

TRAFFICKING IN WOMEN AND GIRLS: WITH SPECIAL REFERENCE TO COUNTRIES IN SOUTH ASIA

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DIMENSION OF THE TRAFFICKING PROBLEM

As UNIFEM (1998:1) in a report rightly observed, “trafficking in women and children is a spreading and worsening global phenomenon. Millions of human beings are trafficked and exploited worldwide largely into global sex industry”. Trafficking is estimated to generate gross earnings of between 5 and 7 billion US dollars annually (UN Office for Drug Control and Crime Prevention, 1998:3). Undoubtedly, the problem of trafficking is increasing rapidly threatening the very fabric of the human civilization. The intensified economic globalization has increased the mobility of capital, commodities, information and people. The world has reduced to a smaller village in terms of accessibility and contact. The sex market has grown to operate in a global scale with increased sophistication and organized networks. And in this market are ending up millions of women and girls from poor and developing countries. Trafficking of women and girls is therefore no longer a ‘local phenomenon’. Sexual exploitation is no longer a matter of ‘traditional patter of women’s subordination’; it is rather an industry.

Global Figure of Trafficked Persons:

Trafficking is an undercover or clandestinely organized phenomenon. It is thus very difficult to find accurate data as to how many people are annually trafficked internally and internationally. According to a US Government estimate, based on 1997 figures, annually 700,000 persons are trafficked across the international borders worldwide (Miko and Park 2002). The table below gives a scenario of minimum number of people trafficked away from one country another annually.

Origin of Trafficked Persons	Minimum Number of persons trafficked away annually	
	Number	Percent
South East Asia	225,000	32.14
Former Soviet Union and Eastern and Central Europe	175,000	25.00
South Asia	1,50,000	21.43
Latin America and Caribbean	100,000	14.29
Africa	50,000	7.14

Source: Miko and Park, 2002.

According to an estimate of the International Organization on Migration (IOM, 2001), size of trafficking of persons annually across international borders is between 700,000 and 2 million. The number of trafficked persons would be much larger if the figures of internally trafficked persons are included (UNPF, 2003:3). Internal trafficking exists phenomenal in many smaller countries such as Nepal, Thailand, and Colombia, etc. However, the accurate figure is difficult to find (UNPF, 2003:3).²

². Figures of internal trafficking for sexual purpose in some countries, for instance, present a horrific situation of sex trade. Internal trafficking is a problem in big countries like India, China, Basil, USA, etc. In India, though exact figure is not available, brothel owners and pimps purchase low-caste Hindu women, often girls under the age of 16 years, to fill their brothels (Hornblower, 1993). In China, the unprecedented economic boom over the last 20 years has intensified the flesh trade. For instance, in the village of Houtou in the southern Guangdong province, villagers kidnapped young women and girls from other areas and transported back to Haotou and forced them into prostitution. Many of the peasants turned their homes into brothels employing 100 sex slaves. In China, more than 240,000 people engaging in prostitution were arrested last year, but many times more sales of women bodies went unreported (Kristof, 1993). In Thailand, internal trafficking to ‘sustain its enormous sex market’ has longer history. One United Nations Economic and Social Council study calculated that “two million Thai women work as prostitutes and that 800,000 are adolescent and children (Simons, 1993). Problem is equally serious in United States despite law against prostitution. Pimps prey on

Countries affected by cross-border trafficking

A large number of studies show that 'poor and developing' countries in South and South East Asia, states in former Soviet Union, East and Central Europe and South America most severely affected by trafficking across the international border. While the problem of internal trafficking is pervasive all through out the world, the smaller poor and developing countries most vulnerable to transnational trafficking. Thousands of women from these countries end up every year 'brothels' of metropolitan cities of developed or big countries. The regional distribution of the problem as found as follows:

South East Asia: As the table above shows nearly one third of the cross-border trafficked persons comes from the South East Asia. Countries like China, Vietnam, Thailand, Cambodia, Laos, Myanmar, and the Philippines are major countries of origin in this region for cross-border trafficking. Thailand, Cambodia and the Philippines are the countries that maintain huge sex market internally as well. As a matter of fact, these countries are major destinations for sex tourism from the western developed countries as well as the rich gulf countries. As one UNPF (2003:3) reports claims, the growth of sex tourism in this region is one of the main contributing factors for trafficking in women and girls. Countries in the South East Asia constitute place of origin as well as destination of trafficked persons for each other. Trafficking trend analysis of this region shows that while a huge number of women and girls prostituting in the Thai sex market are trafficked from Myanmar, Cambodia and Laos, China and Cambodia are destinations for trafficking of women and girls from Vietnam. On the other hand, Japan is a destination for trafficking of women and girls from Thailand and the Philippines. According to Thailand's Foreign Ministry's estimate, 50,000 Thai women were living in 1994 illegally in Japan working in prostitution. This situation of Thai prostitutes parallels in Japan with that of Burmese women held in Thailand. Thai women in countries like Switzerland and Germany also have considerable number in prostitution.³ Similarly, newly industrializing nations such as Taiwan, South Korea, Malaysia and Hong Kong are other important destinations of trafficking from South East Asian countries.

As reported by UNPF(2003:3), international criminal gangs are involved in trafficking away women and girls from China, Myanmar, the Philippines, Thailand, Cambodia and Vietnam to western Europe, the United States, Australia and the Middle East. Women and girls from Thailand, the Philippines and Indonesia are trafficked to Saudi Arabia and United Arab Emirates mainly for domestic service work and to become brides.

South Asia: South Asia is one of economically most backward regions. As suggested by intelligent estimate, 150,000 women and girls are trafficked to big countries in the region such as India and Pakistan as well as overseas. While women and girls from Nepal are trafficked to a number of cities in India, Pakistan is the destination for a large number of women and girls from Bangladesh. As reported by UNPF (2003:4), while India a major destination for women and girls from Nepal and Bangladesh, it is also a transit and sending country for women and girls to Europe and Gulf countries. Besides India, Nepalese women and girls are trafficked to Hong Kong, the United Arab Emirates and Saudi Arabia are major destinations fro women from India, Bangladesh, Pakistan and Sri-Lanka. India and Pakistan are thus both the receiving and sending countries.

young 'runaways'. It is estimated that each year, approximately 600,000 to 1,000,000 children run away from home; ait is estimated that a large number of them become prostitutes (Toepfer and Wells, 1994).

³. Preference of Asian women in European sex market is great. Brouchers of European Travel Agencies depict Asians as most obedient and lavish prostitutes. One such agency (Life Travel, Switzerland), among many leaped into sex tourism business, put this description in its brochure: "Slim, sunbrunt, and sweet, they love the whitemen in an erotic and devoted way. They are masters of the art of making love by nature, and the art that we European do not know". Similarly, Kanita Khama Travel in Netherlands gives the following description in its brochure: "Many girls come from the sex world come from the poor north-eastern region of the country and from the slums of Bangkok. It has become a custom that one of the nice looking daughters goes into the business in order to earn money for the poor family... You can get the feeling that taking girl here is as easy as buying a package of cigarettes... little slaves who give real Thai warmth" (These brouchers are quoted in Truong 1990:178)

Former Soviet Union and Eastern and Central Europe: Countries in the former Soviet Union and Eastern and Central Europe is part of the world worse hit by the problem of cross-border trafficking after South East Asia. The breakdown of the Soviet Union and fall down of the autocratic communist regime in this part of the world accompanied by terrible economic decline is attributed to the massive upsurge of the problem of cross-border trafficking. As reported by UNPF (2003:4), over 175, 000 women and girls are annually trafficked from this region. Austria, Belgium, Bosnia-Herzegovina, Germany, Greece, Italy, Macedonia, France, Spain, Portugal, Switzerland, the Netherlands, Sweden, Denmark, Norway, United Kingdom, Japan, Israel, Canada, United States and Thailand are identified as major destinations. According to UNPF, organized criminal gangs operating from Russia, Albania, Estonia, Chechnya, Serbia and Italy are active for trafficking in women and girls in Europe. It is said that the Russian organized criminal gangs are enormously strong and control the commercial sex market of number of Western countries, Israel and parts of the United States.

Latin America and Caribbean: The flourishing sex tourism in Argentina, Brazil, the Dominican Republic, Mexico, Honduras, Costa Rica and Trinidad and Tobago is one of the major factors of increasing number of trafficking in women and girls in this region. The cross-border trafficking in this region takes place between these countries and outside the region to some extent. Child sexual exploitation, including child prostitution is a serious problem in this region. Brazil has been identified having one of the worst child prostitution problems in the whole world (UNPF, 2003:5).

Africa: The size of the cross-border trafficking in women and children for sexual exploitation is comparatively smaller in Africa. As reported by UNPF (2003:5), annually 50,000 women and girls are trafficked away from Benin, Togo, Botswana, Zaire, Somalia, Ethiopia, Zambia, Nigeria, and Algeria to Nigeria, Gabon, Ghana, and South Africa. Western European countries are destinations for women and girls from some countries like Nigeria and Ghana.

Countries affected by internal trafficking in South Asia:

Internal trafficking is serious problem in many countries in many parts of the world. However, countries with flourishing sex tourism are most seriously by the internal trafficking. Some big countries such as China, India, and Brazil with huge metropolitan population are another category of nations affected by the internal trafficking. Case study of some countries herein after will present a 'gloomy picture' of the problem.

India: In India Maharashtra, Bengal, Karnataka, Andhra Pradesh and Tamil Nadu and Delhi are considered 'high supply zones' for women in prostitution. Women and girls from rural villages are trafficked to brothels in cities of these provinces. Districts such as Bijapur, Belgaon and Kolhapur are common districts particularly affected. Districts bordering Maharashtra and Karnataka provinces, known as devadashi⁴ belt, are also equally affected areas. It is estimated that there are approximately 10 million prostitutes in India (Friedman, 1996). There are more than women in prostitution in Bombay, the Asia's largest sex center (Friedman, 1996). The following additional information about sex market of India presents a scary picture:

- Over 2000 women are prostituting only in the Baina beachfront in Goa, a small sea beach city (Moronha, 1997).
- The child population in prostitution is between 300,000 and 500,000, who are abjectly exploited (Bedi, 1997).

⁴ . Devadashi are women endowed to God (Yellamma). They are religiously forbidden to marry. Such women are 'supposed to belonging to Gods. As it is interpreted to their disadvantage, because they belong to God, they belong to everyone. This is how they are compelled to accept prostitution. As Meena Menon reports, such women are trafficked through coercion or deception into brothels. As she mentions, all 15 girls in one brothel of Karnataka were devadashi.

- Men who believe that AIDS and other STDs can be cured by having sex with a virgin, are forcing young girls into sex market; seven year old girls are neither uncommon nor the youngest (McGirk, 1997)
- Approximately 20,000 or 20% of women in prostitution in Bombay are under 18 years (Friedman, 1996).
- Everyday, about 200 women and girls in India enter prostitution, and 80% of them are compelled to brothel lives against their will (CEDPA 1997).
- 90 percent of 100,000 women in prostitution in Bombay are indentured slaves (Friedman, 1997)
- There are 1000 red light areas all over India. In these red light areas, a large numbers of women and girls caged are trafficked from Nepal and Bangladesh (CATW). The red light district in Bombay generates at least \$400 million revenue annually, with 100,000 women serving men 365 days, averaging 6 customers a day (Friedman, 1996). The Falkland road at Kamathipura area of Bombay is the largest red light area in Asia, perhaps in the world. In this red light area 70,000 prostitutes work every day.
- 60% of prostituted women in Bombay's red light district areas infected with STD and HIV/AIDS (CATW). Many women too sick to prostitute are thrown onto the street. Government hospitals refuse to treat prostitute who undergone HIV positive (Friedman, 1996).
- Child prostitution is one of the prime goals of many foreign tourists, who repeatedly visit India. The relaxed laws and abundance of child prostitute bring them repeatedly to India. Moreover, the false assumption that the sex with younger prostitute possesses less chance of HIV contraction is also popular cause for their repeated visit to India (Bedi, 1997).
- India is one of the favored destinations of pedophile sex tourists from Europe and United States (The Indian Express, 1997).
- In Bombay as well as other major cities, top politicians and police officials are in connection with underworld sex mafia who control the sex industry, exchanging the protection for cash payoffs and donations to campaign war chests (Friedman, 1996)
- Police receive weekly bribes called *haftas* from the brothel owners. Police personnel often harass prostitutes, take their money and demand free sex (Friedman, 1996).
- The prostitution in Bombay and other cities has immensely influenced the poetics. The brothel owners pump money to the election of criminals (Friedman, 1996).⁵

These scary descriptions project a gloomy picture of women's vulnerability in India and its neighboring countries. The mammoth sex market is dangerous to the lives of 'women and girls from smaller countries' like Nepal, Bhutan and Bangladesh. Since the sex market in India is deeply connected with the politics, the law enforcement situation is not only poor but incredible as well as dangerous to victims. The central government is largely silent and passive to this issue. The involvement of the underworld mafia groups has invested huge money in this industry. The sex market is thus a booming business in many metropolitan cities of India. The booming sex, market is in turn a cause and incentive

⁵. An account of Friedman (1996) in "The Nation" newspaper is worth mentioning here. Excerpts: "South Central Bombay is home to the biggest organized crime family in Asia, run by Dawood Ibrahim. In 1992, 40 candidates in Bombay's municipal elections, and 180 of 425 legislators in Uttar Pradesh had criminal records. Shantabai, Bombay's most powerful madam controlled as many as 10,000 pimps and prostitutes' votes in 1985 election. Bombay's sex industry has evolved into a highly efficient business. It is controlled by four separate crime groups: One in charge of police payoffs, another controlling money laundering, a third maintaining internal law and order, and the fourth procures women through vast network stretching from South India to the Himalayas. Of the four mafia groups in Bombay, the most powerful is Mehoob Tahasildar, the procurer of women. Thasidar opened a restaurant on the ground floor of a two-story, block long brothel he also owned, one of biggest in Bombay, with more than 50 women.

both for the rapidly increasing phenomena of trafficking in persons. The corrupt politics and police system on the other are rich 'manure' for the growth of sex market.

Problem of Trafficking in Women and Girls in Nepal:

Over the years, the trafficking of women and girls internally and across the border for sexual exploitation has emerged as a serious problem in Nepal. While thousands of women and girls have been now enslaved in many brothels of India, the sex market within the country itself is growing in mammoth dimension. Ignorant and young village girls are increasingly becoming objects of organized phenomenon of trafficking.

Historical anecdotes of the Trafficking problem in Nepal: Trafficking in Nepalese girls and women for sexual exploitation began as early as the Rana regime (1846-1951), in which a single family held the Prime Ministership of Nepal as a hereditary position and dominated other aspects of political and military life. The Ranas drew many young girls from the hills surrounding the Kathmandu Valley to their palaces as servants and objects of sexual exploitation. The trade in hill girls for the Rana rulers and their courtiers continued until the Rana regime was overthrown in 1951.

After the overthrow of the Rana regime, the Ranas could no longer support hundreds of women sex servants. Many of these women left the service of the Rana palaces. However, returning home to hill villages was not preferred by many, who had become used to a somewhat more prosperous life as Rana house servants and courtesans. With the downfall of the Ranas, the market for hill girls decreased in Kathmandu. The traders involved in supplying young girls to Rana Palaces subsequently established connections with brothels in Indian cities. Indian brothels have a high demand for Nepalese girls for many reasons. Firstly, there have long been many Nepalese workers in India, providing a source of 'buyers of sex.' Secondly, the fairer complexion of the Nepalese girls is attractive to most Indian native 'buyers.' Thirdly, importing Nepalese girls has been safer than selling local Indian girls into prostitution. Ignorance of local customs, procedures and languages makes Nepalese girls less likely to complain to the police, and in the meantime their fleeing from the brothel is less likely.

Trafficking in Nepalese girls and women to the Indian brothels became fully established in the 1960s, and increased tremendously in the 1980s (Maskey, 1991). By the 1970s, criminal links between Indian sex traders and the Nepalese pimps were well established. A segment of pimps also grew out of the Nepalese workforce in India. An ineffective law enforcement system in Nepal and the high demand of Nepalese girls in India attracted a number of migrant Nepalese workers to engage in smuggling of girls from Nepal.

Prior to 1990, Nepalese brothel owners in Mumbai and Kolkata used to be one of the prominent groups of girl traffickers. These are mostly Nepalese women who migrated to India in search of jobs or who had been trafficked for prostitution themselves. These women, called "*gharwali*," prior to 1990, visited Nepal and smuggled a number of girls from Nepal to India. The parents or guardians of the girls were assured that the *gharwali* would help the girls get good jobs. This practice was largely responsible for giving rise to a belief that parents or guardians sell their female dependents for the sake of monetary benefit. Although taken to cities like Kathmandu and across the border with assurance of good jobs, the girls and women were eventually forced into the sex market. In this course, a group of men and women emerged to trade in rural girls and women. During 1980s, when the market for Nepalese girls grew in the Indian sex market, the high demand for a supply of the girls was created. This increased demand caused the emergence of a group of local traffickers in Nepal to facilitate the supply of Nepalese girls. When the Nepalese group established contacts with the Indian sex market, this trafficking began to take the shape of an organized international criminal organization. These organized criminals have a variety of ways of trafficking girls. This has rendered law enforcement agencies in Nepal desperately confused and ineffective.

From 1963 to 1990, Nepal was ruled under an 'autocratic system' led by the king. An absolute monarchy prevailed in Nepal for a period of 30 years curtailing all freedoms of people. Political activities were fully banned. This regime was hardly concerned on issues like 'trafficking of women and girls'. The law enforcement agency was generally concerned with suppression of the political activities rather than prevention of crimes such as trafficking. Allegedly, some high ranking police officers had been protecting 'flesh traders'.⁶

Following the 1970s, with a larger number of girls being preyed upon every year, Nepalese intellectuals, the press and social workers began to recognize the seriousness of the problem. Some studies emerged strongly suggesting that rampant poverty in the hills was the major cause behind increasing incidents of trafficking. People concluded that poverty drove girls and women to seek employment in prostitution.⁷ However, this conclusion had no factual base; it was a baseless assumption. In fact, it was a well structured rumor to cover the 'criminal face' of the problem. As it was gradually exposed, a well-established criminal nexus between traffickers, law enforcement officials and politicians was preying innocent, poor and ignorant rural women and girls.

It was essentially erroneous to assume that many girls and women voluntarily enter prostitution to gain a livelihood. These studies also presented another factually unfounded conclusion: that many parents intentionally and knowingly sold their girl children into the Indian sex market. Many people also denied the existence of an organized network involved in the trafficking of girls and women. Even today there is a group of people, including a few foreign journalists who advance the thesis that poverty is the major cause of trafficking, and deny the existence of the organized criminal network of traffickers. The migration of people to cities, including large numbers of girls, has been a phenomenon in Nepal in the last few decades. Many girls do come to the city, with the consent or under the arrangement of parents, to work as domestic workers, carpet weavers or construction laborers. While coming to the city the girls are deceptively enticed and taken away across the borders. An organized group is active in this illegal business. As the stories of many girls returned from brothels reveal the trafficker and local pimps have good connections, and the traffickers and the brothel owners also maintain business relationships. As the majority of cases demonstrate, the trafficking of a girl takes place once the demand is received from the brothel owner. The trafficker has to perform the task with great care and caution as the risk of being caught is always there. Hence, it is almost impossible to "complete the whole process of trafficking by a single person". The nature of this crime itself presupposes that more than one person should "breadth together" for a successful completion of the act.

Figure of the Nepalese Trafficked Women and Girls:

In the 1980s, the problem of sex trafficking in Nepal and other developing countries gained wider attention in the outside world. Tragic stories of abduction, fraud, deception, fake marriage and enticement to good jobs by sex traffickers of ignorant Nepalese girls were exposed by the Nepalese press and Non-Governmental Organizations (NGO's). The Nepalese press deserves recognition for its significant contribution in exposing the problem. The press helped attract the attention of the NGO's

6. A former Police Inspector General (D.B. Lama) who had been arrested on the charge of corruption was allegedly involved in 'trafficking of women and girls'. After his arrest, media reported that photographs of women girls had been seized from his residence. Similarly, a number of *panchas* (as the supporters of the regime were called) had connections with traffickers. In the grassroots, supporters of the regime had been pretty much involved in trafficking.

7. This theory was well designed and structured to deviate attention of the people. Propaganda of this theory largely covered the 'criminality' involved in the trafficking. Many people then condemned the poor parents and victims themselves for choosing the 'ways' for trafficking. This theory was so massively sold that virtually every law enforcement officials, politicians and even intellectuals had been deeply influenced. It thus effectively hindered the growth of 'scheme for prevention of the problem and prosecution of the criminals'.

to the problem so that initiatives against it could be developed. The sex trafficking problem gained regional attention when the *Times of India* (1989) published the findings of a study conducted by Dr. Galida of the Indian Health Organization. The Nepalese press repeated the *Times of India's* story, an important reason for recognition of the problem by the Government of Nepal.

Despite wider recognition of trafficking as a serious social problem and an atrocious sexual exploitation of the girls and women, very few attempts are made to establish an accurate numerical evaluation of the problem. No official figures are available on the number of girls and women trafficked into the Indian sex market. Neither the government of India nor that of Nepal has made any attempt to identify the magnitude of the problem—the numbers, the health status of those involved in prostitution, the causes and factors for increasing incidents of trafficking, the vulnerable groups, or any possible means of intervention. What figures available are the ones based on intelligent estimation.

Because of the clandestine nature of the crime of trafficking, it is always difficult to present reliable data on trafficking. Several factors render it difficult to establish accurate number of girls and women trafficked. Firstly, the information of missing of girls or women is not disclosed by the family members, as such information incurs 'stigma' to the honor of the family. In general, the family and relatives do not/cannot go the extent of searching the missing girls or women so that the true information is established. Secondly, the information of people concerning the problem of trafficking is poor, so that in many cases the incident of missing of female members is registered in the police office. Thirdly, the border of Nepal and India is open, so that the record of how many people every day cross the border is not possible to maintain. Finally, the trafficking is a organized criminal phenomenon, which often removes the evidence to trace it out.⁸

Since it is difficult to establish empirical data on the number of trafficked women and girls, all figures available are based on estimation. These estimations, on the other hand, are largely based on information of sex market supplied by Indian researchers or sample observation of Indian sex market by some Nepali researchers. As compiled by IIDS/UNIFEM (2004), the following figures are often used to 'describe the magnitude of the problem of trafficking in Nepal:

Sources	Number of Trafficked Persons	Frequency/ Time Frame	Destinations
Acharya 1998, and Koirala 1999	200,000	-	India
	40,000-50,000	-	Mumbai
	60,000	-	Falkland
	17,000	-	Kolkata

The best estimate is that the number of girls and women trafficked is enormous.⁹ In January 1989, the *Times of India* reported that, according to the Indian Health Organization, about 100.000 Nepalese girls and women from Nepal are engaged in Indian brothels. Pauline O'Dea, who prepared a report on the problem of trafficking to the United Nations Children's Fund (UNICEF) mentioned that, in 1992 the

⁸. In fact, the issue of true figure is not a matter of great concern. The most important aspect of this problem is in fact the 'gravity of the crime of trafficking'. Obviously, the big or smaller number is not issue of trafficking problem. Trafficking of even a single person is 'equally important as trafficking of many'.

⁹. Often there has been an attempt to see the problem in terms of 'number of women and girls' trafficked. While it is useful and necessary to establish the figures for working out programs to address it, the wider recognition that hundreds of women and girls are subjected to sexual enslavement in Indian sex market and many are vulnerable is enough for governmental and non-governmental organizations to effectively involve in prevention. From the human rights perspective, the figure being greater or smaller makes no difference. In the context of immensely increasing sex market in India along with huge investment by the underworld mafia in political protection, the vulnerability of Nepalese women's trafficking is enormous. The issue of protection of vulnerable groups should be the prime agenda of the Nepalese Government as well as non-governmental organizations.

Government of Nepal had declared the number as 200,000 women and girls (O'Dea 1993:7). However, the figure was simply a conjecture. A meeting of the Nepalese and Indian organizations held in India in 1987 speculated the figure was about 153,000 women and girls (Paradhan, 1992:49). In her report, O'Dea estimated that 40,000 to 45,000 Nepalese women and girls were engaged in the brothels of Bombay alone (O'Dea, 1993:7). Guari Pradhan (1992:59), chairman of CWIN, however, claimed that the number of the Nepalese girls and women in prostitution in brothels of Bombay was more than 60,000. Dr. Galida in 1989 reported that 90% of the total population of sex workers in Bombay was migrants from Nepal, Bangladesh and other states of India besides Maharashtra.¹⁰ All these figures are based on intelligent speculations.

Recently, an organization challenged the credibility of the 'estimated figures' as exaggeration.¹¹ In its opinion, the figure of Nepalese women in the Indian sex market is in no case bigger than 25,000. Allegedly, according to this organization, the organizations working to combat the trafficking exaggerate the figure to attract the 'attention of the government'. This argument is not grounded on truth for several reasons. First, the research is confined to our major cities of India, but the sex market of India is scattered many parts, both cities and growing urban centers. Sex market is rapidly increasing in border towns of India such as Siliguri, Jogbani, Farmeshgunj, Raxual, Sunauli, Rupedia, etc. Several other cities such as Gorakhpur, Kanpur, Agra, Chandigarh, and satellite cities of Mumbai, Delhi, Kolkata are also rapidly increasing sex markets. Emerging metropolitan cities like Bangalore,¹² Hyderabad, etc. also contain huge sex markets. In all these cities, Nepalese women have been found one of the popular groups trafficked for prostitution. Second, rapidly escalating conflict in Nepal is causing unprecedented displacement and exodus of Nepalese families to Indian cities. Third, the conventional forms of trafficking and sexual exploitation has replaced by increasingly sophisticated forms like 'night clubs, dance or bar clubs and camouflaged sexual exploitation such as 'message center, highway food centers (dhaba),¹³ and sexual pleasure centers at rental apartments. These facts deny the reliability of the research that claims lower size of figure.

Obviously, the true population of the Nepalese women in the Indian sex market is yet to be ascertained. But the following facts about vulnerability show that the number of trafficked Nepalese women and girls is big, the exploitation they are subjected to is inhuman and the danger of being trafficked is serious:

- Economically, Nepal ranks one of the world's poorest countries with a per capita gross national product of \$220 a year. About 44% of the population lives below the national poverty lines of Nepalese rupees \$ 77 per capita annum, which is based on minimum caloric intake, housing and other nonfood standards (ADB 2001). Gender discrimination is a serious problem in Nepal. Conventional or stereotyped conception of society towards women's position as well as male and female relations is factors to push women back from the development. The population of the Nepalese women is enormously illiterate. The ignorance is therefore a great source of injustice and

¹⁰ . See, Times of India, January 2 1989: New Delhi.

¹¹ . See, Kantipur (A National Daily Newspaper from Nepal) Sunday, April 3 2005 (Chaitra 21, 2061) has reported about findings of research carried out by "Asmita Mahila Prakasan Griha, Sanchar and Srhot Sanstha" . According to the News, the research was conducted in four big cities of India, Viz. Mumbai, Delhi, Pune, and Kolkata. The findings of the research were released at Bhairawa. Concerned persons of the organization claimed that the figure of 25,000 is highest figure. According to them, the figure could not in any case higher to that.

¹² . Bangalore is one of the major five cities in India which together account for 80 percent of child prostitutes in the country (Seethalakshimi, 1998). Recently, a number of Nepalese media has reported trafficking of the Nepalese Women in Bangalore brothels.

¹³ . An Indian Daily, *The Hindu*, 27 July 1997, reports that there are many *dhabas*, or small-scale brothels, along the Sholapur-Hyderabad highway, which provided women as an "additional service' to truck driver and motorists. One woman who runs a *dhabha* had previously been in prostitution. Now with a shed, two cots and few girls from nearby villages, she owns the brothel. These kinds of *dhabhas* are scattered everywhere in India. Provinces like Bihar, Uttarpradesh and West-Bengal are famous for such *dhabhas*.

vulnerability. The widely prevailing defective value system¹⁴ effectively blocks the Nepalese girls' access to education, empowerment and development. Ignorance is one of the most dangerous forms of vulnerability.

- Gender gap between men and women is wider in Nepal. The following characters of wider gender gaps create higher vulnerability of sexual exploitation of the Nepalese women:
 - Families headed by females compared to men have a higher incidence of poverty (ADB, 2001). Women's poverty is more severe than men's poverty because of lack of access to resources and very low rates of human capital among women. Since women have fewer opportunities for appropriate skills and exposure to technology, the gape between men and women in economic disparity is further widening. 'Sex' is thus seen as greater potential with women. Employers have thus emerged who 'want to exploit women's sex as commodity'.
 - Women's share of employment in formal sector (industry and services) is negligible in Nepal. Women's involvement in non-formal sector is emphasized. A huge number of girls and women are thus engaged in cities as maids, without job guarantees and adequate protection against sexual exploitation.
 - Feminization of poverty in rural areas, in hills in particular, is phenomenal. It has been inducing the migration of increasingly larger number of women and girls to cities and urban sectors for 'subsistence jobs'. Unsafe migration in turns results in ending up of large number of women in sex market.
 - Practices of child marriage of daughters, engaging in domestic service in other families since childhood, refraining from sending schools are very common in rural parts of the country.All these characters relate to 'widespread practice of gender disparity', which constitute formidable causes of trafficking for sexual exploitation'.
- Approximately 50,000, or half of the women in prostitution in Bombay, are trafficked from Nepal (Friedman, 1996). Radhika Coomaraswamy (1997) says: "Brothels of India hold between 100,000 and 160,000 Nepalese women and girls, 35% being taken on the false pretext of marriage or a good job". Of the 5,000-7,000 Nepalese girls trafficked into India yearly, the average age over the past decade has fallen from 14-16 years old to 10-14 years old (CATW-Asia Pacific, 1997). In Bombay, one brothel has only Nepalese women, who men buy because of their golden skin and docile personalities (Friedman, 1996). 2.5% of prostitutes in India are Nepalese (TOI, 1997).
- "Poor Nepalese girls are tricked into fraudulent marriages, or promised employment in towns only to find themselves Hindustan's brothels. They are locked up for days, starved, beaten and burned with cigarettes until they learn how to service up to 25 clients a day. Some girls go through 'training' before being initiated into prostitution, which can include constant exposure to pornographic films, tutorials in how to please customers, repeated rapes" (Wadhwa, 1998).
- "Trafficking in Women and Girls is easy along the 1,740 k.m. long open border between India and Nepal. Trafficking in Nepalese women and girls is less risky than smuggling narcotics and electronic equipment into India. Traffickers ferry large number groups of girls

¹⁴ 'Defective Value System' in the context of social relations of the population is a 'set of traditional norms' that nurtures a condition 'status quo'. Status quo rejects 'change' in the situation and as such prevents the course of 'progress in the life style. The condition of 'status quo' in terms of value system creates a condition where one person or group or class exacts all possible advantages to the disadvantages of other. Status quo in social value system is therefore a source of inequality or injustice. To be specific and concrete, status quo in the social value system provides 'a stereotyped justification for the prevailing form of discrimination'. Discrimination on the other hand results in 'perceived subordination', which in turn legitimizes the 'violence' and 'exploitation'. Protection of patriarchy by social values is a 'condition of status quo', which refuses 'changes in the stereotyped conception of society to women'. Their legal position is defined in terms of marital status and sex.

at a time without the hassle of paperwork or threats of police checks. The procurer-pimp-police network makes the process even smoother. Bought for as little as Rs. 1000, girls have been known to fetch up to Rs. 30,000 in later transactions. Police are paid by brothel owners to ignore the situation. Girls may not leave the brothels until they have repaid the debt, at which time they are sick, with HIV and/ or tuberculosis, and often have children of their own" (Wadhwa, 1998)

- In 1996, 218 Nepalese women and girls had been rescued by the Indian police. Most pathetically, 60/70% of them were HIV positive (McGirk, 1997).
- "13 year-old Mira of Nepal was offered a job as a domestic worker in Bombay, In India. She arrived at a brothel on Bombay's Falkland road, where tens of thousands of young women are displayed in row after row of zoo-like animal cages. When she refused to have sex, she was dragged into a torture chamber in a dark alley used for 'breaking in' new girls. She was locked in a narrow, windowless room without food or water. On the fourth day, one of the madam's thugs goonda wrestled her to the to the floor and banged her head against the concrete until she passed out. When she awoke, she was naked; a rattan cane smeared with pureed red chili peppers shoved into her vagina. Later she was raped by the goonda. Afterwards, she complied with their demands. The madam told to Mira that she had been sold to the brothel for 50,000 rupees that she had to work until she paid off debt. Mira was sold to a client who then became her pimp"(Friedman, 1997)
- "In 1982, 13 year old Tulsa was abducted from a village near Kathmandu and sold to a brothel. She was dressed in European-style cloths and taken to luxury hotels to serve mostly Arab clients until a Hotel Manager called the police. Hospitalized, Tulsa was found to be suffering from three types of venereal diseases and tuberculosis" (Friedman, 1997).
- India has a huge sex market, though it is illegal; it is further rapidly increasing. According to an estimate, every day about 200 girls and women enter prostitution in India, 80% of them are trafficked (Friedman, 1997). Nepal has an open border of over 14 00 k.m. Every year over 5,000 women are girls are trafficked across India. The rapidly increasing market thus poses a serious threat to the security of many more women in the days to come. Moreover, such an unimaginably high rate of growth is accompanied by fears of spread of AIDS. This phenomenon is thus obviously prone to trafficking of girls with lower age. It is said that 1000 red light districts in India constitute cages for forced prostitution by Nepalese minor girls.
- The nexus between the flourishing sex market and police and politicians in India pose a grave threat to the 'security of smaller population' like Nepal, which has already been brought into a nasty 'network' of criminals. In many cities of India that nurture red-light districts, the police and politicians have deep nexus with criminal who control the sex industry. Obviously, the trafficking of the Nepalese women and girls is widely protected by the strong nexus between the criminals and police and politicians. The phenomenon is thus not only widespread, but also dangerous.¹⁵
- Trafficking victims in Indian brothels are subjected to the condition of slavery and to serious physical abuse. Held in debt bondage for years at a time, they are raped and subjected to other forms of torture, to severe beatings, exposure to AIDS, and arbitrary confinement. Escape from brothel is virtually impossible. Owners use threats and severe beatings to keep inmates in line. In addition, women fear capture by other brothel agents

¹⁵ . *The Nation*, an Indian newspaper, on April 8 1996 reported a story. Excerpt. "In Bombay, top politicians and police officials are in league with the mafia who control the sex industry, exchanging protection for cash payoffs and donations to campaign war chests. Corruption reaches all levels of the ruling Congress party in Delhi. Many Politicians view prostitutes as an expendable commodity.

and arrest by police if they are found on the streets; some of these police are brothel owners' best clients (Human Rights Watch, 2000).

These characters of the problem discern the following obvious trends:

- i. Increasing market of prostitution in India is the incentive for the increasing number of trafficking in women and girls from Nepal. Trafficking in women and girls is easier compared to that of narcotics, mainly due to poor law enforcement situation both in Nepal¹⁶ and India.¹⁷ In addition, the nexus between the brothel owners, police and politicians both in Nepal and India is one of the major factors for poor law enforcement situation. The poor law enforcement situation is also an evidence of the human rights insensitivity and lack of political will of the governments of these two countries to protect thousands of poor women and girls enslaved in brothels.
- ii. Most of trafficked victims are subjected to debt bondage. The purchase price, plus interest becomes the "debt" that the victims must work to pay off- a process that can stretch indefinitely (Human Rights Watch/Asia 2000). The debt bondage is virtually a condition of 'enslavement'. Most of victims trafficked are poor and illiterate teenagers from hills of Nepal. False marriage, enticement of good jobs and abduction are major modes of trafficking women and girls from Nepal.
- iii. Submission to prostitution is preceded by terrible forms of torture and inhuman treatment. Beatings, starvation, rape and strict confinement are commonly used as 'instruments to break' the resistance of victims.
- iv. Escape from the brothel is almost impossible. The market is strongly guarded by the underground mafia with the help of corrupt politicians and police department. The investment poured on the market is incredibly huge, and large chunk of the profit made out of this market goes to 'support corrupt politicians'.
- v. The market is inseparably entwined with traditional or stereotyped conception to women, which define them as 'sex commodity'. Prostitution is viewed as 'expendable commodity' by society. The sex market is thus taken not unusually as that of 'narcotics'.¹⁸
- vi. Existing laws in India and Nepal have had virtually no effect on curbing the problem of trafficking. The failure of the laws is widespread.
- vii. Infection of HIV/AIDS and other sexually transmitted diseases is epidemic. This is one of the factors raising resistance to social reintegration of rescued women and girls.¹⁹

¹⁶ . As Human Rights Watch/Asia (2000) states, "In Nepal, border police are bribed to allow to transport girls to India. In many districts, traffickers exploit political connections to avoid arrest and prosecution. On return to Nepal, the few women who escape the brothels and appeal to the police for help, or who are returned by the Indian police, are shuttled from one police station to another as they make their way back to their home districts. Some remain in police detention for weeks until their guardians come to collect them."

¹⁷ . According to Human Rights Watch/Asia (2000), in India, police and local officials patronize brothels and protect brothel owners and traffickers. Brothel owners pay protection money and bribes to the police to prevent raids and to bail out under-age girls who are arrested. Police who frequent brothels as clients sometimes seek out under-age girls and return later to arrest them—a way of extorting bigger bribes. Girls and women who complain to the police about rape or abduction, or those who are arrested in raids or for vagrancy, are held in "protective custody"—a form of detention. Corrupt authorities reportedly allow brothel owners to buy back detainees.

¹⁸ . In Nepal, for instance, the "prevention of drug trafficking has been undertaken as one of the priority agenda of government to combat organized crime. Annually, the Government allocates special budget for this purpose. A special legislation has been enacted to 'empower the law enforcement agency to combat the problem'. A special police unit is set up to deal with the problem. However, the prevention of trafficking has never been a serious or priority agenda of the Government. This issue has hardly been discussed in the parliament so far. Largely, the problem has been raised by NGOs, and that is their efforts that have brought the issue to the limelight and concern of the public. This situation demonstrates the lack of 'political will on the part of the government to combat the problem'.

¹⁹ . During 1990s, a number of novice NGOs strategically used HIV/AIDS as an instrument to deter parents selling their daughters. This campaign was designed on wrong assumption that 'parents were the principal culprits' in

Efforts to Empirically Investigate the Dimension of Trafficking:

During 1990s, steps towards empirical investigation of the problem started taking place, although not adequate and fully representative. However, these efforts provide grounded basis to 'estimate the dimension of the problem' with more accuracy of the figure of women and girls trafficked. Center for Legal Research and Resource Development (CeLRRd) is one of the leading organizations in this regard. In 1996, CeLRRd collected information from various institutions, the Nepal Television, the Police Offices and Courts being the important ones. Findings of this study established that Nepal Television received 20 requests per month from the police for announcements of missing persons. This figure, however, covered only the Kathmandu Valley. Obviously, while this figure is not exhaustive, as the bulk of missing are never reported to the police, it gives a ground to conjecture that every month that hundreds of girls are trafficked monthly from Kathmandu and other parts of the country. In most such cases, no follow-up procedures take place except delivering photographs of the missing girl or woman to the border police stations and check points. In many cases, the parents receive information on their missing daughters quite a long time after the incidents take place.

Despite the wider attention to the problem, incidents of trafficking are still increasing. Trafficking being confined generally to a few specific ethnic communities and regions in the past, has presently scattered widely and swiftly to almost every ethnic community and areas across the country. The problem has become national. The rural villages that are subject to widespread illiteracy and are inaccessible to development activities are the most badly affected by the problem. The circumstances of abject poverty in the rural villages and the growing migration of young girls to cities in search of better lives help create an environment where it is easy to prey on these young girls. This is a leading reason that the number of young girls being trafficked has sharply increased over the years.

The baseline survey of households at 24 Village Development Committees (VDCs) of Sindhupalchok and 15 VDCs of Nuwakot, for instance, uncovered 2116 girls and women missing from the villages.²⁰ Information on the whereabouts of the greater number of these girls and women since the time of disappearance is not available. Based on hearsay from relatives of those missing girls and other villagers, it appears that most of the girls were trafficked to Indian brothels. The figure is, however, not exhaustive. Information still might have been concealed. Yet, the figure itself exhibits the size of the girls missing nationwide. Over the past some years, the problem of trafficking has become intensely acute in *Terai* districts like Jhapa, Morang, Sunsari, Parsa, Chitwan, Udyapur, Makwanpur, Rupendhi, Nawalparasi, Kapilavastu, Banke, Kanchanpur, etc. These districts are densely populated and face tremendous pressure of migration from hills. Unemployment and insecurity are phenomenal in these districts, which heavenly boon for trafficking. Most importantly, these districts border with, or closely situated to Indian territory. One can thus easily estimate that the proportion of trafficking in these districts is higher to hill districts.

Although there is no concrete basis for presuming all the missing girls and women were forced into the sex market, there are valid grounds for suspicion. Lack of communication between the missing girls and

trafficking. The role of organized criminal network was not realized. This propaganda was mainly developed by a small group of 'novice researchers' from western countries. Based on this wrong assumption, a havoc of HIV/AIDS was created in the mind of 'common folks of villages'. Trafficking of women and girls was thus taken as "HIV/AIDS". This cheap propaganda of some NGOs effectively frustrated the idea of respect to and social reintegration of victims.

²⁰ . CeLRRd has completed baseline Survey in 220 VDCs of 14 districts. Every village has instances of missing women and girls. This survey gives an insight that the 'problem of trafficking is active silently in many parts of the country. Having nexus with increasing rural to urban and hill to *Terai* migration process, the trafficking of women and girls is 'largely diluted', and often is not obviously apparent. Revelation of 2116 girls and women missing from 39 VDCs with average population of 5000 (at least 50% females), is competently enough to project the seriousness of the problem.

their families for a long time is one of the grounds to provide a basis for the suspicion that the girls are in the sex market. There is no reason to avoid communication otherwise. The lack of communication is a likely indicator of the virtual enslavement of the missing girls and women.

Distribution of Girls by Age, Marriage, Schooling and Missing

Districts	Surveyed VDCs	Total Girls	Girls in Married Childhood	Girls Going to Schools	Girls Out of Districts	Girls in Nepal	Girls Out of Nepal Place Identified	Girls Out of Nepal Place not Identified
Sindhuplachok	24	15,325	4,506	10,819	1,713	238	307	1,168
Nuwakot	15	8,091	2,548	5,343	668	27	168	473

Source: Baseline Survey of Households conducted by CeLRRd.

As mentioned before, there are reasons to believe that the figures of missing girls and women reported in the survey may not be exhaustive. Many incidents of missing girls may be concealed as some family members do not want to reveal the incidents for fear of prosecution, revenge by the traffickers, or social humiliation. In some instances, the girls are easily forgotten, since daughters are considered less important than sons. The prevailing attitude of parents, extended family, and the society as a whole that daughters are not significant members of the family implicitly makes it easier to ignore or forget missing girls. "Let us forget an egg that is spoiled" is a general expression used when something bad happens to a daughter.

The findings of the survey, mentioned above, indicate the magnitude of the problem. A figure of about 2000 missing girls and women in 39 VDCs of the aforementioned two districts suggests that the nationwide figure for missing girls and women exceeds what is generally estimated—that is, over 100,000. From press sources²¹ and the record of court cases under judicial trial,²² it appears that the high-risk areas for trafficking encompass more than 30 of Nepal's districts. The increasing number of districts where trafficking is common indicates an increasing number of girls are being trafficked to Indian brothels.

Another important source for establishing the figure of the trafficked persons is the census. According to 2001 census data, the female population absent from households is 82, 712. Of this 40.6 percent of them are absent without known reasons. This 40.6 percent female absent population indicates to possibility of their being trafficked. However, many women and girls are missing from the households are generally not reported to the census as there is no systematic practice of registration of events. Based on the census, one can estimate the figure of missing women in between 50,000 to 100,000. In fact, the baseline survey of two districts presented by CeLRRd above also indicates to the similar picture.

²¹ . Study of stories covered by print media revealed that trafficking problem of was active in Nnuwakot, Jhapa, Sindhuplachok, Chitwan, Makwanpur, Illam, Sunsari, Morang, Khotang, Rauthat, Rupendhi, Dhankuta, Kailali, Banke, Parsa, Kaski, Gorkha, Saangya, Dolakha, Sindhuli, Bara, Sarlahi, Ramechhap, Panchathar, Tanahau, Dang, Kapilavastu, Bardia, Rasuwa, Nawalparasi, Palpa, Bhaktapur, Kathmandu and Patan. Hundreds of women and girls from these districts had been rescued in 1999 on the way to India. The district of Jhapa, Morang, Nuwakot, Makwanpur, Udayapur, and Rupendhi are found as highest risk areas. For detail of Stories of girls and women rescued, see the following newspapers. *Deshantar Saptahik* (2056/8/12 and 2055/1/14), *Kantipur* (2056/8/3, 2056/7/10, 2056/6/10, 2056/5/21, 2056/5/11, 2056/4/19, 2056/4/12, 2056/3/23, 2056/2/19) *Saptahik Janasata* (2055/12/14, 2056/4/15) *Gorkhapatra* (2056/2/23, 2056/2/15, 2056/5/31), *Chalpa*(2056/4/23), *Patrika Satdine* (2055/12/19), and *Prabatkalin* (2056/1/16)

²² . Kathmandu, Bhaktapur, Lalitpur, Jhapa, Sunsari, Dolakha, Kailali, Kanchanpur, Sindhupalchok, Nuwakot, Rasuwa, Makwanpur, Chitwan, Parsa, Ramechhap, Sindhuli, Nawalparasi, Kapilavastu, Nawalparasi, Morang and Udayapur are identified as districts having at least one judicial trial of trafficking offence.

Issue of discussion is not about what exactly is the 'figure' of trafficked women and girls; rather it is an increasing trend that should concern the researcher, policy makers, law enforcement agencies and civil society involved in combating trafficking. Obviously, the problem of trafficking of women and girls from Nepal should pay attention to the following factors or affairs that potentially contribute to worsen the problem:

- The Indian sex market is consistently growing in the one hand,²³ and the government of India is hardly concerned with the issue of trafficking women and girls from neighboring countries. Indian underworld mafia is seriously involved in this nasty business, and it has been protected by significant quarter of the politics. The booming sex market in India is thus a major factor for increasing vulnerability of the Nepalese women and girls. The possibility of getting the problem of trafficking worsens is thus obvious, if it has not been properly addressed.
- The chaos and hardship resulted in the wake of destructive insurgency ha intensified the vulnerability. In the wake that hundred of thousands people have been displaced, the migration of population for the search of safety and livelihood has been terribly intensified. This situation has rendered the prying of women and girls for trafficking easier than in the past.
- Over the years, the local sex market is reportedly increased. Development of tourism along with widening access to information and transportation has been rapidly transforming some cities of Nepal into 'metropolitan characters'. This development has opened a way for 'emergence of illegal or underworld economy in Nepal in nexus with outsiders, the Indian in particular. Extension of the Indian underworld economy in the sex market of Nepal along with influx of Indian tourists will surely sophisticate the pattern of trafficking. The lives of many ignorant women and girls traveling to cities for work are likely to be facing danger of 'sex market exploitation'. As the Eastern European and Russian examples show the 'the cross-border or transnational trafficking in such a situation increases in incredibly higher rate.
- The law enforcement situation is absolutely poor. The number of crimes of trafficking reported to the police is smaller as around 150 cases a year, and the success rate of the police is below 50%. Corruption and inefficiency are major problems of the Nepalese law enforcement agency, including the judiciary. These factors like other seriously hinder efforts of prevention, thereby aggravating the vulnerability.
- Systematic sex discrimination is a serious problem in South Asia. The value system being practiced here virtually subordinates women. On the other hand, sexual exploitation is largely taken as an 'acceptable form of pleasure' by the male community and the state. Women are thus defined as a sex commodity. Men's domination in sexuality of women is a root cause of the problem of trafficking for sexual exploitation.

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