning/sense of it.

As the respondents were 11-14 years in these cases at the time of trafficking, they might be excused, but other women in the age range from 25-38 have also made similar careless mistakes. To understand trafficking better, it might be worth mentioning another case where a sex worker was sold. According to the respondent, due to household financial problems and the limited income of her husband, she began to engage in the sex industry privately. Her neighbour counselled her saying: *"Rather than sleeping with general people and looking for customers daily, I know one man who is very rich. If you sleep with those people, you will earn money in bulk. If you just sleep with five people like them, you can easily bear the household expenses for one to two months."* She began to do as advised without giving any notice to anyone, and after some time the customer took her to India, promising her a better job, and sold her.

In addition, those who knew a little about trafficking were also easily convinced, making minimal effort to inquire about the person, the job and the intended destination. For example:

*"I noticed many women and sisters who left with him (the trafficker) had never returned. However, I thought not all cases end up in trafficking. Finally, I also ended up like that."*

*"I knew about trafficking issues, but I never anticipated that my friend would do that to me."*

*"I said to Sister (an adult friend who first came across the trafficker and asked the respondent if she was willing to take the job): "Do not trust unknown people. What if they traffic us?" Sister replied: "They might not sell us. We are mothers of two or three children. Who will buy us? We would not be sold. They might not do that."*

These cases comprise one-third of the total respondents. The final quote boldly reflects that anyone can be sold, even if they are older, with children. This case is even more extreme because, along with those mothers, the nine-month-old daughter and three-year-old son were also sold together. Surprisingly, this was the only respondent out of all of the cases who made continuous effort to inquire about the recruiter, their behaviour, the offered job etc. from the initial to final stages. Despite all these efforts, she was trafficked. However because of her rational and decisive personality<sup>23</sup>, she was able to escape from the brothel after a month and astonishingly, at the same time, rescued her daughter, son and a friend who had also been trafficked together. In most of the interviews, when interviewers probed on important clues about the places, people and incidents, survivors simply shared that they did not know and did not try to explore at the time. This signifies their extreme lack of awareness, carelessness and/or their conviction that trafficking would not happen to them.

Running away from home with the trafficker without telling anyone is also fatal behaviour of victims. One-fifth of the respondents did this. When exploring the trafficking transportation process in this study, it was realised that there were many stages where survivors could have escaped by themselves, or various institutions could have rescued them. More than one-third of respondents came across security personnel and other rescue organisations during the journey. At these stages, the behaviour and response to investigators by survivors were a hindering factor. For example, survivors report running away from police checking, lying to border guards and rescuers about their travel reasons, praying that they would not be caught during transportation especially at the border crossing,

<sup>23</sup> Unnoticed by the trafficker, she took the visiting card of the hotel where they rested, and later that card helped her to find out where she was, and finally escape.



re-attempting to cross the border even after being caught and counselled by the authorities (one girl was caught on the border three times, but managed to cross by lying on the third attempt) etc. These examples illustrate that a fair share of survivors themselves contribute to the circumstances that lead to trafficking.

A FGD was equally informative in reflecting on what leads to vulnerability and how. A lawyer, who has spent many years in rescue and advocacy, explained: *“Along with poverty, young people and teenagers in particular are constantly looking for opportunity, because of consumerist behaviour. If it is not achievable (getting what they want) by staying where they are, this makes them a more vulnerable group. In Nepal, it is economically difficult to study after basic schooling level. During this stage, they are constantly looking for a job, wanting to learn new things and explore more. They are sexually active, and desire a fancy lifestyle and travel. Hence, both educated and non-educated groups who know the facts and are aware about trafficking, decided to take the risk anyway.”* This reflects the complex intertwined situation triggering trafficking vulnerability, as various contexts, structures and personal aspirations combine.

If we examine the findings closely through the victimology lens, the behaviour and action that survivors undertook clearly indicates that they were in some way facilitating trafficking to happen. Some fatal mistakes, like running away from home alone or with the trafficker without notifying families and friends; limited information sharing with family and friends about any issues; knowing about trafficking and making inquiries, but being easily convinced; knowing before they leave that the offered job was lucrative yet illegal or dishonest; thinking that older adults would not be sold and taking it lightly; not trying to explore anything during journey; running away from police checking and lying to border guards and rescuers; re-attempting to cross the border even after being caught and counselled by authorities; being persuaded to go with strangers after only two–four days (issue discussed in section 6.5); working in the sex industry etc., show their careless and risky behaviour.

These acts definitely triggered the chain or contributed to connect the chain, as claimed by Von Hentig (1941), that ultimately end up in trafficking (Van den Hoven and Maree, 2005; Franklin et al., 2012). Other studies have also identified that the benefits of leaving the house are overestimated and the risks underestimated (Artadi et al., 2010). They also found that the majority of girls have decided on their own to leave their home, for a variety of reasons, which surely makes them more vulnerable. Other researchers challenge this first school of thought for blaming the victim. Various structural factors were also very responsible, pushing the individual to vulnerability despite their intelligence and exploring personality.

The harsh reality is explained by Vijayarasa (2013: 1024) that “trafficking is gendered, and the gender is female”, as women are portrayed as commodities by society. Findings like the feminization of unemployment, child abuse making a child desperate enough to escape with strangers, polygamy and divorce in the family leaving mother and children destitute and compelling the mother to search for livelihood options, gender discrimination against female children at home that triggers them to dream of an ideal world, child marriage forcing children to run away from home etc. are deeply embedded in patriarchal society and cultural acceptance. Hence there is a thin line, and if both variables – vulnerability triggered by personal factors and by structural factors – are not addressed, the preventive model will be incomplete. This study does not argue that demotivating people, counselling them to dream less, or decreasing migration will prevent trafficking. This is an impractical strategy. On the contrary, they should be encouraged to dream big and migrate if it leads to a better life, but only on the condition of not making careless mistakes in the process of fulfilling those dreams and deciding to move.

## 6.4 Trafficking approaches: psychological and behavioural tactics of the trafficker during recruitment

In any trafficking case, one of the curious questions revolves around what the trafficker actually says to the victim, so that they are willing to lie and leave their family, leave their place of origin, and be desperate enough to go with them. Similarly, how do traffickers manage to recruit and transport people, not only children, but also rational adults as well? The research found some general and specific approaches, psychological tactics and behavioural manoeuvres, strategies and acts. In this section, we try to uncover and better understand the inner dynamics that take place between trafficker and victim during the recruitment process.

The points below are the techniques that have been found to be very effective and reliable in persuading potential victims to be trafficked. The entire recruitment approach seen in this study was related to giving better job opportunities, where the trafficker has capitalized on the economic vulnerability of victims, as claimed in the literature (Crawford and Kaufman, 2008; Di Tommaso et al., 2009, Vindhya and Dev, 2011). Other approaches, like coercion, terrorizing, fake marriage etc., were not seen in this study. The trafficker who analyses the cost and benefit and comes to the decision to undertake trafficking will be a strongly motivated person with a wide range of techniques and plans. These points show how the trafficker works to persuade their victims, and is similar to the approaches found in the literature (Lutya and Lanier, 2012: 564).



Respondents report that traffickers may be in the age group from 25-28 years and 30-35 years. Descriptions include: 'wear gold ring and chain', 'seems rich person', 'carried a big mobile', 'looked gentle', 'looked like a businessman', 'was from the Tamang caste', 'had a punk hair style' etc. Given the range of responses, it is difficult to portray typical characteristics of traffickers. The following points were bold strategies and approaches adopted by traffickers seen in this research:

#### 6.4.1 Promising a better job opportunity

In the cases in the study, the major commonality of the recruitment approach was promising a better job opportunity to the victims. Even a child as young as nine years of age was persuaded in this way.

#### 6.4.2 Winning trust

This is the fundamental strategy step, where the trafficker makes the victim feel: "I am just like you, related to you or your well-wisher." Traffickers cleverly relate that they are from the same community/district/development region, the same ethnic group, the same gender etc. One of the survivors whose forebears migrated from the hills to Rupandehi, a Tarai district, trusted the recruiter when he said that his ancestral home was also same hill district. He said: "*Pahad ghara autae*", meaning "ancestral home from the same region".<sup>24</sup> This kind of linking is effective to start the communication and lays trust, making people feel that they are 'brother and sister' from the same place. Other common tactics were the trafficker sharing (perhaps fake) past stories about where s/he came from and what his/her background was to win trust.

#### 6.4.3 Giving material assets and support

Supporting victims financially, morally and emotionally in bad times are common strategies to win trust and give a sense that someone is there who cares. Many survivors were assisted when their child was sick, when there was no food in the kitchen, given clothes during travel, visited when someone was depressed etc. This effort can also sometimes morally pressure the victim to repay their efforts by going with them.

#### 6.4.4 Making them feel their current situation is pitiful

The trafficker makes the victim reflect, admit and internalize that their current situation or job is pitiful and hard, and that they are exploited and worthless. At the same time, they connect with the positive attitude that a wonderful and cosy life is waiting just beyond, and motivate them to leave. This is where they capitalize on the victim's dreams, or plant this dream, encouraging victims to fantasize.

#### 6.4.5 Meeting frequently and continuously repeating the same offer

One of orphaned respondents who was looking after her two sisters and grandfather at home ran away with the trafficker for this reason. She explained the tactics: "*They (two traffickers who were friends of her cousin) used to show a photo of Katrina Kaif (Indian film celebrity) and pursue me saying I would also be beautiful like her if I went to Kathmandu. I used to go to cut grass, and whenever they come to meet me, they used to say the same thing, that I will look good, will have the opportunity to eat good food, have a better job, etc. When they used to tell me about the dream of Kathmandu, it was the only thing revolving around in my head sometimes. When people pursue and show these dreams, sometimes you are compelled to think about it, at least once. I also thought that I would work hard, be independent and look after the family. That occupied my mind and I finally agreed.*" Hence, when the same idea is imposed continuously, the victim is compelled to think seriously about the issue, which is exactly what the trafficker is looking for.

#### 6.4.6 Giving a sense that they have a good networks

Traffickers constantly told survivors that they had contacts in various organisations, cousins in destinations, have helped many people like them, have access to various jobs etc. They persistently try to give the sense that the offered job is certain and living is secured in the destination, and that they can facilitate the process.

#### 6.4.7 Making them feel the shared information is confidential

The trafficker typically warns/requests victims not to share the information about the communication between them with anyone. They make them feel that they have only shared the information with them, making them feel especial, and warn that all the planning for a better job will fail if they share. Amazingly, four-fifths of respondents revealed no sharing of the communication with the trafficker with anyone, and one-fifth were cases where they had already run away from home. The victims are also taught what to answer at the border and when a stranger inquired about the trafficker-victim relationship, where they were going and for what reasons. Most respondents did what they were taught, mainly saying they were brothers and sisters, fathers, mothers and daughters, going to the hospital, going shopping, going to visit relatives etc. to strangers and security personnel who inquired.

<sup>24</sup> Ancestral homeland and family/clan relationships are very important 'connectors' in Nepali culture.

Others use a fascinating technique to manipulate the victim by making them think that people will be jealous of their progress, and warn them not to share their communication and departure with anyone. One trafficker advised an orphaned adolescent girl, saying: *“Do not share our conversation with others. They will be jealous of you when they know that you are going to nice places and will earn lots of money. They will obstruct your plan and dream. Other people do not want you to be a rich person.”* So she did not share anything about her departure, even with close relatives.

#### 6.4.8 Using social discrimination and gender inequality as tools

The existing social discrimination and inequality is also used by the traffickers to control the behaviour of survivors. Tactics include:

*“I (survivor) asked why we have to move at night if we are going for good work. The trafficker replied: “You are a girl child; nobody will send you anywhere if you inform others.”*

*“In Kathmandu, there might be people who may know you. They will look at you negatively. So we have to go a little far (in this case to India)”.*

This is also a contributing reason why survivors do not inform anyone. The traffickers basically play with social stigmatisation.

#### 6.4.9 Controlling anxiety and overcoming attachment through philosophical arguments

Traffickers are good counsellors who tap into philosophical reasoning to persuade. Generally, the most painful emotional time for the victim will occur at the time of departure. This is where traffickers manipulate the victim's morale, ideologies and rationality. Sentences like...

*“Getting away from your own children is not a sin (the victim was leaving a young child behind). It is a mother's responsibility and duty. The sacrifice of the mother is exactly this.”*

*“There are many other people like you who are happily going to work abroad. It is normal.”*

*“If you continue to develop attachments and feel bound by them, you will not be able to make progress in your life. You will be independent after a while, and they will be proud of you.”*

... will definitely ease and relieve anyone's emotions and anxiety.

#### 6.4.10 Using friendly behaviour and words

Speaking and behaving gently play a huge role in gaining trust and minimizing doubt towards traffickers. The trafficker behaves as a guardian, who will take good care of them, to young girls, and well-wishers or lovers to the adults. Most used addressing terms like *Nani* (small girl), *Didi* (big sister), *Bahini* (small sister), *Sathi* (friend), which are friendly, respectful terms in Nepalese culture. During the whole recruitment and transportation process, no-one reported being abused, indicating that traffickers behave well with victims.

#### 6.4.11 Setting the debt trap

This was not often seen in this study, but it is influential when the trafficker financially supports the victim in need, invests in paperwork and transportation, provides material goods and finally portrays the attitude that the victim will have to repay the expenses in the future. In two cases, such a trap was seen, worrying the mind of victims before trafficking. Mostly these traps are only morally binding.

#### 6.4.12 Focusing on spontaneous actions

As far as possible, the trafficker tends to create urgency and panic, saying that the job offer is time-limited, and if the victim does not act immediately, the job might be taken by others. This makes the victims act quickly, with less time to think and analyse the situation.

### 6.5 Time duration in the recruitment process

The study came to the astonishing finding that it took just two to three days at a minimum for a rational adult and even less than half a day in the case of an 11-year-old girl to convince them and make them mentally ready to leave. The context behind those cases includes single women who were mothers of two children, who were in desperate circumstances, and a frustrated girl who ran away from home to an unfamiliar place and met the trafficker on the bus where she was recruited then-and-there in the bus. It is difficult to comprehend however, that two-fifths of the cases were convinced between two to seven days from the first visit with the trafficker.

The study also came across cases, mainly people in a desperate situation, where within those couple of days, there were just two or three meetings between the trafficker and the victim, and the victim was convinced. These cases give a rough picture about recruitment duration, how easy and quickly a trafficker, even from the first meeting with the victim, can convince people to leave, based on their situations. The general timeframe in recruitment reported by survivors repeatedly falls under: two to three days, four to five days, a week, 15 days, two to three months and maximally a year. The literature reviewed in this study did not report on this dimension. However, this aspect is also important in order to fully understand the trafficking process.

## 6.6 Recruiter's relationship with the victim's family

Family is a primary stakeholder with high concerns about victims as daughters, wives, mothers, sisters, cousins etc.

However, as mentioned already, four-fifths of the respondents revealed that they did not share the communication between themselves and the trafficker with anyone, and in one-fifth of the cases, they had already run away from home. Hence it is obvious that to some extent, even if the family is acquainted with the trafficker, they will not know with whom their family member went. Only in around one-third of cases was the family acquainted with the trafficker. It is complicated to portray the relationships in those cases; however the following tries to explore this difficult topic.

### 6.6.1 How close is the family's acquaintance with the trafficker?

- ➔ In six of the cases where a family member knew the trafficker, a family member or cousin of the survivor was well acquainted with the trafficker, and the trafficker was a regular visitor to the survivor's home.
- ➔ In the remaining four cases, the family was superficially acquainted with the trafficker, but only at greeting-level, as with a neighbour or people from the same village.

### 6.6.2 How often do they know that their daughter, wife or siblings went with the traffickers they are acquainted with?

- ➔ Three cases of orphaned girls and one case of a girl whose parents were trafficked by their neighbours, cousin's friend and people near their village, reported that their family members and close relatives were acquainted with the trafficker. However, they all ran away from their home with the trafficker. This indicates that even if the family and close relatives are acquainted with the trafficker, they might not know that the victim went with them.
- ➔ Three cases are included where the husbands were told that their wives will get a better job, and were asked to send them. However, their husbands were not aware that their wives were being sold. Even when their wives returned (one returned after one day, another after three months and the third after seven months), they did not tell their husbands they had been trafficked. Therefore, their husbands did not know what had happened, and never formed a bad impression of the acquaintance trafficker.
- ➔ Only three cases are included where the family or cousins knew that their daughter/sibling/relation was trafficked by a particular acquaintance.

### 6.6.3 How many share their communication with the traffickers with their family?

Almost none of the cases openly shared the communication with the traffickers with their family. In some cases, wives shared some information with their husbands before they left for the offered job; however they did not share what actually happened to them at the destination. Similarly, in the case of the trafficker who used to visit the survivor's home to persuade them, the survivor did not reveal the intention of the trafficker to their family. One of the survivors shared how the acquaintance trafficker used to visit the home and try to meet her, without her parents knowing. She said: *"He used to say that he will come to meet me at my home, saying that he has come to buy potatoes (parents have shop). My parents know him well. However, my parents did not know that his intention was not to buy potatoes, but to meet me. I guess now, if I had told them they would have known about his intentions, but I did not tell them."*

The insights drawn from the information and dynamics interplay in this section can provide a new lens to answer the fundamental question: If most traffickers are someone they know, then why do they not react? Interpreted cases portray the fact that intimacy of the acquaintance is at various levels, and knowing who is a trafficker, who has taken their daughters, wives and siblings, and what they have done to them, are also at different degrees. Therefore, it should be clearly understood that because the victim knew the person, it does not mean that her family was also equally well-acquainted with that person.

Secondly, almost half of the respondents had some kind of dysfunctional home, leading to less social capital. Hence, there is hardly anyone standing up and fighting/advocating for them. Thirdly, even if the family and close relatives are acquainted with the trafficker, they might not know that the victim went with those traffickers, as most of them do not share the information and often run away secretly. Fourthly, even if they knew that the victim went with them, family and close relatives might not know what happened to them or what place they have been to, as victims do not openly share their stores of destination, or they might not return to their home at all. Often, therefore, a trafficker is quite free to offend again, even in the same village.

Surprisingly, the trafficker seems to be confident and fearless enough even in times when the family knew about the trafficker and trafficking phenomenon. One of the cases presents the family being scolded by the trafficker – not the other way round – when the family went to ask about the situation of their daughter. The survivor's mother went to the trafficker and angrily asked her: *"Where is my daughter?"* According to the respondent, the trafficker scolded her parents back, saying: *"Your daughter is grown up. She might have eloped with some person. I have not seen your daughter."* This shows that the trafficker is in a powerful position, even when committing a crime. Hence, with all these factors and situations, the family is often not in the position to fight back against the trafficker.

Even if a legal case is filed, the survivor's inadequate legal knowledge weakens the case and limits their ability to get access to justice. One woman filed a case with the evidence that she was trafficked. However, she did not realise that information about her son and daughter, who were sold together with her, could have acted as further evidence and made the case stronger, according to the existing law in Nepal. She didn't include this information, due to her limited legal understanding. With proper legal advice and more evidence, she could have made her case stronger and perhaps convicted the perpetrator.

Sometimes it is argued that families are involved in selling their own daughters, wives and sisters. The insights developed from this study into the relationship between the trafficker and the victims' families do not support this. In only one case does it appear to be possibly true, but even then, it is not clear-cut. The case is this: an orphan girl was living with her cousin, who planned to let her go abroad for a better job. She was taken by the trafficker to cross the border, and was caught three times and sent back twice, not allowed to cross. When caught the third time, the trafficker took the help of her cousin's father to cross the border. The respondent relates: *"They called my 'small father' (Nepali term for her mother's sister's husband – her uncle by marriage) and together we crossed the border. Again, the police caught us (for the third time). My 'small father' said that he had a sister in India and that I (the survivor) was going to visit her. I also said that I was going to visit her. The police interrogated us separately. Finally, they let us cross the border. We sat on the train and my 'small father' returned home."*

In this case, the family member may or may not have known the hidden intention of the trafficker, and may only have thought that he was helping the girl cross the border for better employment opportunities. This phenomenon was verified in one KII and one FGD, where a key informant shared that the family members sometimes unknowingly help the trafficker, and one FGD participant informed us that the legal case would be weak if the family is seen to be involved in the trafficking in any way. Hence the trafficker deliberately tries to involve the family, but deceives them. This kind of case poses the risk of categorising it as a 'soft model' of trafficking (Frederick, 1998). According to Frederick, the hard model takes place without the engagement of family members, while the soft model includes a partial engagement of a family member facilitating the trafficking. The above case demonstrates the engagement of the family; however they may not have had any idea about the end outcomes, and thus this case does not clearly fall into Frederick's soft category.

## 6.7 The transportation process

### 6.7.1 Transportation

This section tries to explain how the survivor was transported from her home or original place to the destination in a very strategic way.

Almost all the means of transportation used were the public vehicles: bus, microbus, taxi, rickshaw, train. In one case, the FGD with people working on rescue operations reported that, because of the information provided by a jeep driver, six women going from Kathmandu to Hetauda (on the border) were rescued. This means that people involved in public transportation can play an active role in mitigating trafficking.

The study found that in almost all cases the same person was engaged in both recruitment and transporting of the victim. Mostly, a single trafficker transported the victim, but small groups of two to four persons were also seen in two-fifths of the cases. Women traffickers also accompanied some groups. The data does not give enough information on their specific roles and responsibilities, but indicates that travel accompanied by another female could make the victim feel more comfortable. It will make the transportation process easier and safer if there is

more than one trafficker at a time. The study found no force or abuse, apart from deceiving the victim during the transportation phases and at transit points. This is in contrast to Motus' (2004) claim that victims are subjected to abuse during the journey. This study found deception and manipulation to be the main approaches for the trafficker, from recruitment to transportation.

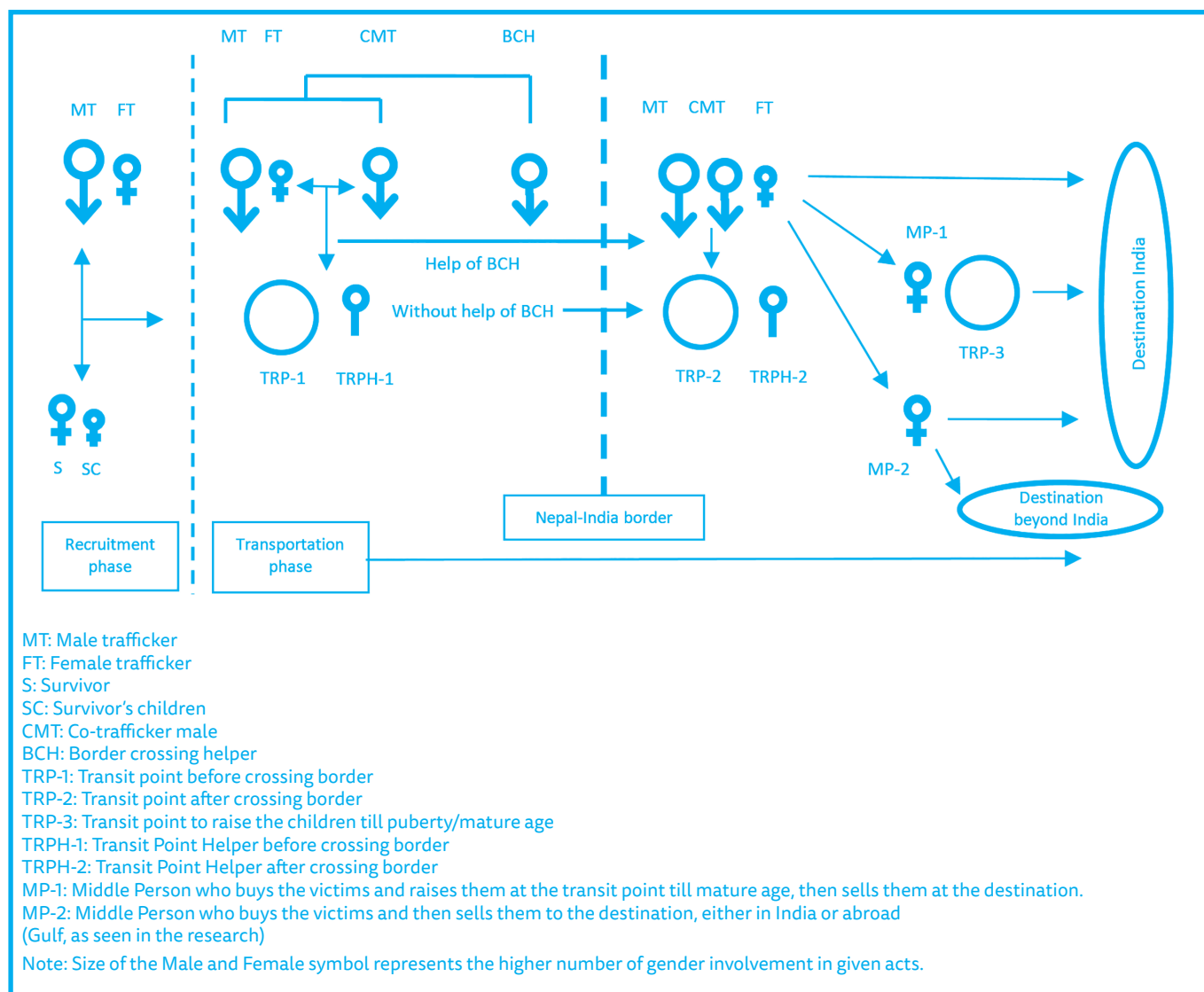


Figure 3: Mapping of recruitment, transportation and transit points

### 6.7.2 Transit points

This section discusses the transit points within the journey, to show where the survivors were kept, the characteristics of those places, for how long, and what they did there. Figure 3 is the generalized mapping<sup>25</sup> from the studied cases. It shows that the traffickers use one to three transit points before crossing the border, and one to four transit points before reaching the destination after crossing the border. This study identifies the general duration of stay at the transit points at the following frequencies: one to two days; four to five days; 10 to 30 days; one to five months; to an extreme of two years. Mostly, stays at short term transit points are from one to five days; medium term stays are from 10 to 30 days and finally, long term transits last from one month to two years.

The short term transit points are usually used for taking rest, having lunch, taking a bath, and planning next tactics. This is also the best period to stimulate the victims' dreams and continue to make them desperate to go with the traffickers. Traffickers also orient survivors at these transit points on how to deal with the security personnel and strangers and what to answer them. They also buy clothes and other basic travel goods during their stay, to please the victims.

<sup>25</sup> During recruitment process, both male (MT) and female (FT) traffickers were active; however male traffickers dominate in recruitment. The trafficker recruits survivors (S), and sometime also their children (SC). During transportation, generally either the male or female trafficker alone transports survivors to the destination, though sometimes they may be accompanied by a co-trafficker (CMT), as a group. Usually these co-traffickers were male. They use one to three transit points (TRP-1) before crossing the border. The transit point may be a random hotel or a place owned/rented by some person known to them (TRPH-1). Crossing the international border is a strategic task, and hence the trafficker may take the help of someone (BCH) who knows about trafficking, or a local person (who doesn't know about trafficking) to cross the border. However, not every trafficker takes help while crossing the border; he/she may choose to take the risk without the help of a BCH. After crossing, they (either the male or female trafficker alone, or traffickers in a group) again use one to four transit points (TRP-2) until they reach the destination. Here also, some transit points are random and others owned and run by a known person or middle person (TRPH-2). The final stage of selling the victims happens in three ways: i) Directly to the brothel, by the trafficker; ii) To a middle person (MP-1), who raises the victim in transit points (TRP-3) and later sells the victim to the brothel; and iii) To a middle person (MP-2) by the trafficker, who directly sells the victim to the brothel (or to another middle person or another country outside India).



Medium term transit points are basically used when transportation hurdles arise, like incomplete paperwork, intense security checks, disorganized plans, waiting for other traffickers etc. The usual activities carried out during these periods are similar to those in short term transit. During transit, the survivors were restricted in terms of their mobility, not allowed to go beyond a certain point. Medium term transit points are sometimes used to keep the victim until the trafficker gets an appropriate buyer or an attractive price to sell the victim.

In long term transit points, under-aged children are raised until they reach mature age and given medicines to modify their physical anatomy for an attractive appearance. This indicates that even very young/underage girls are highly vulnerable, as they are easily persuaded and transported and kept in transit points so they can be sold later. Generally they are kept in a comfortable environment and for some, engage in regular household work. In these transits, other trafficked under-aged girls are also brought and kept, indicating it as a 'hub' to raise children. These girls can be kept or transported to various other places during the entire period of their growing up, as per the need and situation. As discussed earlier, they are not seen to be sexually exploited or abused at any stage of transportation and transit. They are usually well treated until they reach mature age.

These transit points can either be at the same place or change according to need in the transportation process. They are basically located in private hotels or traffickers' friend's apartments or rented rooms. Both of these types of transit points were used equally when transporting the respondents in this study. It is interesting to note that in many cases, especially in long term transit points, the friends' apartments or rooms were also occupied by the friends' family. They had wives, husbands and even small children. The place owners were mostly Nepalese. This indicates that even the family members of traffickers and their friends know about and are engaged in facilitating trafficking.

### 6.7.3 Destinations

Regarding destination sites, the final destination for respondents in this study was mainly India (specifically Calcutta, Delhi, Mumbai, Silgudi and South India), but some also travelled to the Gulf, through India. Internal trafficking also occurs near the Nepal-India border areas.

### 6.7.4 Costs during transportation

The effort and motivation of traffickers are strongly driven by the profit associated with the process. According to Glonti (2004), the human exploitation sector is safe and profitable, compared to illegal drugs and arms trafficking. The scale of demand and profit associated with it motivates traffickers to use any means and deception or even force to traffic people. It is therefore said "the greater the profits traffickers generate, the more creative traffickers become in the methods they use to invest in the crime" (Lutya and Lanier, 2012: 566).

According to this study, the trafficker pays every cost incurred in the recruitment and transportation process as an investment. During the recruitment and journey stages, all the costs, like food, accommodation, transportation, paperwork, clothes for victims etc. were borne by the trafficker. Traffickers spent as much as NRP 40,000 (USD 370 approx) in sexual trafficking, and around NRP 150,000 (USD 1,388 approx) in foreign labour migration, as per the KII.

On the other hand, in the context of Nepal, Hudlow (2016) analyses the cost and benefits to the trafficker, and claims the decision to become a trafficker in Nepal is now becoming a 'poor choice' with low profits and high cost if convicted.

### 6.7.5 Period and time duration of the transportation stage:

On average, it took around one to three days for trafficker and victim to reach the border, and an additional two to three days to reach the destination. Hence on average, the journey takes about five days. Sometimes, it can take six months to two years, if something goes wrong in the transportation process, or if victims are kept in long term transit points (see Section 6.7.2). The months of April to August and October-November were the most frequent times reported for departure by the respondents. (This excludes the increase in trafficking that took place after the 2015 earthquakes in Nepal, because the time when the respondents of this study were trafficked was well before the earthquake.)

However, based on available information, the research could not provide enough evidence on how those months were related to trafficking (if the departure months were a coincidence or strategically connected) apart from October-November period. From the FGDs and KIIs, some linkage was drawn to these months. This is the time of *Dashain*, the biggest festival of the year for Hindus, when there is high mobility of people within the country. Even people from abroad return home at that time. Due to high mobility, various people of different backgrounds come across each other, including strangers. This interaction might lead to meetings and communication between traffickers and potential victims. This phenomenon can play a role in facilitating the first stage relationship between trafficker and victim.

## 6.8 Tactics used during transportation

Traffickers are specialists in learning when it comes to recruiting and transporting victims, according to the evidence from this study. The study also reveals the victim's role as like that of a puppet, doing exactly what the trafficker tells them. Section 6.3 sheds light on why they behave in that manner. Further, their careless and innocent behaviour sometimes makes the traffickers' task easier when it comes to transportation.

### 6.8.1 Making the victim powerless

This is a common operational strategy found to control the victims. The trafficker highlights the weakness and mistakes of the victim, and continues to exaggerate and link it with their weakness. This shatters the victim's confidence and self-esteem to the point where traffickers can take full control of them. While one survivor was being transported by a trafficker, she asked: *"As you said previously, it (the destination) sounded near. Why are we going so far?"* According to the respondent, the trafficker replied: *"There are no jobs for women in Nepal. On top of that, you are uneducated. Who will give you job here? It is very hard to get a job in Nepal, so we have to go to India."* The woman tried to explore further but kept quiet after the trafficker highlighted her weak points (being a woman and being uneducated), and went with the flow. Similarly, one girl who ran away from home tried to return, feeling guilty. But the trafficker managed to point out her mistake and took full control of her. She reported: *"When I left home and reached the hill top, I had bad feelings that I should return. But the trafficker said: 'You have already come out so far from your home. If you return from this point, you will be stigmatized and will not be accepted by your family and community.' This changed my mind again."* Traffickers exaggerate even the small mistakes and weak points of their victims and make them powerless.

### 6.8.2 Limiting the flow of information to victims

The trafficker enjoys confusing and keeping the victim uncertain by providing limited information at a time. This is their major strength, as seen in the study. Victims are also taught on how to respond to outsiders when they questions, but do not know why they are saying such things. Hence, the more the victims become disoriented, the more they are in the control of traffickers.

### 6.8.3 Using unlawful substances/medicines during transportation

Along with deceiving, the study found traffickers using unlawful substances to transport survivors. Two such cases disclose that the survivors were given a cold drink and sweets in the bus park and train stations, and became semi-conscious after taking them. When they came back to consciousness, they had already crossed the border or major sections of the journey. Traffickers concealed what they had done by saying that people sleep a lot when travelling.

### 6.8.4 Being proactive when the victim starts to doubt

The skills and strategies of the trafficker always outweigh the rationality of victim. They quickly recognized the victims' doubts about them and proactively say they are not bad guys. They initiate the conversation like this: *"Will we put you into trouble? Do not we have sisters, mothers, wives and children? Are we alone? Do we put you in trouble, you who has small children? We can find sufficient people for the work (in this case, herbs supply work). We saw you in difficult circumstances and hence offered you the job."* This kind of proactivity was found to erase any doubt of the survivors towards the traffickers, making the transportation process flow smoothly.

### 6.8.5 Moving at night

We discovered that both day and night time were equally used when mapping the transportation process in trafficking. Hence, there was no definitive pattern seen with regard to preferred time for movement. However, movement at night poses an advantage to the traffickers. In one case, the trafficker convinced two girls to leave at night. The girls were new to urban areas and had not travelled much in their lives. They rode the night bus, being told that they are going to Pokhara (west of Kathmandu) but they ended up near the rail station at Sunauli, on the Nepal-India border (south-west of Kathmandu). The survivors reported that they had no idea about where the bus was going at night.

### 6.8.6 Using the same person from initial to final destination

The study found in almost all cases that the same person is engaged in recruitment and transporting the victim, generally transporting one or in some case couple of victims at a time. The trafficker only took help from other actors during transit points to get food and accommodation, and in some cases received the help of local people in crossing the international border. Almost all were solely responsible, from persuading the victims and family when necessary, transporting them, and handing them over to the brothel or to networks of brothels. Through the KIIs, it was found

that when the same person is engaged, the victims have less doubt and feel comfortable to move along with a known person, rather than moving with a stranger at various stages until reaching the destination. It also reveals to some extent that sex trafficking is operating at an individual level, rather than as a well-organized macro-level network, with many actors and well-defined responsibilities.

### 6.8.7 Involving more than one trafficker in the transportation process

In around two-fifths of the cases, there were two to four traffickers accompanying the victim during the transportation phase. Women traffickers sometimes accompanied the group. The dataset does not give enough information about their specific roles and responsibilities, but shows that travel accompanied by another female could make the victim more comfortable. It also makes the transportation process easier and safer if there is more than one trafficker at a time.

### 6.8.8 Taking one person alone at a time, or small groups

Traffickers seem to prefer taking the victims in a small group or one at a time. Less than one-fifth of the cases reported two or three victims being transported at a time, and in the majority of cases, only one person was recruited and transported. Travelling with fewer numbers tends to decrease the risk, compared with bigger groups where there is a high probability of victims sharing their information with each other and, in the extreme, uniting and fighting back if they have doubts. One case resembles such an incident, where there were two survivors transported and one acted boldly, making inquiries in every place and with many people. The trafficker found her behaviour threatening and unsafe and tried to get rid from her first. Later, she was the one who was sold first. When the victim is alone and travelling to an unknown place, fully dependent on the trafficker as the only person they know, the context provides the trafficker with full control over the victim.

### 6.8.9 Convincing the victim at each temporary destination

Convincing the victim step-by-step to transport them from source to destination is one of the best strategies used to confuse them. Traffickers conceal the final destination from them, and deceive them anyhow to take them to the first destination. After reaching there, they again deceive, saying that things did not turn out well or as planned, and convince them again to go to another destination. They repeatedly persuade them to go to another point and then to another, until they reach the final destination intended by the trafficker. With these tactics, the victim becomes confused, and doesn't know whether to continue going with trafficker or return home. According to the data, victims continue to go with the traffickers.

The trafficker is clever enough to make victims continue to go with them from any point. The following case shows this clearly: *"They (the trafficker) promised to pay NRP 30,000 (USD 277 approx) if we help them transport the herbs to Kakarbhitta, on the Nepal-India border. After we reached there, they said due to some problem the buyer could not come to receive the goods. They humbly requested us to take the goods to the buyer's place, and promised to pay an additional NRP 30,000 if we continued to go on with them. We took a taxi and train and then reached Calcutta (India). Even after reaching Calcutta, we were again taken to another place. After reaching that place (again another destination), they said the same thing – that the buyer did not come today – and we returned to our hotel. Later I realised, after I got sold, that people from the brothel had come there (to the final destination) to secretly see me and bargain over the price range. It was a setup, and they paid NRP 100,000 (USD 925 approx) in advance."*

In all these kinds of cases, the survivor made the decision to continue to go with the trafficker. Further, the trafficker calmed down the survivor continuously, saying: *"We are about to reach the destination"* or *"The destination is near. Nothing will happen. Do not worry."* during the long journeys. These simple words were very manipulative, making them calm on the journey. In addition, the co-trafficker who accompanied them during the journey also influenced the victims, saying that they had come with the right person, were in the right hands and were going to the right place. This strengthens the victim's trust in the trafficker. The study also saw that the trafficker try to isolate the victim from any communication, and thus try to get rid of their mobile phones if they have them.

### 6.8.10 Encounters with security personnel during journey

The study identifies many cases where the trafficker and victim came across police officials and the border check posts of rescue organisations for interrogation, and were stopped from crossing the border. In more than one-third of cases, they encountered security personnel during the journey, but because of the trafficker's cleverness and the victim's critical mistakes (details discussed above), most were allowed through. In only a couple of cases was there enough doubt by security personnel, so the travellers were not allowed to cross the border. One managed to cross the border at the third attempt and two others managed to cross the border in other places, after they were interrogated and were not allowed to cross on their first try. This shows that on one hand, the security personnel were seen to be mobilizing to mitigate trafficking, but on the other hand, it seems that their efforts are not enough, as many are escaping and other cases do not even encounter police.

### 6.8.11 Awareness about geography is almost nil

Half of the respondents reported that they did not know they were crossing the Nepal-India border. They are just doing exactly what the traffickers tell them to do. One case clearly shows the survivor's limited knowledge of geography. She reports that she was shocked when rescue personnel at the border booth stopped her and informed her that she had reached the Nepal-India border rather than Kathmandu, where she intended to go with the trafficker. Almost all cases show the same pattern, that they had no idea of the place they had reached. Even some knowledge related to Nepalese geography could make victims cautious, if they doubt they are travelling in the direction they were told they were going.

## 6.9 Trafficking and sale – the final stage

The study tracked three layers where the survivors were sold:

- i) To the brothel, directly by the trafficker;
- ii) To a middle person by trafficker, who sells the victim to the brothel;
- iii) To a middle person, who raises the victim at transit points, and later sells the victim to the brothel.

After reaching the brothel, there is a complex network where the victim can be sold many times between brothels, according to the demand.

As discussed earlier, both the recruiter and transporter are usually the same individual or group; the transfer to another agent takes place only after crossing the border or reaching the destination. There seem to be two methods by which this happens:

- i) direct handing over to them, and
- ii) strategic/tactful handing over.

The first method is simply convincing the victims by telling them that the person who comes to receive them is the actual person who will give them the job. For underage girls, the trafficker convinces them by saying that they are still small for the job, and promises that the person who comes to receive them will take care of them at present and will assign them to the job after some time.

The strategic nature of handing over is quite interesting. In one case, the woman was trafficked with her nine-months-old daughter. She shares her story: *"After we arrived by taxi, one woman, a stranger, came close and gently held my daughter, praising her and saying what a beautiful child she was. After a while, she ran away with my daughter, got into another taxi (which was initially setup) and disappeared. I was shocked and fell into a panic. When I turned around, the brother (trafficker) had also vanished. I was alone, and I collapsed on the ground screaming. Another woman, a stranger (who turned out to be another brothel representative) arrived and with the attitude of helping, told me that she knew the woman who took my daughter. She assured that she would take me to her, and I went with that lady. When I reached the place, they all told me that I had been sold."*

In the cases where more than one victim is being trafficked at a time, victims are separated and one agent takes one woman and another agent takes the other. This separation might be a strategy to further make them alone and weak. Mostly, people who come to receive victims come as individuals or in a group of two to three people.

The handing over process also sheds some light on how trafficking networks operate. One case indicates that there are not always fixed or pre-planned buyers at the destination. Survivors who went to transport the herbs as the job offered by the trafficker were kept at the transit point for a week more than planned. Every day the trafficker used to travel, saying that s/he was going to find an appropriate customer to buy those herbs. But in reality, each day s/he was searching for a brothel or an appropriate buyer to sell the women to. This implies that traffickers sometimes do not have pre-planned buyers, nor are they connected to a setup of buyers. It gives a sense that trafficking operates at a micro level, sometimes in unorganized networks and with an unsophisticated structural setup.

Hence, this study did not find the traffickers' network to be highly organized, as claimed by Shelley (2010). Rather, given the available information, the study comes to the conclusion that the traffickers work in groups, as 'disorganised crime' as described by Feingold (2005) and are "not integrated very closely with those involved in other forms of organized crime", in Hudlow's words (2016: 13). This kind of 'disorganised crime' does not have a highly developed structure and responsibilities, but loose networks and actors where even the drivers, local-level police and brokers, tea house owner and village aunts and neighbours etc. are engaged independently. This is not like the organized sexual trafficking found in Japan and Thailand, as claimed and described by Feingold (2005).

In all the cases, the survivors report that they only realised that they had been sold at the last point of reaching the destination. Some were told by the buyer that they had been sold, some by colleagues; some only realised it when the first customer entered the room for sexual intercourse. Girls kept in transit points realise it when they reach



mature age. Hence, the trafficker creates such a situation and persuades strategically enough that victims never doubt or realise that they are being trafficked during the recruitment and transportation process. The survivors interviewed in this research lived in that misery for a short duration of one to two weeks, for a medium period of three to eight months, and for a maximum of two to three-and-a-half years.

Survivors who recall the approximate figure of the price they were sold for report ranges from NRP 70,000 (USD 648 approx) to NRP 350,000 (USD 3,240 approx). KC et al. (2001) estimate that the price girls get sold for ranges from NRP 80,000 to NRP 112,000 (USD 740 to USD 1,037 approx) which is a similar range for the minimum cost and a little higher for maximum range. The study also found extreme levels of exploitation of these survivors. Even when they were sold in the commercial sex industry, the brothel or owner exploits their daily income. One survivor painfully shared: *“Out of the total income, the broker and owner get 75% (their share based on the bargaining power between them), and only 25% is given to the girl who sleeps with the customers.”* KC et al.’s study shows that almost 90 to 95% of the victim’s earnings are ripped off by the brothel owner, which is very high compared to the current study. Basically, their return home was only possible when:

- i) they are rescued by police or I/NGOs;
- ii) they are rescued by their customers;
- iii) they manage to escape from the brothel;
- iv) they are able to voluntarily repay the sold amount (sometimes double that amount); and
- v) the brothel sends them home after they are infected by disease.

From the FGDs and KIIs, it was also reported that survivors may be allowed to return if they can substitute another new girl in their place. This is where a survivor is compelled to become a trafficker. The first reason, rescue by police or I/NGOs, was the highest reason for return, as seen in this research.

## 6.10 A gender perspective

It is disturbing from the gender perspective that one-third of the traffickers were female<sup>26</sup>. Further, in two-thirds of the cases, the owners of the transit points where the victims were kept for a while and the middle persons or brothel representatives who received the victims at the destination were female. It is distressing to identify that within that category, 72% of the women were of Nepalese nationality, most from the *Tamang* caste, and some were themselves trafficking survivors. This phenomenon has been termed ‘second wave trafficking’ (Lutya and Lanier, 2012) or ‘proxy recruiters’ (Aronowitz, 2009) in the trafficking literature, where the cycle of trafficking is taken up by past trafficking survivors, a very fatal process for society. This raises the question of why there is such a high involvement of women in trafficking other women. Although this is a critical question, analysis of this dimension is not the focus of this study.



## 7 CONCLUSION

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This study provides useful information about the livelihood assets, aspirations and behaviour of trafficking victims, and the characteristics and tactics of traffickers as they recruit, transport and sell their victims. The stories of the survivors interviewed help us understand not just their personal experiences but the broader context of trafficking in Nepal.

The education and skills levels of victims, their membership of social networks and their financial assets are severely deprived. They also lack employment and income sources, with financial assets the lowest scored on average. Survivors are mostly indigenous people (mainly from the *Tamang* and *Magar* communities) and *Dalits*, and the majority of girls were 11-16 years old at the time of trafficking. Unusual cases, like a private sex worker being sold, married women with their children being sold, girls as young as nine years and as old as 38-year-old woman being sold, were encountered. Almost half of the survivors had a family background of absent guardians, divorce, ill-informed parents/guardians, polygamy etc. Especially, girls were seen as inferior to boys, and particularly elder daughters in the family were more vulnerable, as they felt moral pressure to look after the family. Pressures like child abuse, divorce, gender discrimination and forced marriage that force people into desperate actions are deeply embedded in the patriarchal culture which accepts gender inequality, discrimination and violence. This justifies the notion of 'structurally-induced vulnerability'. This study also concludes that a fair share of survivors put themselves at great risk because of their careless behaviour and fatal mistakes knowingly committed. This shaped the 'individually-induced vulnerability' which facilitated the chain of trafficking.

Traffickers are usually known either by the victim or their friends or family, which helps them build trust. All recruitment started with a conversation linking with the victim's current difficult situation and promising a better job opportunity. The trafficker typically capitalized on their economic vulnerability and their dreams, supported by structurally and individually-induced vulnerability, during the recruitment process. Other approaches, like coercion, terrorizing, fake marriage etc. were not seen in this study.

The study shows that indeed traffickers are specialists in recruiting and transporting victims. The fundamental tactics were to keep the victims under control during recruitment and transportation, through limited flow of information, breaking their confidence and self-esteem, making them alone and dependent, and leaving them powerless. Transportation is a step-by-step process. The victim has to continue travelling with the trafficker as she is alone and a stranger in a new place. Transit points can be used to raise an underage child for two years until maturity, before she is sold. Even very small children are vulnerable.

Based on the people engaged in recruitment, transportation, transit points and destination transactions, this study claims that sex trafficking is operated as a loose network and is a 'disorganized crime'. It is disturbing that one-third of the traffickers were female, two-thirds of the transit points were run by women, and 72% of the middle persons or brothel representatives who come to receive victims were female. Further, they were of Nepalese nationality, most from the *Tamang* caste and some were the past traffic survivors. This situation is really alarming and distressing, and further raised the critical question of why women are involved in trafficking other women.

Looking over the entire process, the study illustrates how the skills and strategies of the trafficker outweigh the rationality of victims. Hence, the study sees the need for a broader framework to understand trafficking and design preventive models. Based on the FGDs, KIs and interviewed cases, it was inferred that the motivated trafficker can easily undertake the unimaginable task of trafficking people. The recruitment and transportation methods, tactics, and psychological manoeuvres discussed in this study also prove that traffickers use every inch of their intellect and resources and take risks to traffic a person. Evidence has shown that a motivated trafficker can traffic a child after a single meeting on a public bus, or traffic adults, who know about trafficking and can make rational decisions, within two or three days with three or four meetings. It reflects how easy it is if the trafficker really wants to undertake the crime. Even an educated woman from a good family, who was economically well-off and who systematically made inquiries at each step, finally ended up being trafficked.

In these circumstances, empowerment and the dismantling of vulnerability, either structurally or personally-induced, might give extra mileage, but would be incomplete in addressing the root problems fully. While continuing to address victim-centric vulnerability, the strategy should go beyond this to address the fundamental causes that create sex trafficking demand, and tackle the question of why the trafficker commits the crime. The insights drawn from this study propose a holistic conceptual framework for a preventive model.

## 8 RECOMMENDATIONS

The study came to the conclusion that conceptualization of human trafficking should begin with questioning why the crime occurs and how it is undertaken. Only with a firm understanding of these fundamentals will preventive models and strategies be pertinent and effective. The study draws on the theoretical frame of Lutya and Lanier (2012), Cohen and Felson (1979) and Miethe and Meier (1994), and supports their arguments that sexual trafficking should be understood within the framework of the free will/motivation of the trafficker, the demand, and victim vulnerability. In this framework, the trafficker decides to commit the crime based upon a calculation of cost and benefit, the existence of a sexual exploitation industry motivates trafficker to commit the crime as there is a secure demand, and finally the vulnerability of people gives enough opportunity for traffickers to capitalize on it and ensnare them. This holistic frame implies that with the presence of these three variables, theoretically trafficking is likely to occur. On the other hand, a preventive intervention that does not address all of these three variables might not assuredly mitigate trafficking.

In the context of Nepalese sex trafficking, the preventive model should address and influence the rational decision-making process of the trafficker by creating circumstances that increase the cost of trafficking, compared to its profit. These interventions could be through hard mechanisms like anti-trafficking policies, harsh convictions and penalties and social disgrace, to soft mechanisms like counselling traffickers about human values, principles and ethics, providing them alternative options etc. The strategy should contribute to making the costs of trafficking high compared with its return, whether this means financial, social or political costs.

On the demand variable, the preventive model calls for advocacy and action for tighter control of the sex industry and its expansion, which are creating a secure demand. Sexual demand in Nepal is both internal demand within the country, sustained by illegal sex industries, and international demand, where the Nepal is the source for trafficking women and children. Clearly, compared with the internal demand, the country can hardly influence the international demand, as this is beyond the scope of national policy and security. Hence, broader level initiative is needed in order to control both national and international demand.

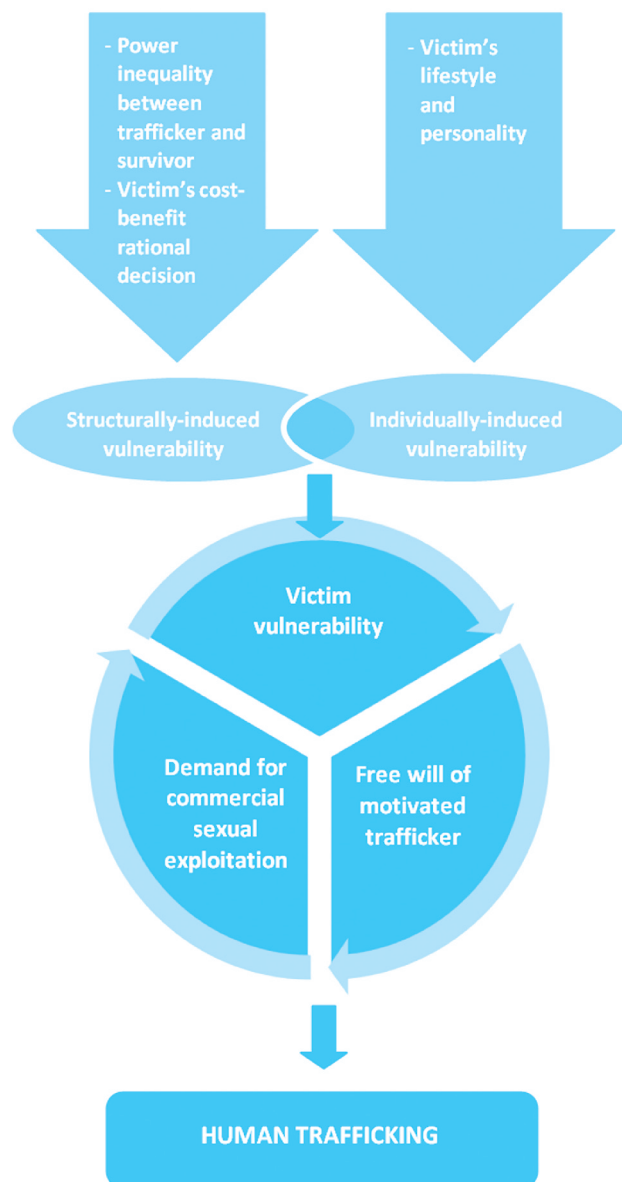


Figure 4: Factors leading to human trafficking

After Lutya and Lanier (2012); Cohen and Felson (1979) and Miethe and Meier (1994) and field study, 2016

The third variable is dismantling vulnerability. The theoretical framework suggests that recruitment begins when there is:

- i) unequal power relations between trafficker and potential victim;
- ii) potential victims and trafficker make rational decisions whether to accept the trafficker's proposal or not, and whether to commit crime or not, based on cost-benefit analysis, and
- iii) the potential victim's behaviour is provocative, precipitative, careless and/or risky.

Hence preventive strategies should invest thinking and resources in two aspects:

- i) structurally-induced vulnerability, and
- ii) individually-induced vulnerability.

The notion of victimology proposes that a person becomes a victim because of their own acts, and because of the context in which they are living. The first two conditions, unequal power relations and the cost-benefit analysis of the victim, contribute strongly to structurally-induced vulnerability, while the lifestyle and personality of the victim contribute strongly to individually-induced vulnerability (see Figure 4). Both structurally and individually-induced vulnerability contribute to the victim's vulnerability. Any structural issues, such as unfair and exploitative socially-defined roles and responsibilities, patriarchal attitudes and acts, gender violence and discrimination, actions that commodify women and cultural norms and practices that safeguard, allow or accept violence, exploitation and discrimination should be dismantled. At the same time, vulnerable people should be made aware that their behaviours and actions might also be assisting in the chain of events leading to trafficking. Rather than harsh blaming, they should be helped to see that their actions can add substantially to the risk of recruitment and transportation, and they should be encouraged to take precautions and be alert.

Based on the research, the recommendations of this study are developed into a detailed proposal for action in the following section. It should be noted that these plans are explicitly proposed for UMN's work in designing trafficking-preventative strategies, and are shaped by the current context of anti-trafficking intervention in UMN.

Potential Activities for Preventive Strategies		
	Demand for sexual services	Victims' vulnerability
<p><b>Free will of motivated trafficker</b></p> <p>Preventing a crime from happening, especially through increasing the cost of crime compared to benefits; horizontal and top-down approach</p>	<p>Minimising the demand for commercial sexual exploitation, nationally and internationally; horizontal and top-down approach</p>	<p>Reducing the conditions that make an individual vulnerable to trafficking; bottom up approach</p>
<p>Develop a UMN position study on trafficking, to help in coordination and collaboration.</p> <p>Initiate or contribute to perpetrator prosecution and conviction.</p> <p>Initiate or contribute to policy advocacy for strict actions against traffickers.</p> <p>Attach trafficking to the human rights framework to make advocacy more powerful.</p> <p>Form strategic partnerships to fight against trafficking, as "it takes a network"(UNODC, 2013).</p> <p>Discuss data reliability with collaborative organisations, to better direct interventions.</p>	<p>Develop a UMN position study on trafficking, to help in coordination and collaboration.</p> <p>Attach trafficking to the human rights framework to make advocacy more powerful.</p> <p>Form strategic partnerships to fight against trafficking, as "it takes a network"(UNODC (2013).</p> <p>Promote sex education and moral values attached to sex.</p>	<p><b>Structurally-induced vulnerability</b></p> <p>Building the livelihood assets of potential victims and improving their socio-economic contexts to reduce structurally-induced vulnerability)</p>
		<p><b>Unequal power differences between traffickers and potential victims</b></p> <p>Decreasing the power difference</p>
<p>Equip individuals with enough practical information, skills, confidence, critical thinking and behavioural conditioning to independently make rational decisions, take precautions and defend themselves</p>	<p><b>Individually-induced vulnerability</b></p>	<p><b>Potential victims' lifestyle and personality adding to the risk of trafficking</b></p> <p>Changing behaviour, attitudes and rational decision making power</p>
<p>Provide life skill training to increase critical thinking and rational decision-making.</p> <p>Sensitize target groups about behaviour that can add substantially to the risk of trafficking.</p> <p>Educate target groups about geography; inform them about the characteristics of international borders (especially Nepal-India), and some landmarks so they can recognise them and understand where they are if they are being trafficked and taken through the border.</p> <p>Teach about the use of geo-locations in mobiles to trace their location and route.</p> <p>Advise potential victims to share information with family and friends, to take advice when any new issues and decisions are made, including plans to travel.</p>	<p>Focus on building potential victims' livelihood assets, mainly education, skills, network membership, savings, family relations and financial assets.</p> <p>Increase and encourage communication between parents and children, encouraging them to share their dreams and difficulties, and guiding them to overcome the situation.</p> <p>Break the stigma attached to sex trafficking, especially among women. Rather than social discarding and stigmatizing, motivate the community to support survivors who were victimized.</p> <p>Mobilize paralegals in the community to facilitate appropriate legal action available, thus encouraging people to file cases and making cases more likely to succeed.</p>	<p>Provide life skill training to increase critical thinking and rational decision-making.</p> <p>Sensitize target groups about behaviour that can add substantially to the risk of trafficking.</p> <p>Educate target groups about geography; inform them about the characteristics of international borders (especially Nepal-India), and some landmarks so they can recognise them and understand where they are if they are being trafficked and taken through the border.</p> <p>Teach about the use of geo-locations in mobiles to trace their location and route.</p> <p>Advise potential victims to share information with family and friends, to take advice when any new issues and decisions are made, including plans to travel.</p>



<ul style="list-style-type: none"> <li>➔ Coordinate closely with national-level security agencies to facilitate better investigation and evidence gathering on trafficking.</li> <li>➔ Initiate or contribute to advocacy for creating and updating a database on traffickers.</li> <li>➔ Initiate or contribute to tightening of international borders.</li> <li>➔ Increase the risk to traffickers by prosecution and conviction of key/head perpetrators rather than local recruiters.</li> <li>➔ Initiate or contribute to counselling traffickers to teach moral values, ethics and human freedom.</li> <li>➔ Initiate or contribute to providing alternative livelihood options for the traffickers.</li> <li>➔ Mobilize paralegals in the community to facilitate local people to take action against traffickers, but have limited legal information.</li> <li>➔ Reverse power relations, so that survivors are confident to file cases, and traffickers cannot intimidate them, even when convicted.</li> </ul>	<ul style="list-style-type: none"> <li>➔ Initiate debate on how to minimise the demand for commercial sexual exploitation. Eg. Legalization of commercial sex or not.</li> <li>➔ Initiate or contribute to the campaign for equal opportunity (especially economic) for men and women, because: i) most resources are in the control of men, giving them the ability to purchase sex, and ii) women need alternative sources of income so that they are not pressured into the sex industry.</li> <li>➔ Promote among men and boys respect for women and girls, not as commodities to be bought and sold, enjoyed and discarded, but as human beings with the right to control their own bodies.</li> </ul>	<ul style="list-style-type: none"> <li>➔ Raise awareness that older children, particularly girls, are vulnerable, as they have higher moral responsibility and are sometimes seen as inferior to boys. Advocate for equal opportunities within the family.</li> <li>➔ Conduct awareness programs with bus drivers, rickshaw riders and others running or using public vehicles.</li> <li>➔ Display trafficking information materials like posters in public transport sites, like long route buses, bus stops etc.</li> <li>➔ Raise the awareness of hotel owners, and use informational materials in hotels.</li> <li>➔ Initiate or contribute to development interventions that seek to create the same opportunities for both genders and all castes.</li> <li>➔ Mobilise community groups as monitoring and accountable agents to be alert for strangers and suspicious activity in villages.</li> <li>➔ Develop strategies with target communities that address harmful socially-defined roles and responsibilities, safeguarded by a specific community's culture and norms, which allow or accept violence, exploitation and discrimination. Develop community accountability to alleviate these social evils.</li> <li>➔ Focus on intervening in dysfunctional families, building up well-functioning families and strong family bonding.</li> </ul>	<ul style="list-style-type: none"> <li>➔ Advise potential victims to document the names of the places they have been to and collect hotel cards during travel, as it will help them to map the route of their journey.</li> <li>➔ Teach them to cooperate with the security personnel and not to lie to them.</li> <li>➔ Teach practical travel skills on how to travel safely, how to act when you are lost, what material resources you have to take (like money, identification, phone), how to approach other people when lost or in doubt etc.</li> <li>➔ Educate them that there is 'no free lunch': If someone is providing things, try to understand the intention behind it.</li> <li>➔ Raise awareness that older children, particularly girls, are vulnerable, as they have higher moral responsibility and are sometimes seen as inferior to boys. Warn girls especially to be cautious.</li> <li>➔ Teach them how traffickers use various approaches, physiological tactics and behavioural manoeuvres, as discussed in the research.</li> <li>➔ Teach potential victims to always ask questions and be careful, even when strangers are met through networks of friends.</li> <li>➔ Raise awareness that women of any age, caste and any physical appearance (physically challenged are unlikely as seen in this research) can be trafficked</li> <li>➔ Develop confidence that it is everyone's fundamental right to live free, secure and dignified lives.</li> </ul>
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	<ul style="list-style-type: none"> <li>→ Initiate or contribute to policy and social advocacy campaigns to create safety nets for families at risk, to empower women, and to create better labour conditions.</li> <li>→ Address unfair socially-defined gender roles and responsibilities, and promote equal opportunities in each sector, especially for women and disadvantaged groups.</li> <li>→ Focus on the 'social protection and security' concept and design strategies accordingly to improve the livelihood assets.</li> </ul>	<ul style="list-style-type: none"> <li>→ Warn girls against running away from home.</li> <li>→ Increase women's/girls' willpower and teach them that being women is not weak, as traffickers tap this vulnerability to create powerlessness and take full control.</li> <li>→ Teach them skills and give or facilitate alternative options, as without alternatives, preventive model will be meaningless.</li> <li>→ Teach moral values and ethics education so that young people will not commit crimes or facilitate crimes or become traffickers at some point in the future</li> <li>→ Teach about safe migration, rather than discourage migration all together. Warn people not to make careless mistakes during the process of fulfilling dreams, especially if thinking about migrating.</li> <li>→ Make public some general characteristics of trafficking, including types of people involved, and how quickly it can occur. Point out that careless behaviour and decisions can lead vulnerable person to further exposure and a higher level of vulnerability; they should never underestimate the risks etc.</li> <li>→ Facilitate excursions, visits or tours out of their home places, either through child clubs, schools or other organisations. Use these to increase their geographical exposure and knowledge about safe travelling.</li> <li>→ Share legal information with vulnerable people to educate them about what to do if anyone tries to exploit them. This includes mobilisation of paralegals.</li> </ul>
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