



## Identifying Victims of Trafficking in Persons among Nepali Foreign Migrant Workers: Experiences and Practices



Alliance Against Trafficking in Women and Children in Nepal (AATWIN)

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## About this Report

This report, *Identifying Victims of Trafficking in Persons among Nepali Foreign Migrant Workers: Experiences and Practices*, provides the results of a study conducted in Nepal by the Alliance Against Trafficking in Women and Children in Nepal (AATWIN).

AATWIN is a national-level network of NGOs in Nepal working to combat trafficking in persons. AATWIN uses a rights-based approach to ensure human rights, women's rights, and children's rights. It was established in 1997 as a network of organizations with common objectives. Since its establishment, AATWIN has been working on policy changes to tackle trafficking at the local, national, and international levels. Currently, 41 member organizations from different parts of Nepal are working together under the AATWIN umbrella, launching advocacy campaigns on human rights, women's rights, and children's rights.

AATWIN conducted this research on victim identification in Nepal as part of the Hamro Samman project, a five-year project led by Winrock International that aims to reduce trafficking in persons (TIP) in Nepal. The project brings together government agencies, civil society organizations, and private-sector stakeholders to combat trafficking in persons.

The project's research component aims to:

- generate knowledge to better understand trafficking in persons (TIP);
- identify innovative solutions and best practices to improve counter-trafficking efforts; and
- document evidence-based approaches to scale up innovative solutions.

AATWIN received a grant to conduct research to document evidence-based best practices for identification and referral of trafficking survivors.

### **Disclaimer:**

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Thank You.

Natisara Rai

Chairperson, AATWIN

## Acronyms

AATWIN	Alliance Against Trafficking in Women and Children in Nepal
APF	Armed Police Force, Nepal
CTIP	Combating trafficking in persons
CTOC	Convention on Transnational Organizational Crime
FEA	Foreign Employment Act 2007
GoN	Government of Nepal
HTTCA	Human Trafficking and Transportation (Control) Act, 2064 (2007)
IDI	In-depth interview
ILO	International Labor Organization
IOM	International Organization on Migration
KII	Key informant interview
MoLESS	Ministry of Labor, Employment, and Social Security
MoWCSC	Ministry of Women, Children, and Senior Citizens
NCCHT	National Committee to Control Human Trafficking
NHRC	National Human Rights Commission
NGO	Non-governmental organization
TIP	Trafficking in persons
UK aid	United Kingdom's Department for International Development
UNODC	United Nations' Office on Drugs and Crime
USAID	United States Agency for International Development
VoT	Victim of trafficking

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## I. Executive Summary

Nepal's National Human Rights Commission estimates that 35,000 Nepali citizens, including 15,000 women and 5,000 girls, were victims of trafficking in persons in 2018-19.<sup>1</sup> In practice, only a small number of victims are identified, referred to services, and/or given access to legal assistance. Identification is the first step toward protecting and restoring the rights of victims of trafficking in persons. Yet in Nepal, victim identification is under-researched and poorly understood.

This report is the culmination of a research study exploring practices used to identify victims of trafficking in Nepal. The Alliance Against Trafficking in Women and Children in Nepal (AATWIN) conducted this study under the research component of the Hamro Samman project, a five-year project led by Winrock International and funded by USAID and UK Aid. Hamro Samman aims to reduce trafficking in persons (TIP) in Nepal by bringing together government agencies, civil society organizations, and private-sector stakeholders to combat trafficking in persons.

### Methodology

The AATWIN research team used a qualitative approach to explore victim identification from the perspective of both victims and counter-trafficking practitioners. Researchers conducted a literature review, interviewed victims and practitioners, and held consultative meetings to engage stakeholders in the research. The team interviewed a total of 45 returned victims of trafficking in Kathmandu, Banke, and Rupandehi districts and conducted 33 key informant interviews (KIIs) with representatives of government and nongovernmental organizations (NGOs).

### Key Findings

The study's key findings highlight the need for consistent, comprehensive victim identification guidelines in Nepal. Researchers found that victim identification criteria, methods, and procedures vary across NGOs and government agencies. Practitioners reported that the lack of guidelines hinders their efforts.

The research identified many barriers to victim identification: the large number of migrants who cross borders, coaching by traffickers in how to evade detection, misconceptions about trafficking victims, lack of knowledge about trafficking among victims, and reluctance to self-identify.

**High volume of migration.** Border officials explained that given the large numbers of migrants who cross the borders they monitor, they cannot question each person, and they cannot spend much time with any one individual. Some frontline workers receive training in victim identification, but many feel under-prepared.

**Coaching to avoid detection.** Traffickers coach migrants in how to avoid suspicion, which makes it more difficult for frontline workers to identify victims from among those they do question. Most victims reported easily escaping notice by border officials.

**Common misconceptions.** Many counter-trafficking practitioners, both government and NGO, believe that only women can be victims of trafficking. Similarly, many practitioners believe that

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<sup>1</sup> Nepal National Human Rights Commission (NHRC), 2019.

only undocumented migrants can be victims of trafficking, a belief reflected in Nepal's anti-trafficking laws. As a result, officials may be less likely to identify victims among men and documented migrants.

***Lack of awareness.*** Victims themselves often fail to recognize trafficking. Most victims had little knowledge of trafficking before they migrated, and they did not realize they were in danger when they left Nepal.

***Reluctance to self-identify.*** Victims hesitate to self-identify out of fear of violent retribution, mistrust of the legal system, and the threat of stigma and discrimination in their communities. Crucially, we found that the victim identification process can be a negative experience for trafficking victims. Many victims we interviewed reported poor treatment from frontline workers. Victim blaming and shaming is common.

### **Recommendations**

The report concludes with a set of recommendations for counter-trafficking stakeholders based on the research findings:

- **Adopt Internationally Accepted Definition of Trafficking in Persons**

The government of Nepal should amend its laws to conform with the internationally accepted definition of trafficking in persons established under the Palermo Protocol, ratified by the GoN in 2020. Counter-trafficking practitioners should work to train all frontline workers in what constitutes trafficking in persons as well as advocate for legal amendments until they are completed.

- **Standardize the process of Victim Identification**

The government of Nepal should pass legislation that establishes a comprehensive and integrated mechanism for identification and referral which is applicable at the national, municipal, and local levels. Additionally, a central data system should be developed to document and monitor the status of migrant workers.

Until the government of Nepal has established this system, stakeholders should advocate for them. Once the system has been created, frontline workers should be trained in its use. Adopt a Victim-Centered Approach

- **Utilize a Victim-Centered Approach**

The government of Nepal should incorporate a victim-centered approach into its integrated identification and referral system. It should identify best practice and hold counter-trafficking stakeholders accountable to using a victim-centered approach. Additionally, frontline workers should be trained on trauma-informed and victim-centered approaches. Stakeholders should incorporate a victim-centered approach into formal guidelines for victim identification.

## II. Introduction

### A. Trafficking in Persons in Nepal

Employment in foreign countries is an important source of income for Nepali families. According to the World Bank, Nepalis working abroad sent a total of \$8.1 billion in remittances home to Nepal in 2020, accounting for 24 percent of the country's GDP.<sup>2</sup> Nepali workers frequently migrate to labor-deficit countries, especially the Gulf States, to improve their livelihoods. Migrants working abroad can increase their families' incomes, allowing them to buy land, repay debts, access education and health care services, and build homes.<sup>3</sup>

Migrants are vulnerable to exploitation, however, and many Nepalis seeking foreign employment fall victim to traffickers. Nepal is one of major source country for trafficking in persons (TIP) for sexual exploitation, forced labor, and organ removal.

Most trafficking victims are poor. They seek work abroad because they are struggling to earn enough money to cover their basic needs, and they have few other economic opportunities.<sup>4</sup> Trafficking victims also leave their homes and communities to escape structural violence, sexual and physical abuse, and discrimination.

Traffickers use many different tactics to trap their victims. Victims are lured by false promises of good jobs, high salaries, foreign marriages, or travel to visit relatives.<sup>5</sup> Some traffickers pose as legitimate foreign employment agencies (called "manpower companies"). Traffickers prey on individuals living in poverty and some traffickers threaten victims with violence or use drugs or medicines to control them.

### B. Scale of Problem

Assessing the scale of trafficking in Nepal is difficult. Nepal lacks comprehensive, reliable data about the number of men, women, and children who are trafficked each year. Nepal's National Human Rights Commission (NHRC) uses missing persons reports and data about employment sectors with high rates of trafficking to estimate the total number of victims. Based on this analysis, the NHRC estimates that 35,000 people, including 15,000 women and 5,000, girls, were victims of trafficking in persons in 2018-19.<sup>6</sup>

Government and NGO officials intercept and/or rescue only a small fraction of the total number of victims, and police investigate only a fraction of those cases. NGOs report rescuing a total of about 1,000 victims each year. According to the NHRC, in 2018-19, police conducted 258 investigations of possible trafficking cases involving 524 suspects.

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<sup>2</sup> "Personal remittances received–Nepal", Open Data, World Bank, 2022.  
<https://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT?locations=NP>

<sup>3</sup> Karn et al., 2020; Sunam, 2017.

<sup>4</sup> Sharma, 2018; Karn, 2006; Karn et.al, 2020.

<sup>5</sup> Nepal National Human Rights Commission (NHRC), 2019; NHRC, 2018.

<sup>6</sup> NHRC, 2019.

Reporting and investigation has increased over time. The number of trafficking cases registered with the Nepal Police increased from 185 in 2013/14 to 227 in 2016/17 and 305 in FY 2017/18.<sup>7</sup>

### **C. Victim Identification**

Identifying trafficking victims is critical not only to protect and rescue victims from exploitation, but also to provide support once they have escaped.

According to the United Nations Office of Drugs and Crime (UNODC), failure to correctly identify a trafficked person is likely to result in further denial of that person's rights.<sup>8</sup> Victims who are not identified are vulnerable to continued exploitation and re-trafficking. Unidentified victims suffer negative impacts on their mental and physical health and development.<sup>9</sup> In Nepal, formal identification is a prerequisite for government services for trafficking survivors, especially compensation.

Unfortunately, government and NGO workers fail to identify most victims of trafficking in Nepal. Returning migrants are not often screened as possible victims.<sup>10</sup> Large numbers of Nepali workers enter India at unofficial border crossings where migration is not recorded or reported. Victims trafficked through official border crossings and airport checkpoints often migrate without detection.

### **D. About this Study**

Understanding of trafficking in persons (TIP) has improved in recent years in Nepal, but there is still a gap in understanding of what works well in victim identification. There is a lack of systematically documented information including publications and research on the process of identification of trafficking in persons victims. Of the limited data on trafficking in persons that exists, the majority comes largely from NGO publications.<sup>11</sup> Reports rely on anecdotal case studies, newspaper reports, and commentary from anti-trafficking agencies and practitioners. Hardly any systematic research has been published about interception before trafficking or reintegration upon return to Nepal.<sup>12</sup>

The purpose of this study is to help fill the gap in knowledge about victim identification in Nepal. AATWIN conducted this study under the research component of the **Hamro Samman** project, a five-year project led by Winrock International and funded by USAID and UK Aid. Hamro Samman aims to reduce TIP in Nepal by bringing together government agencies, civil society organizations, and private-sector stakeholders to combat trafficking.

Hamro Samman's research component aims to:

- generate knowledge to better understand TIP;

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<sup>7</sup> NHRC, 2018.

<sup>8</sup> UNODC, 2019. "Importance of early and accurate victim identification."

<https://www.unodc.org/e4j/en/tip-and-som/module-8/key-issues/identification-of-victims.html>

<sup>9</sup> Surtees et al., Nexus Institute, 2018. <https://nexushumantrafficking.files.wordpress.com/2018/12/Identification-and-Referral-Guidelines-July-2018.compressed.pdf>

<sup>10</sup> Manddal and Baral, 2021.

<sup>11</sup> Simkhada, 2008; NHRC, 2018; Ligia et al., 2019.

<sup>12</sup> Asha-Nepal, 2006; Simkhada, 2008; Samuels and Ghimire, 2013; Hudlow, 2015; Dahal, Joshi, and Swanhberg, 2015; Goździak, 2016; Ligia et al., 2019.

- identify innovative solutions and best practices to improve counter-trafficking efforts; and
- document evidence-based approaches to scale up innovative solutions.

### **III. Background: Legal Framework, Roles of Government & NGOs**

#### **A. Laws and Regulations**

##### **1. Human Trafficking and Transportation (Control) Act, 2064 (2007) & FEA**

Nepal’s Human Trafficking and Transportation (Control) Act, 2064 (HTTCA), enacted in 2007, serves as the legal basis for Nepal’s counter-trafficking efforts. The act provides a visible institutional mechanism to raise awareness about trafficking in persons at the national, municipality, and community levels.<sup>13</sup>

Nepal prohibits many, but not all, forms of trafficking in persons through the 2007 HTTCA and 2008 Human Trafficking and Transportation (Control) Regulation (HTTCR). Nepal ratified the United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also called the Palermo Protocol) in 2020, but the government has not yet amended its laws to meet the protocol’s requirements.

The Foreign Employment Act (2007) (FEA) protects documented foreign workers from breach of contract, defined as deception, labor exploitation, or nonpayment of wages. Victims are entitled to compensation. The FEA does not criminalize trafficking, so traffickers cannot be prosecuted for exploiting documented migrants.

Since the FEA and HTTCA do not overlap, Nepal’s legal framework lacks the concept of trafficking for labor exploitation. Clause 2c of the HTTCA defines a trafficking victim as “a person who is sold, transported, or put into prostitution.” Clause 4 defines human transportation as being “for the purpose of prostitution and exploitation.”

##### **2. National Minimum Standards for Victim Care and Protection**

Nepal’s National Minimum Standards for Victim Care and Protection (2068), established in 2012, protect the rights of trafficking victims during rescue, repatriation, reintegration, and rehabilitation. Under the standards, government agencies and stakeholders must inform victims about all aspects of rescue and repatriation and determine the process to be used according to the wishes of trafficking victims.

##### **3. National Plan of Action on Countering Trafficking in Persons (2012 – 2022)**

Nepal’s National Plan of Action on Countering Trafficking in Persons (2012-2022) confirms the government’s obligation to protect trafficking victims who were rescued from within and outside the country, have returned on their own, and are willing to voluntarily return.<sup>14</sup>

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<sup>13</sup> NHRC, 2019.

<sup>14</sup> MoWCSC, National Plan of Action Against Trafficking in Persons, 2012.

## **B. Progress Meeting International Standards**

As of 2020, Nepal is categorized as a Tier 2 country by the U.S. Department of State, which means that the government has not yet met the minimum standards for eliminating trafficking in persons according to the Trafficking Victims Protection Act.

The HTTCA does not align with international standards. In 2020, Nepal ratified the UN's Protocol to Prevent, Suppress and Punish Trafficking in Persons (known as the Palermo Protocol), but the government has not yet amended its laws accordingly. Nepal's laws do not criminalize all forms of trafficking, and they do not protect all victims of trafficking.

The HTTCA defines "trafficking in persons" narrowly, excluding many forms of trafficking. The HTTCA criminalizes slavery, bonded labor, the buying and selling of people, and forced prostitution, but it does not criminalize the recruitment, transportation, harboring, or receipt of persons by force, fraud, or coercion for the purpose of forced labor or services. Under current law, neither recruitment agencies nor any other perpetrators can be prosecuted for crimes related to labor trafficking.

In its 2019 report, the National Human Rights Commission identified the gaps in Nepal's current anti-trafficking laws. The HTTCA restricts the definition of human trafficking to specific sectors, with a focus on forced prostitution and other sexual exploitation. The Act does not adequately define three aspects of trafficking: (1) the act itself (recruitment, trafficking, storage, sale and purchase); (2) the tactic used to acquire victims (such as enticement, coercion, threats, misinformation, trickery, and kidnapping; and (3) the objective (exploitation, organ trafficking, or generating profit by using a person in any way).<sup>15</sup>

Unfortunately, corruption and complicity hinder efforts to combat trafficking in persons in Nepal. According to the U.S. Department of State, complicity in trafficking among law enforcement and government officials remained a serious problem in 2020. As a result of both direct complicity and negligence, officials failed to investigate several documented allegations of trafficking in persons.

Some law enforcement officials and political leaders have financial stakes in Nepal's adult entertainment sector, which relies on trafficking to staff brothels, bars, and other venues.<sup>16</sup> Corrupt officials profit from trafficking in persons by accepting bribes to ignore violations or protect the businesses that use trafficking. In addition, traffickers reportedly bribe government officials to falsify Nepali passports or provide fraudulent documents to prospective migrants and foreign employment agents.<sup>17</sup>

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<sup>15</sup> NHRC, 2019.

<sup>16</sup> Kaufman and Crawford, 2011.

<sup>17</sup> NHRC, 2019.

## **C. Roles of Government**

### **1. Responsible Government Agencies**

Nepal's Human Trafficking (Control) Act, 2064 (2008) dictates that the Government of Nepal (GON) is responsible for rescuing Nepali victims of trafficking in persons.<sup>18</sup>

#### **(a) Oversight**

The **National Committee for Controlling Human Trafficking (NCCHT)**, which operates under the Ministry of Women, Children, and Senior Citizens (MoWCSC), is the government entity charged with overseeing Nepal's counter-trafficking activities. The NCCHT is responsible for the rescue and repatriation of victims stranded abroad.<sup>19</sup> The NCCHT supports nationwide implementation of counter-trafficking activities under the National Plan of Action, which directs both district- and local-level committees to help combat trafficking in persons.

#### **(b) Interception and Criminal Investigation**

The government of Nepal's **Anti-Human Trafficking Bureau** is the law enforcement agency responsible for investigating TIP cases, identifying and rescuing victims, and referring cases for legal action.

The Armed Police Force, Nepal (APF) is responsible for intercepting victims of trafficking at border crossings. The APF has interception measures in place at border check points:

- Surveillance booths at border crossings
- Instruction for border staff to identify possible traffickers and victims by asking screening questions and observing body language
- Collaboration with counter-trafficking NGOs to screen possible victims of trafficking and assist identified victims
- Coordination activities with local governments and Armed Police Force at the border, including its counterparts in India

#### **(c) Victim Identification**

In theory, government security forces are responsible for identifying and assisting trafficking victims. In practice, international and national NGOs lead most efforts to identify victims, and activities rely on funding from outside donors (see more Section D. Role of Nongovernmental Organizations).<sup>20</sup>

#### **(d) Repatriation**

##### **Nepali Diplomatic Missions**

When a victim is rescued abroad, the Nepali Diplomatic Mission in the relevant country is responsible for repatriating them, with assistance from relevant GoN ministries.<sup>21</sup> Stakeholders

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<sup>18</sup> Clause 12, Human Trafficking (Control) Act, 2064 (2008)

<sup>19</sup> Rule 4, Human Trafficking (Control) Regulation (2009)

<sup>20</sup> Shimkhada, 2008; Kaufman and Crawford, 2011; Worthen, 2011.

<sup>21</sup> MoWCSC, National Plan of Action Against Trafficking in Persons, 2012.

involved in repatriation after rescue must inform the Nepali Diplomatic Mission in the concerned country.

### **Ministry of Labor, Employment and Social Security (MoLESS)**

Nepal's Ministry of Labor, Employment, and Social Security (MoLESS) is responsible for rescuing and repatriating documented migrant workers in foreign countries other than India. In India, the Nepali Diplomatic Mission is responsible for rescuing victims of trafficking through the Ministry of Foreign Affairs (MoFA).

### **Local committees**

Under the National Plan of Action, the National Committee to Control Human Trafficking (NCCHT) oversees local counter-trafficking committees. Committees at the district and local levels are responsible for providing services to repatriated trafficking survivors after their return.

### **(e) Reporting**

The **National Human Rights Commission (NHRC)** has a constitutional mandate to protect and promote the basic human rights of the Nepali people. The NHRC is responsible for monitoring and researching incidents of human rights violation in an independent, impartial, and autonomous manner. The NHRC publishes annual reports on the state of trafficking in persons in Nepal; these reports are a crucial resource for counter-trafficking practitioners.

## **D. Role of Non-Governmental Organizations (NGOs)**

In Nepal, NGOs take the lead in identifying and intercepting trafficking victims. According to the NHRC, NGOs rescued and repatriated nearly three times as many trafficking victims as the government did in 2018. As of 2021, twelve NGOs have surveillance booths at border crossings, including almost all major border points. NGO staff at these booths work to identify victims of trafficking in transit.

Maiti Nepal, Shakti Samuha, KIN Nepal, Biswas Nepal, 3 Angels Nepal, Opportunity Village Nepal, ABC Nepal and other counter-trafficking local NGOs across Nepal are working to prevent trafficking and protect victims. These groups participate in regular cross-sector meetings, indicating at least some coordination of effort.

### **1. Cross-Border Collaboration**

The UNODC has implemented two regional initiatives to strengthen cross-border collaboration and cooperation among Bangladesh, India and Nepal. These projects produced guidelines and standard operating procedures for repatriating victims of cross-border trafficking and scaled up victim referral mechanisms for protection and assistance.

UNODC's Regional Trafficking in Persons project, implemented jointly with the Governments of Bangladesh, India and Nepal, worked to (i) strengthen victim referral and protection mechanisms in beneficiary countries, (ii) design and implement measures to prevent cross-border trafficking and (iii) improve cross-border cooperation among relevant actors for rights-based repatriation of victims. The project developed a Regional Referral Mechanism guideline.

## **2. Victim Identification**

Nepal's counter-trafficking laws and regulations lack formal guidelines, mechanisms, and procedures for victim identification.<sup>22</sup> Trafficking victims are not often identified. Due to the high volume of migration, many trafficking victims move through border crossings without being questioned. Returning migrants are not often screened as possible victims when they return to their home countries or communities.<sup>23</sup>

### **(a) Reporting**

Nepal has a process for reporting possible trafficking cases. When a police officer, NGO or any representative determines that a person is a possible victim of trafficking, they lodge a first information report (FIR) at the police station to launch a criminal investigation. The individual is officially identified as a victim of trafficking only if the court decides that the accused is a trafficker, and the case is one of human trafficking.<sup>24</sup>

### **(b) Effort to Establish Guidelines and Procedures**

In collaboration with stakeholders, the government of Nepal is working to create formal guidelines and mechanisms for identifying trafficking victims. In April of 2019, the UNODC and Nepal's Office of the Attorney General convened stakeholders for a two-day consultation followed by a two-day drafting session. Representatives of the UNODC, Ministry of Women, Children, and Senior Citizens (MoWCSC), law enforcement agencies, and NGOs participated. The group drafted consolidated victim identification and repatriation guidelines and proposed a national referral mechanism.

A dedicated committee formed under the MoWCSC is leading the effort to develop and enact guidelines. As of December 2021, the draft policies are still under review.

## **IV. Research Methodology**

This study uses a qualitative approach to capture experiences with victim identification in Nepal. Researchers used four related methods: a literature review, in-depth interviews (IDIs), key-informant interviews (KIIs), and stakeholder meetings. The research focuses on victims of external trafficking: Nepali workers who are trafficked to one or more foreign countries.

The study relies on interviews with trafficking victims, policymakers, and counter-trafficking practitioners to describe and explore the current state of victim identification practices and procedures in Nepal. Ultimately, this research should help government agencies and NGOs strengthen victim identification policy and practices in Nepal.

### **A. Research Objectives**

1. Generate knowledge about current practices in identification and referral of survivors based on the experiences of survivors of trafficking and counter-trafficking practitioners.
2. Identify gaps in victim identification and referrals and offer recommendations to address those gaps.

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<sup>22</sup> U.S. Department of State, 2020.

<sup>23</sup> Manddal and Baral, 2021.

<sup>24</sup> U.S. Department of State, 2020.

## B. Key Terms

### 1. Trafficking in persons (TIP)

For this report, we use the internationally accepted definition of trafficking in persons (TIP) established in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (UN 2000):

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

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.

The Nepali term for trafficking in persons is *manav bechbikhan/osar-pasar*. *Bechbikhan* means “buying or selling” and *osar-pasar* means “transportation.”

### 2. Victim / Survivor

The International Organization for Migration (IOM) defines a **victim** of trafficking as “any person who has been moved from his or her family or community or country to another location and is exploited.” A **survivor** of trafficking is someone who was trafficked and exploited in the past, but is no longer being trafficked.

Some counter-trafficking advocates object to the term “victim” because it defines the person by the experience and implies that they are powerless. “Survivor,” on the other hand, implies empowerment. Most counter-trafficking organizations in Nepal prefer the term “survivors.”

We use the term “victim” in this report because the focus is identification of a victimized person. The individuals we interviewed are by definition survivors since they have returned home after having been trafficked. We refer to in-depth interview participants as victims, however, because the stories they shared were about their experiences being trafficked and held in exploitative situations abroad.

### 3. Migrant worker

**Migration** is the movement of people from one country to another. For this study, the term “migrant worker” refers to a person who moves from one place to another seeking employment. The International Labor Organization (ILO) Convention 97 defines “migrant for employment” as “a person who migrates from one country to another with a view to being employed otherwise than on his or her own account and includes any person regularly admitted as a migrant for employment.”

This study focuses on Nepali citizens migrating to other countries, as opposed to migrating internally within Nepal. We define **migration for foreign employment** as “the act of a person traveling from Nepal to another country, either to India or to a third country either directly from the Kathmandu airport or via India.”

#### 4. Documented and undocumented migrants

**Documented migrants** (also called legal or regular migrants) have the genuine, valid travel documents required to enter a country for their stated purpose. **Undocumented migrants** (also referred to as illegal or irregular migrants) enter a country without the travel documents required for the purpose of their visit, or with falsified documents.

Nepali citizens traveling to India do not need passports or visas, but third countries require them. Many countries require migrants seeking foreign employment to have work visas or permits. Migrating for work on a tourist visa would be considered undocumented migration.

#### 5. Victim identification

Victim identification is the identification of a person as a trafficking victim by someone with the authority to do so.<sup>25</sup>

**Official (formal) identification** results from a legal process or official investigation. In Nepal, only the government can officially identify trafficking victims. The government identifies a person as a trafficking victim when the trafficker is found guilty in court for the crime of trafficking in persons.

**Informal identification** refers to any case where a person identifies someone as a victim of trafficking for the purpose of providing assistance. Counter-trafficking NGOs use informal identification to find and assist trafficking victims. Victims identified informally can receive assistance from NGOs, but they are not eligible for some legal rights for e.g. compensation.

**Self-identification**, a form of informal identification, is when a victim recognizes their own exploitation. Victims who self-identify may or may not choose to seek assistance.

**Interception** is the process of stopping and/or questioning a possible victim of trafficking. It is often the first step in victim identification. This study focuses on interception at border crossings and in airports.

At border crossings, the process of interception and victim identification generally involves three steps: (1) initial screening/assessment; (2) longer interview with possible victim and/or trafficker; and (3) referral of identified victim to services (safe house, repatriation, etc.).

Initial screening often occurs at border crossings and in airports, where NGO representatives or law enforcement officials must determine whether a particular entry or exit is suspicious. Frontline officials conduct a preliminary assessment. They screen migrants based on symptoms or signals and risk factors during observation and interactions. The individual is considered a presumed or prospective victim if they meet certain criteria (which vary across organizations). If the victim agrees to accept assistance, officials refer them to the appropriate services for protection, repatriation, and/or rehabilitation.

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<sup>25</sup> Surtees et al., Nexus Institute, 2018.

## **6. Frontline workers**

Frontline workers (also called frontline responders or on-the-ground practitioners) are the government officials, law enforcement officers, and NGO representatives who interact directly with possible victims of trafficking, particularly at border crossings.

## **7. Source countries, destination countries, and points of transit**

Source countries are the home countries of trafficking victims. Destination countries are the countries where victims of trafficking ultimately arrive, the locations where the primary exploitation takes place. Points of transit are cities or countries where victims of trafficking are held on the way to their final destinations. International traffickers often route victims through third countries.

## **C. Methods**

This study used a qualitative approach with four data collection methods:

- Literature review
- In-depth interviews (IDIs) with trafficking victims
- Key informant interviews (KIIs) with representatives from government agencies, law enforcement, and counter-TIP NGOs
- Consultation meetings with stakeholders

The team used a qualitative research design consisting of semi-structured interviews with victims, key practitioners, and other stakeholders. Researchers convened consultation meetings and facilitated informal discussions to engage local stakeholders in the research and validate the study and its findings.

This study took a qualitative approach to explore victims' personal experiences and understanding of trafficking. While the trafficking victims interviewed for this study are a convenience sample, their lived experiences provide important insight for improving victim identification.

### **1. In-Depth Interviews (IDIs) with Victims**

Researchers conducted in-depth interviews (IDIs) with 45 victims of trafficking from diverse backgrounds, selected based on convenience. The research team explored TIP victim identification through the eyes of victims themselves. In IDIs, interviewers encouraged trafficking victims to describe if, when, and how they were identified.

To capture a range of experiences, the research team intentionally selected a diverse group of trafficking victims for in-depth interviews (IDIs). Researchers used a convenience sampling method, working with counter-trafficking NGOs to identify victims who were available and willing to participate.

They included both male and female victims with a range of different caste and ethnic backgrounds, ages, and levels of education. The team also selected victims with different destinations, points of interception, types of work, and types of exploitation experienced.

Since the interview participants were not selected randomly, the group should not be considered representative of trafficking victims in general. The findings apply only to this relatively small sample of individuals.

The AATWIN research team created interview guidelines, questions, and checklists in consultation with Winrock International and Hamro Samman.

### (a) IDI Respondent Demographics

Researchers conducted in-depth interviews with a total of 45 victims of trafficking across three different districts.

Of the 45 respondents, 37 (82 percent) were female and 8 (18 percent) were male.

**Table 1. Sex of IDI respondents by district**

Location	Female	Male	Total
Kathmandu	13	5	18
Banke	14	3	17
Rupandehi	10	0	10
<b>Overall</b>	<b>37</b>	<b>8</b>	<b>45</b>

Interview participants ranged in age from under 18 to 45. Nearly 60 percent of IDI participants were between the ages of 19 and 35. About 30 percent were 36 – 45 years old. Nine percent were children under the age of 18, and all of those children were girls.

**Table 2. Ages of IDI respondents by district**

Location	Age Group				Total
	Up to 18	19-35	36-45	>45	
Kathmandu	2	11	5		18
Banke	1	6	8	2	17
Rupandehi	1	9	0		10
<b>Overall</b>	<b>4</b>	<b>26</b>	<b>13</b>	<b>2</b>	<b>45</b>

About 75 percent of IDI participants are literate, and 25 percent have completed higher secondary education or undergraduate studies.

For most victims, India was the final destination. Other destinations were Kuwait, Malaysia, Saudi Arabia, Iraq, Qatar, and Oman.

## 2. Key Informant Interviews (KIIs) with Stakeholders

The team conducted key informant interviews (KIIs) with representatives of government, NGOs, and law enforcement who work in counter-trafficking activities. In KIIs, researchers asked key

stakeholders to describe the criteria used to identify victims and how victim identification occurs in practice. Interviewers encouraged key informants to share their experiences, methods, and the context they work in.

Researchers used key informant interviews to gather information about the state of victim identification in Nepal. Key informant interviews (KII) are loosely structured conversations with people who have specialized knowledge about a specific issue.

The team selected a group of influential government officials, service providers, and development professionals who directly or indirectly influence policy decisions about trafficking in persons. Researchers selected key informants based on their experiences and engagement in victim identification and law enforcement.

### **(a) KII Participant Demographics**

In each district, researchers interviewed representatives from three key groups: government organizations, law enforcement officials, and NGOs. NGO participants included organizations that operate safe houses for trafficking victims as well as human rights organizations engaged in counter-trafficking activities.

The team conducted a total of 33 KIIs. Participants included government officials, security personnel, practitioners, representatives from international and local NGOs, and counterpart stakeholders in India near the border in Banke. Out of them, 55 percent were female and 45 percent male, and among them, 45 percent were from GOs and 55 percent from CSOs.

Researchers prepared questions about policies, practices, and gaps in combating trafficking in persons. Interviewers asked each key informant for suggestions to improve victim identification.

### **3. Consultation Workshops with Local Stakeholders**

The AATWIN research team convened respective government officials to discuss trafficking in persons across the Nepal/India border. This was helpful in creating understanding and finding ways to overcome gaps and provide avenues to collaborate with various stakeholders. The participants of the consultation workshops were selected from among the stakeholders, both GOs and NGOs, working in counter-trafficking. A checklist was developed to guide the consultations.

The team convened three information-sharing meetings: a national-level stakeholders' meeting at Kathmandu following the fieldwork, a cross-border consultation at Nepalgunj during fieldwork, and a district-level meeting at Bhairahawa. Group discussions and sharing of stories of survivors and experiences of practitioners were conducted on issues pertaining to the practices and gaps in the identification of VoT. A total of 66 stakeholders (53% female, 47% male) participated in the consultation meetings, out of which 33 percent were from GOs and 67 percent from CSOs.

The consultation process served as a way to share findings from the research, receive feedback, and discuss future work. This report includes comments from these meetings to supplement the primary findings drawn from the IDIs and KIIs.

## D. Research Locations

Researchers conducted interviews in three districts: Banke, Rupandehi and Kathmandu. The team selected these districts in consultation with experts affiliated with AATWIN. All three are important source and transit points for trafficking in persons.

**Banke** is a border or transit district as well as a source and destination for trafficking in persons in Nepal. Banke is a well-known route for trafficking due to its proximity to open border crossings into India. Nepalgunj is a key district town of Banke and a junction for migrants from western and far western parts of Nepal.

Researchers conducted 17 IDIs and 10 KIIs in Banke. These interviews took place between July and December 2020. The team convened one cross-border meeting for stakeholders from India and Nepal.

**Rupandehi** is also a border or transit district as well as a source and destination for trafficking in persons. Researchers conducted 10 IDIs and 8 KIIs in Rupandehi.

**Kathmandu** is the hub of trafficking in persons in Nepal. It is an important destination, transit point, and source of migrants. The team conducted 18 IDIs and 15 KIIs in Kathmandu.

**Table 3. Number of in-depth interviews (IDIs) by district**

Districts	Number of IDIs	Number of KIIs
Banke	17	10
Rupandehi	10	8
Kathmandu	18	15
Total	<b>45</b>	<b>33</b>

## E. Data Collection and Analysis

AATWIN coordinated and facilitated data collection in all three districts. Three AATWIN member organizations—Shakti Samuha, Himalayan Human Rights (HimRights), and KIN Nepal—collected data in Banke, Rupandehi, and Kathmandu.

The lead field researcher facilitated a day-long training in data collection and field work for the data collectors. The training covered the context of the research, the study’s objectives, its design and methodology, and the data-gathering tools and their use.

A separate team analyzed the data and drafted the report. After data collection, an AATWIN research consultant created a data set organized by district. The consultant cleaned interview transcripts, categorized responses, arranged data thematically, and recorded emerging themes, patterns, and trends. The analysis team referred to data collectors’ field notes and journals for additional context and detail.

## **F. Ethical Code of Conduct**

The AATWIN team trained data collectors to follow an ethical code of conduct. The code of conduct directed researchers to respect human dignity and the rights of participants, request and receive informed consent for each interview, and allow participants to refuse to answer certain questions or withdraw from the interview entirely. Researchers only conducted interviews with individuals who gave consent to participate in the study.

The code of conduct also required researchers to conduct themselves professionally, identify themselves clearly and accurately, maintain complete confidentiality, and use participants' personal information only for the purpose of the study.

## **G. Study Limitations**

This study relies on qualitative data from a small, non-random sample of respondents. By intentionally selecting a diverse group of trafficking victims for in-depth interviews, the research team was able to capture many different perspectives. Since the sample is not random, however, some groups might be over- or under-represented. Experiences might be specific to small subsets of trafficking victims. The findings should not be generalized to trafficking victims as a whole. Instead, the individual experiences of victims can provide insight, validation for research findings, and starting points for future research.

Out of the 45 victims interviewed, only eight were male. The research team struggled to locate male victims for interviews. As a result, the study relies on limited male perspectives and experiences.

Furthermore, the Covid-19 pandemic and national lockdown made field travel and interviews difficult and potentially dangerous. Researchers couldn't conduct face-to-face interviews in all cases. Interviewing over the phone or by video can make it more difficult to establish rapport and discuss difficult, personal experiences.

Given these limitations, we recommend interpreting these findings as exploratory. Topics related to trafficking in Nepal remain understudied, and the topic of victim identification particularly so. This study represents an initial attempt to understand the current state of practices around victim identification. Next steps should include additional research to better understand the dynamics around victim identification at the population level.

### **1. Impact of Covid-19 Pandemic**

Fieldwork was postponed for nearly six months due to the nationwide lockdown in response to the Covid-19 pandemic. The lockdown began in March of 2020. The research team began conducting in-person interviews after the GoN lifted the first lockdown on 22 July 2020.

Researchers used appropriate safety measures to limit exposure to Covid-19. Data collectors wore masks, used hand sanitizer, and provided masks and sanitizer to all interview subjects and meeting participants. Research staff practiced social distancing, maintaining a distance of two meters between individuals.

Due to the Covid-19 pandemic, the research team trained KII enumerators virtually, and some key informant interviews took place virtually.

## H. Research Team

The **Alliance Against Trafficking in Women and Children in Nepal (AATWIN)** managed the research team that conducted this study. The team, comprised of AATWIN staff members and outside consultants, designed the study, convened stakeholder meetings, and trained and supervised the primary data collectors. An independent consultant Dr Sujeet Karn conducted the literature review, analyzed the interview data, and prepared this report.

AATWIN is a national-level network of NGOs in Nepal working to combat trafficking in persons. AATWIN uses a rights-based approach to ensure human rights, women's rights, and children's rights. It was established in 1997 as a network of organizations with common objectives. AATWIN works on policy changes to tackle trafficking at the local, national, and international levels. As of 2021, 41 member organizations from different parts of Nepal are working together under the AATWIN umbrella, leading advocacy campaigns on human rights, women's rights, and children's rights.

Three AATWIN member organizations helped the research team identify and interview victims and counter-trafficking stakeholders. Shakti Samuha and Himalayan Human Rights (HimRights) assisted with data collection in Banke and Kin (Afanta) Nepal assisted the team in Rupandehi. **Shakti Samuha**, Nepal's first organization run by trafficking survivors, provides shelter, legal aid, vocational training, and counseling to trafficking survivors. **Himalayan Human Rights Monitors** documents and reports human rights violations. **Kin Nepal**, established in 2008, works to end trafficking in persons in Nepal through prevention, protection, and prosecution.

## V. Findings

The following sections describe the findings from the qualitative analysis of the interviews conducted for this study, supported by information from the literature review and stakeholder feedback from consultation meetings.

### A. Victim Identification in Practice

Identifying victims of trafficking is extremely challenging. In practice, only a small fraction of Nepali victims of trafficking are identified. Based on the qualitative data collected for this study, the AATWIN research team identified several key barriers. Interview participants cited a lack of guidelines for victim identification, the high number of migrants relative to border staff, misconceptions about who can be a trafficked, and reluctance of victims to come forward.

#### 1. Guidelines for Victim Identification

Nepal lacks consistent, comprehensive criteria, guidelines, and mechanisms for identifying victims of trafficking. In the absence of national guidelines, victim identification methods vary across NGOs, government agencies, law enforcement, and other stakeholders. Criteria used to identify victims depends on the organization, or sometimes on the individual frontline worker.

Most NGO representatives reported that their organizations lacked formal policies and guidelines for victim identification. An NGO representative described the problem:

*There is no clarity and uniformity on victim identification due to the lack of policies and guidelines. The government should develop and disseminate them to address the issue.*

Law enforcement officials and NGO representatives use a range of different methods to identify and screen possible victims at borders. Most NGO representatives reported that they use the guidelines and indicators developed by the UNODC and International Labor Organization (ILO). Some practitioners reported having written guidelines, while other NGOs seem to lack written documentation. Many methods are informal, relying on the personal skills and experience of frontline staff. NGOs have developed their own guidelines based on their understanding of psychology and human behavior, and using the questions they deem most likely to elicit useful responses.

In a key informant interview, one practitioner described his organization's methods:

*We have made a checklist to track and identify vulnerable people at the open border. If an individual meets the criteria, we question them further. Screening individuals by asking about their hometown, economic background, educational status, and other characteristics at the border is important and has been fruitful. Checking documents is crucial for interception.*

In the absence of guidelines, individual frontline workers can play disproportionately large roles in deciding whom to intercept and how. Frontline workers reported that they rely on loosely defined processes guided by a list of questions to be asked at the time of interception. Interview questions vary across organizations. In some cases, frontline responders rely on their own intuition and experiences.

To identify cases of trafficking, NGOs rely on internationally established indicators that focus on the exploitation experienced by victims.<sup>26</sup> Indicators of exploitation are useful for documenting abuse and determining whether a case qualifies as trafficking, but they do not help frontline workers identify and assist possible victims. Some counter-trafficking NGOs have developed additional indicators based on local culture and experience.<sup>27</sup>

### **(a) Local counter-trafficking committees**

In the consultation meetings convened by AATWIN, local officials said they needed information about victim identification. Nepal's National Plan of Action on Countering Trafficking in Persons provisioned the formation of counter-trafficking committees at the national, district, and 753 local levels. Stakeholders explained that the national government provided local committees with guidelines for CTIP interventions in general, but not victim identification specifically.

In the stakeholder consultation meeting in Banke, one participant explained:

*The municipality has been supporting the cause of CTIP (counter trafficking in persons). But we don't have policy and guidelines. I request that the trafficking network organizations advocate for the central government to set policies and guidelines.*

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<sup>26</sup> Hudlow, 2015.

<sup>27</sup> McAdam, 2013; Hudlow, 2015.

In a key informant interview, one NGO representative cited the urgent need for guidelines that can be used at the local level:

*We need victim identification guidelines. If they are not enacted at the national level, we should not wait, but make efforts to develop [guidelines] at the local levels.*

### **(b) Training**

In key informant interviews, researchers found a mismatch when they asked senior staff and frontline staff about training in victim identification. NGO managers claimed to have trained and guided frontline staff, but some frontline staff complained of a lack of training and skills. One key informant reported participating in training about trafficking in persons but explained that it had not included specific training on victim identification. Some frontline staff reported that they were able to intercept and identify victims successfully even without clear guidelines and training.

## **2. Failure to Identify**

Most victims of trafficking in persons are never identified, either formally (by the government) or informally (by an NGO or the victim themselves). Official (formal) identification is especially rare. None of the victims researchers interviewed were officially identified as trafficking victims by the government.

One victim interviewed by researchers described how an educational organization trafficked him to Malaysia on the pretext of providing hotel management training. The individual shared how difficult it was to be identified as a victim of trafficking:

*I organized events in Malaysia, told Embassy officials [about what had happened], and described my case in forums, but I am still not considered to be a victim of trafficking.*

According to a key informant, trafficking victims typically approach NGOs only in dire situations, such as having their passport or other official documentation confiscated. This complicates identification and rescue efforts, which require legal documentation that can be difficult to obtain once destroyed or confiscated.

## **3. Male Victims**

While both men and women can become trafficking victims, in Nepal, government officials, counter-trafficking practitioners, and the general population assume that most trafficking victims are female. As a result, officials do not intercept male trafficking victims as often as they should given their relative numbers.<sup>28</sup>

The common term for trafficking in persons in Nepali, *cheli beti wosar pasar*, means “the buying and selling of girls and daughters.” Most protection services for victims are designed for women, while there is a lack of case identification and documentation for male trafficking survivors.<sup>29</sup>

According to India’s Armed Border Force, *Sashatra Seema Bal*, almost all trafficked individuals identified at the Indian border in 2017 were women. Nepali media outlets frequently report accounts of trafficking in women and girls. In FY 2016/17 and FY 2017/18, media outlets

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<sup>28</sup> U.S. Department of State, 2020.

<sup>29</sup> NHRC, 2019; U.S. Department of State, 2020.

published stories about the trafficking of Nepali girls to India (especially from Nawalparasi, Sunsari and Saptari districts to Bihar and Utter Pradesh), including the selling of girls in Haryana for marriage and trafficking of girls in New Delhi for prostitution. The Nepali media has also widely reported trafficking in girls and women to night clubs and dance bars in Kenya, Macau, Tanzania, and other countries.

In key informant interviews in Banke and Kathmandu, government officials and even some NGO representatives shared the belief that men are not victims of trafficking. The government of Nepal does not allocate funds specifically for male victims, and few shelters provide services for men.<sup>30</sup>

#### **4. Documented and Undocumented Migrants**

Frontline workers along Nepal's borders fail to identify many trafficking victims among both documented (legal) and undocumented (illegal) migrants, albeit for different reasons.

Undocumented migrants are individuals who attempt to cross borders without valid travel documents. Under Nepali law, only undocumented migrants can be victims of trafficking. Since migrating without valid travel documents is a crime, immigration officials sometimes detain and deport them without screening them as possible trafficking victims.

Many practitioners, especially government officials, believe that only workers who attempt to cross borders illegally are possible victims of trafficking. In reality, many trafficking victims travel with legal travel documents (or documents that appear to be legitimate).

Under the law, the government of Nepal does not consider documented migrants to be trafficking victims, even if someone coerced, threatened, or abused the person to convince them to migrate. A major problem in victim identification is that migrant workers who have legal documents are not considered trafficked regardless of whether they experienced exploitation and abuse.

Legal definition aside, many counter-trafficking practitioners, especially government officials, assume that workers with valid work permits cannot be not victims of trafficking. They say that undocumented migrant workers and smuggled people are vulnerable to trafficking and add that undocumented migrants are not their responsibility.

#### **5. Barriers to Self-Identification**

According to International Organization for Migration (IOM), victims of trafficking seldom identify themselves as victims and almost never report the matter to law enforcement agencies. Perpetrators may threaten violence against victims and their loved ones. Many trafficking victims adopt avoidant coping strategies (emotional numbing, avoiding discussing the experience) to survive.<sup>31</sup>

The trafficking victims interviewed for this study were reluctant to identify themselves to frontline workers for many reasons, including lack of trust in the legal system, fear for their

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<sup>30</sup> U.S. Department of State, 2020.

<sup>31</sup> International Organization for Migration (IOM), 2020, Trafficking in Persons: Victim Identification and Assistance Training Guide, <https://publications.iom.int/system/files/pdf/trafficking-in-persons-training-guide.pdf>

safety and that of their families, and fear of the social stigma and discrimination faced by survivors.

Returning migrants may not know they were victims of a crime. Many victims interviewed said they did not realize they were victims until an NGO representative or community member referred them to services. Even individuals who know they were exploited may not know about available support services, including legal recourse.

Furthermore, identification can be a negative experience for trafficking victims. The process can lead to discrimination and stigmatization.<sup>32</sup> Girls and young women are often ostracized when they return from exploitation abroad.<sup>33</sup> They may be excluded from economic activities. Family members and the community at large treat female migration as an affront to family honor and social cohesion.<sup>34</sup>

## **B. Victims' Experiences**

Incorporating victim perspectives into guidelines for victim identification could improve the experience, making vulnerable people more likely to seek and accept assistance. Both government officials and NGO staff fail to consider survivors' perspectives and experiences during the interception, identification, and repatriation process.<sup>35</sup>

This section describes the qualitative findings from in-depth interviews with victims of trafficking and key informant interviews with practitioners who assist victims. Researchers identified shared experiences and perspectives that provide useful insight for victim identification from the victim's point of view.

### **1. Sexual, Physical, and Emotional Abuse**

Both male and female survivors experienced abuse and exploitation, and about half of the respondents reported multiple forms of exploitation and abuse. Out of them, most reported labor exploitation, including breach of contract, long hours, heavy or hazardous work, lack of breaks, and unhygienic working environments. Similarly, they experienced physical abuse such as insufficient food, striking, battering, branding by hot irons, and forced isolation. Some of them received little or no money for their work. Some were sexually abused by their employers.

In the course of in-depth interviews, victims described cruel and inhumane treatment. One woman described being hit in the head with a hammer. Many female victims—including girls—reported being raped repeatedly, some by their employers. Women who migrated for domestic work found themselves imprisoned in households, forced to work as many as twenty hours a day for little or no pay, all while suffering sexual, physical, and/or emotional abuse. Male victims trafficked for labor recounted working in extremely hazardous conditions for long hours. They bore physical evidence of abuse. Children trafficked for circus work trained to the point of physical injury, and their trainers punished mistakes with beatings. Victims spoke of being treated as objects to be bought and sold, not people.

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<sup>32</sup> Goździak 2016; Tsai 2018.

<sup>33</sup> Samuels and Ghimire, 2013.

<sup>34</sup> Ligia et. al. 2019; Sunam, 2017.

<sup>35</sup> Bryant & Landman, 2020.

## 2. Limited Prior Knowledge of Trafficking

Most victims who participated in the interview had little knowledge of trafficking before they became victims themselves. They sought foreign employment as an opportunity to escape poverty and/or violence in their home communities, or to improve their livelihoods. Most respondents said they had expected to face challenges living and working in another country but felt confident they could manage independently.

Most victims said their traffickers were either acquaintances or relatives. Traffickers lured victims with promises of high-paying jobs and a better life. Victims told of emptying their savings, selling valuables, and taking loans to pay traffickers. Traffickers typically build strong, trusting relationships with the people they intended to exploit. Police or NGO staff at border points struggle to break through that trust.

After crossing the border, victims found themselves sold into forced labor, sex work, and other forms of exploitation. Most victims did not recognize the exploitation until they suffered sexual or physical violence. Most victims we interviewed said that abuse motivated them to try to escape. Most respondents learned about trafficking in persons later, and only after they met with representatives of anti-trafficking NGOs. One IDI participant explained:

*I learnt about human trafficking in a community meeting after returning home and then only I realized that I had been a victim of human trafficking.*

Other interviewed survivors were still not certain that their experiences qualified as “trafficking.” One respondent said:

*I think I was a victim of human trafficking as I was frequently told by the employer that I was bought by them. I had to follow all their orders. I was treated as a commodity.*

## 3. Multiple Migration

Even after experiencing extreme physical, sexual, and emotional violence, and in some cases receiving no compensation for work, some victims of trafficking decide to migrate again. One male respondent said that if he had known extent of abuse he would suffer, he would have never gone to a foreign country. Other study participants, however, said they planned to migrate again.

Despite being exploited both physically and sexually, many victims of trafficking choose to migrate again after they return home. In their home communities, victims often face the same pressures that caused them to migrate, including extreme poverty, limited economic opportunities, and social or gender-based discrimination.

Two of the interviewed participants, both female, had migrated twice, both times falling victim to traffickers. They migrated for a second time out of hope for a better future for their families and to escape difficult situations in their communities. Despite the exploitation, they felt they had no alternative.

One of the female respondents who had migrated twice explained why she hoped to migrate again for a third time, even after experiencing exploitation and abuse:

*There is no work and no access to capital for operating a business in Nepal. I have young children and a sick husband to support. I have twice been to the Gulf, the first time to Kuwait and the second time to Iraq. I experienced labor, physical, and sexual exploitation both times. I learned about human trafficking after I returned from Iraq and realized that I had been trafficked both times. I know it is horrifying—I might return in a coffin—but there are no options other than foreign employment.*

#### **4. Interception at Borders**

##### **(a) Land borders with India**

Of the 45 victims who participated in in-depth interviews, only eight were intercepted and questioned at border crossings, and none were identified as victims of trafficking.

The trafficking victims interviewed for this study left Nepal via one of seven exit points: Nepalgunj, Biratnagar, Bhairahawa, Bardiya, Mahendranagar, Birgunj or Kakarbhitta. All of them traveled overland, mainly from Nepalgunj. Traffickers led many of the migrants to minor border points that did not have NGO or police surveillance booths.

In a key informant interview, one border official cited the large number of crossings as a barrier to intercepting victims of trafficking:

*Almost 50,000 people cross this border every year. We can investigate at most 60-70 people a day, including some who are questioned more than once. Sometimes, the women and girls we stop lie and hesitate to respond.*

- Lead Investigator of an NGO<sup>36</sup>, Jamunaha Border

Key Informant , a founder of counter-trafficking NGO Shakti Samuha, described why intercepting trafficking victims at borders is challenging:

*There are more than 24 border points between Nepal and India, some legal and some illegal. If we find victims at the border, the process of interception is not easy. We are not much involved in interception; we are more involved in sending the intercepted victims to transit homes.*

In-depth interview participants recounted easily crossing the Nepal-India border without arousing suspicion.

One girl described how she and a group of other girls crossed the border into India. At that point in the journey, the girls were happy and unsuspecting. They still believed they were on their way to a better life. They trusted their trafficker; offering a false reason for travel seemed harmless.

*While crossing the Nepal-India border, Nepali police didn't ask us anything. The Indian police asked, "Where are these small girls going?" As [our trafficker] had told us, we responded by saying that we were going to India for medical treatment. [Our trafficker] left us after helping us to catch a bus to Delhi. She wished us all the best for our future*

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<sup>36</sup> Also known as "Scrutiny-in-Charge" locally

*and gave us the contact number of the person we could contact after we reached Delhi. We were extremely happy at that time.*

Traffickers instructed several victims to say they were traveling to India for shopping. A female survivor who was trafficked to Mumbai explained how easy it was to evade interception and interrogation at the Indian border:

*While crossing the border in Rupadiya, police officers and NGO staff asked me where I was going. I lied and said I was going to Rupadiya for shopping.*

Another respondent described the tactics her trafficker used to make their story more convincing:

*They (traffickers) asked me and other three women to ride on the bicycles run by men and hang shopping bags on the handles. They instructed us to say that we were going for shopping. But no one stopped and asked us any questions on the way.*

## **(b) International airports**

While the majority of male respondents with legal documents for foreign employment left the Nepal through an airport, only a small number of female respondents with legal documents did the same. Instead, female respondents tended to leave the Nepal via land border crossings. Of the respondents that did leave Nepal via the airport, none reported being intercepted.

## **5. Points of Transit**

Many trafficking victims spend days or weeks at one or more transit points on the way to their final destinations. Traffickers may control victims at transit points by confiscating their travel documents, controlling their movements, or confining them.

Among IDI participants, most of the victims who crossed the Nepal-India border by land passed through Delhi on the way to their final destinations. The remaining victims traveled through Mumbai, Calcutta, and Sri Lanka. All of the respondents travelling via India and Sri Lanka were female, and few had official documents for foreign employment.

The majority of victims reported experiencing sexual violence or other abuse at transit points. One young girl became pregnant after being raped while she was held in Delhi. She was later deported from the destination country because of her pregnancy.

One IDI respondent described the long, torturous path her traffickers used to move her:

*I crossed the border at Bichiya, Bardiya. From there I was taken to Delhi via bus. From Delhi I was flown to Bangalore where I stayed for 15 days. Then, I went to Mumbai and stayed there for 8 days. I was brought back to Delhi again. During this time, I was not allowed to go out. I was held captive. I was unaware of a looming danger. Finally, I was flown to Kuwait via Sri Lanka. I stayed in the Kuwait contact office for 3 days and finally was handed over to a family.*

None of the respondents were intercepted or identified as victims at transit points between Nepal and their final destinations.

Key informants described how Indian NGOs and police handle trafficking cases they identify at the border. Trafficking victims identified on the Indian side of the border are referred to Indian NGOs and moved to transit homes. After completing legal formalities, Indian NGOs transfer victims to their Nepali counterparts for repatriation. In Nepal, NGOs typically move victims to safe houses and return them to their family homes after filing their cases with the police. Most victims we interviewed reported that they did not receive follow-up, neither for rehabilitation nor to prevent future trafficking.

## **6. Escape and Rescue**

Most victims said they looked for ways to escape their exploitative situations. About half of respondents, all female domestic workers, managed to escape. They did so at great personal risk. One victim described how she managed to escape her employer in Kuwait:

*I worked there for 9 months and experienced every kind of abuse possible, including sexual and physical. I was even hit on the head with a hammer. I lost most of my hair due to head wounds. I was treated as a commodity. I starved for days and had to pick food from the trash bin.*

*Finally, one day, I gathered my courage and escaped by sliding down a pipe from the fourth floor, where I was kept. It was God who saved me. I asked a taxi driver to take me to the contact office and he did so without charging money. I was first admitted to the hospital, and later an arrangement was made for my return to Nepal. I had to wait at the transit home of the Nepali Embassy for more than three months to get a ticket to Nepal.*

Twelve respondents were rescued. All of them were females in Indian brothels. The Government of India ordered the raids. Local administration officials and police executed the raids and rescue operations. Local Indian NGOs supported the rescue operations with assistance from Nepali NGOs.

## **7. Poor Treatment by Frontline Workers**

Police officers and NGO representatives working at borders play a critical role in intercepting and identifying victims of trafficking. IDI participants had mixed feedback about their treatment by officials, however. The attitude and behavior of the frontline worker had a significant impact on how victims viewed the process.

### **(a) Victim blaming**

In the IDIs, victims rescued from brothels and those who had been used as drug mules reported largely negative experiences with both police and NGOs. Frontline workers treated them like criminals and called them “immoral.” Victim blaming was common.

Law enforcement officials often charge victims with crimes without attempting to determine whether they were forced to participate. Some traffickers use victims as drug mules, either without telling them or by coercion or violence.<sup>37</sup>

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<sup>37</sup> U.S. Department of State, 2020.

One victim described the mistreatment she suffered after inadvertently carrying drugs for her employer:

*Suddenly, one day when we were at our daily work, the police came and arrested me and took me to the station. They started to open all the boxes. There was rice, lentils, vegetables, and pickles in different boxes. However, there was a white powder in the bottom of the last one. The lady constable slapped me and asked me how long I had been engaged in this activity. I had no idea what the white powder was.*

One girl described the harrowing journey she and her cousin made to escape the Indian brothel where they had been held captive, only to be mistreated when they finally reached the border. The two girls escaped the brothel, convinced a rickshaw driver to take them to the bus station, spent two days on a bus, and slept on the bus when they arrived near the border at night. The next morning, they held each other's hands, asked where the Nepal border was, and tried to cross together. The Indian border police stopped them. The girl's cousin escaped and crossed the border, but the police detained the girl. They frisked her and took all the money she had, saying they would return it only if she brought her cousin back.

Based on the experiences of interviewed victims, it's clear that some frontline workers fail to treat victims of trafficking fairly and respectfully. Citing this problem, one key informant in counter-trafficking urged practitioners to use a rights-based approach:

*The victims are scolded at the time of interception. Rather than scolding, we should communicate clearly that we have been working against trafficking, here are the reasons you are at the risk of being trafficked, that's why we are trying to help you.*

Providing shelter for victims is one way to improve the interception and/or rescue process. IDI participants who had received shelter felt more positive about the experience of interception or rescue.

### **C. The Impact of Covid-19**

The Covid-19 pandemic and Nepal's national lockdown in 2020 undoubtedly affected trafficking in persons, but it's unclear exactly how. As one NGO representative explained, trafficking did not stop when the pandemic began:

*Around 125 persons crossed the border even though there was a government-imposed lockdown due to the Covid-19 pandemic. We counselled 1,146 suspected migrants and intercepted 367 persons at the border in 2019/20.*

The national shutdown put more pressure on many vulnerable individuals. One interview respondent, an adolescent girl who was intercepted at the border, was trying to migrate to escape her abusive mother. During the lockdown, she was constantly trapped at home with her abuser. Her father was a migrant worker in the Gulf. Due to the unbearable abuse by her mother, she had decided to go to India to work when a neighbor enticed her with the promise of foreign employment.

Further research is needed to determine how trafficking in persons changed during the pandemic, and what stakeholders might need to do to address those changes.

## **VI. Conclusion and Recommendations**

### **A. Conclusion**

Nepali youths choose to migrate out of economic necessity and a desire for a better life. This is especially true for women, who face more limited work opportunities and less negotiation power. This need is often so powerful that in spite of having experienced sexual abuse in transit to their destination country, many trafficking victims do not choose to identify themselves as victims to airport security or other officials capable of providing help. Instead, they choose to continue on to their destination.

Other than being a result of great economic need, the lack of self-identification could be due to poor understanding of victims on the signs of trafficking. It could also be due to the stigma associated with victimhood or a distrust of law enforcement. Due to this, even those who have been trafficked multiple times can continue to be highly vulnerable to trafficking and exploitation.

Currently, there is no standard, government approved, consistently used procedure to identify victims of trafficking. This study found that NGOs use individualized approaches to victim identification and interception. Frontline workers may have limited skills or training in victim identification, relying instead on instinct and experience. Practitioners often use trial-and-error to improve their interception and identification practices.

Frontline workers often treat victims with contempt, calling them criminals. Government agencies and NGOs alike fail to consider the victim's needs.

This ad-hoc approach results in failure to identify victims and poor treatment of victims who are identified. Inconsistent identification across locations (Indo-Nepal land border vs other land borders vs the international airport), victims' access to services being limited by their willingness to self-identify which many victims might not have the knowledge or incentive to do, and a disproportionate number of male victims and victims who have migrated with legal documentation not being identified at all.

This also raises questions on how practitioners are being trained and have disposed their professional responsibility to such a sensitive issue of trafficking in persons.

In summary, there is a need of a singular systematic, victim-friendly, and human rights-based guideline tool for victim identification. Additionally, sustainable and long-term programs are needed to address the stigma associated with trafficking and support the successful reintegration of survivors.

### **B. Recommendations**

#### **1. Adopt Internationally Accepted Definition of Trafficking in Persons**

Counter-trafficking stakeholders in Nepal need a comprehensive understanding of trafficking in persons and its different forms. Nepal's anti-trafficking laws do not criminalize all aspects of trafficking in persons, making it difficult to identify victims and prosecute perpetrators. Misconceptions persist. Some practitioners believe that only women can be victims of

trafficking. Trafficking for labor exploitation receives little attention. Under the law, only undocumented migrants can be victims of trafficking.

The government of Nepal should amend its laws to conform with the internationally accepted definition of trafficking in persons established under the Palermo Protocol, ratified by the GoN in 2020. Counter-trafficking practitioners should work to train all frontline workers in what constitutes trafficking in persons as well as advocate for legal amendments until they are completed.

## **2. Standardize the process of Victim Identification**

Nepali counter-trafficking agencies and NGOs require a standardized approach for identifying and referral of victims of trafficking. To facilitate this standardization, the government of Nepal should pass legislation that establishes a comprehensive and integrated mechanism for identification and referral which is applicable at the national, provincial, and local levels. In support of this integrated mechanism, a central data system should be developed and made available at all levels of government to document and monitor the status of migrant workers.

Until the government of Nepal has established a comprehensive victim identification policy, process, and referral system, NGOs should collaborate to create a cohesive platform to coordinate, advocate, and lobby for this integrated mechanism. MoWCSC committee should engage stakeholders to finalize victim identification guidelines developed through a UNDOC-led consultative process.

Following the establishment of a comprehensive victim identification policy, process, and referral system, frontline workers should be systematically trained in their use and victim-centered approaches (see below).

## **3. Adopt a Victim-Centered Approach**

Based on this study's interviews with victims and CTIP practitioners, we recommend adopting a victim-centered approach to victim identification. Too often, victims feel shame and fear during the process due to the stigma and discrimination they face from families, communities, practitioners and the government.

In the victim-centered approach, the needs of victims remain central in the process. This approach seeks to minimize re-traumatization, and respect and protect the human rights of victims/survivors throughout the identification and referral process. In its guide on human trafficking, the U.S. Department of Justice defines key aspects of the victim-centered approach:

- advocating for the victim;
- avoiding any activity that ostracizes a victim, even unintentionally;
- exercising patience, empathy, and compassion;
- using cultural competence and trauma-informed perspectives;
- assessing survivor needs
- providing survivors with critical support to meet their needs.

The government of Nepal should incorporate a victim-centered approach into its integrated identification and referral system. It should identify best practice and hold counter-trafficking stakeholders accountable to using a victim-centered approach. Additionally, frontline workers

should be trained on trauma-informed and victim-centered approaches. Stakeholders should incorporate a victim-centered approach into formal guidelines for victim identification. National victim identification policies should dictate a victim-centered approach.

#### **4. Further Research**

The findings of this study are preliminary and exploratory. The qualitative approach allowed researchers to dig deep into the lived experiences of a small group of those with direct and indirect experience with the issue of victim identification. This has allowed us to identify some patterns and trends that should be further explored. The bulk of the literature on victim identification in Nepal tends to be in the very early stages. An important next step will be to develop hypotheses based on the emerging body of qualitative research that can be tested at the population level. In addition, it is important that rapid-cycle evaluations and other implementation science methods be used to address whether interventions are targeted to the right groups and providing services needed to them.

## VII. References

- AATWIN. 2017. Unsafe Migration and Human Trafficking in Nepal. Perception survey among communities in select earthquake-affected districts. AATWIN, Nepal.
- Anand, A. 2005. Describing the unobserved: Methodological challenges in empirical studies on human trafficking. International Organization for Migration (IOM), Geneva.
- ABC/Nepal. 2019. Annual report 2018-2019, ABC Nepal, Kathmandu.
- Asha-Nepal. 2006. A Sense of Direction: The Trafficking of Women and Children from Nepal. Asha-Nepal: Kathmandu.
- Bryant, K. & Landman, T. 2020. Combatting Human Trafficking since Palermo: What Do We Know about What Works?, *Journal of Human Trafficking*, 6:2, 119-140, DOI: 10.1080/23322705.2020.1690097
- Bryman, A. and Burgess, G. Robert (Ed.). 1999. *Qualitative Research. Vol. I.* Sage Publications. Thousand Oaks. London. New Delhi.
- Cameron, S. and E. Newman. 2008. "Trafficking in Humans: Structural Factors." In S. Cameron and E. Newman (eds.) *Trafficking in Human. Social, Cultural and Political Dimensions*. United Nations University. Pp. 21-57.
- Crawford, M. and M. R. Kaufman. 2008. Sex Trafficking in Nepal: Survivor Characteristics and Long-Term Outcomes. *Violence Against Women*, 14(8): 905-916.
- Crotty, M. 2003. *The Foundations of Social Research*. Sage Publications. Thousand Oaks. London. New Delhi.
- Dahal, P., S. K. Joshi, and K. Swahnberg. 2015. "We are looked down upon and rejected socially: qualitative study on the experiences of trafficking survivors in Nepal." *Global Health Action*, 8: 29267.
- Duong, K. A. (2015). 'Doing human trafficking research: Reflections on ethical challenges', *Journal of Research in Gender Studies*, 5(2), pp. 171–90.
- Greenwood, D. J., & Levin, M. 1998. *Introduction to Action Research: Social research for social change*. Thousand Oaks: Sage.
- Goździak, E. M. (2016). Trafficking Survivors Return Home: Case Study of Nepal. Institute for the Study of International Migration Georgetown University.
- Hennik, M. and P. Simkhada. 2004. Sex trafficking in Nepal: context and process. *Asia Pacific Migration Journal*, 13 (93): 305-338.
- Hudlow, J. 2015. Fighting Human Trafficking Through Transit Monitoring: A Data-Driven Model Developed in Nepal, *Journal of Human Trafficking*, 1:4, 275-295, DOI: 10.1080/23322705.2015.1098521
- Government of Nepal. 2007. Human Trafficking and Transportation (Control) Act, 2064 (2007). Government of Nepal.
- Inter-agency Coordination Group Against Trafficking in Persons (ICAT). 2016. Issue paper: Pivoting towards the evidence: Building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning.

Retrieved from [http://icat.network/sites/default/files/publications/documents/16-10259\\_Ebook.pdf](http://icat.network/sites/default/files/publications/documents/16-10259_Ebook.pdf)

- International Organization for Migration (IOM), United Nations. 2020. Trafficking in Persons: Victim Identification and Assistance Training Guide. Accessed online: <https://publications.iom.int/system/files/pdf/trafficking-in-persons-training-guide.pdf>
- Karn, S. 2006. Coping with Risks and Managing Livelihoods: Migration and Household Economy in Rural Nepal”, Occasional Paper 13, South Asia Migration Resource Network (SAMReN) and Refugee and Migratory Movements Research Unit (RMMRU), Dhaka University, Bangladesh. <http://www.samren.org/Fellowships/papers/Sujit.pdf>.
- Karn, S.; Sugden, F.; Sah, K. K.; Maharjan, J.; Shah, T. N.; Clement, F. 2020. Shifting gender relations in agriculture and irrigation in the Nepal Tarai-Madhesh. WLE Research for Development (R4D) Learning Series 10. Colombo, Sri Lanka: International Water Management Institute (IWMI). CGIAR Research Program on Water, Land and Ecosystems (WLE). 34p. [doi: <https://doi.org/10.5337/2020.211>]
- Kaufman, M. R. and Crawford, M. 2011. Sex Trafficking in Nepal: A Review of Intervention and Prevention Programs. *Violence Against Women* 17(5) 651–665. [DOI: 10.1177/1077801211407431]
- Laurie, N., D. Richardson, M. Poudel, and J. Townsend. 2015. “Post-trafficking bordering practices: Perverse co-production, marking and stretching borders.” *Political Geography*, 48: 83-92.
- Ligia, K., Anthony, D., David, F., Alys, Mc., Nambusi, K, Ludmila, A., Joelle M., 2019. “The trafficking of girls and young women in Nepal: evidence for prevention and assistance.” Plan International.
- Mandal, C. K. 2020. “Porous border, poor interception and changing forms continue to enable human trafficking to flourish.” *Kathmandu Post*, July 30, 2020. <https://kathmandupost.com/national/2020/07/30/porous-border-poor-interception-and-changing-forms-continue-to-enable-human-trafficking-to-flourish>
- Mandal, C. K. and Baral, S. 2021. “Proposed travel rule change may not help control women’s trafficking, experts say.” *Kathmandu Post*, February 11, 2021. <https://kathmandupost.com/national/2021/02/11/proposed-travel-rule-change-may-not-help-control-women-s-trafficking-experts-say>
- McAdam, M. 2013. Who’s Who at the Border?: A rights-based approach to identifying human trafficking at international borders. *Anti-Trafficking Review*, 2, 33–49.
- Ministry of Women, Children, and Senior Citizens (MoWCSC), Government of Nepal. 2011. National Plan of Action Against Trafficking in Persons, Especially Trafficking in Women and Children 2068 (AD2012).
- National Human Rights Commission. 2020. National report on trafficking in persons in Nepal. [Translated from Nepali]. National Human Right Commission, Government of Nepal.
- National Human Rights Commission. 2019. National report on trafficking in persons in Nepal. [Translated from Nepali]. National Human Right Commission, Government of Nepal.

- National Human Rights Commission. 2018. National report on trafficking in persons in Nepal. [Translated from Nepali]. National Human Right Commission, Government of Nepal.
- National Human Rights Commission. 2016. Trafficking in Persons National Report 2013-2015, National Human Rights Commission, Government of Nepal.
- National Human Rights Commission of the Republic of Korea. 2016. NHRC Annual Report 2014. National Human Rights Commission, Republic of Korea.
- Niraula, C. et. al. 2019. Human Trafficking Vulnerability: Pilot Survey on TIP Vulnerability Mapping of Sindhupalchowk and Makawanpur Districts. AATWIN Resource Center Archives (Unpublished, in Nepali).
- Pearce, J. J. 2011. Working with Trafficked Children and Young People: Complexities in Practice. *British Journal of Social Work*. 41, 1424–1441. doi:10.1093/bjsw/bcr02.
- Pradhan, G. 1994. “The Road to Bombay: Forgotten Women.” In ABC/Nepal (eds.), Red Light Traffic [sic]: The Trade in Nepali Girls, Kathmandu, ABC/Nepal.
- Richardson, D., N. Laurie, M. Poudel, and J. Townsend. 2016. “Women and Citizenship Post Trafficking.” *The Sociological Review*, 64: 329-348.
- Sapkota, S. 2020. “Nepali young girls, women are vulnerable to human traffickers: NHRC report.” *Myrepublica.com*, January 6, 2020. <https://myrepublica.nagariknetwork.com/news/nhrc/> (accessed on 14/6/2021)
- Simkhada, P. 2008. “Life Histories and Survival Strategies Amongst Sexually Trafficked Girls in Nepal.” *Children and Society*. 22: 235-248.
- Sharma, J R. 2018. *Crossing the Border to India: Youth, Migration, and Masculinities in Nepal*. Philadelphia: Temple University Press. 204 pages. ISBN 9781439914267.
- Surtees, Rebecca, Thaufiek Zulbahary, Suarni Daeng Caya, Laura S. Johnson, and Maria Antonia Di Maio. 2018. *Identification and Referral for Trafficking Victims in Indonesia: Guidelines for Frontline Officers and Multi-Disciplinary Teams at the Village Level*. Nexus Institute.
- Suwal, B. R. and Amatya T. L. 2002. Internal Trafficking Among Children and Youth Engaged in Prostitution in Nepal. International Program on the Elimination of Child Labor. International Labor Organization, Nepal.
- Sunam, R. 2017. In Search of Pathways Out of Poverty: Mapping the Role of International Labor Migration, Agriculture and Rural Labor. *Journal of Agrarian Change*, Vol. 17, No. 1, pp.67-80.
- Samuels, F. and A. Ghimire. 2013. Social Norms for Adolescent Girls in Nepal: Slow but Positive Progress. Country Briefing. London: Overseas Development Institute.
- Tsai, L. C., Lim, V., Nhanh, C. (2020). Perspectives of Survivors of Human Trafficking and Sexual Exploitation on Their Relationships with Shelter Staff: Findings from a Longitudinal Study in Cambodia. *The British Journal of Social Work*, Volume 50, Issue 1, Pages 176–194.
- Tsai, L. C. 2018 Conducting Research with Survivors of Sex Trafficking: Lessons from a Financial Diaries Study in the Philippines. *British Journal of Social Work* 48, 158–175. doi: 10.1093/bjsw/bcx017

- United Nations Office of the High Commissioner for Human Rights (UNHR). (2000). *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*. Convention Against Transnational Crime. General Assembly resolution 55/25 of 15 November 2000.
- United Nations Office on Drugs and Crime (UNODC). 2008. Toolkit to combat trafficking in persons (2nd ed.). Vienna, Austria: United Nations Office on Drugs and Crime. Retrieved from [http://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296\\_tool\\_6-4.pdf](http://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_6-4.pdf)
- United Nations Office on Drugs and Crime (UNODC). Feb 2019. “Importance of early and accurate victim identification,” Module 8: A Human Rights-Based Approach to Trafficking in Persons, Trafficking in Persons and Smuggling of Migrants, University Module Series. <https://www.unodc.org/e4j/en/tip-and-som/module-8/key-issues/identification-of-victims.html>
- United Nations Office on Drugs and Crime (UNODC). 2020. Global Report on Trafficking in Persons, 2020. Country Profile South Asia. UNODC.
- United States Department of State. 2021. 2020 Trafficking in Persons Report: Nepal. Office to Monitor and Combat Trafficking in Persons, U.S. Department of State. <https://www.state.gov/reports/2020-trafficking-in-persons-report/nepal> (accessed 15 June 2021).
- United States Department of Justice. Office of Justice Programs. Office for Victims of Crime. Human Trafficking Task Force E-Guide of the Office for Victims of Crime. [www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach](http://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach)
- World Bank Group. 2022. “Personal remittances received (current U.S. dollars, % of GDP) – Nepal.” Open Data. Accessed 05 Jan 2022. <https://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT?locations=NP>
- Worthen, M. 2011. Sex Trafficking or Sex Work? Conceptions of Trafficking Among Anti-Trafficking Organizations in Nepal. *Refugee Survey Quarterly*, Volume 30, Issue 3, September 2011, Pages 87–106. <https://doi.org/10.1093/rsq/hdr007>
- Yea, S. (2016). ‘Trust, rapport, and ethics in human trafficking research: Reflections on research with male laborers from South Asia in Singapore’, in Siegel, D. and de Wildt, R. (eds), *Ethical Concerns in Research on Human Trafficking*, Heidelberg, Springer.
- Zhang, S. X. (2009) “Beyond the ‘Natasha’ story: A review and critique of current research on sex trafficking.” *Global Crime*, 10(3), pp. 178–95.