# VULNERABILITY TO HUMAN TRAFFICKING IN NEPAL
## FROM ENHANCED REGIONAL CONNECTIVITY

PART A

**WORLD BANK GROUP**

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# Contents

# Acronyms

| | |
|---|---|
| APF | Armed Police Force |
| BIMSTEC | Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation |
| BRI | Belt and Road Initiative |
| CBO | community-based organization |
| CIB | Central Investigation Bureau |
| CID | Crime Investigation Department |
| CSO | civil society organization |
| DCCHT | district committee for controlling human trafficking |
| DoR | Department of Roads |
| ESS | Environmental and Social Standards |
| FGD | focus group discussion |
| FWLD | Forum for Women, Law and Development |
| FY | fiscal year |
| FCHV | female community health volunteer |
| GBV | gender-based violence |
| GDP | gross domestic product |
| GESI | gender equality and social inclusion |
| HTTCA | Human Trafficking and Transportation (Control) Act |
| INGO | international nongovernmental organization |
| KII | key informant interview |
| LCCHT | local committee for controlling human trafficking |
| LGBTQ | lesbian, gay, bisexual, transgender, and queer |
| MCD | Metropolitan Crime Division |
| MoFA | Ministry of Foreign Affairs |
| MoHA | Ministry of Home Affairs |
| MoLESS | Ministry of Labour, Employment and Social Security |
| MoPIT | Ministry of Physical Infrastructure and Transport |
| MoWCSC | Ministry of Women, Children and Senior Citizen |
| MoWCSW | Ministry of Women, Children and Social Welfare |
| NCCHT | National Committee for Controlling Human Trafficking |
| NGO | nongovernmental organization |
| NHRC | National Human Rights Commission |
| NPR | Nepalese rupee |
| NWC | National Women Commission |
| SAARC | South Asian Association for Regional Cooperation |
| SEA/SH | sexual exploitation and abuse/sexual harassment |
| SDG | Sustainable Development Goal |
| TIP | trafficking in persons |
| UN | United Nations |
| UNODC | United Nations Office on Drugs and Crime |
| UNTOC | United Nations Convention against Transnational Organized Crime |
| VCCHT | village committee for controlling human trafficking |
| WCSCSD | Women, Children, and Senior Citizen Service Directorate |
| WHRD | women's human rights defender |

# Acknowledgements

# Executive Summary

## Background

Trafficking in persons is a serious crime and a grave violation of human rights. It is a form of modern-day slavery that involves the recruitment, harboring, or transportation of people into an exploitative situation by means of violence, deception, or coercion for the purpose of exploitation. In Nepal, the most widespread forms of human trafficking are for forced labor, domestic servitude, prostitution and sexual exploitation, and organ extraction. According to a report by Nepal's National Human Rights Commission (NHRC), 35,000 people were victims of trafficking in 2017–2018 alone. Trafficking poses a serious challenge to Nepal's socioeconomic development, and studies have indicated that there is an undeniable link between increased migration and human mobility and trafficking. Rapid economic growth and infrastructure development in the past few years have contributed to the massive inward as well as outward flow of people to other regions. The most recent census of Nepal (2011) on population and housing found that almost 50 percent of the country's households had at least one member who was either working abroad or had returned from working abroad. The expansion of strategic road networks and connectivity to neighboring countries of India and China has facilitated this migration flow. The country's open borders with India, and to some extent China, with limited border surveillance, have enabled transnational crimes such as human trafficking.

The World Bank has extended technical and financial assistance to large-scale infrastructure projects in Nepal, some for improved transport connectivity and trade facilitation both within the country and within the region. These investments are part of the ongoing Nepal-India Regional Trade and Transport Project and the then proposed Nepal Strategic Road Connectivity and Trade Improvement Project. The nature of these investments must be looked at through the lens of enhancing long-term economic growth and prosperity, which is jeopardized by human trafficking. As a result, this study was conducted to draw links between the various aspects of development projects, in particular, improved transport connectivity and migration, that either contribute, mitigate, facilitate, or prevent trafficking in men, women, and children.

## Objective

The World Bank plays a decisive role in ensuring that all potential social and environmental risks are assessed, mitigated, or managed in all of its ongoing operations. The World Bank's Environmental and Social Framework, through its Environmental and Social Standard-2 (ESS2) and Good Practice Note on Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), sets out the requirements of the borrower in addressing the risk of gender-based violence (GBV), including human trafficking, within its projects. ESS2 not only recognizes the vulnerabilities associated with trafficking, it clearly prohibits the employment of trafficked persons within World Bank projects. For the World Bank to scale up its efforts to address this issue, it must understand the critical markers of human trafficking in development projects. Accordingly, this study is an attempt to establish a baseline of knowledge on human trafficking to (a) understand the links between human trafficking and cross-border transport connectivity; (b) identify and assess the underlying risk factors or vulnerabilities that increase the chances of exploitation and trafficking in development projects; and (c) provide recommendations that would enable wider policy decisions, build partnerships with relevant stakeholders, and integrate the anti-human trafficking agenda into the World Bank operations.

## Methodology

The study has been compiled by the Asia Foundation, Nepal. It covers three transport corridors: Corridor 1 (Kathmandu-Naubise-Mugling), Corridor 2 (Birgunj-Pathlaiya), and Corridor 3 (Pathlaiya-Dhalkebar), which cut across nine districts in Nepal: Kathmandu, Dhading, Chitwan, Bara, Rautahat, Dhanusha, Mahottari, Parsa, and Sarlahi. The corridors included in the study are those locations that (a) have high cross-border migration along the Indo-Nepal corridor, (b) have internal migration corridors, and (c) are source districts for human trafficking.

The study relied on both primary and secondary research. The primary research was undertaken using a combination of tools such as focus group discussions (FGDs), in-depth key informant interviews (KIIs), and ethnographic observations, with sampling through snowballing and purposive techniques. Data were collected from a range of stakeholders consisting of vulnerable groups, community members, nongovernmental organizations (NGOs) and community-based organizations (CBOs), government officials, public transport stakeholders (drivers, conductors), and transport project personnel (engineers, contractors/subcontractors, and so on).

The report highlights the critical challenges in securing reliable primary information about patterns and numbers of human trafficking. The challenges in data collection—ranging from limited datasets, ambiguity in laws, policies, and institutional structures, mostly due to Nepal's transition to federalism—made it difficult to access information and estimate the prevalence of human trafficking in the study locations.

## Findings

Nepal is not just a source country, but is also emerging as a transit point as well as a destination, for trafficked men, women, and children. The study found various patterns emerging that make addressing illegal and criminal activities including human trafficking challenging, particularly in border areas. These factors include the: (a) multiplicity of routes and ease of travel, (b) existence of historical trade relations including consumer market, and (c) relatively thin presence of law enforcement agencies.

The migration of both skilled and unskilled workers from near and distant villages—northern mountainous regions to the plains—is the result of increased road connectivity, because of which new economic opportunities have arisen. However, the vulnerability of women and children was found to be significantly higher than men, mainly due to the impact of unequal gender relations at every stage of the migration process.
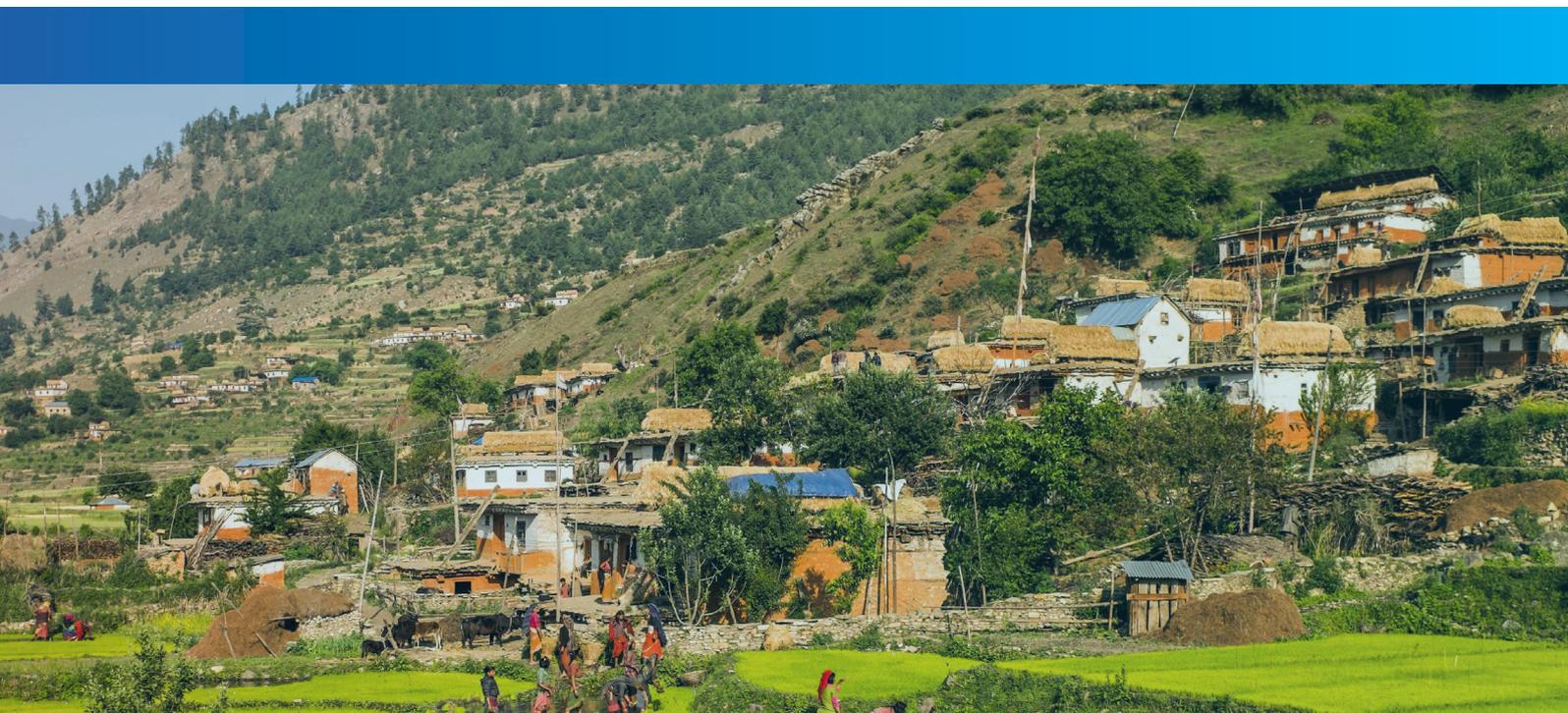
Factors such as poverty, GBV, social norms and cultural practices, unemployment, illiteracy, and aspirations for better work, combined with access to roads and ease of mobility, may further accelerate the risk of trafficking. Of these factors, an overwhelming majority of the study respondents cited poverty (86 percent), lack of education (65 percent), false promises of marriage (41 percent), and lack of employment opportunities as the main reasons for people in the study areas being trafficked. These pre-existing socioeconomic vulnerabilities are often interrelated and sometimes cyclical. In the context of road connectivity, pre-existing vulnerabilities may limit people from maximizing the opportunities that roads may bring, forcing them to look for livelihood alternatives that can put them at risk of trafficking.

The study highlights that road connectivity increases the possibilities of new businesses and opportunities along the corridors. For instance, with the construction of the highway at Chandra-Nigahapur, the corridor has seen the exponential growth of commercial establishments such as hotels, restaurants, and marketplaces.

These developments, many of the respondents noted, have their disadvantages as well as advantages; for example, many children are being lured into exploitative employment as laborers in stone quarries and brick kilns. KIIs and FGDs further revealed the growth of illicit activities such as sex work in such establishments, particularly in towns close to the India-Nepal border. This has fueled the demand for women and girls for sexual exploitation, which, the study reveals, disproportionately affects marginalized groups such as Madheshis.

The expansion of road networks also plays a decisive role in aiding the trafficking process, wherein recruiters, facilitators, and traffickers take advantage of new and less traveled routes. The process of luring, coercion, and recruitment often begins in such remote locations by contractors, brokers, or transporters who work in tandem with traffickers. The road improvements along major highways has significantly cut travel time from one point to another and has created hot spots in various regions of Nepal. These areas, such as interdistrict bus stops, parking areas for freight

carriers, and tea shops, are also the intersections for high volumes of human movement. The study revealed that the trafficking routes are mainly through Kakarbhitta, Birgunj, Bhairahawa, Gadachowki, and Nepalgunj, from where the trafficked victims are taken to Delhi and other cities in India. The study also highlighted the dual role of public transport drivers in the trafficking process. Drivers either unknowingly transport the potential trafficked person to their destinations or are complicit in the crime as traffickers, facilitators, or transporters. This is further complicated by the fact that identification and interception of the crime of trafficking can be difficult, as victims are often unaware of the exploitation or outcome at the destination. KIIs with police and public transport officials, revealed that victims rarely self-report. In addition, the time and resources required to uncover such crimes can be significant.

There are other compounding impacts of connectivity such as project-induced displacement. People displaced due to construction projects, conflict, and natural disasters are vulnerable to trafficking. In Nepal, vulnerability to and risk of human trafficking increased after the 2015 earthquake. Displacement can also exacerbate vulnerability to trafficking. The study found that, among the three selected corridors, displacement is higher in Corridor 2, Birgunj-Pathlaiya, with 41 percent of respondents affected. Vulnerability is also affected by the ability to successfully claim compensation for displacement, which entails proving eligibility and understanding the formal processes, which can exclude people who have little education and are not aware of their legal rights and formal mechanisms.

Further, stakeholders working in the anti-trafficking sector felt that lack of new mechanisms in the current federal context has left a vacuum and has decelerated anti-trafficking efforts. There is ambiguity in existing laws, policies, and structures on the specific roles and responsibilities of the various actors, including resource allocation and reporting on trafficking. Complicity, as well as the multiplicity of various state agencies, leads to gaps, further enabling states to avoid their responsibility. Dealing with human trafficking can also be life threatening to those who work against it.

The study highlighted the need for improved border control to facilitate a safe and secure transit for outward and inward migrants. At present, security surveillance is not effective, although the police and armed forces are present at the border posts. There is also a lack of monitoring and surveillance by law enforcement on new and less traveled roads. The respondents living close to the Indian border in Birgunj-Pathlaiya and Pathlaiya-Dhalkebar (corridors 2 and 3) ascertained that cross-border security was inadequate and needed to be strengthened. However, the presence of NGOs/CBOs working specifically on anti-trafficking in the border areas or hot spots has a significant impact on identifying and intercepting potential victims of human trafficking.

On examining the vulnerabilities and institutional capacities of various stakeholders in addressing human trafficking, it can be concluded that the context of human trafficking varies widely due to the various vulnerabilities and risk factors involved, thus requiring different interventions.

These interventions could be made at both the policy as well as the project planning and implementation levels. However, all the interventions are interlinked to the larger goal of addressing GBV, sexual exploitation and abuse/sexual harassment (SEA/SH) and promoting gender equitable and inclusive development, which is aligned with the World Bank's Gender Strategy (2016–2023). The recommendations of the study cover seven areas: (a) relevant policy and legislative reforms; (b) public outreach, awareness generation, and capacity building; (c) strengthening of border control to mitigate trafficking risks; (d) coordination and building partnerships; (e) advocacy for effecting policy reforms; (f) research and data collection; and (g) World Bank financed project-specific measures.

# Chapter 1

# Introduction

## Background

Human trafficking is a form of modern-day slavery that involves the recruitment, harboring, or transporting of people into an exploitative situation by means of violence, deception, or coercion to work against their will. The most widespread forms of human trafficking are for forced prostitution, forced labor, forced begging, forced criminality, domestic servitude, forced marriage and forceful organ removal.[1] These forms have been recorded in regions where human mobility is high, especially due to conflict, poverty, the movement of refugees, and migration for labor and employment. The most-studied countries where these correlations have been drawn are Thailand, the United Kingdom, India, the United States, Cambodia, Indonesia, Myanmar, Bangladesh, Viet Nam, China, and the Philippines (David, Bryant, and Joudo Larsen 2019). The advancement of digital technology and connectivity has also contributed to people's mobility for economic opportunities and safety and security. Due to this mobility, exploitation is happening on a global scale, giving it a 'transnational' form. According to the United Nations Office on Drugs and Crime (UNODC), globally identified trafficked victims are women (51 percent), children (28 percent), and men (21 percent), whereas the identified traffickers are mostly men (63 percent) and around 43 percent of the total victims are trafficked internally (UNDOC

2016). Alarmingly, nearly 21 million people are currently in a slavery-like situation around the world (Anti-Slavery n.d.).[2]

Human trafficking is against the Universal Declaration of Human Rights and is categorized as a transnational crime by the United Nations (UN). Many international and regional legal frameworks have been initiated to ensure a more coordinated and holistic effort to combat human trafficking. In 2000, the UN adopted the United Nations Convention against Transnational Organized Crime (UNTOC) and its two supplementing protocols: (a) the protocol to prevent, suppress, and punish trafficking in persons (TIP), especially women and children (Palermo Protocol), and (b) the protocol against the smuggling of migrants by land, sea, and air (UNGA 2001). The Palermo Protocol defines trafficking in persons as:

> *...the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of 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.* (United Nations 2000)

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[1] See more at Anti-Slavery website: https://www.antislavery.org/slavery-today/human-trafficking/

[2] Trafficking for the purpose of cheap labor, especially from Asia to the Gulf countries and other booming economies within Asia, is a new trend of human trafficking in this part of the globe.

The protocol further states that exploitation can include, at a minimum, exploitation in the form of prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of human organs. This convention calls upon all the 147 member states,[3] including Nepal, to recognize TIP as an organized crime and provide a legal framework to combat all forms of criminal activities, including human trafficking.

The protocol is considered extremely critical as it provides a holistic definition of *trafficking in persons* for the first time, as well as protecting and assisting the victims of trafficking and respecting their dignity and human rights. It is also legally binding on its signatory states, thus having great significance in combatting human trafficking across the globe (United Nations 2000).

## Migration, connectivity, and human trafficking

Rapid technological advancements and the development of infrastructure in the past few decades have contributed to the massive flow of people around the globe. The expansion of international trade and the globalization of the economy has supplemented this flow, creating greater risk of trafficking and exploitation. For instance, the history of migration of the Vietnamese people to relocate across Europe after the end of the Vietnam-American war in 1975 is well-known (ECPAT UK, ASI, and PALS 2019). In the Soviet era, communist countries created formal labor agreements with Viet Nam that brought hundreds and thousands of temporary Vietnamese workers to Europe. Some workers settled in Europe, but in the succeeding years the migration of Vietnamese continued (ECPAT UK, ASI, and PALS 2019). Migration to Europe increased human trafficking, and it was during the travel and transit process that the risk of trafficking was highest for Vietnamese migrants. Studies have revealed that Vietnamese migrants, particularly from rural areas, were abused and exploited through forced labor and sexual exploitation, often at the hands of European gangs and traffickers.

Similarly, a 2010 study on human trafficking in India correlates migration patterns with trafficking routes—some Indian states/territories being solely source areas, some being destinations, and a few being transit points for human trafficking (Hameed et al. 2010). While poverty, cultural factors, gender, and caste issues were highlighted as reasons for states becoming source areas, globalization, tourism, and high gross domestic product (GDP) rates are criteria for states to become destinations. Additionally, the report cites geography (transport hub route to other states) and infrastructure (extensively unmonitored train networks) as reasons for states to become transits points within India.

Focusing on connectivity, particularly through road networks, the diffusion of criminalization explained by Lloyd, Simmons, and Stewart (2018) reflects potential vulnerability to transnational crime. The authors state that criminalization diffuses most strongly among neighbors that are connected by dense transborder highways and argues that this is a proxy for perceived vulnerability to human trafficking, in other words, indicating that highways are the dominant physical channels along which criminal networks traffic human beings across borders (Lloyd, Simmons, and Stewart 2018). Similarly, giving the example of the 'Sex Trafficking Superhighway' in the United States of America, Jones, Connel, and Williams (2019) suggest that there is a link between trafficking and the transportation profession. The authors explain how innovative data analytics and advanced technological applications can be used in the transportation profession to fight human trafficking in the United States.

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[3] See more at: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en

# Road connectivity in Nepal

## Overview

Nepal's economic and social development cannot be viewed separately from its geography and accessibility. Adequate road connectivity and the quality of roads are directly related to the country's productivity, including in agriculture, markets, commerce, and industry, as well as its social development in sectors such as education, health, communication, livelihood, quality of life, and poverty alleviation. According to Nepal's 15th Periodic Plan, at present all 77 districts in the country are connected with national transport networks (National Planning Commission 2019).[4] The national transport network covers 11 percent of the country's total road length, and the remaining 89 percent consists of community road networks. The periodic plan envisions making 95 percent of households only 30 minutes away from a transport network, an increase from 78.9 percent at present.[5] The plan further states that 200 and 1,250 permanent bridges would be constructed on strategic and local roads, respectively, during the planning period (National Planning Commission 2019). However, the plan also lists a set of challenges that the country faces in relation to the construction of roads. Implementing the project without proper planning, lack of skilled labor and human resources, poor coordination among

different agencies, and disputes related to road expansion and compensation are some of the key challenges highlighted in the plan (National Planning Commission 2019).

In 2018, the World Bank Group operationalized its Country Partnership Framework for Nepal, which covers a period of five years—2019 to 2023 (World Bank 2018a). The overarching goal of the Framework is to support Nepal's new federal system in delivering a higher sustained growth for poverty reduction, inclusive development, and shared prosperity. Aligned with the Framework's priorities, the World Bank is currently supporting 28 active investment projects in Nepal with over US$3 billion in commitments from the International Development Association (IDA) and trust funds. These include transport projects such as the ongoing **Nepal-India Regional Trade and Transport Project**, with a total investment of US$101 million, and the recent **Nepal Strategic Road Connectivity and Trade Improvement Project**, with an investment of US$650 million. These projects will improve connectivity and trade both within the country and within the region.

## Government's financial commitment: Road construction versus human trafficking

The Government of Nepal has aligned its national plans, budgets, and monitoring frameworks with the Sustainable Development Goals (SDGs) and their targets.[6] An effective and efficient transport system acts as a stimulus to promote and accelerate programs that lead to the successful achievement of the SDGs. Pande (2017) states that out of the 17 SDGs, 9 have a direct relationship with the transport infrastructure and services that connect rural communities with education, health care, administrative, and welfare facilities. A safe, efficient, and socially-inclusive transport system also opens up new opportunities for markets and employment, both of which have

significant implications for poverty eradication, the elimination of hunger, social integration, and improved quality of life (Pande 2017). Understanding the importance of connectivity within the country, the Federal Budget 2018–19 placed a special focus on transportation development. The Government of Nepal has allotted NPR 163 billion to the sector and plans to use the new budget to build tunnel highways, flyovers, and waterways. Further, NPR 19.18 billion has been allocated to expand the East-West Highway, which cuts across the entire width of the country (Nepali Sansar 2018).

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[4] Nepal's Strategic Road Network is 13,398 kilometers long, including 6,979 kilometers of blacktopped, 2,227 kilometers of graveled, and 4,192 kilometers of earthen roads.

[5] Different highways such as Hulaki Marga, the North South Highway, the Mid-hills Highway, and the Madan Bhandari Highway are in the process of being blacktopped.

[6] *A Study into Development Data in Nepal 2018* conducted by Bikas Udhyami was supported by the 'Data for Development in Nepal Program', implemented by The Asia Foundation in partnership with Development Initiatives (DI), with Funding from the United Kingdom's Department for International Development (DFID).

However, the budget allocated for anti-human trafficking is negligible and reflects the lack of prioritization of the issue by the government. A report on *Trafficking in Persons in Nepal* published in 2018 by the National Human Rights Commission (NHRC) stated that human trafficking was yet to receive the attention of the government (NHRC 2018). Even though the Ministry of Women, Children and Senior Citizen (MoWCSC)[7] is primarily responsible for preventing human trafficking, the Ministry of Home Affairs (MoHA), Ministry of Labour, Employment and Social Security (MoLESS), and Ministry of Foreign Affairs (MoFA) are equally responsible for preventing human trafficking. The report mentioned that the budget appropriated to the Ministry of Women, Children and Senior Citizen for anti-human trafficking programs and activities in the last fiscal year was below NPR 10 million (NHRC 2018), although it is estimated that around 35,000 persons, including 15,000 women and 5,000 girls were victims of human trafficking in 2018–19.[8] By that estimation, the budget per trafficking victim is less than NPR 286 (The Himalayan Times 2019d).

## World Bank's safeguard requirements for development projects

All projects, including transport, supported through the Investment Project Financing (IPF) instrument are governed by the World Bank's Environmental and Social Framework, with specific benchmarks contained in different Environmental and Social Standards (ESS). ESS2 on Labor and Working Conditions and ESS4 on Community Health and Safety clearly recognize that major civil works in projects can exacerbate the risk of gender-based violence (GBV) including human trafficking. These standards emphasize the need for promoting the rights of workers, particularly vulnerable groups, including preventing and protecting the workforce and community against trafficking within the context of the project. As a result, the Environmental and Social Framework reinforces the government's responsibility to earmark specific resources for assessing, mitigating, and managing the potential risks of trafficking in World Bank-financed projects. In addition to the Environmental and Social Framework, the World Bank has introduced a set of good practice notes on sexual exploitation and abuse/sexual harassment (SEA/SH) and gender (World Bank 2019c) that guides the government not only in assessing the risks of GBV, but also in following a process that allows for the adaptive management of risks in projects. For instance, the GBV risk for the Nepal Strategic Road Connectivity and Trade Improvement Project was found to be 'substantial' during the preparation phase, indicating a potential risk of trafficking of indigenous groups, women, and children in the project area, mainly due to labor influx and the location's proximity to the Nepal-India border (GoN, MoPIT 2020). Accordingly, the project's Environmental and Social Commitment Plan[9] requires the government to comply with a set of measures to mitigate the risk of GBV (Tadimalla 2020).

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[7] The Ministry of Women, Children and Senior Citizen, as now it is known, has had numerous title changes; before 2016 it was called the Ministry of Women, Children and Social Welfare (MoWCSW).

[8] According to the report, foreign employment and child labor made up nearly 70 percent of the total trafficked population, followed by those from the entertainment sector and those reported missing (see The Himalayan Times 2019d).

[9] As per the World Bank's Environmental Social Framework, "The ESCP will set out the material measures and actions required for the project to meet the ESSs over a specified timeframe. The ESCP will form part of the legal agreement which will include, as necessary, obligations of the Borrower to support the implementation of the ESCP" (Tadimalla 2020).

# Trafficking in persons in Nepal

Trafficking in persons is widespread in Nepal and a serious threat to the country's socioeconomic development. It takes the form of the *internal, cross-border, and international* trafficking of men, women, and children. Although the most recognized form of TIP is sex trafficking, with the changing modus operandi, other forms of trafficking include forced labor, forced marriage, organ extraction, child labor, child marriage, domestic servitude, and cheap labor. Forced labor of men, women, and children is mostly prevalent in agriculture, brick kilns, and stone quarries, while domestic servitude in addition to the sex trafficking of Nepali women and girls takes place in private homes, rented rooms, guest houses, and restaurants (U.S. Department of State 2019).

Traffickers have also been using Nepal as a transit point to trade Bangladeshi and Sri Lankan migrants to the Middle East using falsified Nepali travel documents, thereby evading regulatory hassles (U.S. Department of State 2019). In addition, there have been instances of Rohingya girls and women being brought from refugee camps in Bangladesh to Kathmandu for sex work (U.S. Department of State 2019). Cross-border human trafficking is also common in Nepal because of its porous border with India. During FY2016/17 and FY2017/18, there were several reports of trafficking of Nepali girls to India on the false promise of marriage and work (NHRC 2018, 15). Additionally, the government's 'restrictive approach,' which involves banning Nepali women from taking up domestic jobs in Gulf countries, has forced many to use India as an illegal route to reach their destination, further increasing their risk of being trafficked (Mandal 2019). Nepali women and girls are also being lured into sex trafficking to the Gulf countries, Asia, and East Africa (particularly Kenya). 'Bride buying' is another pattern of trafficking that has emerged in recent years, in which Nepali girls are being sold as brides to Koreans (Republic of Korea) and Chinese nationals, increasing their risk of being used as sex slaves and unpaid laborers (Dhungana 2019).

Recruitment agents and traffickers subject many men and women to trafficking and exploitation through cheating, deceit, and fraudulent recruitment in the Middle East, Malaysia, Japan, and Portugal to work on farms, construction sites, factories, and mines, and in the adult entertainment industry (U.S. Department of State 2019). Traffickers have also been operating under the cover of educational consultancies to lure young children to go abroad for education. Many education consultancies in the country are reportedly involved in deceitful activities like human trafficking, misuse of foreign currency, and money laundering (Aryal 2017). Traffickers are also luring foreign women to smuggle drugs into the country, with the promise of a handsome payment. These women are mostly Thai, Filipino, South African, Bolivian, Venezuelan, Malaysian, Indian, and Pakistani nationals (The Himalayan Times 2017).

The most recent data on human trafficking by province provided by Nepal Police are presented in Figure 1. Interestingly, the number of persons reported trafficked decreased in 2018/2019 compared to 2017/2018. While the reason for the declining numbers is unknown, it can be inferred that lack of systematic data collection, irregular reporting of district committees for controlling human trafficking (DCCHTs), reluctance of trafficked victims to file a criminal complaint under Nepal's Human Trafficking and Transportation (Control) Act (HTTCA) 2007,[10] fear of reprisals, and the complicity of officials in this crime (U.S. Department of State 2018) are some of the factors contributing to low reporting and obtaining of relief/support in this area.

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[10] The 2015 amendment to the HTTCA reinstated a provision allowing victims to be fined if they failed to appear in court or to be held criminally liable for providing testimony contradicting their previous statements, which has impeded victim protection and the filing of complaints.

*Figure 1. Provincial Data on Human Trafficking (2017/18–2018/19)*
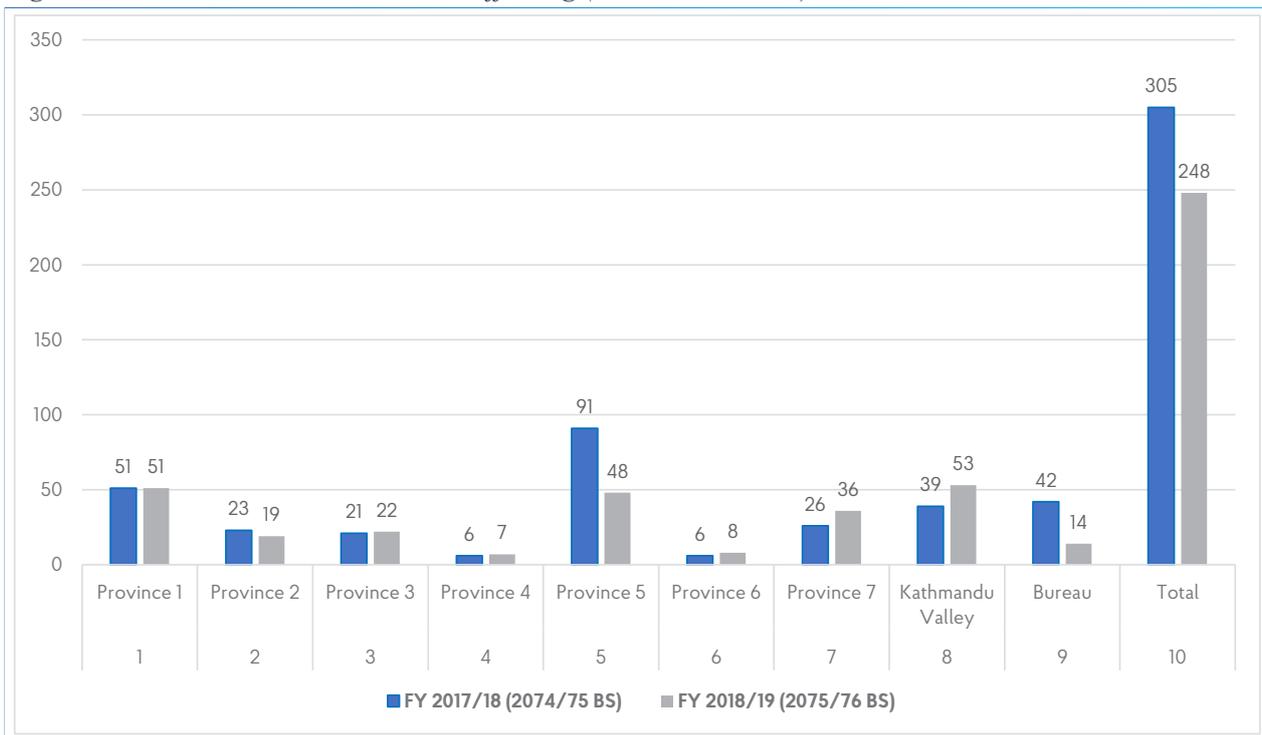


*Source: Recent data provided by Nepal Police, Anti-Human Trafficking Bureau.*
*Note: FY2074/75 & FY2075/76 refers to the Nepali calendar Bikram Sambat (BS).*

Nepal is not just a **source country, but is also emerging as a transit and destination country for men, women, and children** subjected to forced labor and sex trafficking.[11] According to the NHRC, 35,000 people were victims of trafficking in 2017/2018, however, only 479 human trafficking cases were registered at the district courts (NHRC 2018). The government has identified the top 10 districts vulnerable to trafficking based on various criteria such as high migration population; most earthquake affected districts; cross-border districts; and sites identified by the Ministry of Women, Children and Social Welfare (MoWCSW, now the MoWCSC).[12] However, a desk review by the Ministry, *Progression in the Trafficking in Persons Scenario and Response for Prevention, Protection, and Prosecution,* argues that vulnerable conditions and risk of trafficking are spread all over the country (MoWCSW 2016). The report found that, with economic liberalization and globalization, the Nepali people are in search of better opportunities and livelihoods.

Gauging by the emerging trends and patterns, women and girls appear to be more at risk of trafficking. According to the Nepal Police records, in FY2017/18, 22 percent of trafficked victims were males, 78 percent were females, and at least 25 percent of trafficking survivors were children (NHRC 2018). The risk of trafficking for women and children is often exacerbated by vulnerabilities stemming from poverty, inequality, domestic violence, gender inequality, and lack of education, among other factors. The vulnerability of women and girls is significantly increased by the impact of unequal gender relations at every stage in the migration process, fueled by the demand for sexual exploitation and cheap labor. Therefore, it becomes increasingly necessary to understand the evolving dimensions and patterns of transnational crime such as human trafficking, as well as the impact that it specifically has on women and children.

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[11] See more at the website of Friends of WPC Nepal: https://www.friendsofwpcnepal.org/nepal/f.
[12] These districts are Kathmandu, Rupandehi, Banke, Kanchanpur, Sunsari, Jhapa, Chitwan, Makwanpur, Bardiya, Parsa.

# International, regional, and national legal frameworks

## International

The United Nations Convention against Transnational Organized Crime (UNTOC) and the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children is the principal, legally-binding global instrument to combat human trafficking. Article 3(a) of the Palermo Protocol states that trafficking in person comprises three elements: (a) an **'action'**, (b) a **'means'**, and (c) a **'purpose'** (UNGA 2001). The definition helps understand that for TIP to take place, there needs to be a certain 'action', which could be recruitment, transportation, or any kind of buying and selling of human beings. There also needs to be 'means', which defines the trafficking process such as force (threat or violence), coercion (abuse of power), or fraud (taking advantage or misinformation) for the action to take place. The third element is 'purpose', which could mean to exploit or to earn profit through these actions. All three elements must be present to constitute 'trafficking in persons', except in relation to the trafficking of children, for which the 'means' element is not required (UNGA 2001). Table 1 presents the UNTOC Articles relevant to TIP.

*Table 1. Main UNTOC Articles Relevant to TIP*

> › Criminalization of the Laundering of Proceeds of Crime (Articles 6 and 7)
> › Liability of Legal Persons (Article 10)
> › Confiscation, Seizure and Disposal of Proceeds of Crime (Articles 12 and 14)
> › Extradition (Article 16)
> › Mutual Legal Assistance (Article 18)
> › Protection of Witnesses (Article 24)
> › Law Enforcement Cooperation (Article 27)
> › Criminalization of Corruption (Articles 8 and 9)

There are many other international instruments that address crimes such as TIP, including
  › Universal Declaration of Human Rights (1948)
  › Convention to Suppress the Slave Trade and Slavery (1926)
  › Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1956)
  › Convention on the Elimination of All Forms of Discrimination against Women (1979)
  › Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution, Child Pornography (2000)
  › Convention on the Rights of All Migrant Workers and Members of their Families (1990).

However, they differ from the Palermo Protocol in terms of acknowledging TIP with a binding definition, broadening its understanding beyond sex trafficking and shifting the focus from merely prohibiting the crime to establishing a holistic response to combat TIP (United Nations 2000). Although Nepal has ratified the UNTOC, it was only recently that the House of Representatives approved the proposal to endorse the Palermo Protocol (Paudyal 2019). Although the Government of Nepal has been making significant efforts, it still does not fulfill the minimum criteria to eliminate TIP.

Hence, Nepal remains under the **Tier 2 category watch list**,[13] as per the Annual Report on Trafficking in Persons published by the United States Department of State (U.S. Department of State 2019).

The other relevant international treaties and conventions ratified by Nepal are:
› United Nations Convention against Torture (UNCAT)
› International Covenant on Civil and Political Rights (ICCPR) and Second Optional Protocol to the ICCPR
› Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and Optional Protocol of CEDAW
› International Convention on the Elimination of all forms of Racial Discrimination
› International Covenant on Economic, Social and Cultural Rights (ICESCR)
› Convention on the Rights of the Child (CRC) and Optional Protocols to CRC
› Convention on the Rights of Persons with Disability (ICRPD)[14]

## Regional

In 2002, the 11th South Asian Association for Regional Cooperation (SAARC) summit defined human trafficking as "selling or buying of women and children for prostitution within and outside of a country for monetary or other considerations with or without the consent of the person subjected to trafficking."[15] The SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution was enacted on January 5, 2002, and enforced on November 15, 2005, after all the member states signed and adopted the Convention (UiO n.d.). The European Union has also issued two directives on TIP: the Council Directive 2004/81/EC of April 29, 2004 (Council of the European Union 2004), and the Directive 2011/36/EU of the European Parliament and of the Council of April 5, 2011 (European Parliament, and Council of the European Union, 2011). Similarly, the Colombo Process[16] is a regional consultative process on the management of foreign employment and contractual labor for Asian source countries. It is a member-state-driven, non-binding, and informal forum to facilitate dialogue and cooperation on issues of common interest and concerns related to labor mobility and protection. The Abu Dhabi Dialogue[17] is another critical regional instrument that aims to enable safe, orderly, and regular labor migration in some of the world's largest labor migration corridors. The dialogue helps ensure that the member states develop partnerships for adopting best practices and can learn from one another's experiences.

*Table 2. Guidelines/Standards Adopted by the Government of Nepal after Enactment of the HTTCA*

› Guideline for Operation of the Child Helpline (2007)
› Guideline for Elimination of Chaupadi System (2007)
› Guideline for the Maintaining the Privacy of the Special Types of Cases (2007)
› Terms and Conditions of International Adoption of Nepali Children (2008)
› Supreme Court Guideline for the Control of Sexual Abuse and Violence to the Women Workers in the Dance Restaurant, Dance Bar and other Entertainment Sector (2008)
› Guideline for the Investigation and Prosecution of Fraud Cases on Foreign Employment (2010)
› National Minimum Standard for the Care and Protection of the Victims of Human Trafficking and Transportation (2011)
› Guideline for the Operation of Rehabilitation Center (2011)
› Guideline for the Operation of the Rehabilitation Fund (2011)
› Guideline for the Prosecution and Court Procedure of the Cases of Human Trafficking and Transportation (2011)
› Guideline for Local Committee and Municipality Committees against Human Trafficking (2013) (MoWCSW 2016)

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[13] The United States Department of State issues an annual report based on the Trafficking Victims Protection Act (TVPA), which provides a framework to monitor and address human trafficking within the country and worldwide and enables its government to deal with in-country and cross-border trafficking. The annual report has a system of rating different countries on the basis of the minimum standards laid down under the TVPA.
[14] See more at UN Treaty Body Database: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=122&Lang=EN.
[15] Article 1(3) of the SAARC Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution.
[16] See more at Colombo Process website: https://www.colomboprocess.org/.
[17] See more at Abu Dhabi Dialogue website: http://abudhabidialogue.org.ae/about-abu-dhabi-dialogue.

## National

The Constitution of Nepal, under Articles 21, 29, 38, and 39, guarantees the rights of women and children and talks about their right to not be exploited and to protection if they are the victims of crime. Nepal's HTTCA (2007) criminalizes and differentiates between *human trafficking and human transportation* as two distinct actions. Section 4(1) of the Act defines trafficking as "selling and buying of a person regardless of any purpose, using someone into prostitution with or without any benefit, extracting human organ except otherwise prohibited by law, and going for prostitution." Whereas Section 4(2) defines human transportation as "taking a person out of the country for the purpose of buying and selling; taking anyone from their home, place of residence or from a person using means such as enticement, inducement, misinformation, forgery, tricks, coercion, abduction, hostage, allurement, influence, threat, abuse of power; and by means of inducement, fear, threat, or coercion to the guardian or custodian and keep a person into ones custody or take a person to any place within Nepal or abroad or handover a person to somebody else for the purpose of prostitution and exploitation."

Table 2 presents the guideline/standards adopted by the Government of Nepal after enactment of the HTTCA.

The 8th Periodic Plan (1992–1997) in the National Plan of Action, which specifically introduced programs against bonded labor,[18] opened avenues for future anti-human trafficking initiatives in Nepal. The 14th National Plan (2016/17–2018/19) had four strategies to combat human trafficking, namely, to:[19] (a) introduce targeted programs for the vulnerable groups/communities; (b) strengthen the capacity of mechanisms and structures established to combat human trafficking; (c) provide integrated services to the trafficked victims, ensuring their human rights; and (d) increase access to justice for the trafficked victims by eliminating impunity. In addition, the Nepal Police force has adopted the Operational Guidelines for Border Surveillance Centers 2016 (NHRC 2018), as mandated by the HTTCA, to combat human trafficking in Nepal.

# Key actors combating human trafficking in Nepal

There are various actors working in different capacities to prevent and counter human trafficking in Nepal, including government agencies, the Nepal Police, multilateral and bilateral donors, I/NGOs, and other civil society organizations (CSOs) and networks (Table 3). The **Ministry of Women, Children and Senior Citizen** is one of the custodians of anti-trafficking initiatives in Nepal and works in five focus areas: (a) prevention, (b) protection, (c) prosecution, (d) capacity enhancement, and (e) coordination and cooperation. As mandated by the HTTCA, a **National Committee on Controlling Human Trafficking (NCCHT)** was formed consisting of representatives of line ministries and departments, the Nepal Police, and the media, as well as I/NGOs and networks that have a crucial role in combatting human trafficking in the country. A

separate department was also established within the Ministry in 2013 as a secretariat of the NCCHT to push forward anti-human trafficking plans and agendas. To supplement the work of the NCCHT, **DCCHTs** were established in all the districts in Nepal, along with local committees on controlling human trafficking (**LCCHTs**) at the local levels to raise awareness and make communities active against human trafficking and transportation.[20] The 2018 TIP Report on Nepal, published by the United States Department of State, shows that as of January 2018, there were 732 LCCHTs in operation in Nepal. The report also shows that the Ministry of Women, Children and Senior Citizen allocated approximately NPR 110,240 to each of the DCCHTs to conduct awareness campaigns, meetings, and emergency victim services (U.S. Department of State 2018).

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[18] See more on the 8th Plan at: https://www.npc.gov.np/images/category/ninth_eng_2.pdf.
[19] See more on the 14th Plan (in Nepali) at: https://www.npc.gov.np/images/category/14th-plan-full-document.pdf.
[20] Article 5(1) of the HTTCA (2007).

Although the National Report on Human Trafficking and Transportation Control 2075 Bikram Sambat (2018) acknowledges the work of LCCHTs as 'practically effective' in combatting human trafficking, many DCCHTs and LCCHTs have been defunct since federalism. Thus, the Ministry of Women, Children and Senior Citizen has already been recommended to prioritize the restructuring of these committees under the new federal set-up (NHRC 2018).

The HTTCA (2007) also envisions the **Nepal Police** as the primary actor to investigate and file cases related to trafficking and transportation in Nepal.[21] Thus, units under Nepal Police such as the Crime Investigation Department (CID), Central Investigation Bureau (CIB), Metropolitan Crime Division (MCD), Women, Children, and Senior Citizen Service Directorate (WCSCSD), and police stations all over the country have the mandate to file a case against the perpetrators. The government has also established an **Anti-Human Trafficking Bureau** within Nepal Police that is solely dedicated to human trafficking crimes (U.S. Department of State 2019). In addition, various UN agencies, **multilateral and bilateral organizations, I/NGOs, and community-based organizations/ networks** have been supporting the government in its initiative to combat human trafficking in Nepal.

With the tireless efforts of these key actors, human trafficking as an issue has gained considerable traction over the years, which has increased victims' protection and access to justice. However, the total number of cases filed under the Foreign Employment Act, 2007, which criminalizes fraudulent recruitment, is still higher those filed under the HTTCA (FWLD 2014). A report published by the Forum for Women, Law and Development (FWLD) on the implementation of the HTTCA reveals that people are reluctant to file cases with the police under human trafficking due to the social stigma of equating human trafficking with prostitution. Likewise, the legal remedy and compensation provided under the Foreign Employment Act is far more attractive to the victims (as well as perpetrators) than that under the HTTCA (FWLD 2014). As stated in the report, although the HTTCA guarantees survivors of human trafficking up to 50 percent of the fine levied from the accused, in many cases the accused does not have the money, property, or any other means to pay the fine. Also, given the social stigma associated with human trafficking, the victims do not want to revisit their cases and instead resort to the Foreign Employment Act for compensation. For the perpetrators, punishment under the Foreign Employment Act is less severe than that prescribed under the HTTCA. For instance, perpetrators under the Foreign Employment Act are subject to imprisonment for a term of 3 to 7 years,[22] whereas those under the HTTCA can be imprisoned for up to 20 years followed by seizure of their property acquired through the offence.[23]

*Table 3. Key Actors Combating Human Trafficking in Nepal*

| Categories | Actors |
|---|---|
| Government agencies | MoWCSC, NHRC, MoLESS, MoHA, MoFA, and Office of Attorney General[24],NCCHT, DCCHTs, and LCCHTs, which are no longer functional although they still exist |
| Nepal Police | CID, CIB, MCD, WCSCSD,[25] Anti-Human Trafficking Bureau |
| Civil society | UN agencies, bilateral and multilateral organizations, international/nongovernmental organizations (I/NGOs) such as Maiti Nepal |
| Community-based organizations (CBOs) + networks | Community watchdogs, women's human rights defenders (WHRDs), Aama Samuha, local saving and credit groups, survivor groups |

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[21] Article 5(1) of the HTTCA (2007).
[22] Article 43 of the FEA (2007).
[23] Article 15 of the HTTCA (2007).
[24] See more at Nepal Law Commission website: http://www.lawcommission.gov.np/en/archives/6665.
[25] Article 5(1) of HTTCA (2007).

# Chapter 2

# Research Methodology

## Objectives

The main objective of this study was to enhance understanding of the current and changing dynamics of trafficking and vulnerabilities to trafficking in the context of road connectivity. The findings and recommendations of this research will inform the development of actionable toolkits for relevant stakeholders in Nepal.

The following are the specific research objectives:

› Understand the interlinking between human trafficking and cross-border transport connectivity
› Identify and analyze direct and indirect factors that increase the risk of human trafficking as a result of road development and connectivity[26]
› Provide recommendations to address issues and mitigate risks of human trafficking in relation to road connectivity
› Map existing agencies and networks for anti-trafficking efforts in the study sites

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[26] The study explored links between transportation systems, easy mobility due to improved roads, labor influx and outflow, economic activities, and incidences of development-induced displacement, which may or may not give impetus to human trafficking.

# Research questions

Table 4 lists the key questions used in the research.

*Table 4. Research Questions*

| Research questions | Nature and source of data |
|---|---|
| **1** Is there a relationship between road connectivity and the trafficking of vulnerable persons in the study sites?<br>› Identifying underlying mechanisms of human trafficking | Secondary and primary data |
| **2** What is the nature of the human trafficking of vulnerable persons, especially women and children in the context of transport connectivity in the study sites?<br>› Factors that place vulnerable persons at risk of trafficking and exploitation<br>› Socio-demographic indicators of vulnerability<br>› Areas/districts most at risk of trafficking | Secondary and primary data |
| **3** What are the changing dynamics of trafficking and exploitation in relation to road connectivity?<br>› Factors and links between the changing dynamics of trafficking in the context of increased road connectivity in Nepal | Secondary and primary data |
| **4** How do stakeholders link to regional/road connectivity projects and how do those working in the anti-trafficking sector respond to the risks and vulnerabilities of vulnerable persons, especially women and children, to trafficking?<br>› Awareness and capacity of service providers working with vulnerable populations | Secondary and primary data |
| **5** What are the policies, actions, and informal response mechanisms to prevent and respond to trafficking in the study sites?<br>› Assess alignment of policies and actions to changes occurring due to road connectivity programs<br>› Assess critical gaps or deficiencies in efforts to address human trafficking<br>› Map anti-trafficking stakeholders | Existing policies, action plans, and informal response mechanisms from secondary research, primary data from key informant interviews (KIIs) and focus group discussions (FGDs), and stakeholder mapping |

# Data collection tools

The research methodology consisted of a combination of secondary and primary data collection. A gender-balanced and diverse sample, representative of the socioeconomic and geographic diversity of the study sites, was used. The tools and techniques used are given in Table 5.

*Table 5. Instruments and Methodology for Information and Data Collection*

| Source of information | Details |
|---|---|
| Literature review (secondary data collection) | Relevant literature/reports/publications by government, bilateral institutions and NGOs, relevant data on trafficking cases, and road development and connectivity related policies |
| Legislative review | International and national legal frameworks including protocols, agreements signed and/or ratified, and guidelines on combating trafficking |
| Consultations | Pre-, during, and post-research consultative meetings with implementing partners, donors, NGOs/INGOs, and other national stakeholders were undertaken to understand the current issues and share information on the research. Discussions and feedback that were generated from the meetings were fed into the research, data analysis, and writing. |
| Survey questionnaire (primary quantitative data collection) | Considering the sensitivity of the issues, quantitative data were gathered adopting a combination of snowball and purposive sampling methods. Eligible survey respondents were community members including migrants, daily wage workers, teachers, members of local community groups, CSOs, business owners, and so on. The questionnaire was pre-tested in Nuwakot district before finalizing it (see Annex 3). Local enumerators were hired for effective and efficient quantitative data collection. A two-day training was conducted for enumerators before deploying them to the field. The sample was distributed equally in each corridor (around 100 respondents each). The survey data were collected using mobile data collection software – Open Data Kit (ODK). The survey questionnaire was translated and conducted in the Nepali language. The sample respondents for the survey were selected employing the non-probability sampling method. |
| FGDs (primary qualitative data collection) | Two FGDs were conducted in each study site (vulnerable population and community members) to derive information from a wide range of informants that could not be captured through the KIIs and surveys. The participants in the qualitative data collection were purposively selected. The tool used was open-ended semi-structured questionnaire (see Annex 4). |
| KIIs (primary qualitative data collection) | KIIs were carried out with security sector officials, road contractors, bus drivers, transport company representatives, concerned NGOs, national/provincial/local government officials, and concerned ministries and line agencies. The participants in the qualitative data collection were purposively selected. The tool used was open-ended semi-structured questionnaire (see Annex 4). |
| Case studies (primary qualitative data collection) | Case studies were gathered from each road corridor to capture in-depth stories on select issues, matters, and initiatives relevant to the research. These are presented to substantiate the findings of the quantitative data and qualitative findings. |
| Stakeholder mapping | The stakeholder mapping was carried out with the help of enumerators in the study site and also by using secondary resources (MoWCSW 2017). |

# Sample size and research sites

The survey questionnaire was administered to 306 respondents across the three road corridors. The sample was distributed equally, with around 100 respondents in each corridor:

*Table 6. Research Sites*

| | |
|---|---|
| **Corridor 1** | Kathmandu-Naubise-Mugling |
| **Corridor 2** | Birgunj-Pathlaiya |
| **Corridor 3** | Pathlaiya-Dhalkebar |

The sample was spread across nine districts: Kathmandu, Dhading, Chitwan, Bara, Rautahat, Dhanusha, Mahottari, Parsa, and Sarlahi. Annex 2 provides a brief profile of the districts selected.

Selection criteria for research sites:
› Areas vulnerable or at risk of trafficking
› Corridors with ongoing/future road infrastructure projects initiated by development partners and government
› Corridors' connectivity aligned from north to south of Nepal to the border of India

The research was conducted in study sites including (a) those that have high cross-border migration along the Indo-Nepal corridor, (b) internal migration corridors, and (c) source districts for human trafficking. Considering the potential for road development according to the Government of Nepal's priority areas with development partner support, the sites were selected in alignment with the World Bank project and due to their vulnerability to trafficking. The Kathmandu-Naubise corridor, which connects to Birgunj, is vital for trade and people's movement between Nepal and India. Similarly, the proposed road developed by the World Bank in Dhalkebar-Pathlaiya corridor will complement the investments being made in the contiguous sections of the East-West Highway (also a part of Asian Highway No. 2), which connects Nepal to India and Bangladesh and Bhutan (via India) (World Bank 2019a). The road corridors were selected in consultation with the World Bank and cut across various districts including Kathmandu, Dhading, Chitwan, Mahottari, Dhanusha, Bara, Parsa, Rautahat, and Sarlahi, which, excluding Bara, are among the top 26 trafficking hot spots identified by the Government of Nepal (MoWCSW 2016).

There were 122 participants in the FGDs and KIIs. Details of the participants by site/district are presented in Table 7.

*Table 7. Number of Respondents in FGDs and KIIs*

| Sites/districts | Vulnerable persons | Community members | Government officials | Transport sector actors[b] | NGOs and CBOs | Road connectivity officials | Total respondents |
|---|---|---|---|---|---|---|---|
| Dhading | 11 participants (1 FGD) | 8 participants (1 FGD) | 2 KIIs | 1 | 1 KII | 1 KII | **24** |
| Bara | 10 participants (1 FGD) | 12 participants (1 FGD) | 2 KIIs | 2 | 1 KII | – | **28** |
| Rautahat | 8 participants (1 FGD) + 4 participants (KIIs) | 10 participants (1 FGD) | 2 KIIs | 1 | 1 KII | 1 | **26** |
| Nuwakot[a] | 5 participants (1 FGD) | 9 participants (1 FGD) | 2 KIIs | 1 | 1 | 1 KII | **19** |
| National-level stakeholders | – | – | 6 KIIs | | 11 (1 FGD) | 8 (1 FGD) | **25** |
| **Total respondents** | **38 participants** | **39 participants** | **14** | **5** | **15** | **11** | **122** |

Note: a. This was a pre-test site. However, most of the tools were used in the site and all of the KIIs and FGDs in the site were transcribed and used for analysis.
b. While conducting a desk review, it was felt that actors in the transport sector such as drivers, conductors and rickshaw drivers could add value to the research and, thus, it was decided to do at least one KII with them in each site.

*Figure 2. Maps of the Study Sites*
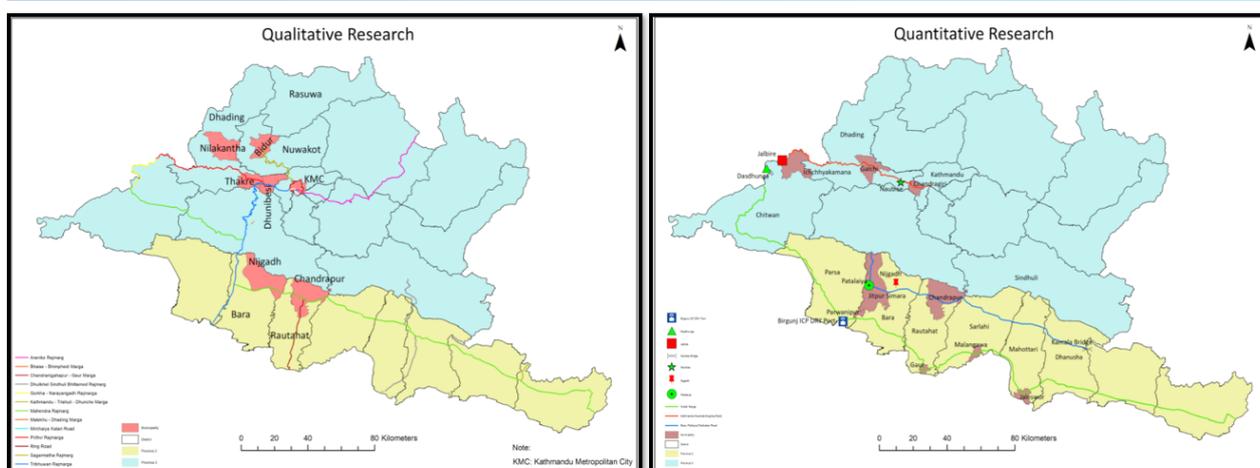


*Source: COMMITTED Nepal*

# Respondents and key informants

The research participants for the study are specified in Table 8.

*Table 8. Description of Respondents and Key Informants*

| Category | Description |
| --- | --- |
| Vulnerable persons | Survivors of trafficking, women working in tea shops/restaurants/hotels along the highways, people employed in local tea shops, daily wage laborers, wives of daily wage laborers/workers, girls above 18 years of age, and family members of migrant workers |
| Community members | Local community groups like Aama Samuha, saving and credit groups, youth clubs, local leaders, teachers, parents/guardians, service providers, health volunteers, business/restaurant/hotel owners/employers |
| Government officials | Elected representatives, civil servants, and law enforcement agencies |
| Road connectivity officials | Contractors/subcontractors, engineers, construction workers/laborers, construction equipment operators, drivers, transport company representatives |
| CSOs | NGOs and CBOs working to counter human trafficking in the community |
| National-level stakeholders | DoR, MoWCSC, MoLESS, MoPIT, NWC, I/NGOs, donor agencies, and Anti-Human Trafficking Bureau |

Research findings are based on both qualitative information and quantitative data gathered in the study sites. The Statistical Package for the Social Sciences (SPSS) was used for analysis of the survey data. Descriptive statistics are presented in the form of tables, graphs, and charts. Cross tabulations were conducted to understand the relationship/correlation between different variables. Qualitative information from FGDs, KIIs, and case studies was transcribed and grouped into recurring themes and categories to aid analysis. The quantitative data was triangulated with qualitative information gathered wherever possible. The findings are substantiated by secondary data and information from available reports.

# Challenges and limitations

There were a number of challenges and limitations in conducting this study. Firstly, the study was intended to be aligned with the priority areas of the World Bank's Regional Connectivity Program. As the program was planned to be effective only in 2020, the research was unable to include specific study sites identified in the Regional Connectivity Program. However, sites where there are similar ongoing road connectivity projects by other development partners or the government were strategically chosen. This will enable the World Bank to extrapolate and apply the findings and recommendations, where applicable, to their existing and future projects.

In addition, considering Nepal's recent transition to federalism, there is ambiguity in the laws, policies, and structures in relation to specific roles and responsibilities, resource allocation, reporting, accountability, and so on for a wide range of issues including human trafficking. This poses a challenge when examining the best practices and gaps in the existing initiatives.

The lack of secondary data on human trafficking, with a specific focus on quantitative data within the framework of road connectivity, is a limitation of this study. Human trafficking data are often unreported or under-reported. Likewise, there is inadequate information on the different modes, vulnerabilities, and causalities of human trafficking in Nepal. Furthermore, given the time and resource constraints, the study sites and sample size had to be reduced. Therefore, the data are specific to the road corridors in the research sites and may not be generalizable for the whole country. Lastly, while trafficking is a complex issue that requires a multidisciplinary perspective to completely understand the phenomena, this study is limited to understanding the intersectionality between human trafficking and road development and connectivity only.

# Research ethics

This study followed standard research ethics guidelines. Once the study tools were developed, training was conducted for local enumerators, who were selected from the respective study sites by the research team, on crucial aspects of research such as the importance of research, research ethics, the fundamental distinction between quantitative and qualitative research, the context of the research, and the techniques of data collection. The tools were pretested and feedback from the pretest was incorporated when finalizing the tools. Informed consent explaining the purpose of the study, participant's rights, and use of data obtained from the participant was also taken from all research participants. The researchers ensured that participation in this study was entirely voluntary, confidentiality was guaranteed, and the 'Do No Harm' principle (Zimmerman and Watts 2003) applied (see Annex 1).

# Chapter 3

# Enhancing Connectivity through Transport Infrastructure

Nepal is a landlocked country and has the potential to benefit greatly from regional cooperation and integration for improving connectivity with its neighbors – India in the south and China in the north. Nepal shares a 1,690 kilometer long porous border and has 23 mutually-agreed border points with India. India provides a large market for Nepali goods and services and is Nepal's largest trading partner (Rana and Karmacharya 2014). In contrast, the northern border with China is relatively inaccessible due to the Himalayan mountain range. Nine points of connectivity have been identified with the Tibet Autonomous Region of China, of which only seven are economically feasible at present (Rana and Karmacharya 2014). The one that is operational and used for trade with China is in Kodari, along the Friendship Road connecting Kathmandu with Lhasa, also known as the Kodari-Barhabise-Kathmandu-Hetauda-Birgunj road. Another point of connectivity that has recently become operational since the completion of the Rasuwagarhi-Syaphrubeshi road is the Rasuwagarhi-Syaphrubeshi-Kathmandu-Hetauda-Birgunj corridor. This is not only the shortest route to connect Kathmandu with China, but also the shortest to connect India and China across the breadth of Nepal.[27]

Mobility due to road connectivity to India and China offers employment opportunities to the Nepali people. While the Nepal-China border is not as open as its southern frontier, freedom of movement across the border remains a prerogative for those residing along the border, particularly for trade and employment. As China provides direct development assistance to the 15 districts that border Tibet, there are now direct links between local district authorities in Nepal and China.[28] However, while mobility has the potential to improve the lives and livelihoods of billions of people—their health, environment, and quality of life—it can also create gross inequalities in economic and social advancement and may increase the incidence of crimes, such as trafficking, in some areas, especially in communities that are already vulnerable.

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[27] This road connects Nepal with India at the Thori border point in Chitwan through Galchhi-Mugling-Bharatpur. Rasuwagadhi-Kerung came into operation as a bilateral border point on December 1, 2014 (for more information see Mulmi 2019).

[28] For example, at the Thori border point (see preceding footnote) (see Mulmi 2019).

# Policies and initiatives

Improved connectivity within Nepal and cross-border connectivity with its neighbors in South Asia—converting Nepal from a landlocked state into a land-linked one—could be important 'engines of growth' for the country.[29] Such a development strategy is not new for Nepal, as in the past the country was strategically located on the Southwestern Silk Road. Nepal has adopted a multitrack approach to promoting regional cooperation and integration in connectivity with its neighbors. While India has been a traditional destination for Nepali migrants, an increasingly large share of remittances come from other countries, reflecting changing migration patterns, in part due to higher earnings in these new destination countries (Rana and Karmacharya 2014).

Recently, a Nepal-China economic corridor has been proposed under the Belt and Road Initiative (BRI). The China-Nepal-India corridor is another proposed trilateral cooperation project. If rail links from the southern (up to Kathmandu) and northern (down to Lumbini) borders of Nepal become a reality, the trilateral cooperation initiated through the bilateral deal between China and Nepal will be shifted toward a Quadrilateral Corridor, that is, the China-Nepal-India-Bangladesh (CNIB) Economic Corridor under the BRI (Giri 2019).

Transport connectivity is key to bringing economic dynamism into the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) region.[30] The Asian Development Bank's BIMSTEC Transport, Infrastructure and Logistics Study identified 167 projects to enhance connectivity in the region (MoFA 2019). Out of 167 projects, the study prioritized 66 projects across the region. Nepal's six priority projects incorporated in the study are the: (a) connecting road between the Integrated Check Post (ICP) and Inland Clearance Depot (ICD) bypass at Birgunj; (b) Kathmandu-Terai Fast Track Road; (c) Nijgadh-Pathalaiya-Raxaul road upgrade; (d) five new rail connections with India; (e) major development of Kathmandu Airport; and (f) Integrated Check Post at Birgunj (MoFA 2019). Nepal is equally eager about the prospect of being connected by road with Myanmar and Thailand through BIMSTEC, as it is with the BRI

on the northern front. Therefore, India may want to institutionalize the current approach, which seems to be in the best interest of both countries (Observer Research Foundation 2018).

The transport sector in Nepal continues to be governed by the following policies: the National Transport Policy (2001), the 20-year Strategic Road Network Master Plan, the Priority Investment Plan (PIP) 2007–2016, and the Local Infrastructure Development Policy (2004). These policies recognize the need to connect the whole country and develop and extend a road network that brings all remote areas within reach of an all-season road. Air transport is focused mainly on promoting tourism and access to remote mountain districts, where road transport is not economically viable.

The objective of the 15th National Plan (2019/20–2023/24) of Nepal is to expand national road networks to achieve socioeconomic development and economic prosperity via trade facilitation. Out of the five strategies specified, one strategy related to mobility is to develop road networks by developing mega plans, while keeping the regional balance by constructing fast tracks, tunnels, and other modern structures (National Planning Commission 2019). Likewise, the Ministry of Physical Infrastructure and Transport has several policies and plans for FY2019/20, among which are: (a) expansion of different sections of the East-West Highway, (b) construction and expansion of bridges, (c) construction of emergency airplane highway in appropriate sections of national highways, (d) construction of underground tunnels to reduce the cost and distance of roads to be constructed, (e) construction of roads with a minimum of two lanes, (f) construction of subways and flyovers to manage traffic in city areas, (g) construction of roads in religious and tourist areas, and (h) construction of roads to ensure all the district headquarters including Dolpa and Jumla are connected to the national road network.

Given this scenario, the remainder of this chapter presents the findings of the study regarding the mobility of people in terms of international, regional, and domestic connectivity in the study sites.

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[29] Ibid.
[30] The members of BIMSTEC are Bangladesh, Bhutan, India, Nepal, and Sri Lanka from South Asia and Myanmar and Thailand from the Greater Mekong Subregion.

# Increased mobility

The findings from the research sites reveal that **improved road connectivity has eased the movement of people within districts, to India, and to other countries via India.** Nearly 92 percent of respondents reported that the increased road connectivity has eased the movement of people within districts, while 82 percent reported ease of travel to India. Around 61 percent of respondents believed that the increased road connectivity has eased the movement of people to other countries via India (see Figure 3).

*Figure 3. Ease of Movement with Increased Road Connectivity (% of Respondents) [N=306]*
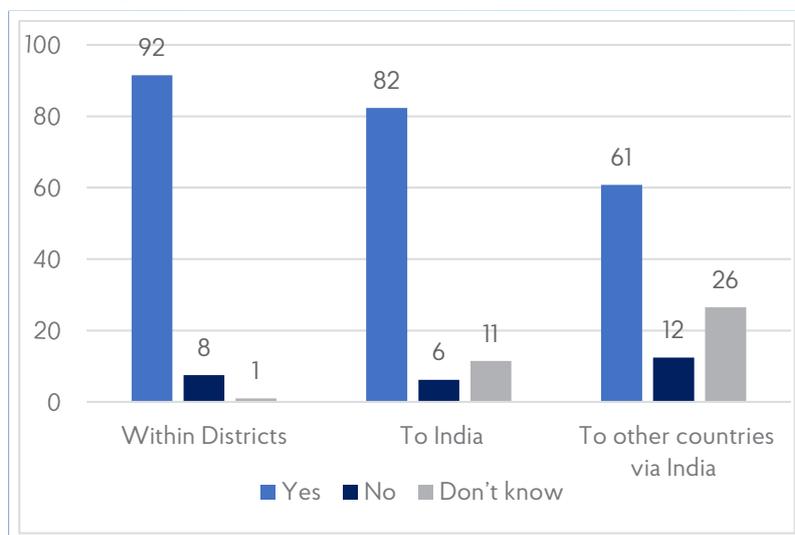


Respondents in the KIIs and participants of the FGDs said that it was common for people from their communities to travel abroad (Box 1). They were of the opinion that the construction of roads has made it easier and more convenient for people to travel within the country, as well as abroad. Nepali migrants often travel to India, primarily for work, health care, religion, and business. The other routes traveled were (a) Kathmandu to other countries via air transport; (b) Kathmandu-India-other countries via air transport; and (c) through the Nepal-India border by road and then to other countries, particularly to Malaysia and the Middle East. Apart from these popular routes, migration to China is increasing through the Kerung border.

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**Box 1. Quotes on the Migration Trends**

*"Some Nepali migrants may travel only till India and those going to Malaysia and Gulf countries for work may travel via India. Now it takes two hours to reach China and 3–4 hours to reach India. So, in 6 hours we can cross the borders of two countries, increasing the risk of transnational crimes such as trafficking."* – **KII, Shakti Samuha, NGO, Nuwakot, December 2019**

*"Migration has increased over the years. Every house has a member who has traveled overseas for work. More than India, these days people are migrating to other places such as Malaysia, Qatar, and other gulf countries."* – **FGD, vulnerable group, Bara, January 2020**

*"While many go abroad to work, only a few settle down there to live. Many women and children also go to Western countries to study or on dependent visas."* – **FGD, vulnerable group, Nuwakot, December 2019**

## Nepal-India border

A citizen of Nepal entering India by land or air does not require a visa for entry and vice versa. As per Nepal immigration, Indian nationals traveling to Nepal must possess a passport or driving license. Until now, as part of a longstanding bilateral agreement between India and Nepal, no permit is required for Indian nationals working in Nepal and vice versa. However, in 2019, the Government of Nepal made it mandatory for Indian citizens who come to work in Nepal's industries and other institutions to possess a work permit. The government's move could be considered to be part of its efforts to secure the open border that it shares with India (The New Indian Express 2019).

Indian registered vehicles are also allowed to stay in Nepal for a total of 30 days in a calendar year. These vehicles, including two wheelers, can visit the nearest municipal area/market in Nepal for a day-long trip without payment of any customs duty, but the vehicle owners are required to register their vehicle at the Nepali border check-post and obtain a 'Day Pass' (*Challan*).[31]

The open border, ease of travel, and connectivity to India are common descriptions gathered from the study locations. During the field surveys, many Indian vehicles were seen plying in Bara and Rautahat. This was described by the driver of an electric rickshaw in Rautahat (Box 2).

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**Box 2. E-Rickshaw Driver, Gaur, Rautahat**

*"Drivers transport their travelers from Gaur, Nepal to the Indian border. Mostly, drivers from the Indian side or tempos that have Indian plates come to this border point and leave their passengers in the parking lot. The passengers from this point are then picked up to be dropped wherever they need to go. Likewise, there are many types of public four-wheel vehicles and motorcycles plying from both Nepal and India, mainly going to the Indian market of Birginya. Generally, people from the community travel across the border to buy household items such as rice, dal, and clothes. There are different kinds of people who cross the border—both locals and those from other parts of Nepal. Many passenger night buses also bring traders from Kathmandu who go to India for business purposes. While most travelers cross the border to earn a living, some may go there for a short holiday."* – **KII, E-Rickshaw driver, Rautahat, January 2020**

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People from both countries have benefitted from the open border with India. Community respondents of the FGD in Rautahat said that it has aided economic development in the region. There are many instances of people who bought their own pickup trucks for last-mile public transport[32] after the roads were constructed. Likewise, the aspirations of people in Nepal and India have grown with connectivity and ease of travel, which has resulted in an increased willingness to migrate for higher earnings.

In Bara, it was reported that the influx of people from India was because immigration laws are not strictly monitored. Indians who migrate tend to bring their entire families. People from India primarily come to work as laborers (Box 3). In the FGD with the community group, it was stated that this is expected to increase in the future, as more Indian laborers are likely to migrate for employment once the construction of the fast-track Kathmandu-Terai Expressway, linking the capital city with Nijgadh, is complete.

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[31] For more details see the Embassy of India Kathmandu website:
https://www.indembkathmandu.gov.in/page/entry-of-indian-registered-vehicles-in-nepal/.
[32] The most commonly used public transport in these areas was Tata Magic, a four-wheeled light commercial vehicle.

> **Box 3. Case Study – Chitwan**
>
> *Mainudin Maiya, a 40-year-old migrant laborer from Muzaffarpur, Bihar, India, has been working on bridge construction in Jalbire (Ichakamana-5) in Nepal for almost a year. The road connectivity has made it easy for him to travel and work across the border in Nepal, creating a steady income base for his family. According to him, "The pay is quite good, and we work in harmony with other laborers." He seemed satisfied with the hotel accommodation, medical assurance, and food that the laborers are provided in Jalbire.* – **KII, Rautahat, January 2020**

It is also reported by the Women's Cell in Rautahat that road improvement and enhancement on the Indian side has resulted in ease and an increase in travel from Nepal to the adjoining Indian towns and cities. Rautahat district is connected to India's Sitamarhi district. Initially, there was no motorable bridge across the Bagmati river and the only mode of travel was the Darbhanga-Samastipur train. According to one official, "due to the construction of Bagmati bridge, many destinations are now well connected. Birginiya, in Bihar, is a popular shopping destination for people from Rautahat, Bara and nearby districts in Nepal. Travelers can commute by bus or train from Birginiya to Patna and Delhi in India."[33]

Respondents in the FGDs and KIIs in Bara and Rautahat shared that after the declaration of Bihar as a 'dry state', there has been an influx of Indians and Indian vehicles from across the border for entertainment and liquor consumption. Two hundred meters from the Indian border, hotels/restaurants have been built on the Nepal side that operate only at night. The respondents stated that there were suspected cases of sex work and exploitation, even though there is a police station nearby.

## Nepal-China border

According to the visa waiver agreement between Nepal and China, Nepali diplomatic/official passport-holders can visit and stay in China without a visa for 30 days.[34] The reciprocal agreement guarantees the same rights to the Chinese officials. In addition, Chinese nationals are eligible to obtain an on-arrival visa at authorized entry points, including Tribhuvan International Airport in Kathmandu.[35]

The Rasuwagadhi-Kerung border point, which came into operation in November 2014, was upgraded as an international border point in August 2017. The opening of the Rasuwagadhi-Kerung customs point has not only increased the volume of trade between China and Nepal, but has also opened up employment opportunities both in Rasuwa and across the border. The one-

year pass issued to Rasuwa residents has also helped create job opportunities. The pass allows them to travel to Kerung, where Nepali citizens have been finding work at hotels, dance bars, and in transport and construction companies. The pass is a privilege exclusive to the residents of Rasuwa district, which shares its border with China. According to the Department of Immigration Office at Rasuwa, the number of residents acquiring a pass to go to Kerung is rising and the number of traders, entrepreneurs, and drivers visiting Kerung has also increased. Most of those who are working in hotels and dance bars in Kerung are in the age group of 14 to 25. The Nepali government has now urged the Chinese government to issue one-day passes for traders and businesspersons from outside Rasuwa as well (Devkota 2018).

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[33]  KII, Women's Cell, Rautahat, January 2020.
[34]  See the Chinese Embassy in Kathmandu website: http://np.china-embassy.org/eng/ConsularService/.
[35]  See the Embassy of Nepal, Beijing China website: https://cn.nepalembassy.gov.np/?page_id=1372.

# Mobility and migration patterns in study areas

A study by the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP 2014) found that enhanced connectivity has led to greater cross-border mobility, resulting in the growth of international migration either for work, education, business, or other purposes. Migration is determined by both push and pull factors. Mobility occurs when persons in the source areas lack suitable options for employment/livelihood, and there is some expectation of improvement in circumstances through migration. This section examines what this increase in connectivity means for mobility and migration and how related processes are being shaped. The research investigated the mobility and changing dynamics of internal migration, in-migration, and out-migration as a result of increased and improved road connectivity in the selected corridors.

## Mobility of persons

The overwhelming majority (89 percent) of respondents reported that mobility in the study districts has increased (figure not shown).[36] The study also revealed that increased mobility has resulted in both out-migration and in-migration of persons in recent years (see Figure 4).



Figure 4. Migration within Districts, to other Districts, and to India as a Result of Increased Road Connectivity (% of Respondents) [N=306]
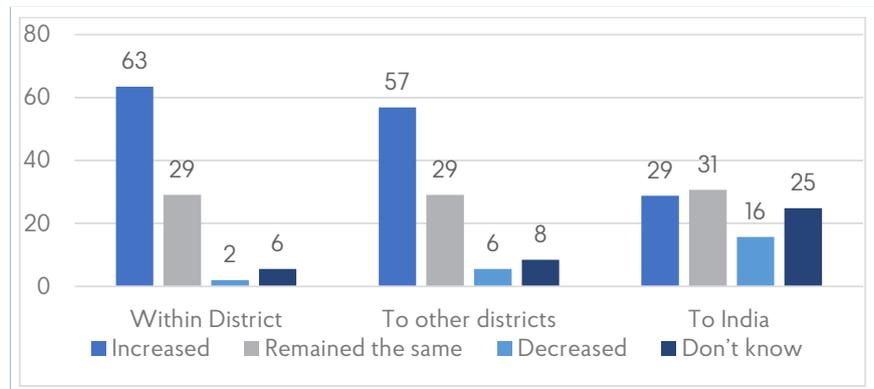
### Out-migration

Nearly 63 percent of respondents reported an increase in the out-migration of people within the district, while 57 percent reported out-migration to other districts in Nepal. Only 29 percent of respondents felt that increased connectivity had no impact on migration (see Figure 4).

### In-migration

More than half of respondents (55 percent) said that in-migration to their community has increased due to the improved road connectivity. Around 35 percent of respondents said it has remained the same, while 3 percent were of the opinion that it has decreased. Around 7 percent of respondents were unable to answer the question (see Figure 5).

### Cross-border migration

Approximately 29 percent of respondents stated that migration to India for work has increased as a result of improved road connectivity, while 31 percent felt migration to India for work has remained the same (see Figure 4).



Figure 5. In-migration as a Result of Increased Road Connectivity (% of Respondents) [N=306]

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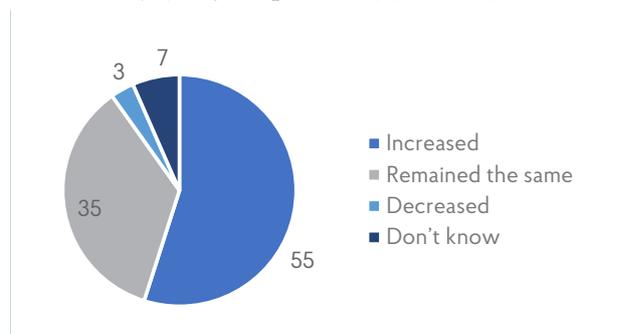
[36] Note, more figures were generated for the data collected during this research than included in this report.

## Mobility of persons

Almost all of the respondents (97 percent) felt that the overall movement of vehicles has increased in the study districts with the improvement in road connectivity. The majority of respondents said that motorbikes/scooters (90 percent), trucks/tippers (87 percent), heavy buses (79 percent), and jeeps/vans (73 percent) were the types of vehicles seen more frequently in the community in the past five years. Over two-thirds mentioned microbuses (69 percent) and minibuses (67 percent), while 56 percent said private cars and 29 percent said taxis/cabs (see Figure 6).

*Figure 6. Types of Vehicles Available in the Past Five Years (% of Respondents) [N=306]*
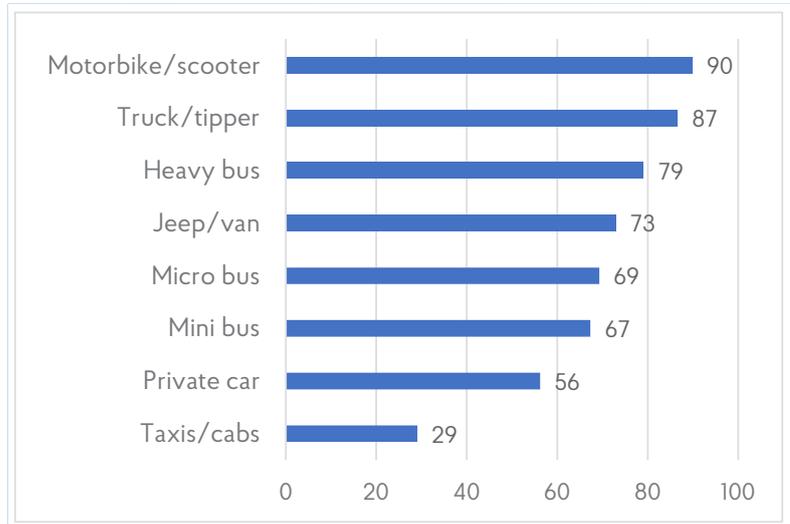


The study found that a higher percentage of women compared to men rely on public transport such as microbuses, rickshaws/tuk-tuks, minibuses, and heavy buses, while men mostly use private vehicles such as motorbikes/scooters (see Figure 7). The majority of women felt safe while commuting by public transport; however, the **share of persons who felt unsafe was reportedly higher in Corridors 2 (Birgunj-Pathlaiya) and 3 (Pathlaiya-Dhalkebar)** compared to Corridor 1 (Kathmandu-Mugling-Naubise).

*Figure 7. Gendered Preferences for Vehicles Used for Mobility (% of Respondents) [N=306]*
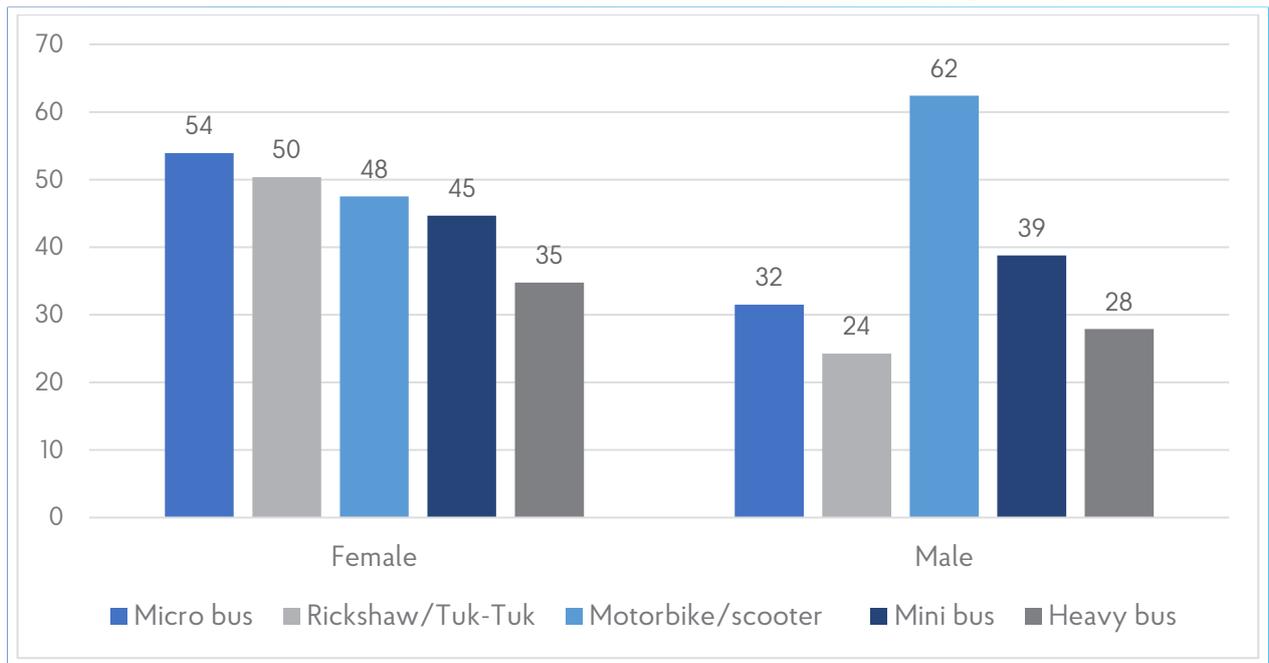
## Harassment on public transport

The respondents were asked whether they had experienced any harassment on public transport. A large majority (74 percent) stated that they had not experienced any harassment, while 22 percent said they had experienced some form of harassment.[37] The data show that women respondents were more likely to experience harassment on public transport, compared to their male counterparts (28 percent versus 16 percent). Of this, 38 percent of female respondents reported harassment in the form of teasing and touching/groping, compared to their male counterparts (22 percent versus 11 percent). The study also revealed that **such kinds of harassment were higher for Dalits and marginalized groups (42 percent) than for other respondents.**

Compared to Corridor 1 (Kathmandu-Naubise-Mugling) (4 percent), a significantly higher number of respondents in Corridor 2 (Birgunj-Pathlaiya) (30 percent) and Corridor 3 (Pathlaiya-Dhalkebar) (31 percent) said they had experienced harassment on public transport.

*Table 9. Experience of Harassment in Public Vehicles (% of Respondents) [N=306]*

| | | Yes | No |
|---|---|---|---|
| **Gender** | **Overall** | **22** | **74** |
| | Female | 28 | 69 |
| | Male | 16 | 79 |
| **Caste/ethnicity** | Hill caste | 26 | 67 |
| | Hill ethnic | 9 | 87 |
| | Madheshi caste | 19 | 81 |
| | Dalit and marginalized groups | 42 | 54 |
| **Corridor** | Kathmandu-Naubise-Mugling | 4 | 95 |
| | Birgunj-Pathlaiya | 30 | 64 |
| | Pathlaiya-Dhalkebar | 31 | 64 |

# Cross-border management for security

The research studied the cross-border security arrangements and their impact on mobility. This is an issue that requires greater understanding, as Nepal has an open border with India in the south and nationalities from both countries commute without restrictions, often on a daily basis. The checkpoint in the north with China is crossed less freely, but is being increasingly used. These circumstances give rise to the need for effective cross-border management for security.

## Security at the border

The overwhelming majority (95 percent) of respondents stated that it is important for their area to have an improved cross-border road network with India. More than half (56 percent) stated that security at the Nepal-India border is stringent, with an adequate number of security outposts and armed personnel deployed on both sides of the borders. However, the remaining 34 percent of respondents felt that Nepal does not have effective border security.

Contrary to Corridor 1 respondents (8 percent), respondents in **Corridor 2 (47 percent) and Corridor 3 (48 percent) felt that cross-border security was inadequate and needed to be strengthened.** This is because the issue is more important for the people in Corridor 2 and 3 as they are living in the Terai, which is close to the Indian border, while Corridor 1 is in the hills, which is further away from the Indian border.

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[37] The most common forms of harassment experienced reported by respondents were unavailability of seats due to overcrowding despite having tickets (60 percent), verbal abuse by co-passengers (40 percent), and not being dropped at the required destination (37 percent).

Moreover, **50 percent of the migrant laborers interviewed stated that security is weak**, compared to other respondents (see Figure 8). Respondents in Nuwakot were not directly concerned about the security forces and border management, given that the district does not share a border with India or China. According to the deputy mayor of Nuwakot, the district police coordinate with the border police, when required.

FGDs and KIIs in all three sites (Nuwakot, Bara, and Rautahat) revealed the need for improved cross-border security. The participants of FGDs in Bara and Rautahat particularly expressed their concern as they have businesses in India and are connected to Indian families through marriage (*roti-beti* relationships).[38] While the participants felt that security is strict at the main checkpoints, they agreed that most people from both countries cross through remote areas, which are less heavily guarded by the border police. The deputy mayor from Nuwakot district stated that **with increasing road networks, more security checkpoints need to be established along the roads and border areas.**

*Figure 8. Security Situation at the Nepal-India Border (% of Respondents) [N=306]*
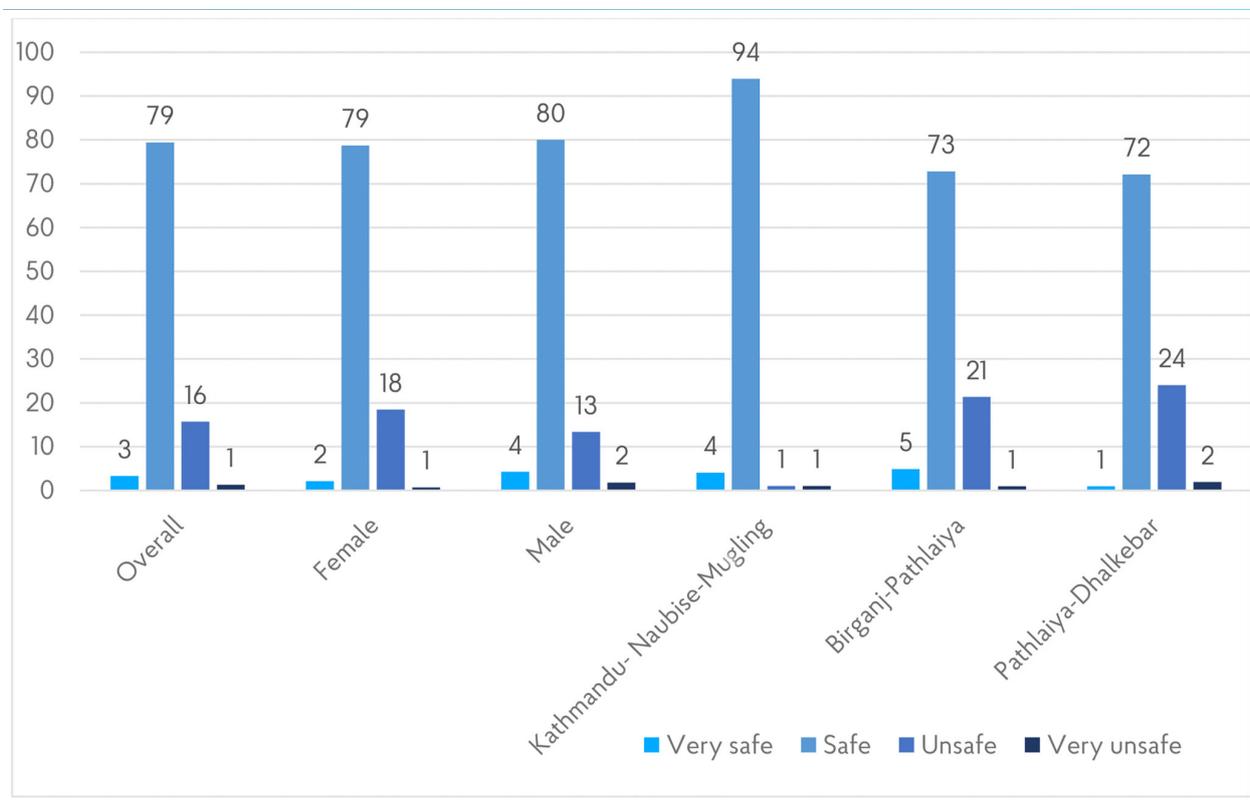


## Safety crossing the border

Around 60 percent of the respondents reported feeling safe or very safe while crossing the Nepal-India border (Figure 9). More respondents in Corridor 2 (41 percent) and 3 (39 percent) felt unsafe, than in Corridor 1: Kathmandu-Naubise-Mugling (7 percent)—both in terms of security and harassment by border personnel (figure not shown).[39] This is because respondents from Corridors 2 (Birgunj-Pathlaiya) and 3 (Pathlaiya-Dhalkebar) reside closer to the Indian border and their frequency of travel across the border may be higher than in Corridor 1.

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[38] Relationships through marriages between sons and daughters of families living across the Nepal and India border.
[39] Note, more figures were generated for the data collected during this research than included in this report.

*Figure 9. Safety when Crossing the Border regarding Security and Harassment (% of Respondents) [ N=306]*
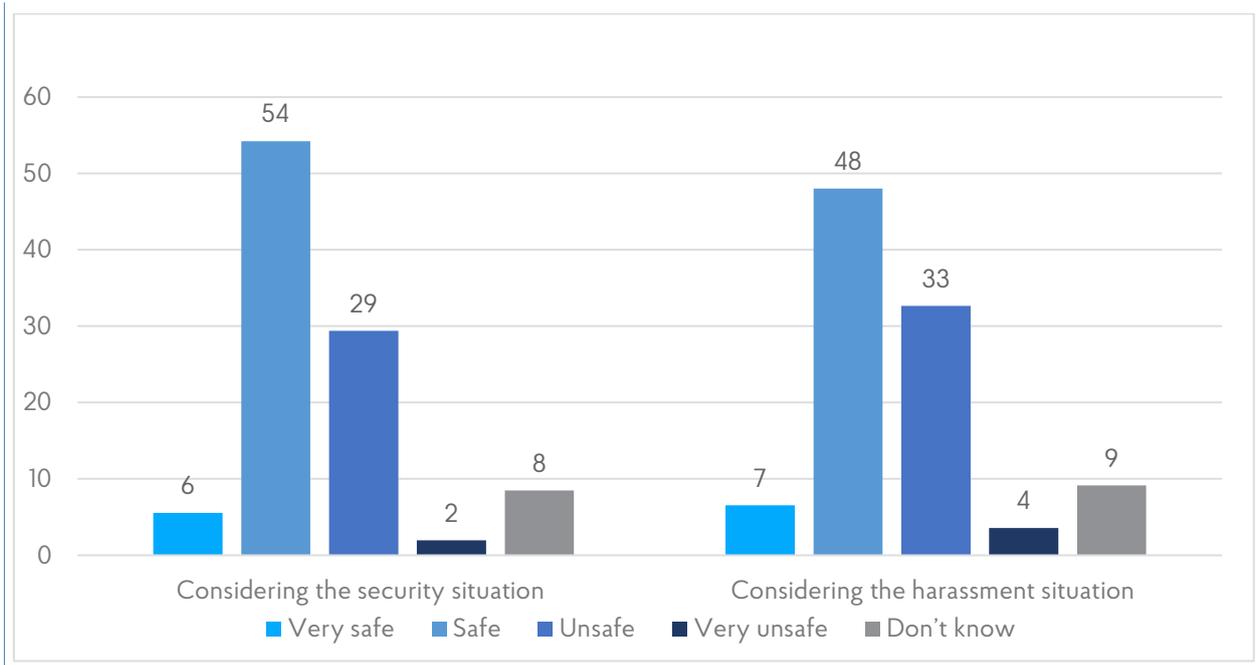


When asked about the security situation, more female respondents reported feeling unsafe than males (37 percent of women, compared to 23 percent of men); similarly, females reported more harassment than males (37 percent of women, compared to 29 percent of men) (see Figure 10).

*Figure 10. Safety when Crossing the Border regarding Security and Harassment, Disaggregated by Gender (% of Respondents) [N=306]*
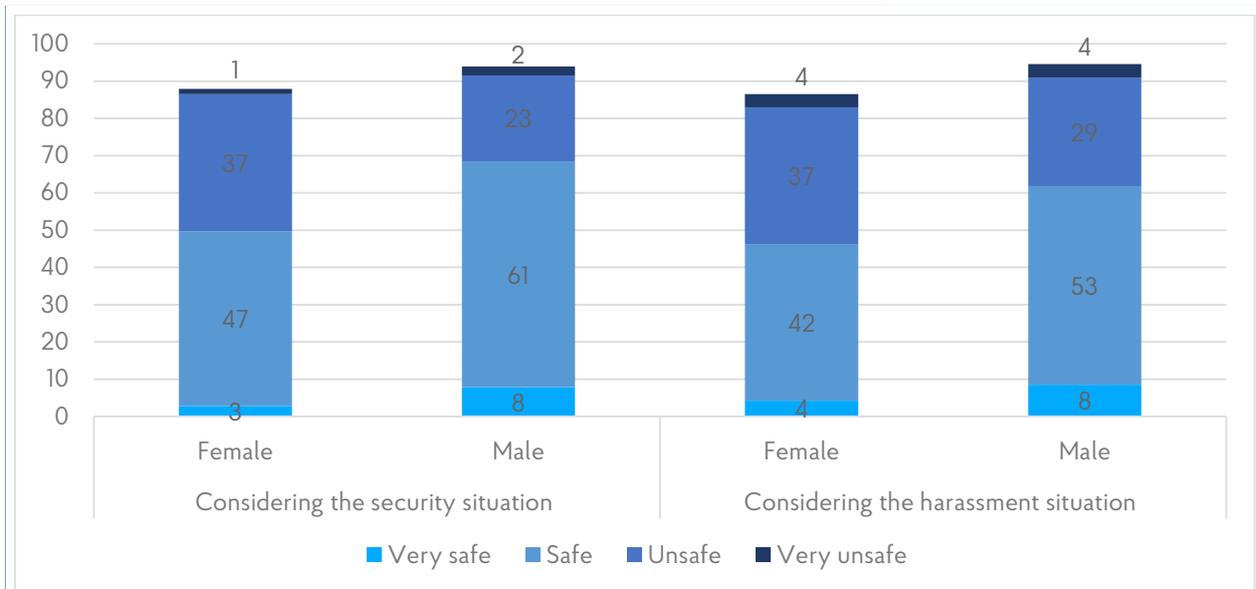
## Presence of security personnel and NGOs at Nepal-India border

The large majority of respondents said the Nepal Police and Armed Police Force (APF) are present at the Nepal-India border. One in five respondents reported that NGO information desks/booths and the Nepal Army are also present. Around one in ten respondents reported that a government information desk (8 percent) is also available (see Figure 11). The respondents in FGDs in Bara and Rautahat stated that it was the presence of the police and Armed Police Force that made them feel safe and secure.

*Figure 11. Security Presence at Nepal-India Border (% of Respondents) [N=306]*
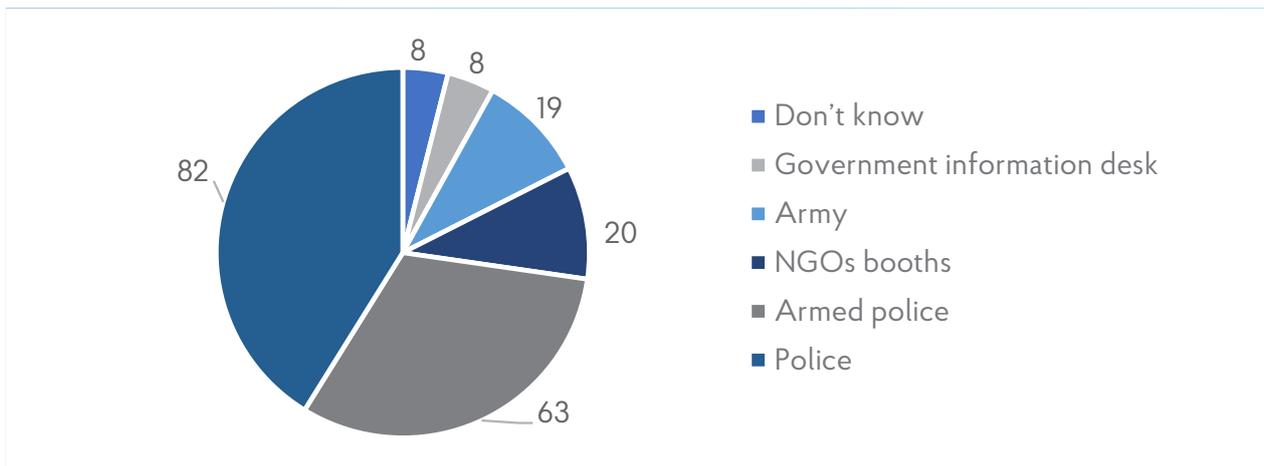


A recent report published in January 2020 on the security at the border in Bara[40] reported that with the inauguration of the new APF border outpost, the number of border outposts in Bara district has reached seven. The new border outpost is expected to help control transnational crime, the smuggling of goods and human trafficking, and increase security along the Nepal-India border. According to the APF headquarters, APF personnel have been deployed in border protection tasks in 21 districts in the Terai region with 20 battalion offices and one company office in the east of Nawalparasi district (Yadav 2020). Similarly, the presence of the information desk of Maiti Nepal in Birgunj, for instance, was reported by most participants to be effective and useful, as they were aware of many women and children who were rescued by Maiti Nepal.

The officer from the Women's Cell Rautahat[41] explained that Rautahat and Bara did not have a significant presence of NGOs and CSOs working on anti-trafficking, which may explain the absence of information desks/booths at these border checkpoints. As seen in other districts, the anti-trafficking agenda is often pushed forward due to the presence of NGOs and CSOs. Interestingly, there were no intercepted or confirmed trafficking cases registered with the police in Rautahat in the year 2019. This clearly demonstrates that the **presence of local groups, NGOs, or CSOs working specifically on anti-trafficking in the border areas or hot spots can have a significant impact on identifying and intercepting potential victims** of human trafficking before they are exploited.

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[40] Bara shares a 62 kilometers border with India.
[41] KII with staff from Women's Cell, Rautahat, January 2020.

## Presence of security personnel and NGOs at Nepal-India border

The officer at the Women's Cell in Rautahat reported that he does not have the authority to directly coordinate with the Indian Police. The chief district officer (CDO) and superintendent of police (SP) coordinate with the district-related officials to form a committee. They meet every two to three months and, if there is any kind of security threat related to border issues, actions are discussed and agreed upon.

*"There is a saying that: 'Has anyone been caught by checking in the highway?' Do thieves or criminals use highways? They will want to escape and use small in-roads where police are not present. We have a long open border with India—either we have to keep police at every point and not allow people to enter other than at the designated point or else it is hard to control. Sometimes we don't even know which is India or Nepal."* – **Nepal Police official, FGD, Rautahat, January, 2020**

Still, respondents described the surveillance undertaken by the police as inadequate. Some suggested the need for stricter surveillance and verification by security personnel to check the legitimacy and validity of travel documents issued by both countries. The FGD in Rautahat revealed that the "Armed Police Force, Nepal Police and traffic police are there, but when one is in need, no one usually comes." They added that surveillance is usually carried out, but is often perfunctory. This could be attributed to insufficient manpower and resources at the border outpost.

An officer from the Women's Cell in Gaur noted that while teams are deployed at bus depots and customs stations for surveillance, it is often not possible to track all movement, as the borders are porous across the state line. But, wherever there is surveillance, suspicious persons they are interrogated by the police. The police can easily identify those being trafficked, as victims are mostly unaware of where they are going and for what purpose. Studies have shown that victims are not familiar with their surroundings and are often unable to communicate, as traffickers frequently move with their victims or keep them cut off from others due to the language barrier (Population Reference Bureau 2001). The current study also revealed that, in some cases, traffickers or transporters are unknown to the victim, as they are acquainted only a few days before being trafficked.

In all the research sites, reference was made to lack of adequate police personnel in proportion to the population. Due to inadequate staffing, Women's Cells are overburdened with cases. An officer from the Women's Cell at Nuwakot responded, "When there are too many roads and junctions, it is very difficult to trace or follow up on cases of trafficking. Inadequate staff in the police cell makes it difficult to provide necessary service. Hence, we are unable to give adequate protection and justice."

Many respondents also remarked that security personnel lacked adequate training and capacity. KIIs and FGDs revealed the lack of technical capacity of law enforcement including border control agencies and other concerned government/state agencies to detect and prevent trafficking. Criminal networks benefit from this situation and are transporting individuals across the country and borders through routes and roads where there is no regular inspection or law enforcement presence.

# Chapter 4

# Impact of Connectivity on Communities

*Photo credit: Tashi Wongdi Gurung. Tent restaurant in Shigatze*

Large infrastructure investments carry with them certain social risks such as displacement, landlessness, unemployment, and a rise in crime rates, among other things. The opening of relatively isolated areas may have far-reaching implications for the safety and security of vulnerable population. To understand the implications of large-scale investments in the community, respondents were questioned about the positive and negative impacts of road connectivity. During the study, it was observed that respondents had not drawn direct links between road accessibility, connectivity, and human trafficking, only indirect inferences.

## Positive impacts

The respondents believed that ease of mobility (67 percent), followed by access to markets (63 percent), business avenues (61 percent), and public and private transport (59 percent) are some of the major positive impacts of increased connectivity. Around 45 percent of the respondents also felt that increased road networks opened up economic activities and employment opportunities for the community, while 47 percent of the respondents said that connectivity resulted in better access to health care facilities (see Figure 12). The survey findings are supported by FGDs and KIIs, in which most respondents felt that the positive benefits of road connectivity outweigh the negative impacts (Box 4).

*Figure 12. Positive Impacts of Road Connectivity (%, Perception of Respondents, Based on Multiple Responses) [N=306]*

| Impact | % |
|---|---|
| Easy mobility of people | 67 |
| Easy access to market | 63 |
| Increased business avenues | 61 |
| Access to transport (public and private) | 59 |
| Easy access to health facilities | 47 |
| Generate employment opportunities | 45 |
| Generate economic activities | 44 |
| Easier to meet friends and family | 38 |
| Easy access to education facilities | 36 |
| Migration | 16 |
| Accident rate has decreased | 6 |
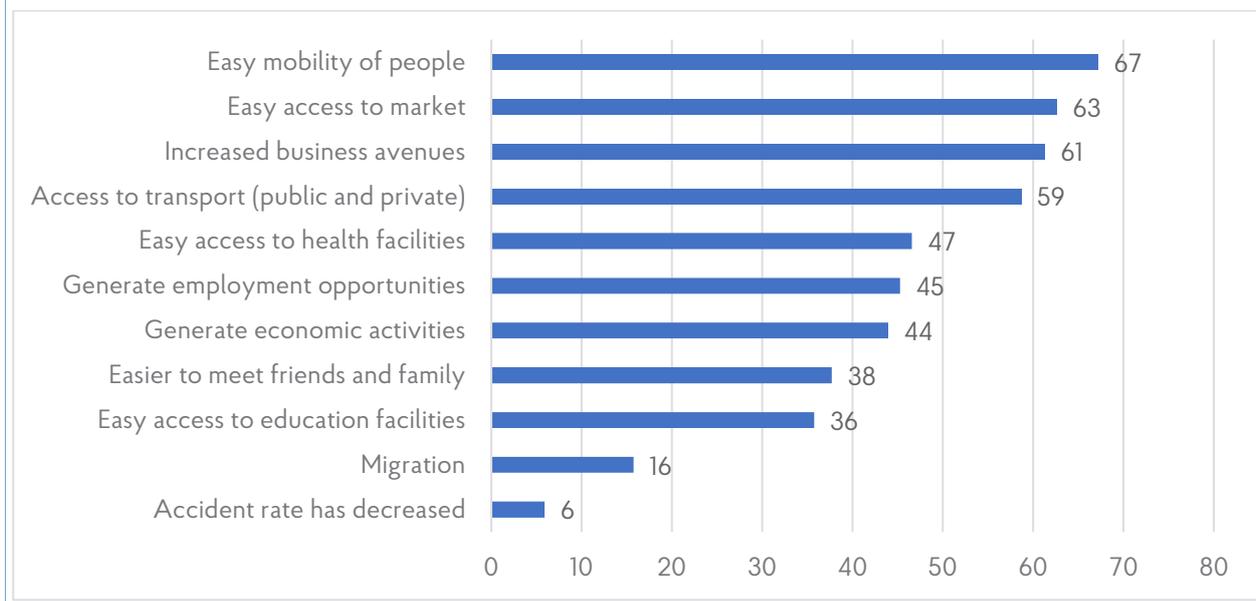
**Box 4. Case Study – Road Construction and Economic Opportunity**

*"My name is Mina Chettri (name changed). I came to Simara 18 years ago. There were only a few houses in the village at the time. I started a tea shop 14 years ago. I struggled a lot initially, as this place was inaccessible to outsiders including people from nearby villages. With few customers, I couldn't earn a lot from the tea shop. My child had just turned 3 years of age, when I lost my husband. But slowly the construction of the road in the village commenced. More people started coming to this area. My small tea shop has been expanded to accommodate more customers. A few years back I couldn't even earn NPR 1,000 after working for a whole day. But now if I add the money that I have loaned to a few people, I earn almost NPR 4,000 in a day. My struggling days are gone, and I don't need to worry about my daughters. I feel this was possible because of the road expansion."*

## Negative impacts

When asked about their perception of adverse impacts on the community, respondents cited accidents (67 percent), increased pollution (65 percent), and displacement (23 percent) as major concerns around road development in the study areas. Around 15 percent of respondents also believe that alcohol consumption and crime have increased in their area. Threats to women and children in relation to forced labor and human trafficking were also listed as negative impacts of road connectivity, although expressed by a small percentage of respondents. The proportion of people who listed displacement as a negative impact of road connectivity was significantly higher in Corridor 2 (30 percent) and Corridor 3 (35 percent), compared to Corridor 1 (3 percent) (see Figure 13).

*Figure 13. Negative Impacts of Road Connectivity (% of Respondents, Based on Multiple Responses) [N=306]*

| Impact | % |
|---|---|
| Increased accidents | 67 |
| Increased pollution | 65 |
| Displacement of the people | 23 |
| Increased alcohol consumption | 15 |
| Threat of crime and violence | 15 |
| No negative Impacts | 10 |
| Migration | 9 |
| Threat to children for labor use | 7 |
| Threat to women for being trafficked | 7 |
| Threat to children of being trafficked | 6 |
| Threat to women for sexual exploitation | 4 |
| Threat to children for sexual exploitation | 4 |
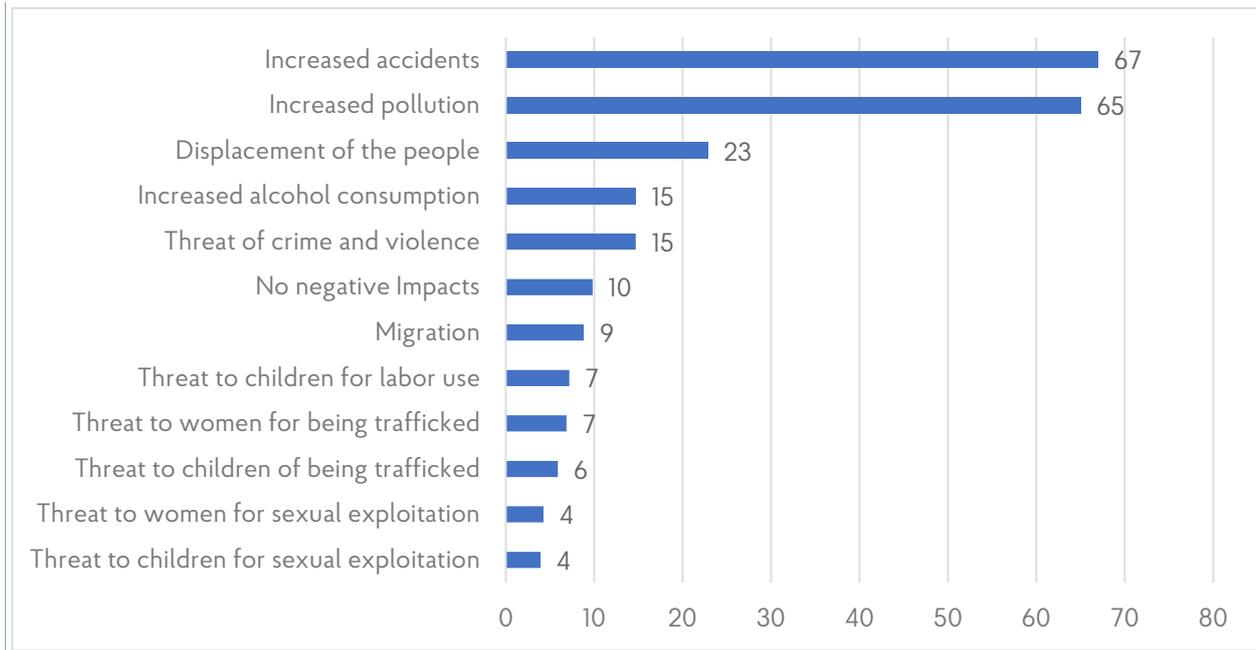
## Impact on trafficking

The expansion of highways and feeder road networks across Nepal can unlock a world of opportunities for isolated communities. Many studies, including this study, have shown that increased connectivity promotes growth and productivity, enhances access to markets and opportunities, and builds network resilience. However, these opportunities are often beyond the reach of disadvantaged groups, which are disproportionately affected by the adverse effects of infrastructure development. Improved road networks in remote areas may result in the expansion of services for illicit activities or open unsafe migration channels, all of which

are likely to increase a vulnerable person's risk of exploitation. For instance, poor households displaced during a highway expansion, with limited livelihood options, are more likely to be exploited. According to the NHRC's report on human trafficking, **poverty, unemployment, lack of means of livelihoods and landlessness, illiteracy, lack of awareness, globalization, and migration** make people vulnerable to trafficking in Nepal (NHRC 2018).

The following subsections illustrate how transport connectivity can be indirectly linked with exploitation and trafficking.

### Presence of security personnel and NGOs at Nepal-India border

Highways and feeder roads increase the possibility of reaching distant rural areas, which can exacerbate the vulnerability of communities to trafficking. For instance, the operation of the Nuwakot-Kerung section of the highway saw an increase in the number of girls from remote

villages travelling to Kerung for work in hotels and restaurants. While they are told that the work will be related to hospitality and housekeeping, many fall prey to sexual exploitation and forced prostitution.

Recent media coverage on the arrest of Chinese nationals for their alleged involvement in bride trafficking throws light on the practice of girls and women being lured from remote villages with the promise of a decent job in China (The Himalayan Times 2019c). Similarly, KIIs with government officials in Dhading revealed that the improved road network has increased the inflow of vehicles and opportunities for trade in the nearby villages. While this has enhanced mobility, they feel that it has also increased the risk of young girls and boys being lured by strangers for illicit activities. FGDs in Nijgadh raised similar concerns about people from distant villages being easily trafficked across the border.

## Growth of businesses for illicit activities

KIIs in Rautahat revealed that improved road connectivity has resulted in the expansion of ancillary economic activities, such as hotels and bars along the road corridors. Some of these are venues for illicit activities such as prostitution. According to the interviewee, one-quarter (25 percent) of the staff working in such hotels might be local men, whereas women tend to be from other districts. Roads brought about new business developments. For instance, Chandra Nigahapur initially had small shops and marketplaces. However, with the construction of the highway, hotels mushroomed. This is also linked to the ban of alcohol in Bihar, which has increased the number of Indian vehicles and tourists traveling to Chandra Nigahapur. Although it may not be true for all hotels, there have been instances of sex work and trafficking in some hotels.

## Alternative and new routes used for trafficking

The construction of many feeder roads by the local government has given locals the option to use different routes for commuting. These options have also been misused at times, especially by people involved in illegal activities such as trafficking. For instance, the Birgunj-Raxaul road has both police and NGO personnel patrolling the border, so it is less used by traffickers. They instead travel via isolated feeder road to cross the border to avoid being interrogated and investigated. Participants of the FGD with vulnerable people stated:

> Since we are talking about Bara, we also need to talk about Parsa. Birgunj is one of the biggest economic hubs in Parsa and links Nepal and India with the Raxaul border. If one goes there, one can see a strong security presence, both on Indian and Nepali sides. Organizations like Maiti Nepal also have their booths set up for interception and interrogation. Both sides are tight. Thus, it is quite difficult for people to pass by. So, now other ways from Bara are being used. There are no police personnel or anyone present in the border areas that go through Bara. People can even use an auto rickshaw or auto, and if at all they get stopped they easily say that they are going to meet their relatives or for shopping and get through. It is much easier. And a lot of cases of trafficking are reported in these areas.[42]

Community members and people from vulnerable groups who participated in the FGDs and KIIs in Nuwakot and Dhading shared similar concerns. They revealed that road construction has not only made travel to China through Kerung and Galchi easier and faster, it has also given traffickers the option of using different routes.

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[42] FGD, vulnerable groups, Bara, January 2020.

## Growing demand and supply of labor

Internal mobility due to new opportunities presented by the growing demand for and supply of both skilled and unskilled migrants was noted. The increase in labor markets and economic activities is directly linked to better access due to improved road conditions and connectivity and the ease of migration flows. In Nuwakot, Bara, and Rautahat, the demand for skilled and unskilled migrants was reported to have increased. There are internal migrants from nearby and distant villages, from the northern mountainous regions and from the plains, as well as from across the border in India. Wherever there are opportunities for work, migrants travel to work and earn.

A direct link between road connectivity, economic growth, and trafficking is envisaged as highly probable with the development of the fast track road from Kathmandu to Nijgadh, Bara. The community members and vulnerable groups in the FGD and KIIs shared that the fast track route to Kathmandu will increase land value, make travel to the Terai and rest of the country easier, and improve access to education, health, and emergency services. A high level of migration of people from other villages and districts is expected as opportunities increase. When roads are constructed and urbanization follows, people are expected to travel to Nijgadh for better opportunities, just as people from Nijgadh are currently migrating to Kathmandu.

A youth leader participating in a FGD with a community group in Bara opined that there will be very high migration of people from other areas, "Possibly 5% out-migration and 95% in-migration because of fast track, East-West Highway, and planned international airport. In fact, Nijgadh may become the hub and transit for human trafficking in the future because of this." – **FDG, Bara, January 2020**

While road connectivity increases the options for new businesses and opportunities, there are downsides to it as well. For example, children are lured with the idea of quick money (being tipper drivers or working in stone quarries and brick kilns), resulting in school absenteeism. The participants in the FGDs and KIIs felt that the trend is **common among families with many children.**

When the parents/guardians cannot attend to every child's needs, they send the children to work in the brick kilns or across the border to relatives or friends for domestic work. This has increased the number of school dropouts and exposed these children to exploitative environments.

## Development induced displacement

FGD participants are also of the view that roads in some cases displace inhabitants, increasing their vulnerability to trafficking in the absence of proper guidance and compensation. This is further discussed in Chapter 5.

## Sexual exploitation of minors by migrant workers

Respondents reported that the influx of migrant workers, mainly men in construction sites, has increased the demand for sex work and prostitution. The influx of construction workers was reported in Nuwakot, Bara, and Rautahat. Cases were reported of young girls and women being lured into relationships with the men in the construction sites, often involving sex. Girls and women can be entrapped and exploited, with the risk of being trafficked.
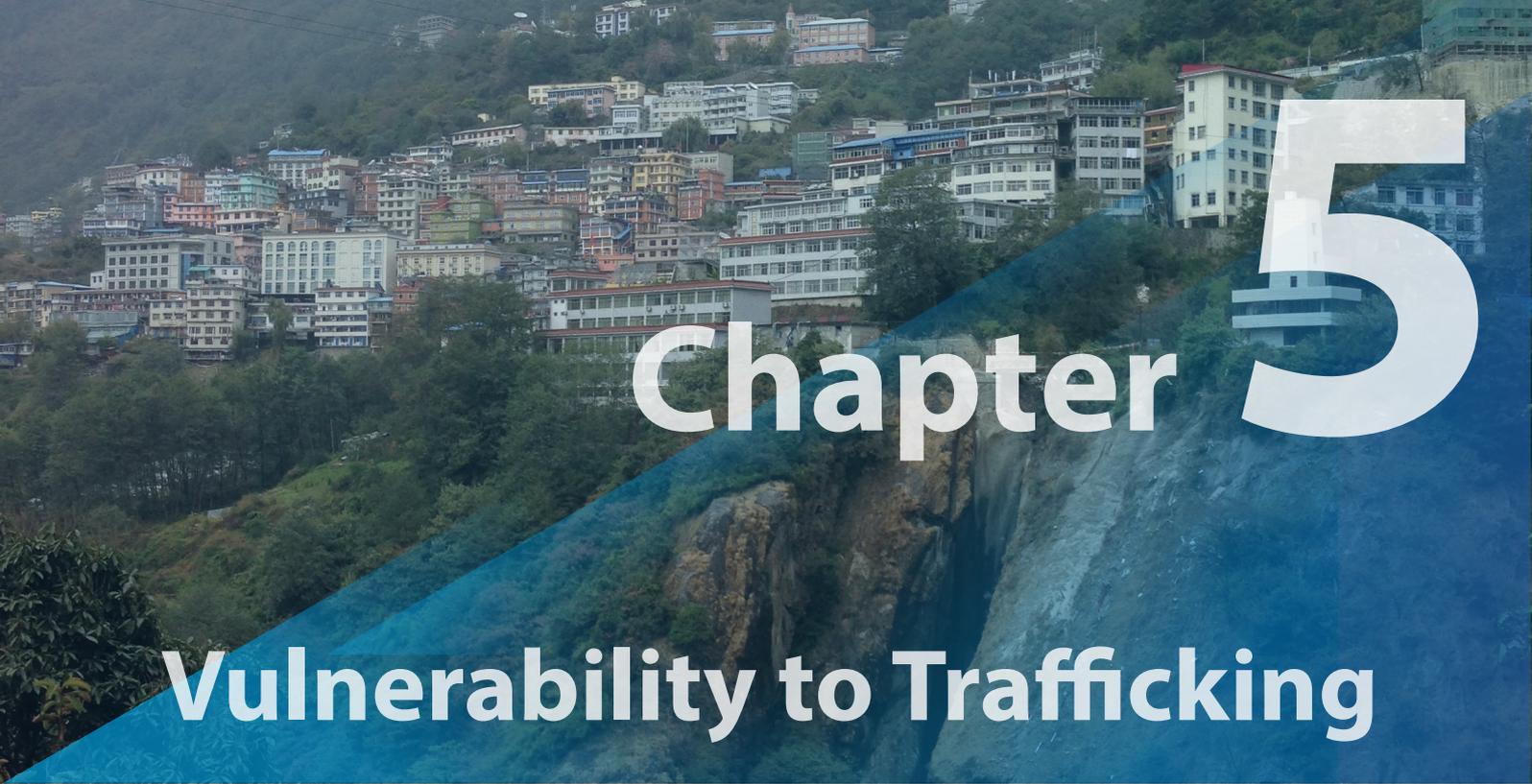
# Chapter 5

# Vulnerability to Trafficking

Road connectivity and access are ubiquitously linked to development. In line with its vision, the mission of the Department of Roads is "to contribute towards the betterment of living conditions of the people through effective, efficient, safe and reliable road connectivity."[43] As a signatory of the 2030 Agenda, Nepal is working toward sustainable development for all by 2030, and road access for each Nepali citizen is crucial to ensuring that no one is left behind. Nepal's Constitution (2015), formulated around the same time as the 2030 Agenda, also envisions an inclusive society. It has special provisions for marginalized groups. To ensure that all citizens are included and reap the benefits of development, it is important to consider the vulnerabilities and risks that are linked to development.

Within this context and in line with this study's objective, this chapter presents the findings of the research on how pre-existing vulnerabilities can affect marginalized groups, who are at higher risk of human trafficking. Human trafficking is a complex and dynamic phenomenon fueled by many factors—and certain factors make some people more vulnerable. 'Vulnerability' refers to "a condition resulting from how individuals negatively experience the complex interaction of social, cultural, economic, political and environmental factors that create the context for their communities. A response to vulnerability needs therefore to take into account the external conditions of an individual as well as the coping mechanisms that enable the individual to protect him or herself against the negative impact from those external conditions" (UNDOC 2008, 68).

## Vulnerability of communities

The survey respondents were asked about the major challenges or problems faced by their community, in order to assess the existing vulnerability conditions. The major problems that people listed were lack of roads (43 percent), lack of job opportunities (36 percent), and poverty (32 percent), followed by increases in prices (28 percent), lack of health facilities (25 percent), lack of education (25 percent), and lack of drinking water (22 percent). One out of five respondents cited lack of safety (21 percent), crime (20 percent), and lack of regular supply of electricity (19 percent) (see Figure 14).

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[43] 'Managing Roads for National Integration and Socio-Economic Development' is the vision of the Department of Roads in Nepal. The overall goal is to contribute to achieving sustainable socioeconomic development by providing safe affordable public road infrastructure services through building a cost-effective, efficient and reliable road network system (see website of Department of Roads: https://dor.gov.np/home/page/vision-mission).

Some variation can be seen across gender, age, education, income, and corridor (figure not shown).[44] A higher percentage of female respondents (40 percent) reported lack of job opportunities as one of the main challenges, compared to men (32 percent). Similar trends were observed among respondents from Madheshi castes (48 percent), high-income brackets (43 percent), Corridor 2 (45 percent), and Corridor 3 (47 percent). The share of respondents who reported lack of roads (17 percent) as the main problem was significantly lower in Corridor 1, than Corridor 2 (52 percent) and Corridor 3 (59 percent). Similarly, the number of respondents reporting poverty as the main problem was lower in Corridor 1 (14 percent) and Corridor 3 (30 percent), compared to Corridor 2 (52 percent).

*Figure 14. Major Challenges/Problems in the Communities (% of Respondents, Based on Multiple Responses) [N=306]*
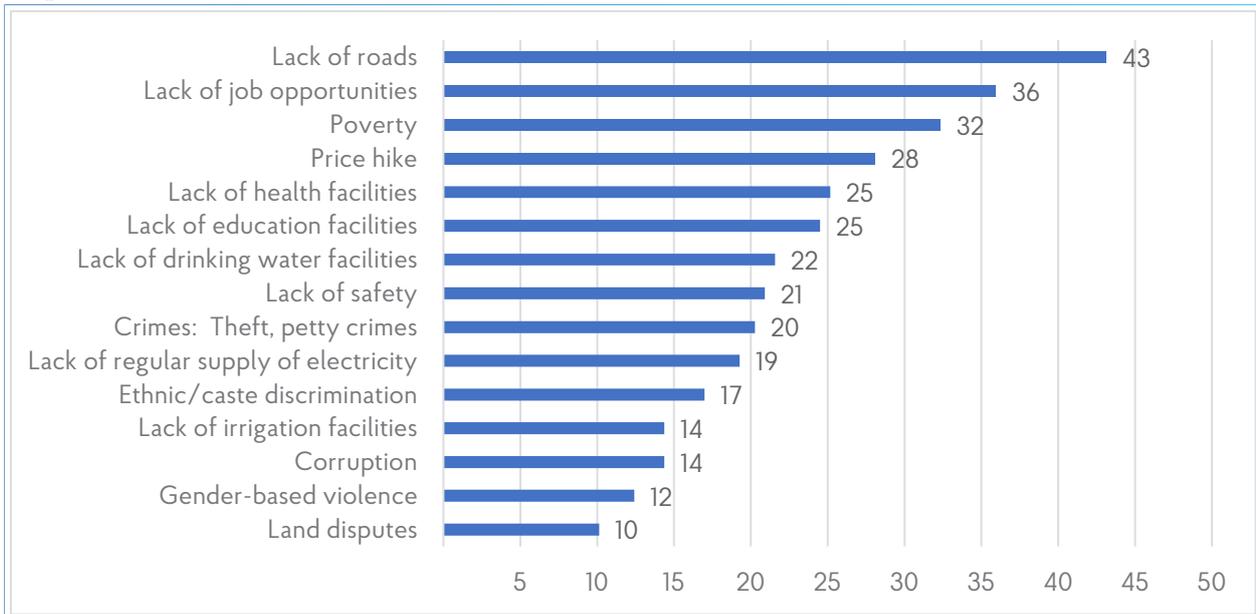


Even though the majority of respondents said that lack of roads is a major concern in their community, an overwhelming majority (92 percent) were of the opinion that road connectivity to their areas has increased. Half of the respondents felt that connectivity has improved with high-quality roads, while the remaining 42 percent felt that although connectivity has improved, the quality of roads is inadequate. Almost all the respondents said that road connectivity of their area with other parts of the country is important (see Figure 15).

*Figure 15. Current Status and Importance of Road for the Community (% of Respondents) [N=306]*



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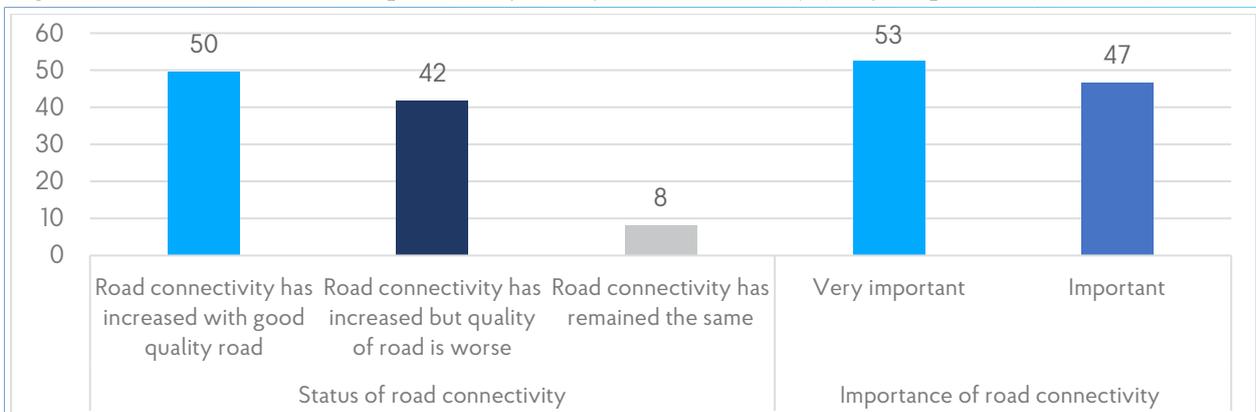
[44] Note, more figures were generated for the data collected during this research than included in this report.

Societal norms and cultural practices within local communities that propagate inequity and discrimination may increase the vulnerability of certain community members to exploitation. For instance, persons may not discuss or report abuse happening within a domestic setting due to the social stigma or taboo attached to it, which increases the isolation of victims and their vulnerability to trafficking. Another concept that may increase vulnerability is honor or *ijaat*, in which a person's sexual purity is a major element in social status. This may also increase the risk of exploitation, as underlying causes are not openly discussed or tackled (Grossman-Thompson 2016). Several studies, including this one, also shed light on the increased vulnerability of caste and ethnic minorities, including People with Disabilities (PwD), and lesbian, gay, bisexual, transgender, and queer (LGBTQ) groups. For instance, caste minorities in the study areas indicated that lack of employment opportunities is a major challenge; while this may affect all, due to intersecting vulnerabilities, such groups are more disadvantaged than others. The dominant heterosexual cultural norms in Nepal create a basis for stigma, prejudice, discrimination, and violence in all aspects of these people's lives, particularly in employment, family, health care, and education, underlining society's general lack of attention to LGBTQ groups (UNDP and USAID 2014).

## Vulnerability to trafficking

The respondents were asked to grade vulnerability factors that were more likely to increase the risk of trafficking. The overwhelming majority of respondents cited **poverty (86 percent)** as the main reason for people being trafficked, followed by **lack of education (65 percent), false promises of marriage (41 percent), and lack of employment opportunities (30 percent).** One-quarter of respondents said domestic violence and poor wages are factors that make women particularly vulnerable to the risk of human trafficking (see Figure 16).

*Figure 16. Reasons Why People are Trafficked (% of Respondents, Based on Multiple Responses) [N=306]*
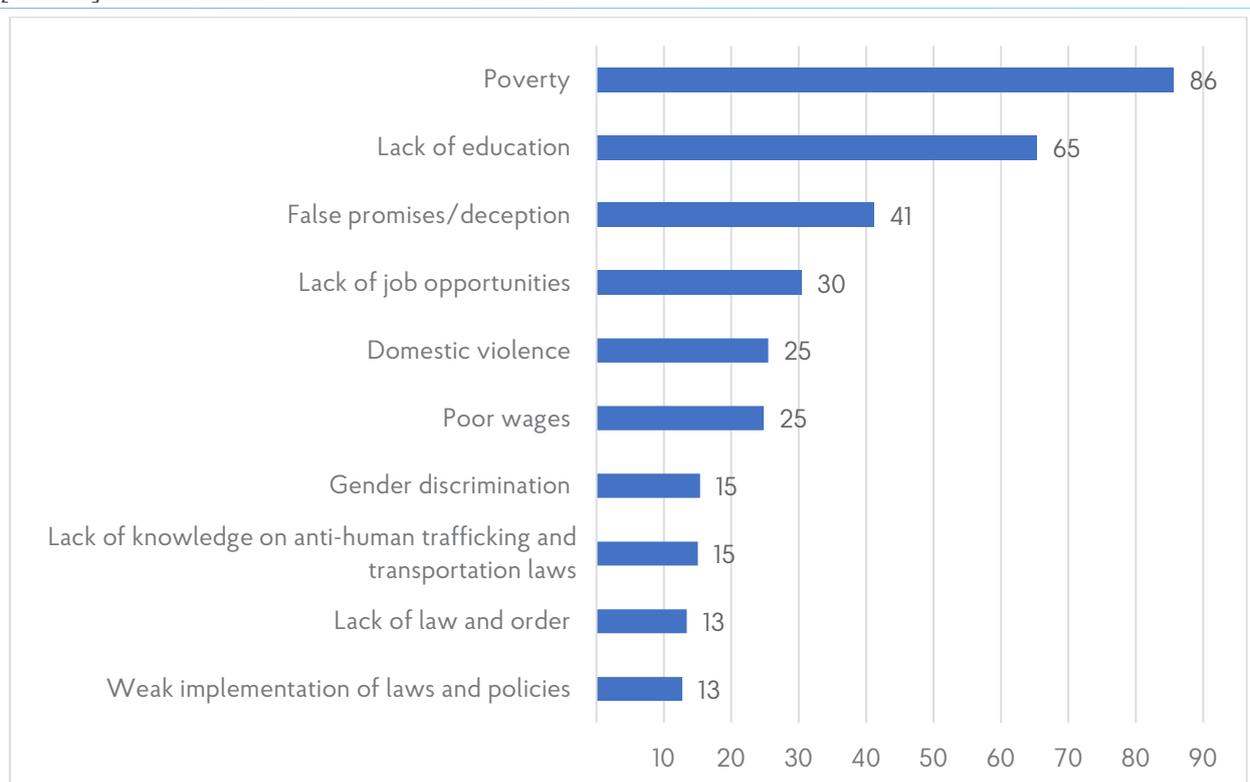
Around 10 percent of the respondents claimed they knew someone in the community who had been trafficked (see Figure 17). When further questioned about the socioeconomic profile of trafficking victims, respondents reported that **most victims were women (72 percent), followed by persons below the poverty line (55 percent)**, girls (28 percent), illiterate people (21 percent), boys (14 percent), and people from marginalized communities (14 percent). These findings indicated that women, girls, the poor, and illiterate persons may be more vulnerable to human trafficking than other groups.

*Figure 17. People Knowing a Trafficked Survivor in their Community (% of Respondents) [N=306]*
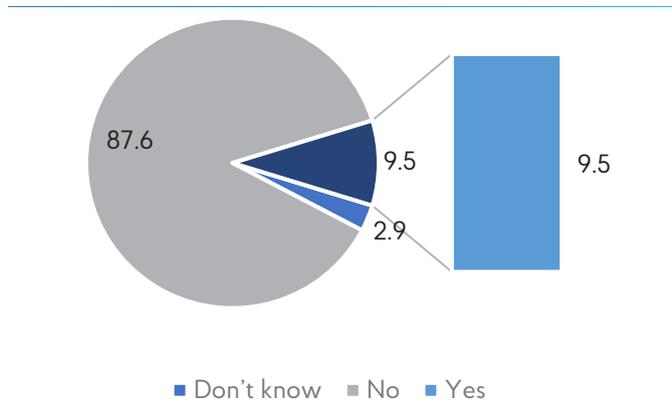


In addition to poverty, there are other factors or pre-existing conditions that put certain people at risk of human trafficking. The challenges and problems faced by the survey respondents, as mentioned earlier, also point to **pre-existing socioeconomic vulnerabilities, which are often interrelated, and sometimes cyclical.** Factors such as physical displacement, unemployment, inflation, lack of education and services, unsafe migration, exploitation and discrimination, crimes, and GBV can also increase the risk of trafficking. In the context of road connectivity, pre-existing vulnerabilities also limit people from maximizing the opportunities that roads may bring and force people to look for livelihood alternatives that put them at risk of trafficking. Cernea (2008) stated that development-induced displacement resulted in socioeconomic decline for displaced populations and concomitant loss of livelihood, making some communities or groups more vulnerable to exploitation. On the other hand, lack of roads can give rise to other vulnerabilities. For example, the lack of accessibility to rural roads has been identified as one of the main causes of poverty among rural people (Lebo and Schelling 2001). The quote below from participant in an FGD at Nuwakot summarizes the multiple and intersecting vulnerabilities that women face that put them at risk of trafficking.

*"One of the negative impacts of roads is that women are now lured in all areas—where there are roads and even where there aren't roads. Now I am aware because I have traveled much and have gone to women's programs. Otherwise, I think I would have been trafficked/sold, because I have faced a lot of hardships. In that time, to raise my children, I had to either sell buffalo milk or work as a construction laborer. If someone came and told me, "I will support your kids' education, give you a job and make your life easier," I would surely go with the person. Women get trafficked due to poverty. It is easy to take them where there is road access. When we come from the village walking, where there are no roads, we meet people, at least one person. They ask us where we are going. When they ask, they know details... so it's not so easy to be a victim of trafficking, but now with road access, it's easy to take someone anywhere and, people don't ask."* – **Single woman, FGD with community members, Nuwakot, December 2019**

The following subsections focus on vulnerability to trafficking due to the impact of project-induced displacement and GBV in the study locations.

## Due to project-induced displacement

The displacement of people and communities due to infrastructure projects warrants special attention, as forced displacement exacerbates people's vulnerabilities. Research has documented how **people displaced due to construction projects, conflict, and natural disasters are vulnerable to exploitation and, in turn, trafficking.** In other words, forced displacement fuels human trafficking (Mason 2015; Nagle 2013). In Nepal, vulnerability to and risk of human trafficking increased after the 2015 earthquake (NHRC 2017; U.S. Embassy in Nepal 2018). According to the NHRC representative interviewed for this research, "Family separation due to migration for foreign employment can lead to trafficking.

This was the case after the earthquake… families were separated, and many children were vulnerable to trafficking."[45]

One-quarter of respondents (25 percent) reported that someone from their community had been displaced due to road construction in their areas, while 62 percent said no one has been displaced. The share of respondents who said that someone from their community had been displaced was higher in the Birgunj-Pathlaiya corridor (41 percent) than the Kathmandu-Naubise-Mugling corridor (21 percent) and the Pathlaiya-Dhalkebar corridor (14 percent) (see Figure 18).

*Figure 18. Someone from Community Displaced Due to Road Construction (% of Respondents)*
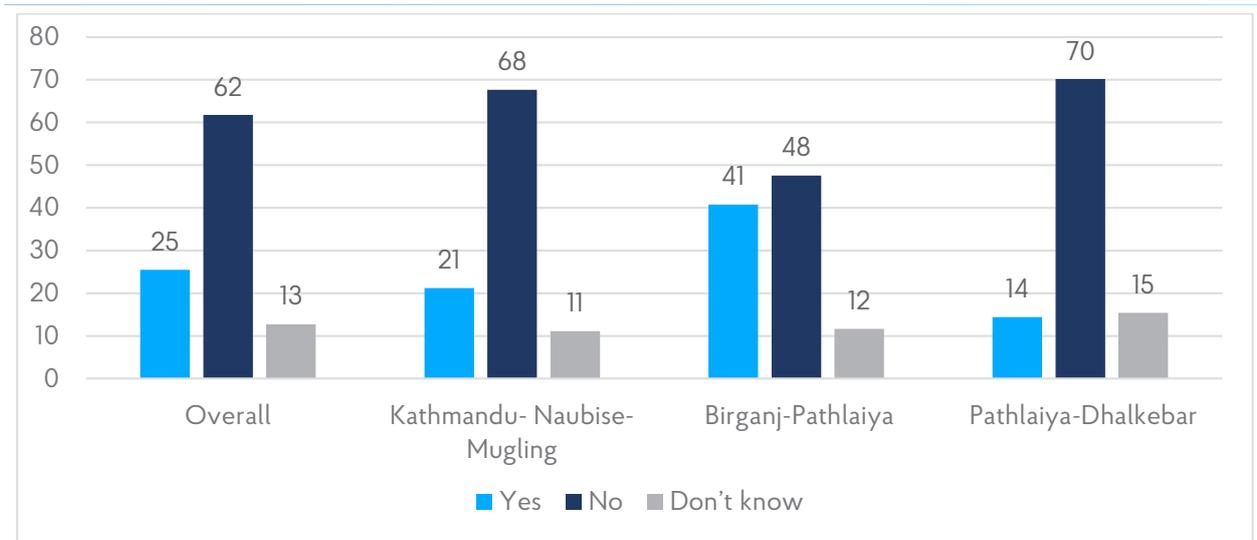


Respondents who said that someone from their community had been displaced were further questioned about if they knew whether or not the displaced people had been compensated. In response to this question, around one-quarter of respondents said that the displaced people were compensated, while 21 percent said that they were compensated, but not sufficiently, and 44

percent said they were not compensated. There are variations in the response to this question, depending on the location of the respondent. The share of people who said that the displaced were compensated is significantly higher in the Kathmandu-Naubise-Mugling corridor (81 percent) than in the Birgunj-Pathlaiya and Pathlaiya-Dhalkebar corridors (see Figure 19).

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*Figure 19. Displaced People were Compensated (% of Respondents) [N=78]*
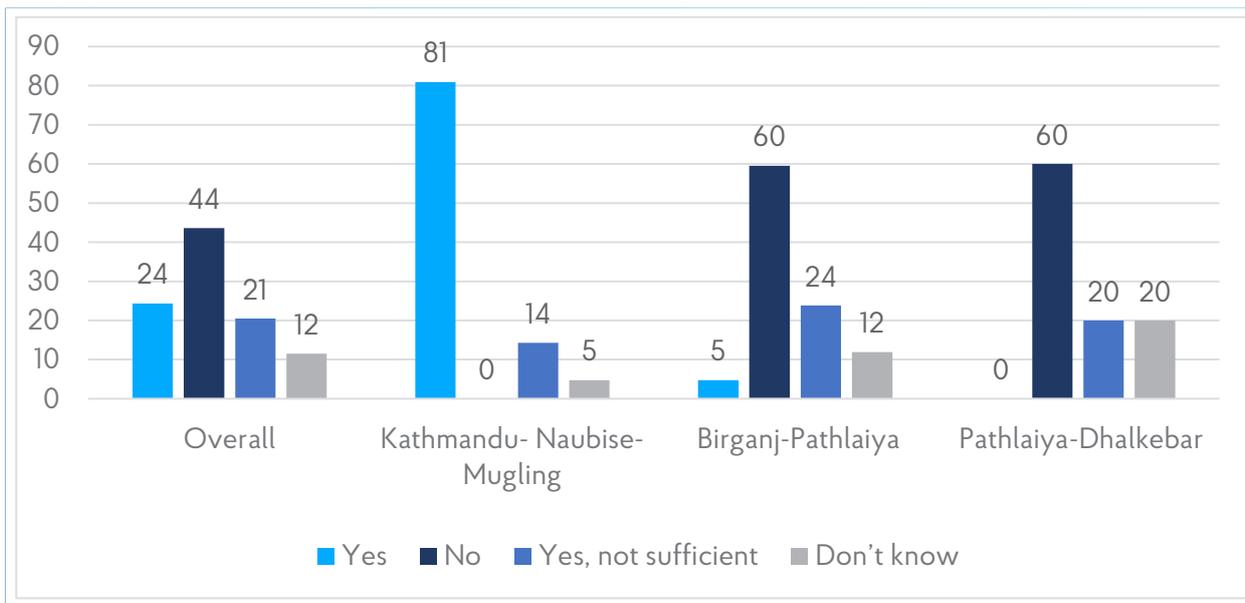


Some case studies show that those who received compensation seem to be satisfied and have benefited from the compensation (Box 5), while those who were not compensated felt left out and vulnerable (Box 6). Claiming compensation entails proving eligibility and understanding the formal processes, which in itself can exclude people who have little education and are not aware of their legal rights and formal mechanisms. Procedural delays by the Land and Revenue Department (Thapa 2019) also add to the difficulty of claiming compensation. Sometimes lack of a shared understanding (terms and conditions) with the local community delays road construction and compensation (Yadav 2019). Moreover, the political influence of the affected person is another important factor, as stated by a government official who was interviewed, "Access to compensation also depends on political influence and social power."[46]

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**Box 5. Case Study – Positive Story of Road Project and Compensation**

*Shyam (name changed) was displaced due to the construction of the Galchi-Trishuli-Rasuwagadi road. He comes from a poor household with a large family. Before the construction of the road, his family did not have a proper house to live in. After the earthquake and road blockade by India at the end of 2015, the road project received international importance. He was compensated by the government for more than NPR 2.4 million (approximately US$200,000), following which his life took a new turn. He and his brother bought a commercial vehicle with the compensation, which has helped them earn more than NPR 40,000 per month. They are also investing in a poultry business. He shares that the compensation from the road project, which cut through his property, has improved their economic condition and livelihood.*

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Again, on enquiring about the vulnerabilities associated with displacement, the overwhelming majority of the respondents said that destitution (90 percent) and landlessness (63 percent) are the two main conditions associated with displacement. Around 42 percent said that displacement also resulted in forced migration, followed by poverty. Some 14 percent reported lack of safety and security as one of the vulnerabilities associated with displacement (figure not shown).[47]

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[46] KII with government official.

[47] Note, more figures were generated for the data collected during this research than included in this report.

> **Box 6. Case Studies – Displacement, Lack of Compensation, and Vulnerabilities**
>
> Case 1 (Parsa)
>
> Bijay Kumar's (name changed) socioeconomic situation is fragile. He is a resident of Parwanipur, Bara district. Due to the expansion of the Tribhuvan Highway, his house and land were acquired by the government, which were the only possessions in his name. He is yet to receive compensation. These days, he has been renting a flat in Birgunj and running a restaurant, which doesn't yield much profit. – **KII, Parsa, January 2020**
>
> Case 2 (Mahottari)
>
> *"Owing to poverty and limited education, I went abroad for employment to earn higher wages. Due to limited opportunities there, I returned to Nepal. I had one kattha (0.0338 hectares) of land for farming, which was acquired by the Government of Nepal to expand the East-West Highway. It has been more than two years and I am yet to receive compensation. I now work as a daily wage laborer. Without the land or the compensation, I am not sure how I will sustain my family and secure my daughters' future."* – **KII, 37-year-old project affected person, Mahottari, January 2020**

## Due to GBV

While human trafficking can be categorized as a type of gender-based violence, it is also important to specifically study GBV, because it is both an important driver of human trafficking and a tool to manipulate and control women, children, and even men, including luring them into sex work and forced labor across (Coalition to End Violence against Women and Girls Globally 2015).

To document the information pertaining to GBV, survey respondents were asked what types of GBV are prevalent in their communities (see Figure 20) (Coalition to End Violence against Women and Girls Globally 2015). Half of the respondents stated that verbal violence (50 percent) and domestic violence (50 percent) are prevalent and approximately 42 percent reported physical violence, followed by economic violence (35 percent) and sexual violence (34 percent). Other respondents said that false marriage (18 percent), human trafficking (13 percent), and forced labor (5 percent) were types of GBV prevalent in their community.

There are some variations in the responses to this question, according to age. The share of respondents who said **'sexual violence' is prevalent in their community was relatively higher among respondents from younger age groups,** compared to those from older age groups. Similar trends were noted among the **hill caste groups (42 percent) and Madheshi caste groups (43 percent),** compared to other caste groups. The share of respondents who said that physical violence is prevalent was higher among wage laborers (60 percent), Madheshi caste groups (57 percent), and people from high-income brackets (61 percent). The prevalence of physical violence was notably higher in Corridor 2 (57 percent) and Corridor 3 (48 percent), compared to Corridor 1 (20 percent).

Almost twice the number of female respondents (24 percent) reported the promise of false marriage than men (13 percent) (figure not shown),[48] while persons from high-income brackets and hill caste groups accounted for 36 percent and 32 percent, respectively. The prevalence of false marriage was significantly higher in Corridor 2 (29 percent) and Corridor 3 (22 percent), compared to Corridor 1 (3 percent). The share of respondents who reported domestic violence is significantly higher in Corridor 2 (65 percent) and Corridor 3 (68 percent), compared to Corridor 1 (15 percent).

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[48] Note, more figures were generated for the data collected during this research than included in this report.

*Figure 20. Types of GBV Prevalent in Community in (% of Respondents, Based on Multiple Responses) [N=306]*
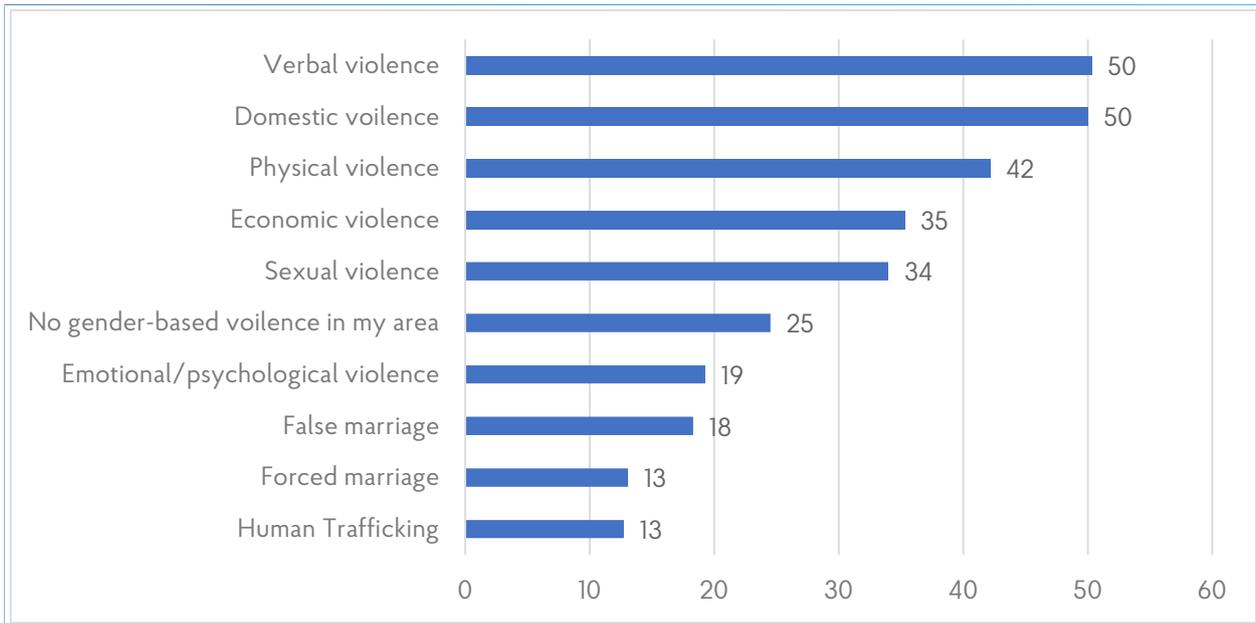


GBV mapping done by the World Bank along the Naubise-Mugling-Narayanghat road and Kamala-Dhalkebar-Pathlaiya road found that domestic violence, polygamy, human trafficking, sexual abuse of children by family members, child marriage, and the eloping of young boys and girls[49] were some of the common forms of violence within the project areas. Domestic violence was directly linked with problems stemming from unemployment, alcohol and poverty, while the eloping of young boys and girls was associated with social media.[50]

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[49] In Nepal, child marriage or early marriage is defined as a formal or informal union for those under the age of 18 (https://www.unicef.org/rosa/what-we-do/child-protection/child-marriage ). Early marriage is arranged, forced or self-initiated through elopement. The legal age of marriage for both genders is 21.

[50] Gender Based Violence Mapping of Nepal Strategic Connectivity and Trade Improvement Project.

# Chapter 6

# Human Trafficking Processes and Patterns

*Photo credit: Paridhi Acharya Kalaiya, Bara*

Like in many other organized crimes, the criminal network/gangs or individual actors involved in human trafficking rely on numerous variables to operate. These include exploiting a person's vulnerable situation, market demand for trafficked persons, connectivity through transportation systems, and communication/digital media, among other things (Polaris 2018). While the term 'trafficking', in accordance with the international and national legal frameworks, does not require 'transportation' for the crime to occur, in reality, the majority of cases do involve travel and transportation (Polaris 2018).

Currently, Nepal is a **source, transit, and destination** country for men, women, and children subjected to labor, organ, and sex trafficking. Given the complex nature and high probability of underreporting of human trafficking cases, it is hard to determine the exact number of women and men, girls and boys trafficked in Nepal. Traffickers exploit Nepali girls and boys in **sex trafficking and domestic servitude** in Nepal and other countries. Those trafficked are subjected to sexual exploitation in the adult entertainment industry with increasing incidences taking place in private homes, rented rooms, guesthouses, and restaurants (U.S. Department of State 2019). Recruitment agencies and agents engage in fraudulent practices, and vulnerable people, including men, are subjected to **forced labor in Nepal and other destination countries.** Incidences of arranged marriages of Nepali women to men in China and the Republic of Korea were also noted. Children are vulnerable to sexual exploitation in orphanages and are engaged in forced begging. Bonded labor of adults and children also takes place in agriculture, brick kilns, stone quarries, and domestic work.

This chapter details the modus operandi employed by the traffickers, particularly in the recruitment, transportation, and exploitation of trafficking victims.

## Hot spots for trafficking

The road improvement along major highways throughout the country has significantly cut travel time from one point to another, creating hot spots for trafficking in various regions. Areas like **inter-district bus stops, parking areas for freight carriers, and tea shops** also see a high volume of human movement. The chances of recruiters or traffickers approaching potential targets, for instance, a runaway or unaccompanied youth, to build rapport, offer to help, and have a friendly conversation about travel plans are very high in these places. Similarly, crossing points for trade facilitation, for example, Birgunj (dry harbor area) or labor influx due to road projects, where recruiters or traffickers can mingle with a high volume of vulnerable people, also breeds trafficking. According to the NHRC report on trafficking, the top 10 districts most vulnerable to trafficking in Nepal are Kathmandu, Rupandehi, Banke, Kanchanpur, Sunsari, Jhapa, Chitwan, Makwanpur, Bardiya, and Parsa (NHRC 2018). Out of these districts, **Kathmandu, Chitwan**, and **Parsa** are covered by the current study.

Ease of travel to the capital (Kathmandu) brings a lot of benefits, but it also increases the risk of exploitation and trafficking of vulnerable groups such as young girls. With minimal monitoring/ surveillance and lack of protection of populations at risk, such as unaccompanied adolescents (boys and girls) and women, the process of luring, coercion, and recruitment often begins in these unmonitored areas by **individuals or gangs of contractors/brokers and transporters** who are working with traffickers.

> An NGO worker in Dhading mentioned *"We've had incidents of young girls traveling to Kathmandu from Dhadingbesi without informing their parents. We even had to rescue them and put them in safe house. Additionally, there was a case of missing girl. The person from Makwanpur and the girl started talking on phone and they eloped. We don't know what her situation is. We don't know if they are together or if she has been trafficked."* – **KII, NGO representative, Dhading, January 2020**

## Routes and methods of recruitment

The routes and methods adopted by traffickers depend on the specifics of the illicit activity, for instance, **how many people need to be moved at once, what region of Nepal (or abroad) are they moving to and from (internal, cross-border, or transnational), and the purpose for which they are being moved** (Polaris 2018). NHRC is of the view that the trafficking routes are mainly through **Kakarbhitta, Birgunj, Bhairahawa, Gadachowki,** and **Nepalgunj**, from where the trafficked victims are taken to Delhi and other cities in India. There is evidence of women/girls' trafficking in the border towns of China (Kerung) and India. In the government's efforts to achieve regional connectivity and trade integration, new markets and travel routes are opening up. For instance, a one-year work visa for Rasuwa residents and 15-day temporary pass for Nepali drivers has opened up employment opportunities in Kerung,[51] China (Devkota 2019). However, there have been media reports of brokers taking commissions ranging from NPR 10,000 to NPR 20,000 per person seeking employment in Kerung (My Republica 2018). Respondents noted that women and girls are duped into trafficking on the pretext of work and false promises about marriage, and consequent 'bride-buying' in Kerung and other places in China.

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[51] See Chinese Embassy in Kathmandu website: http://np.china-embassy.org/eng/ConsularService/.

In August 2019, the Anti-Human Trafficking Bureau of the Nepal Police rounded up 10 persons, including 4 Chinese nationals, from Tribhuvan International Airport for allegedly operating a bride trafficking ring under the guise of cross-country marriage. The Chinese nationals mobilized their Nepali associates to lure unwary girls and women into false marriages, as part of the practice of 'bride-buying', which is pervasive in some parts of China. The practice enables the 'groom' to resell his 'bride' as personal property. The police rescued five victims from Kaski, Chitwan, Sunsari, and Lamjung districts.

Source: The Himalayan Times 2019c.

There is a **lack of institutionalization and standard operating procedures for effective border management** on both sides of the Nepal and India border in relation to the identification and interception of the victims of trafficking or suspected cross-border traffickers (U.S. Department of State 2020).

There is also a lack of monitoring and surveillance by law enforcement on new and less traveled roads. The perpetrators/agents exploit this gap, while the police face difficulties in ascertaining the intention of people traveling for various purposes.

*In the past there was only one way to get to the district headquarter—in other words there was one road from Chandrapur to Gaur. Today, there are 10 routes to get from Chandrapur to Gaur. In my opinion, human trafficking is related to increased road connectivity; this is because people do not use the main road for these activities. Human trafficking usually takes places from smaller roads, back roads, roads where the police presence is limited or negligible. The traffickers do not use busy roads.[52]*

The **surge in new road routes in border towns and remote parts of Nepal,** which are now well connected with highways, provides opportunity for human traffickers and their agents with numerous travel routes and reasons to travel to deceive the law enforcement. An NGO representative at a national-level FGD noted, "These days, it is common for female travelers to carry a hotel booking and travel itinerary to temples to prove that they are going for pilgrimage to India. It is hard to uncover the true intention." Various factors—including the multiplicity of routes and ease of travel, existence of historical trade relations including consumer markets, and relatively thin presence of law enforcement agencies—make countering illegal and criminal activities including human trafficking challenging.

*"Easy road access has made unsupervised outings possible for kids. They are easily lured by people offering to show them around in new towns. Recently, three kids were intercepted at Dhulikhel. Upon questioning, they answered they were going for an outing to Kathmandu. They came in a contractor's vehicle. They did not want to go to India, as women are sold there, but were willing to go to Kathmandu without realizing that they could be sold here too."* – **FGD, NGO representative, national-level**

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## Commercial drivers as transporters/facilitators of trafficking

The role of vehicle drivers as traffickers, using the transportation system to move newly-trafficked persons into their trafficking operation, as well as transport potential victims to different places where they will be further trafficked or abused, warrants attention. During the KIIs and FGDs, it was highlighted that drivers can play a **dual role in the cycle of human trafficking**. Drivers sometimes unknowingly transport potential trafficked persons to their destinations while they are doing their jobs as drivers. However, sometimes drivers can also participate in the crime of trafficking as a transporter and even become a facilitator to move a person from one place to another. This mostly happens when main agents/traffickers are living somewhere else and have someone who lures and convinces the trafficked person to travel. "Drivers only tell potential victims that they are being taken to Gaur for travelling purpose. The border is a few minutes' drive from here. After they reach India all hurdles get passed".[53]

Drivers and conductors generally seem reluctant to report suspected cases of human trafficking to the police. General lack of awareness, inability to spot indicators that identify trafficked persons,

and risk of losing their job were some of the reasons cited. "We are poor people, so we take the passengers across the border. Sometimes passengers respond saying 'who are you to ask; stay quiet'. This is our business, so we don't ask so many questions".[54] However, other underlying reasons for not reporting are harassment by law enforcement and a tendency to suspect the driver. A driver in Nuwakot said, "Drivers are reluctant to report cases to police in case they are caught up in legal issues. Police often inquire more about the driver than those who are involved in the trafficking. Hence, drivers and other people are hesitant to report suspected instances of trafficking and turn a blind eye.[55]

Respondents in the study sites were also of the opinion that some **(truck/tripper/tractor/ rickshaw) drivers may have a good rapport and network with security personnel.** Some of the drivers who are involved in transporting trafficking victims, especially women and children, have built trust with security personnel and know how they operate. As a result, they are able to find loopholes and avoid surveillance, particularly by using lesser known routes.

## Modus operandi and complex dynamics

### Transit hubs and public transportation areas

As explained earlier, many victims, especially minors, are initially recruited at transportation hubs, such as bus depots and train stations. These hubs are also used for the transportation of trafficked victims from source to destination. Air routes are mostly used for trafficking victims abroad to places other than India and China. Traffickers take advantage of comparatively lax pre-departure screenings in Kolkata and Chennai (as opposed to Delhi or Mumbai) airports to fly Nepali migrant workers to a third country. Incidents of Rohingya girls being transported from refugee camps in Bangladesh to Kathmandu for

sex trafficking have also been reported (BBC News 2018). The prospect of an international airport at Nijgadh in the near future, without comprehensive immigration measures and systems in place, could make this area a hotspot for traffickers and smugglers. According to an official from the Nepal Police, Anti-Human Trafficking Bureau, "Traffickers and smugglers most often use routes (countries) where the immigration policies are weak, where they can enter due to loopholes and can influence the law. Traffickers and smuggler are always aware of which routes or borders are tightening so then they start using another route."[56]

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[53]  KII, Women's Cell, Rautahat, January 2020.
[54]  KII, e-rickshaw driver, Gaur.
[55]  KII, Male driver, Nuwakot, December 2019.
[56]  KII, an official from the Nepal Police, Anti-Human Trafficking Bureau, February 2020.

## Falsified travel documents

Nepal serves as a transit route for the trafficking of many Bangladeshi and Sri Lankan migrants to the Middle East. A 2019 report by the U.S. Department of State shows that falsified Nepali documents can be obtained for migrants from a third country through illegal means. (U.S. Department of State 2019).

## Camouflaged

FGDs in Bara revealed that traffickers along with trafficked women cross the border to Indian states on the pretext of 'religious tourism'. The Mayor of Chapur, Rautahat, noted:

> *The network is so intricate that it is not easy to identify the actors. While people are being transported, private cars are also used. Normally there are (five) people across the border and they have agreed on the timings and location. All the information is already exchanged. So public vehicles are not used to avoid suspicion.*[57]

## Use of digital communication technologies

Digital communication is a contributing factor to being recruited by traffickers. Traffickers usually target young people still in school, and/or marginalized castes and ethnic minorities and increasingly utilize social media and mobile technologies to lure their victims. "Traffickers use different mediums such as social media (Facebook) to make false promises of marriage and use the friends circle to make them reach a certain location and transport them," explained an officer from the Women's Cell at Nuwakot.[58] An official from the Women's Cell, Gaur, stated that, "Till Gaur, the Indian mobile networks operate and till Berginiya, Nepali mobile network works.

This helps people involved in illegal or trafficking activities to be in touch with their network across the border and vice versa." In these cases, the Women's Cell does not have the authority to intervene and arrest such people directly without the support of Interpol. This poses a great danger to people's security, because anyone can be kidnapped in India and kept in Nepal and vice versa. An NHRC representative voiced similar concerns, stating that there has been an increase in the use of Facebook, WeChat, and WhatsApp to entice potential trafficking victims, as these mediums offer anonymity to traffickers (see Box 7).

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*"In December 2018, I accepted a friend request on Facebook from an attractive guy, Santosh (name changed), and started talking to him regularly. I used to study in Class 7 at that time. My friends in school used to wear new clothes and bought cosmetics when we went to the market. I, on the other hand, had to return empty handed as I could not afford such extravagance. Mindful of my economic condition, Santosh started to send me recharge cards, gifted me clothes, food, and even a mobile phone.*

*One day, Santosh came to my school in the village to take me. He told me that if anyone enquires about us on the way, I should say we are going to meet my aunt who lives in Birgunj. We went to Birgunj and got married. We stayed in a place behind Bhishwa Hotel for a week. He used to bring his friends and ask me to engage in sexual intercourse with them, saying that it was a cultural practice in his community.*

*This continued for one-and-a-half months. One day, he told me we had to go to India because his family found out about us. We took a bus that came from Kathmandu and went to Aadapur. We stayed in Aadapur at a Biga Mukhiya's house for four days. On the fifth day, I found out that Santosh had sold me to the Biga Mukhiya for forty thousand Indian rupees. That person sexually exploited me time and again.*

*There was another woman from Udayapur when I reached that place. One night, both of us ran away around 3 a.m. A woman helped us reach the police station. I then called Santosh to ask him to meet me at the bus park. With the help of a disguised police officer we caught him. He was charged under the Human Trafficking and Transportation Act in Parsa court and sentenced to imprisonment. However, he filed an appeal and the case is now pending at the High Court in Janakpur."* – **KII, trafficking survivor, Arghakhanchi, January 2020**

## Control or persuasion

Traffickers use many tactics to control their victims, to reduce resistance and increase their dependency on the traffickers. Victims may be isolated due to language/cultural barriers or kept in captivity. A representative from Ministry of Labour, Employment and Social Security recounted a recent case of trafficking of Pakistani nationals, where the victims were brought to Nepal (for three months) with the promise of foreign employment. They were taken to Itahari where they were kept in a house and not allowed to go out. When they called the police, the Ministry raided the place, rescued them, and, based on a first information report (FIR), registered a case under the HTTCA. In many instances, traffickers may also threaten actual violence, withhold salary/daily wages, or control the identity documents of trafficked victims. Besides coercive methods, in certain circumstances traffickers also provide the victims with a false sense of security or promote a sense of family and belonging.

*"In a hotel in Birgunj, the owner mostly catered to clients from Bihar, He used to call girls from Pathlaiya for sex work. The owner gave the girls scooters in instalments so that he could control their movement. They would come whenever he called. If there was a police raid, he would ask them not to come."* – **FGD with national stakeholders, Kathmandu, February 2020**

# Patterns of exploitation

## Forced prostitution and sex trafficking

According to FGD participants and interview respondents, many adolescent girls and women aspire to look for work in cities. They are often exploited for labor and some are also duped into sex work. Those in border towns can be particularly vulnerable. Suspected cases of forced prostitution and sex trafficking were often discussed in the study sites by the respondents, who said such activities are happening in hotels and restaurants along the road corridors. A surge of Indian tourists and vehicles can also be observed in the border towns of Nepal. One of the main reasons is the ban on alcohol in the Indian State of Bihar, as per the Bihar Excise (Amendment) Act, 2016.[59] Respondents indicated that Indian nationals have been coming across the border in high numbers and, with this, the number of hotels, restaurants, and casinos has also increased. They are also found to be engaged in sexual activities with Nepali girls, giving rise to prostitution in the area. Around 21 percent of the survey respondents also indicated that sex work is prevalent in the communities, out of which 99 percent said women and girls are used for this purpose. Anecdotal evidence points to traffickers and organized crime syndicates bringing in children and young women to meet this demand. However, no cases have been reported to the police nor have the authorities undertaken any measures such as raids, revocation of hotel licenses, or investigation of prostitution and sex trafficking in these areas.

*"As a result of the alcohol ban, many Indian citizens started coming to Nepal to buy cheap alcohol. In the process, men have started taking rooms/houses on rent here so they can come at night, drink the entire night, and then go back to their homes in India. There is high presence of prostitution in this area. There are local women as well as women from other parts of the country. The clients are local and Indian—mostly from across the border. This usually happens in hotels and some customers also go to their homes. However, as we don't have sufficient evidence, we are unable to do anything."* – **KII, Mayor of Chapur, Rautahat, January 2020**

*"In Parsa, Dudhara region, a lot of prostitution and alcohol businesses are running. A lot of truck drivers and others are coming into that area."* – **FGD, vulnerable group, Bara January 2020**

*"The influx of laborers from outside Nepal for construction related activities has given rise to the unplanned pregnancy of minors in host communities. Many children born to minors do not know who their fathers are. Documentation of citizenship, vital registration, and so on of such children can often be a challenge, thereby making them potential targets for traffickers."* – **FGD with national stakeholders, Kathmandu, February 2020**

## Foreign employment (migration) and trafficking

During the field study, conditions such as development-led displacement, pressure from increasing population density, and environmental erosion (decrease in agricultural productivity or lack of clean water), without corresponding increases in employment opportunities in other sectors, were cited as push factors for people to take risky decisions to migrate. This is taking into context the backdrop of Nepal being highly dependent on out-migration as a livelihood strategy and remittances for its economy (remittances from foreign employment were equivalent to 25.4 percent of GDP in 2018/2019).[60]

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[59]  Bihar Excise (Amendment) Act, 2016, is an Act of the Bihar Legislative Assembly which prohibits manufacturing, bottling, distribution, transportation, accumulation, possession, purchase, sale, or consumption of any type of liquor or intoxicating substance including bhang and medicines containing alcohol.

[60]  Nepal Rastra Bank Macroeconomic Database 2019.

Many trafficked persons who migrate for a variety of reasons are predisposed by their circumstances to trafficking and coercion (Asian Development Bank 2003). The FGDs with vulnerable groups revealed that poor socioeconomic conditions have led to an increased number of men and women seeking employment abroad, taking riskier routes and decisions, making them more vulnerable to being trafficked. Aspirations and unmet expectations are other reasons for rural-urban migration.

*Now if the person gets a job opportunity and can adjust as per his/her expectations then it's okay. But then this possibility is very slim because of low literacy, compounded by limited access to education and job opportunities in Nepal. As a result, these people are increasingly becoming vulnerable to internal/international trafficking.[61]*

It is hard to establish a predominant direct link as a consequence of road connectivity that hinders or facilitates a person's decision to migrate, which can result in either a positive (where expectations and needs are met) or a negative (as a result of being trafficked) outcome. However, examining the needs and motivations that initiate the migration process and various factors that influence the decision to migrate is critical to reducing the vulnerability of those who are most at risk of being trafficked. An official from the Ministry of Labour, Employment and Social Security affirmed that, "Road connectivity is not the only factor that leads to human trafficking. To some extent it might aid the process, but overall, there is no direct link to trafficking."[62]

In terms of tracking the movement of migrant workers employed at construction sites, Ministry officials stated that whenever any road-related project is undertaken, they are not directly consulted as to how many migrants leave after the roads are constructed, which in many cases is not even feasible. However, the Ministry has undertaken certain initiatives to prevent trafficking such as setting up an information desk at Tribhuvan International Airport for migrant workers going abroad, setting up information and interception booths at the transit points along the border in partnership with NGOs and CSOs, and disseminating information on safe migration and counter-trafficking in bus parks and at border points.

## Increased vulnerability of workers to forced labor in road construction sector

In international legal instruments, certain elements of labor exploitation and forced labor are within the human trafficking framework. However, in Nepal, the human trafficking legislation (HTTCA 2007 and HTTCR 2008) does not specify anything regarding forced labor or labor exploitation. As a result, agencies such as the Ministry of Labour, Employment and Social Security are in charge of filing and investigating such cases. This issue is prevalent in both foreign employment and employment in Nepal. Complaints of labor exploitation and forced labor often do not reach the police. Forced labor is most often understood as a situation where people's movements are restricted, and they are made to work under extreme conditions. Conditions of forced labor are not defined under the human trafficking laws, so sometimes even when the working conditions are not good, the workers are compelled to work for many reasons.

*"The International Labour Organization has defined 13 indicators of forced labor. However, this is not mentioned in our law, so it depends on how you look at it. That is why only under extreme conditions, that is, if someone is kept against their will and are exploited, we, the Nepal Police can investigate under the TIP law. However, if the workers are underpaid and the working conditions are not good then it is the MoLESS's responsibility." – **KII, official from the Nepal Police, Anti-Human Trafficking Bureau, February 2020***

[61] KII, officer from the Anti-Human Trafficking Bureau, Nepal Police , February 2020.
[62] KII, official from the Ministry of Labour, Employment and Social Security.

Further, the 2019 Trafficking in Persons Report by the U.S. Department of State reported that, "Law enforcement and labor officials continued to demonstrate a lack of understanding of the differences between labor violations and labor trafficking, including how to report and investigate allegations" (U.S. Department of State 2019, 342). The study found that contractors seldom enter into formal contracts with daily wage/unskilled workers. As the Labor Act is only focused on formal sector employees, unskilled workers are denied their basic rights, making them susceptible to cheap wages, poor working conditions, and other forms of exploitation.

> *"With increasing road construction, child labor is in high demand because it is cheap. Most kids drop out after Grade 2 and once they are a little older, they become helpers in the vehicles that carry the sand and stones."* – **FGD with national stakeholders, Kathmandu, February 2020**

For instance, during the interview, it was noted that construction workers who were working along the road in Simra did not have formal contracts. Similar cases of women and children working at Dhading in stone quarries and sand mining were reported during the FGD with CSOs. This increases their vulnerability to exploitation and trafficking, as national laws often fall short of protecting the rights of informal workers, and migrant workers in particular. Although, cases of forced labor were not confirmed during the interviews, given the lack of accountability in the tender and procurement procedures of road construction projects, there is a high likelihood of such cases.

The FGD at Nuwakot revealed that contractors preferred migrant workers from Terai districts over local inhabitants, as migrant workers were found to be cheaper, hardworking, and not unionized. The participants also noted that in cases of conflict between the contractor and the workers, contractors would either withhold the workers' full payment or cut a few days wages.

Certain positive trends were also noted during the study including:

› **Increasing demand and higher daily rates for migrant construction workers due to the scarcity of local laborers:** The minimum rate as per the labor law is NPR 13,000 per month, but many laborers are paid as much as NPR 28,000–30,000 per month. However, female workers are paid significantly less than their male counterparts.
› **Provision of labor insurance by some contractors:** In Nuwakot, there were instances of construction companies providing insurance to all its employees including laborers.

## Trafficking of children

Children living under vulnerable conditions are at risk of trafficking, including children from poor and marginalized groups. KII and FGD participants in this study highlighted that children are at risk of trafficking for child labor and exploitation due to increased road connectivity. However, the dynamics differ across the different road corridors. For example, along the Kathmandu-Naubise-Mugling corridor, where many brick kilns emerged after the earthquake (Rathaur 2016), children in Dhading were either directly employed or assisted their parents who were employed in the brick kilns. Similarly, in the case of sand mining and stone quarries, mostly boys were lured by recruiters, promising them lucrative jobs. This has resulted in the absence of students from schools. Road construction also makes children, especially boys, vulnerable to child labor.

In the case of Rautahat and Bara, children were also found working in brick kilns. A few had fallen prey to organized crime networks operating along the border towns. In Gaur, squatter groups, consisting of almost 25 vagrant children, were forced into begging in nearby towns and villages. This not only makes them vulnerable to trafficking, but to all forms of abuse.

Internal trafficking of children for labor exploitation is also a concern. Participants of the national level FGD held in Kathmandu noted that the exploitation of children is exacerbated when they are taken to cities as domestic help or are illegally made to work in tea shops and restaurants, although hotel owners deny this when confronted by organizations. Sometimes the children are promised work in cities in exchange for education by relatives or family friends.[63]

> *"At times, hotel owners along the highways would lure school children to wash dishes at the restaurants during rush hours. Children would skip school to work in these hotels for a meagre amount of NPR 200–300. We had many meetings with the hotel owners, and they claim that they do not keep children for work. But it is evident that they hire children, as they work out cheaper."* – **FGD, representative from Anti-trafficking NGO, Kathmandu, February 2020**

The practice of using child labor for construction, especially after the 2015 earthquake, was a concern raised by FGD participants working in anti-trafficking organizations. In Nuwakot, many migrant workers were brought in from other districts to work in the reconstruction activities. Some of them were children between the ages of 12 and 16, hired to work in the rehabilitation of roads and reconstruction of damaged houses. KIIs revealed that lack of official records on migrant workers and documentation to authenticate the age of children employed was a major challenge, which hindered authorities from taking appropriate action.

> *"There was one case where a contractor from Ramechhap employed adolescent boys for construction activities. However, the wages were paid—either intermittently or during festivals—to their parents. In case of injury, the contractor would just send the child back to be looked after by the parents. Such practice is akin to bonded labor, where the child is working for little or no pay and is not at liberty to leave the job. At times, adolescent girls are also hired to work at the construction site, putting them at risk of sexual exploitation."* – **FGD, representative Anti-trafficking NGO, Kathmandu, February 2020**

Sometimes children are lured by circus troops and fall prey to trafficking. FGDs revealed that children were being smuggled into India and sold into the travelling circus industry. Other forms of child trafficking for forced marriage and organ trade are also common (Patkar and Patkar 2017) (see Box 8).

> **Box 8. Case Study – Example of Cross-border Child Trafficking**
>
> *"This incident took place almost 6 years ago. I must have been 12 or 13 years of age at that time. I am 19 years old now. I had gone to play alone in a nearby temple called Mursarimai. When I was playing there, two men came by on a motorcycle and spoke nicely with me. I remember them offering some sweets to eat. I don't remember when I regained my consciousness. I didn't recognize anyone, but since everyone was speaking Hindi, I guessed that I might be somewhere in India.*
>
> *After my disappearance, my father, with the help of the police went all over Nepal including India to look for me. I was held in an isolated village. One day, I made an excuse to use the toilet and fled from the place. I managed to reach Birgunj where I rang my father, who immediately came to rescue me. I reached home three months after being abducted.*
>
> *While searching for me, my father went to many places in India and, in those places, he came across many destitute Nepali children. On enquiring further, the police stated that there are many organized crime groups who abduct children to harvest their organs. I was lucky to be able to flee from the place and return home. However, whenever I recall the incident and see a lot of children crossing the border, I fear that there might be many children who are being victimized."*

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[63] FGD, National level stakeholders, Kathmandu, February 2020.
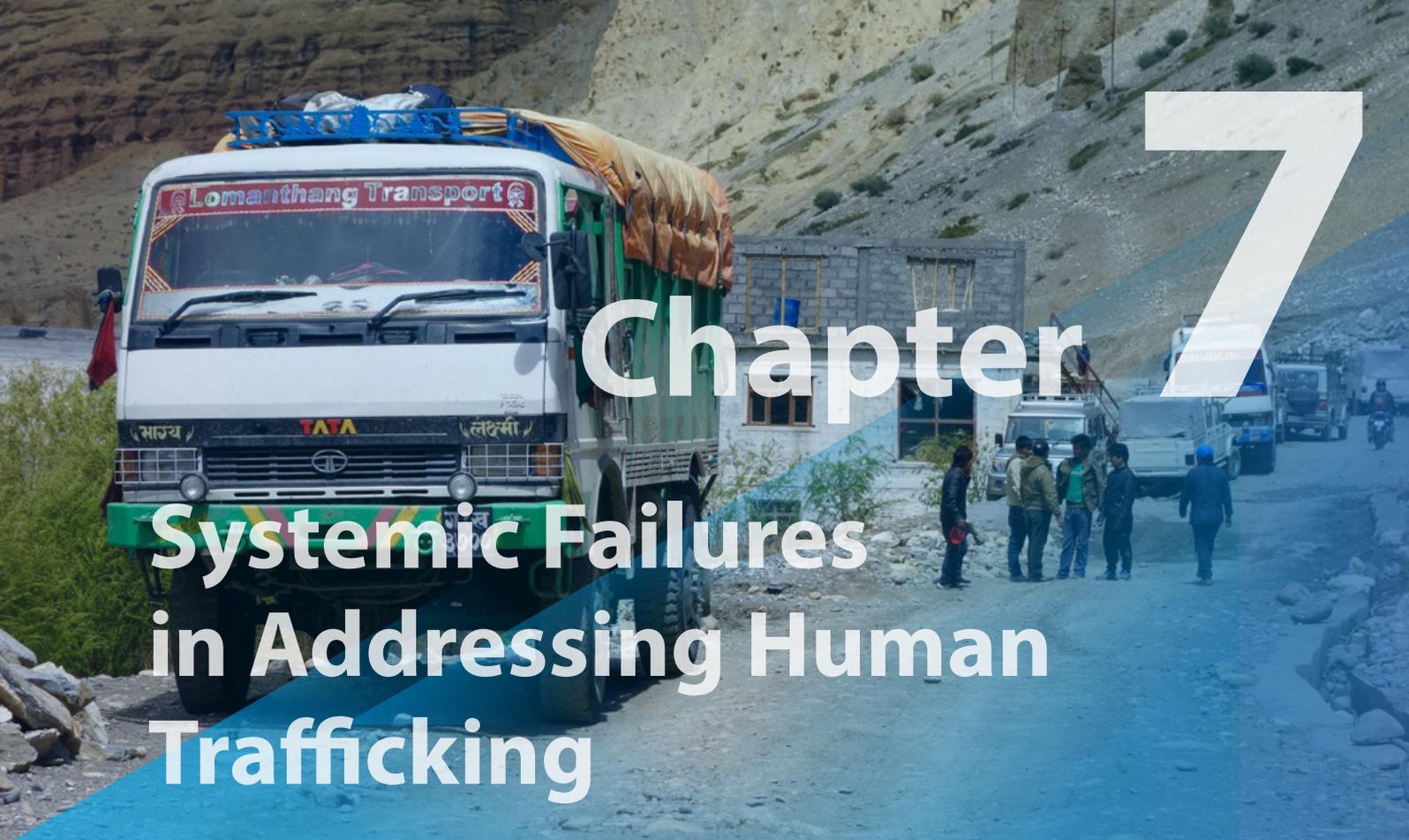
Chapter **7**

# Systemic Failures in Addressing Human Trafficking

*Photo credit: Galen Murton - Nepali cargo trucks await new loads between Chuktsang and Tsele on the Tibet-Mustang road*

KIIs and FGDs revealed that there are many challenges in addressing human trafficking. The nature of human trafficking is complex and hard to prove, yet state and non-state agencies working in the sector say it is happening and under-reported. While development, that is, access to roads and transport and the mobility of people, has benefited many people and cannot be stopped, consideration of the risk of trafficking as a result of development is lacking. This section highlights some of the major gaps in addressing trafficking, ranging from a general lack of awareness to policy and institutional gaps.

## Complexities with self-identification as a victim of trafficking

Trafficked persons are unlikely to self-identify as victims of human trafficking. What makes the crime complex, particularly in terms of the identification of victims and interception during their journey on the road in the trafficking cycle, is that victims often do not have any suspicion about the exploitation or outcome that awaits them at the destination. When trafficked persons have the opportunity to interact with other people during their travel phase, they may simply believe they are travelling for a new job opportunity, or getting married, going to meet friends, or on a holiday.[64] There are also instances where trafficked persons are exploited by their perpetrators, but they may not see themselves as victims—often blaming themselves for their situation. This makes discovering this crime more difficult, as victims rarely self-report. Also, significant time and resources are required to uncover such crimes. At times, victims are misidentified and treated as criminals or illegal migrants. In some cases, victims are hidden behind closed doors in domestic servitude. In other cases, victims live in plain sight and interact with people on a daily basis, while experiencing forced labor or commercial sexual exploitation in public settings (such as construction sites, bars, or restaurants), yet are not identified by authorities.[65]

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[64] FGD with NGOs in Kathmandu.

[65] See website of Human Trafficking Taskforce E-Guide, Office of Justice Program, Training and Technical Assistance Center: https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/.

## Lack of awareness among communities and stakeholders

The general lack of awareness among community members and stakeholders as to what constitutes 'human trafficking' and inability to identify victims is a major challenge, highlighted by almost all respondents in the study. In response to a question about knowledge of any suspected cases of trafficking at the Nepal-India border, only 20 percent of the respondents seemed aware of such cases. The identification of potential victims can disrupt the trafficking process before it even starts and, thus, prevent the exploitation of vulnerable individuals (OSCE 2011). Therefore, community leaders, local organizations, and networks, as well as community members, have a crucial role to play in the identification of potential victims within their community. During the survey, 67 percent of the respondents said they knew about human trafficking. On enquiring about the nature of trafficking, the majority felt that trafficking is mostly done for commercial sex, involving women

(82 percent) and children (67 percent), including false marriage (46 percent); fewer respondents recognized organ harvesting (33 percent), child labor (28 percent), forced labor (17 percent), and illegal adoption (8 percent) as other forms of exploitation involved in trafficking.

KIIs and FGDs further revealed that transportation workers—drivers, assistant drivers, and transport officials, including hospitality and entertainment business (especially those along highways)—are also in need of awareness and training on identifying trafficked victims. KIIs with drivers of passenger vehicles in all study sites expressed they had received little to no training on human trafficking. A bus driver in Dhading said, "My involvement in fighting against human trafficking is because of my own concern on this subject. Other drivers, almost (99 percent of them), are unaware of this issue."

## Lack of clarity on reporting and recourse mechanisms

The overwhelming majority of the people (98 percent) said they would approach a Women's Cell in a police station if they identified or suspected trafficking. Around 23 percent of the respondents said they would approach women's human rights defenders (WHRDs), followed by hotlines (10 percent), NGOs working in the areas (7 percent), community groups (7 percent),

and Aama Samuha, a local community group (4 percent). Compared to other castes/ethnicity, a higher share of people belonging to hill castes (37 percent) said they would approach WHRDs. The share of people who said they would approach WHRDs is also higher among high-income groups (31 percent) and in Corridor 2 (34 percent) (see Figure 21).

*Figure 21. Entities/Organizations People Would Approach About Suspected Human Trafficking Cases (% of Respondents) [N=306]*
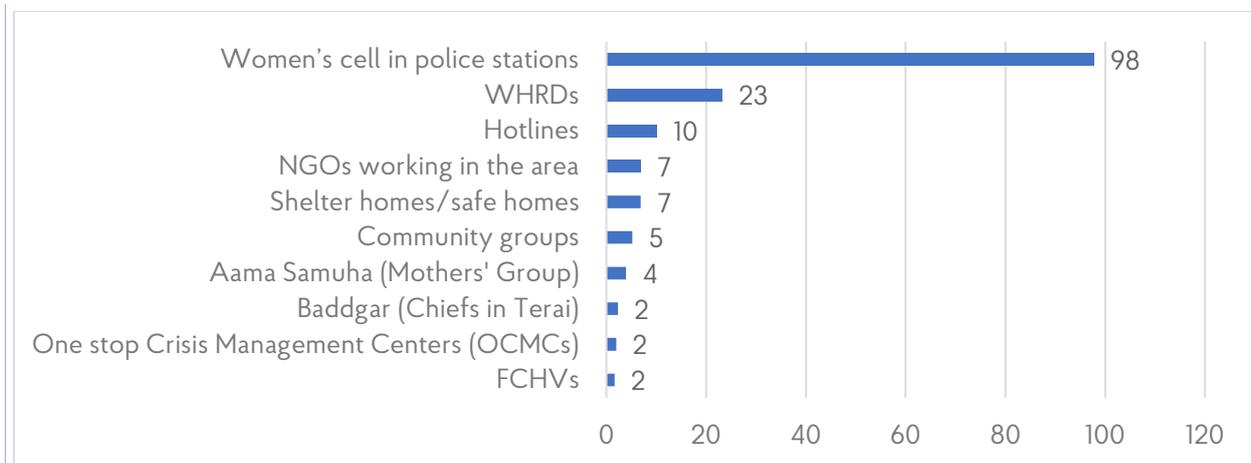
The respondents also specified that the anti-trafficking agenda is often pushed forward due to the presence of the CSOs. However, only 14 percent of respondents said their community had a mechanism to address human trafficking. Less than one-quarter (23 percent) said their community has government organizations that address the issue, while 21 percent said they have NGOs/CSOs. The most common response was that trafficking cases were reported to the police and action was taken according to legal rules and regulations, but the anti-trafficking agenda is given attention primarily by NGOs/CSOs, as this is their priority and focus of work. There seems to be less focus and importance given to the relevant government organizations/state agencies responsible for addressing this issue.

# Lack of monitoring and surveillance

Lack of monitoring and surveillance by the state as well as effective strategies to prevent the use of commercial vehicles or carriers as a means of transporting trafficked persons are some of the key gaps in countering human trafficking in Nepal. Development and globalization bring the need for regional connectivity and improved road access; however, concerns over security issues, including transnational crime such as human trafficking receives less priority.

Some **ad hoc security measures** have been undertaken by municipalities/districts and so on, but with lack of coherence and coordination at the provincial/federal level. The state does not seem to prioritize exploring the vulnerabilities and risks associated with the new routes and road connectivity. For example, the opening of the fast track and second international airport may have an impact on security from the perspective of irregular migration or trafficking in Rautahat and Bara, as transit points via India.

While the overwhelming majority of respondents believed that trafficking cases were dealt with by the Women's Cell at the police station, the study shows that very few trafficking cases have been registered at the police stations in the study sites. For instance, Rautahat and Bara did not have any trafficking cases registered in the current year. The Anti-Human Trafficking Bureau of the Nepal Police mentioned that "Police largely oversee organized and transnational crimes. Cases that involve local actors in the case of internal trafficking are investigated by local police authorities."[66] The Bureau does not, however, have exclusive jurisdiction over trafficking cases, which means that district police investigators can also handle such cases and have no obligation to inform or consult with the Bureau.

# Limited focus on trafficking agenda in existing policies

The Environmental and Social Management Framework 2007 developed by the Department of Roads provides guidance on mitigating the risks related to environmental and social issues related to new road construction and development activities. However, the trafficking agenda in this framework is limited. It does not establish ta link between forced labor, trafficking, and other forms of human trafficking as one of the social consequences of road construction projects (Department of Roads, Planning and Design Branch, GESU 2017). The anti-trafficking efforts are largely from a health perspective (HIV/AIDS) and, thus, provide limited scope for addressing this multifaceted issue. In 2017, the Ministry of Physical Infrastructure and Transport introduced the Gender Equality and Social Inclusion (GESI) Guideline for mainstreaming GESI in the infrastructure development process. The government official from the Ministry mentioned that it is not compulsory to adopt the guideline, but it is largely used to sensitize planners and stakeholders in the development sector.

So far, during the design, implementation, and after implementation phases, the GESI perspective has been considered in road and railway projects.

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[66] KII, Anti-Human Trafficking Bureau, Kathmandu, January 2020.

However, the Ministry official added that **security, livelihood, migration, and human trafficking have not yet been considered within the planning of these projects.** These issues need to be integrated in the existing system and structures for a change to occur. The GESI guideline is at a nascent stage and is currently limited to gender integration through women's participation and the prevention of occupational health and safety in development projects.

## Lack of accountability of contractors/subcontractors

The informal group of construction workers, headed by a labor subcontractor (*naike*), could be considered the most important entity in the construction industry in Nepal. The labor subcontractors employ the majority of workers. *Naikes* may either operate as subcontractors that carry out specific activities or more like labor suppliers responsible for the management of the workers (Tajgman 2005). Most tender and bid documents of road construction projects, however, do not include sufficient measures to ensure the **accountability of subcontractors** who are responsible for the welfare of their workers. Moreover, the practice of providing contracts to the lowest bidder leads to the construction of poor-quality roads and minimum labor standard compliance, putting the community and workers' lives at risk.

## Restructuring of state agencies for anti-trafficking

In the context of the **new federal structure**, the government has given instructions to all three administrative levels to design and deliver their own policies, programs, and funding in their jurisdiction and the previous district-level framework has been dissolved. For instance, the position of Women Development Officer is now defunct. Existing structures such as the district and village committees for controlling human trafficking (DCCHTs/VCCHTs) are also defunct in the new the federal setup.[67]

While the establishment of DCCHTs and VCCHTs and their roles and responsibilities are mentioned in the existing HTTCA and regulations, the laws are not harmonized with the current federal structure. This creates ambiguity as to the responsibilities of the different agencies. An official from the NHRC mentioned that even though previous committees are still there, they are not active. Local laws are not in place yet. However, given the geographical proximity and terrain of Nepal, it would be easier for local mechanisms/governments to monitor and minimize trafficking.

It was also observed that Social Development Sections have not been formed in many districts. In districts where these sections have been formed, staff capacity requires strengthening. An official from the Ministry of Women, Children and Senior Citizen added that, "There is a need to build capacity at the regional and local levels to the grassroots to look into issues of social development, empowerment, gender equality and discrimination, including violence against women and trafficking."[68]

> *"The new system of having local government and representatives is very good. However, nobody has been given the authority to work on human trafficking. Nyaik samitis [judicial committees] are formed, but they are only authorized to handle cases of a civil nature like family disputes, divorce, among others. The most they can do is ask the trafficked victims to approach either the courts or the police.*
>
> *Earlier there was a DCCHT that was chaired by the CDO [chief district officer]. A committee was formed to monitor the functioning of DCCHT. The committee would pressurize police and other civil society groups to work and perform. Further, the decisions made by the committee needed to be adhered to. However, at present there is no mechanism for monitoring or accountability in addressing human trafficking."* **– KII, CBO, Bara, January 2020**

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[67] The new federal set up provides for committees for controlling human trafficking (CCHTs) at the municipality and ward level.
[68] KII, CBO, Bara, January 2020.

# Chapter 8

# Conclusion and Recommendations

The expansion of national road networks to connect the whole country is essential to achieve socioeconomic development and economic prosperity. The mobility of people in terms of international, regional, and domestic travel through improved road connectivity not only makes travelling convenient, but also efficient. People from Nepal and India have benefited from the open border with India. Similarly, road connectivity has made travel to and trade with China easier for people from both the countries.

The migration of both skilled and unskilled workers from near and distant villages—northern mountainous regions to the plains—is the result of increased road connectivity, which has brought with it new economic opportunities. While road connectivity increases the possibility of new businesses and opportunities, there are some consequences, such as children being lured to earn quick money and girls and women being trapped and sexually exploited, which can result in them being trafficked and needs to be mitigated.

Determinants such as poverty, violence, discrimination, unemployment, inflation, and aspirations for better work and a better life, combined with access to roads and ease of mobility can put certain populations, such as children, young adolescents, and women, at risk of trafficking. While the nexus between road connectivity and trafficking cannot be seen

directly, the hidden and indirect links must be understood to mitigate human trafficking. Roads and transportation play an important role in aiding human trafficking, with recruiters and traffickers taking advantage of new and less traveled routes. There are other compounding impacts of connectivity, such as inflation, a surge in clandestine business along highways, an increase in real estate prices, and labor influx, which also increase the risk of trafficking and exploitation.

While the construction of roads is, without a doubt, a critical investment, it is equally important to assess the potential socioeconomic risks of foreseeable, as well as unplanned developments enabled by such projects. At present, only environmental assessments of development projects are prioritized, and social impact assessments are largely neglected, resulting in a rise in the unintended consequences and social costs of development. This was emphasized by a contractor who felt that the government should be responsible for integrating the mandatory provisions of such assessments into policies. Further, stakeholders working in the anti-trafficking sector felt that the lack of mechanisms in the current federal context has also left a vacuum and decelerated anti-trafficking efforts. Hence, local-level laws and guidelines should be formulated and implemented as soon as possible.

The study also highlights the need for improved border control to facilitate the safe and secure transit of outward and inward migrants. At present, security surveillance is not effective, although police and armed forces are present at the border posts. However, the presence of the NGO booths, which are often run in coordination with law enforcement agencies, and the interventions of NGOs seem to be very effective. Such interventions tend to have better reach in communities and are also present in areas where there is less police surveillance. They also carry out various awareness raising activities in at-risk communities, making them aware of the ongoing issues and vulnerabilities in relation to human trafficking. While there may be critical gaps in capacity and resources, law enforcement and CSO support to reduce human trafficking can also be difficult because of the creative and adaptive approaches used by the traffickers. Dealing with human trafficking has become life threatening to some of those who work in this area.

Therefore, careful examination of the changing dynamics and role of actors involved in the trafficking cycle, specifically related to roads and transportation, is required. Empirical research on this subject is crucial to advance our understanding of the trafficking phenomenon and design nuanced, evidence-informed policies and practices. This study points to the urgent need to bring all development stakeholders—including those involved in the transport sector—under one platform to formulate ways to mitigate the risks of trafficking. Hence, focused attention on the prevention of human trafficking in large-scale investments such as transport connectivity is critical to achieve the 2030 Agenda of sustainable development, which is consistent with the World Bank Group's own twin goals of ending extreme poverty and boosting shared prosperity in a sustainable manner.

Based on this research, the following recommendations are made with regard to the increased vulnerability and risk of human trafficking due to road connectivity.

## Policy and legislative reforms

› Mainstream human trafficking as a cross-cutting issues across the sectoral ministries, including the National Planning Commission, as part of the development agenda for Nepal. Draw links between the unintended social consequences of the increased risk of trafficking as a result of development-induced and exacerbated vulnerabilities.

› Harmonize the legislative provisions and administrative structures for countering human trafficking with the federal system of Nepal. Strengthen and restructure mechanisms to improve coordination between different line ministries at the central, provincial, and local levels. As old mechanisms are not functioning in the new federal context, lobby for the effective institution of anti-human trafficking committees at all levels without delay.

› Accelerate efforts to pass local laws and guidelines related to human trafficking so that local governments can work more effectively, as this research has shown that lack of clarity and lack of local-level laws has decelerated anti-trafficking efforts.

› Review the existing National Plan of Action against Trafficking in Persons, Especially Trafficking in Women and Children 2068 Bikram Sambat (2012 AD) to expand its response to mitigate the risk of human trafficking with regard to increased regional connectivity. Include road and transport sector operators as key stakeholders in the anti-trafficking response.

› On account of Nepal's recent ratification of the Palermo Protocol, incorporate this into national laws to combat human trafficking, such as the HTTCA. Revise and increase the scope of exploitation under the HTTCA to include the recruitment, transportation, transfer, harboring, or receipt of a person for the purpose of exploitation, different forms of sexual exploitation, and forced labor.

› Review the regulation for committee members of the NCCHT and LCCHT to include representatives from transport and connectivity-related government agencies such as the Ministry of Physical Infrastructure and Transport, Department of Roads, and National Planning Commission.

› Harmonize the provisions related to trafficking in the HTTCA, Foreign Employment Act, and Bonded Labor Act of Nepal.

› Ensure compliance of road construction stakeholders with laws pertaining to human trafficking, forced labor, and labor trafficking. This can be achieved through: (a) legislative review/reform of the Public Procurement Act (amended 2076) to include provisions on bidders' compliance with relevant laws; (b) inclusion of provisions related to workers' rights and the protection of vulnerable communities in the Standard/Local Bidding Documents (General and Specific Condition of Contracts, terms of references, and so on) for civil works; and (c) bid evaluation criteria that include the contractors' preparedness and track record in ensuring labor standard compliance. Further, checks and balances need to be built into the tender, award, and payment process to increase the accountability of contractors and subcontractors to ensure strict compliance with these provisions. This could be done by mandating that contractors provide their own plans and mitigation measures to address human trafficking.

› Strengthen monitoring by Labor Inspectors as per the Labor Act to mitigate the practice of forced labor and ensure compliance with labor standards in road/infrastructure development projects.

› Review and update the Environmental and Social Management Framework 2007, Environment and Social Assessment, and GESI Operational Guideline 2017 by the Ministry of Physical Infrastructure and Transport to include the risk and impact of human trafficking in connection with infrastructure development.

› Develop standard operational procedures to ensure compliance with legal provisions that protect the vulnerable population/workers, as per national law, before, during, and after road development projects.

› Promote dialogue on migration route patterns with a specific focus on irregular migration and human trafficking and its impact on communities as a result of increased regional connectivity in member states (Nepal, India, and China) under the Belt and Road Initiative trilateral cooperation project.

› Create regional policies and procedures for a comprehensive anti-trafficking response with a specific focus on links with integrated regional trade and investment, transport, and communication areas of cooperation under the leadership of the Sub-Group on Human Trafficking and Illegal Migration in the BIMSTEC Convention.

# Public outreach, awareness generation, and capacity building

› Conduct community outreach programs through different mediums (radio, television, social media, print media-pamphlets, leaflets, and posters) in community and public spaces such as educational institutions, offices (government and private), community groups, and unions/associations to raise awareness about trafficking. Volunteers who belong to different ethnic groups (including marginalized castes) should be engaged in outreach activities to make them more accessible.

› Develop or use existing mobile apps and online platforms such as Safetipin to collect information about public spaces through a safety audit, which will help enforcement agencies in identifying potential hot spots of trafficking.

› Conduct awareness-raising programs on human trafficking for transport operators and construction workers and provide information on the actions they can take if they suspect human trafficking.

› Work closely with the Ministry of Physical Infrastructure and Transport and the Department of Transport Management to include mandatory sessions on human trafficking and victim identification for drivers as part of renewing their license or issuing a new one. The agencies may also consider including provisions in the driving license examination to assess the level of knowledge on human trafficking and roles/responsibilities of transport operators and vehicles to prevent trafficking.

› Strengthen the capacity of law enforcement officials, community workers, and other justice sector actors on different aspects of human trafficking. Specific focus should be given to strengthening the identification, referral, victim and witness protection, and investigation skills of the police.

› Recognizing the ways in which a trafficker exploits technology can enhance investigative efforts, assist in intercepting criminal activity, and even create grounds for prosecution. Hence, maintain technological awareness and remain cognizant of emerging trends.

› Provide financial and technical support to the Anti-Human Trafficking Bureau for a centralized data portal where segregated data on human trafficking based on region, caste, ethnicity, gender, types of trafficking, and causes of trafficking can be developed. Interviews with police during this research pointed to this as a pressing need.

# Strengthening border control to mitigate trafficking risks

› Develop a standardized indicator checklist for victim identification and a referral mechanism specific to road connectivity and transportation, referring to the existing guidelines developed by other organizations. The checklist can be used to provide specialized training for transportation workers (drivers, assistant drivers, transport officials), hospitality and entertainment businesses (especially those along highways where road construction projects are ongoing and are in the planning phase), and road construction sector stakeholders (contractors, subcontractors, petty contractors, and supervisors). Include transportation associations, such as the Nepal Transport Workers Union (NETWON) and Federation of Contractors' Associations of Nepal (FCAN), in anti-trafficking efforts.

› Although there are security border forces and CSOs present at the Nepal-India and Nepal-China border points, the border control measures are not adequate given the daily movement of people. Work with the local government connected to border areas to reinforce more stringent measures of screening at border points and smaller/newer routes near the border. The screening process must involve verification of travel and supporting documents. Also, children must not be allowed to cross the border without a legal guardian.

› In border areas, work with the local government to develop an incentive package for 'Good Drivers' to encourage the reporting of human trafficking cases. In addition, the further, sensitization of police officers is needed to encourage them to collaborate with, and support, drivers who report trafficking cases, as drivers are often harassed by the police if they decide to report a case.

› Cross-border learning and sharing of intelligence by authorities with the counterparts in neighboring countries is essential to intercept and combat trafficking.

# Coordination and building partnerships

› Initiate discussion on the impacts of improved road connectivity at the regional and internal level from a state security perspective. Strengthen law enforcement presence in new and lesser traveled roads to ensure safety and surveillance for populations at risk of trafficking. Draw strong investigative links between the changing trafficking routes and modus operandi as a result of improved roads with a specific focus on internal trafficking. Strengthen coordination between the Anti-Human Trafficking Bureau and local police for the investigation of human trafficking.

› All stakeholders related to road construction (connectivity) and trafficking should periodically come together under one platform or consultation meeting to discuss risk mitigation related to human trafficking. This research showed a disconnect between stakeholders. Representatives from the road construction and transport sectors, including the Department of Roads and Ministry of Physical Infrastructure and Transport, were not invited to discussions on human trafficking, because of the lack of a broader perspective on the necessity of their inclusion. Stakeholders should include NGOs and INGOS working in the anti-trafficking sector, labor unions, Federation of Contractors, Transport Workers Union, Ministry of Women, Children and Senior Citizen, Ministry of Tourism, Ministry of Labour, Employment and Social Security, Ministry of Physical Infrastructure and Transport, Ministry of Federal Affairs and General Administration, and Department of Urban Development and Building Construction. Budget funds should be allocated for such programs under one ministry.

› Coordinate with employment service centers, migrant resource centers, and NGOs working on migration/skills development at the local level to curb human trafficking and exploitation related to employment and unsafe migration. Mandatory pre-departure, literacy, and entrepreneurship trainings for migrant labor conducted by these organizations should focus on addressing the risk of trafficking, victim-identification and reporting (i.e., who to approach and how if they suspect trafficking). Information, education, and communication activities by these organizations should also focus on the prevention of trafficking and be held in locations where large-scale construction activities are being undertaken. For the same reason, local governments can promote existing safe migration apps among young people.

## Advocacy for effective policy reforms

› Advocate to amend the HTTCA in line with the Palermo Protocol so that anti-trafficking efforts can be accelerated and the government can be held accountable. Special sessions on human trafficking should be organized for lawmakers so that they are aware of the seriousness of the situation.

› Advocate for budget allocation within the Ministry of Physical Infrastructure and Transport to implement policies and operational plans related to GESI and mitigate the risk of human trafficking within their scope of work.

› Advocate for effective monitoring and implementation of labor rights for Nepali and non-Nepali nationals (mostly unskilled Indian daily wage workers) as per the Labor Act. Monitor compliance by companies engaged in the road construction sector through regular inspection by Labor Inspectors.

## Research and data collection

› Conduct research—both nationwide surveys and in-depth qualitative research—to understand the dynamics of road connectivity, vulnerability, and risk of human trafficking. Given the ongoing and upcoming road connectivity projects, it is important to map road connectivity projects and vulnerability to human trafficking.

› Create a repository of data on human trafficking. To achieve this, the Department of Roads, National Planning Commission, Ministry of Physical Infrastructure and Transport, and Ministry of Women, Children and Senior Citizen must collaborate with academic institutions, I/NGOs, and data-driven companies for the regular sharing of research and data related to human trafficking.

## World Bank financed projects

› Ensure compliance with the World Bank's Environmental and Social Framework 2017, DoR's Environmental and Social Managment Framework 2007, as well as other relevant legislation and policies. In addition, reinforce the implementation of the GESI Operational Guideline 2017 for all construction-related projects (government, public-private partnership, and donor funded), so that the potential risk of human trafficking for vulnerable populations in the project area are factored into the project design. For instance, depending on the risk, community-based protection mechanisms may be considered in the project design, with the involvement of the local goverment, to prevent trafficking, child labor, sexual exploitation and abuse/sexual harassment, and other forms of GBV in construction site area.

› Update the Environmental and Social Impact Assessment and Mitigation Plans of ongoing projects to map and capture the risk of human trafficking related to construction activities to mitigate the impact of such activities on communities. Similarly, the scoping and assessment of projects at the preparation stage must reflect the potential risks and impacts of the project. Assessment will help identify the risk of trafficking and develop corresponding mitigating measures, which need to be documented in the safeguard instruments (GBV Action Plan, Stakeholder Engagement Plan, Labor Management Procedures, and Environmental and Social Commitment Plan) prepared by the borrowers.

› At the project level, certain procedures and principles are to be followed when reporting incidents of GBV. Based on the 2020 World Bank's Good Practice Note on Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) and relevant national laws/policies, the project must develop clear guidelines applicable to project personnel, consultants, and contractors. Human trafficking is also a manifestation of GBV and, hence, would be covered under these guidelines.

› Establish networks and partnerships with the main stakeholders such as the Nepal Police, Ministry of Physical Infrastructure and Transport, Department of Roads, and Transport Workers Union, to secure their support in anti-trafficking efforts during the preparation and implementation phases of projects.

› During the process of contractor selection and bid evaluation, the evaluation criteria should include the contractors' preparedness and track record in ensuring labor law compliance. Contractors' bid documents and formal contracts with subcontractors should include measures to ensure they are accountable for the safety and security of their workers. Contractors/subcontractors should also be provided with information on human trafficking and their role in risk mitigation should be defined. They should also be made to sign a 'no-tolerance letter' on human trafficking. In addition, a system needs to be developed whereby materials suppliers are also made accountable if they are found to be involved in human trafficking, forced labor, or child labor. Contracts should include a budget for such programs, including awareness raising activities on human trafficking for laborers as well as communities.

› Monitor compliance by the contractor with their contractual commitments and, in the case of subcontracting, require contractors to have equivalent arrangements with their subcontractors.

› Provide training and capacity building on human trafficking issues at regular intervals to the project staff, supervision consultants, contractors, and subcontractors.

# Annexures

## Annex 1. Do no harm

**Do no harm.** The research team members will ensure that they respect the rights of the participants and they pay attention to his/her mannerisms and responses. They will ensure other 'no harm' checklists are also adhered to.

**Know your subject and assess the risks.** The research team will carefully plan the interviews so that the risks are mitigated. The team will be oriented to not proceed with research that entails imbalanced risks to the safety and security of themselves and others.

**Ensure voluntary participation.** The research team will ensure that the participants are informed about the purpose of the interview and they are aware about the information that would be used and their right to participate or decline to participate.

**Prepare referral information.** The research team will be informed about the services that are available in the respective research sites. They will give information about the hotline service provided by Nepal Women's Commission and the 24-hour toll-free number 1145, as and when needed, to the participants.

**Do not offer advice or make promises that you cannot fulfill.** The team should be aware of the fact that they cannot offer advice to the participants or make promises that they cannot fulfil.

**Adequately select and prepare interpreters and co-workers.** The research team will ensure that all the interpreters and field staff are oriented and trained to follow the guidelines for the conducting of interviews and programs.

**Ensure anonymity and confidentiality.** The research team will ensure that the participants' anonymity and confidentiality is observed. The team will ensure that the participants have the same understanding of confidentiality, explain the concept in appropriate terms, not discuss individual cases with anyone, not alter personal details, and adhere to other checklists of anonymity and confidentiality.

**Obtain informed consent (verbal or written).** It is the ethical responsibility of the research team to obtain the informed consent of the participants and ensure that there are no elements of coercion in the recruitment of participants. The consent could be taken verbally and then noted in writing depending on the context of the research site and the participants. While taking oral consent, five questions suggested in the guidelines should be used.

**Listen to and respect each participant's assessment of his/her situation and risks to his/her safety.** One of the responsibilities of the research team is to ensure that the team in the field (interviewers/enumerators) listen to and respect each participant's assessment of his/her situation and risks to his/her safety and not to proceed with the interview if the participant is not comfortable to move forward.

**Do not re-traumatize the respondent.** The research team will ensure that the interview does not contribute to a person's vulnerability and add undue burden to their present situation.

**Be prepared for emergency intervention.** The research team should consult with community members and service providers to collect appropriate referral information and understand how to be well prepared for emergencies such as if a participant looks ill or shows signs of emotional distress or signs of being beaten, raped, or abused.

**Put information collected to good use.** One of the actions to put information collected to good use would be to publish the study in both international and national languages and disseminate the study as widely as possible.

*Note: The enumerators hired for the survey were trained and oriented by the lead research team on these guiding principles to be adopted while carrying out the study.*

# Annex 2. Profile of study districts

Brief profiles of the study districts are presented in this annex.

**Kathmandu** lies in Province 3 and is the capital of Nepal. It is densely populated with people coming from all over the country for better health care, education, and livelihood opportunities. It connects Nepal to the rest of the world through the country's only international airport. It is also a prime district for tourists due to its richness in history, culture, art, and architecture. Nepali tourism saw a growth of 24 percent as over 1.1 million foreign tourists came to Nepal in 2018, surpassing the figure of 940,218 in 2017. According to the Nepal Tourism Board, a total of 969,287 tourists came by air and 203,785 tourists came via land.[69] With the inflow of tourists, Kathmandu has been the hub for the hospitality sector including the adult entertainment industry. Kathmandu's adult entertainment sector consists of massage parlors, dance bars, cabin restaurants, and guest houses. These businesses employ young women and girls as waitresses and dancers to entertain male patrons, making them hubs for sexual exploitation, forced labor, and human trafficking (The Freedom Fund 2018). Most of the children working in the entertainment industry have migrated from Sindhupalchowk, Dolakha, Kavre, Dhading, Chitwan, Makawanpur, Ramechhap, Sindhuli, Gorkha, and Bhojpur to Kathmandu (The Himalayan Times 2019a). The Kathmandu-based entertainment industry has also been labelled as a 'training ground' to prepare girls and women for the Gulf countries and other destinations (Free the Slaves 2015). In addition, Kathmandu is also a hub for recruitment agencies for Nepalis migrating to Gulf Cooperation Council countries, Malaysia, Korea, Japan, and so on as labor migrants obtain their labor permits from Kathmandu. The Department of Foreign Employment issued 3,509,633 labor permits from FY2008/09 through FY2016/17.[70]

**Dhading** lies in Province 3 and connects Pokhara and Kathmandu, two major urban hubs of Nepal, through the transnational Prithvi Highway. However, a large portion of the district is still poor in terms of access to roads, electricity, and strong infrastructure. Around 44 percent of the households in the district undertake agricultural activities while a large percentage of the youth opt for foreign employment due to lack of opportunities.[71] A recent study conducted by Chhori Organization on the entertainment industry in Kathmandu Metropolitan City reveal that one of the districts of origin of children working in the entertainment industry in Kathmandu was Dhading (The Himalayan Times 2019a). Its proximity to Nuwakot and Rasuwa, two major trafficking-prone districts, makes Dhading an appropriate location for the study to gauge the link between human trafficking and road connectivity.

**Chitwan** is located in the southwestern part of Province 3, with Bharatpur as its district headquarters. Bharatpur is a major destination for health care, education, airway, and transportation in the region. The Mahendra East-West Highway connects the city to the rest of the country while other highways connect it to Kathmandu and Birgunj (India-Nepal Border) in the northwest and south, respectively. Narayanghat falls under the umbrella of Bharatpur City and is one of the most popular retail and commercial hubs in the region. Narayanghat is an important center as any vehicle coming from India needs to pass through Narayanghat to enter Kathmandu. Therefore, there are numerous hotels, lodges, and restaurants there. Although this has great potential for economic growth, there is also high risk of crimes such as human trafficking, forced labor, and other forms of exploitation. According to the National Child Rights Council, Chitwan is one of the 12 districts where child trafficking is rampant (The Himalayan Times 2019b). Chitwan is also one of the top 10 origin districts for female migrant workers.

**Mahottari** lies in Province 2 with Jaleshwar as its district headquarters, which is also a neighboring town of the historical city of Janakpur. Up to 68 percent of its population are involved in agriculture and the other sources of income come through business and trade, wage labor, and services.[72]

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[69] Online Khabar. 2019. "24 per cent rise in number of foreign tourists visiting Nepal in 2018." January 8, 2019. https://english.onlinekhabar.com/24-per-cent-rise-in-number-of-foreign-tourists-visiting-nepal-in-2018.html.

[70] Labour Migration for Employment| A Status Report for Nepal: 2015/2016-2016/2017.

[71] Sakchyam: Access to Finance; November 2017; https://sakchyam.com.np/dhading-2/#_ftn2

[72] UNDAF: District Profile: Mahottari 2013: Retrieved from: https://un.info.np/Net/NeoDocs/View/4224

Remittances are another important source of income in the district as it is one of the top 10 source districts for migrant workers, reviewing the trend from 2008/09 to 2016/17.[73] This has contributed to changing the livelihood and socioeconomic conditions of its population. However, it shares a border with the Indian state of Bihar, making it a ground for cross-border drug trafficking (Das 2016). The disappearance of children is also rampant in the district. Between 2012/13 and 2015/16, a total of 102 children were reported missing, out of which two-thirds were girls from the Madheshi community who were under 16 years of age (National Human Rights Commission 2017). Although there is no information on their disappearances, the figures are alarming.

**Dhanusa** lies in the southern Terai belt with Janakpur Dham as its headquarters. It is not only emerging as a commercial hub, but is also a religious haven for Indian and Nepali pilgrims. Over two-thirds of its land is cultivable, out of which 90 percent is cultivated. Inhabitants of this district are also involved in fisheries. Dhanusa is also one of the top origin districts for male migrants.[74] The motivation to migrate internationally is higher during agricultural off-peak seasons. While migration has elevated the livelihood standards of some families, it has also led to reinforcement of the traditional system of forced labor. Despite the government's interventions, the *haruwa* (ploughman) and *charuwa* (cattle herder) system still prevails in the district. If some people need to migrate, they often rely on financial support from rich community leaders, who lend money at high interest rates. Failure to repay loans often results in reinforcing the traditional system of slavery, whereby the family members repay the loan through *haruwa* and *charuwa* labor (The Freedom Fund 2017). The recent study by NHRC on 'The Social Consequences Borne by Wives of Male Migrants' in Dhanusa and Sindhupalchowk highlights the increasing vulnerability of wives of male migrants to human trafficking, due to increasing household and financial burden, GBV, sexual exploitation, and domestic violence.

**Bara** lies in Province 2 with its district headquarters in Kalaiya. It shares a 62 kilometer border with India and most of its population are involved in agriculture. The number of migrants securing labor permits in the district is increasing. The Simara airport connects Bara to Kathmandu with a 15-minute flight, and an international airport in Nijgadh is in the pipeline. This airport is expected to bring new opportunities for people in the region through infrastructure development, job creation, and tourism. However, women, who constitute 48 percent of Bara's population, still face gender-based discrimination and violence due to predominant patriarchal norms. Despite the government's prohibition, bonded labor, caste-based discrimination, and untouchability persist in the district.[75]

**Parsa** lies in Province 2 and is connected to Kathmandu via Tribhuvan Highway and Mahendra East-West Highway. Its total population is 601,017 as per the 2011 census, out of whom 48 percent are women.[76] Birgunj is a border town of Parsa and holds great economic significance as most of Nepal's trade with India is done via Birgunj and Raxaul in India.[77] The Birgunj-Pathlaiya corridor in Parsa can also be seen as an industrial corridor as a decent share of Nepal's industries, including agro, cement, and steel, are located there.[78] It is one of the top 10 districts with significantly increasing trend in obtaining labor permits.[79] Parsa is also one of the top 10 districts for trafficking, with three-quarters of Nepal's trafficking cases being filed there. It shares 16 border points with India and between 2016 and 2017, a total of 101 trafficked victims were rescued from there (National Human Rights Commission 2018). The involvement of one's own relative in trafficking-related crime is perceived to be the biggest challenge in combatting and countering trafficking in the district (National Human Rights Commission 2018, 28).

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[73] Ministry of Labour and Employment: Labour Migration for Employment a Status Report for Nepal: 2015/2016–2016/2017.

[74] National Human Rights Commission (NHRC); Trafficking in Person| National Report; 2076.

[75] UNDAF: District Profile: Bara 2013: Retrieved from: https://un.info.np/Net/NeoDocs/View/4215

[76] Nepal Map, see more: https://nepalmap.org/profiles/district-53-parsa/.

[77] Investment Board Nepal: Sector Overview: Retrieved from: https://ibn.gov.np/manufactoring.

[78] UNDAF: District Profile: Parsa 2013: Retrieved from: https://un.info.np/Net/NeoDocs/View/4214

[79] Ministry of Labour and Employment; Labour Migration for Employment: A Status Report for Nepal: 2015/16–2016/17.

**Rautahat** lies in Province 2 and has a population of 686,722, 49 percent of whom are women.[80] Around 77 percent of Rautahat's population are Hindu, 20 percent are Muslim, 2 percent are Buddhist, and there are small numbers of people who belong to other religions.[81] Around 70 percent of the land is suitable for the cultivation of crops like paddy, wheat, and maize. Sugarcane, lentils, mustard, and potatoes are also cultivated as cash crops in Rautahat. However, agricultural production has been declining over the years due to the lack of irrigation facilities, plot fragmentation, and youth migration to the Gulf countries. The *haruwa-charuwa* system is still prevalent in Rautahat despite the government's ban on bonded labor. Social and gender-based discrimination is also prevalent, making way for illicit practices like dowry, polygamy, witchcraft, and child marriage. Following the ban on alcohol in the state of Bihar, India, there has been an increase in alcohol tourism in the border towns of Nepal[82] and Rautahat is no exception. With the surge of Indian tourists, the hospitality sector has been booming in some parts of the district including Chandrapur Municipality. While this opens prospects for economic development, in the absence of proper monitoring by the state, it may turn into a breeding ground for human trafficking. Instances of child trafficking have been found from Rautahat to the Raxaul station in India, which is near the Nepal border (Caritas India 2017).

**Sarlahi** lies in Province 2 with Malangwa as its headquarters. The district has a total population of 769,729, out of which 379,973 are women. The inhabitants of the district are involved in agriculture, industries, and services.[83] Sarlahi is also one of the top 10 origin districts for male migrant workers (National Human Rights Commission 2018). Seasonal migration to India for employment is also common in the district. The district faces a lot of challenges related to gender-based discrimination including dowry system, witchcraft, child marriage, and domestic violence.[84] According to the National Child Rights Council, Sarlahi is one of the districts of Nepal from where children are being trafficked (The Himalayan Times 2019b).

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[80] UNDAF: District Profile: Rautahat 2013.
[81] See more: http://un.org.np/sites/default/files/rautahat_district_profile.pdf
[82] See more: https://www.hindustantimes.com/india/alcohol-ban-in-bihar-spurs-liquor-tourism-in-nepal/story-S0KMIaqtconpgLvbZMhu4K.html
[83] See more: https://sakchyam.com.np/sarlahi/
[84] https://sakchyam.com.np/sarlahi/

# Annex 3. Quantitative tools

Survey Questionnaire on Human Trafficking and Transportation and Road Connectivity

Informed Consent Page

Namaste! I am.................................from The Asia Foundation. I am conducting research on human trafficking and transportation to address women and children's risk from enhanced regional connectivity in Nepal. The objective of this research is to understand the inter-linkages between human trafficking and transportation and increased road connectivity and identify issues related to human trafficking and transportation, vulnerable groups, and key socioeconomic and development drivers of human trafficking and transportation and exploitation. The research is aimed at identifying vulnerabilities associated with transport sector operations with a focus on labor influx and outflow, increased business opportunities due to economic activity and growth, and incidences of development-induced displacement which increases the risk of human trafficking and transportation as well as identifying services and their gaps for anti-human trafficking and transportation responses.

| Consent Form | | |
|---|---|---|
| *[**Interviewer:** Read the following statements to the respondents and tick the boxes on the extreme left.]* | | |
| (1) I will be asking you questions related to your experiences and views linked with road connectivity. | Yes | No |
| (2) A few of these questions might pertain to your personal life. (Some may be hesitant to answer the questions.) | 1 | 2 |
| (3) I will be asking you questions related to your opinions about your local community, workers, safety and security, employment, migration, child labor, women workers, and migrant workers. | 1 | 2 |
| (4) This survey will take approximately half an hour to complete. | 1 | 2 |
| (5) Your responses will remain confidential. | 1 | 2 |
| (6) You can choose the venue of the interview as per your comfort. | 1 | 2 |
| (7) I will not be collecting any information that identifies you as an individual. Your participation in this study will be anonymous, confidential, and voluntary, and your responses cannot be identified. | 1 | 2 |
| (8) During the course of interview, if you feel uncomfortable, please say so; we will try to proceed in a manner that makes you comfortable. | 1 | 2 |
| (9) It is not mandatory for you to respond to all the questions. | 1 | 2 |
| (10) You can stop the interview as and when you wish. | 1 | 2 |
| (11) Once the survey ends, you may review your responses. | 1 | 2 |
| (12) I would be very grateful for your participation in this survey. Would you be interested in giving your opinion on these issues? | Yes-1 Continue the interview | No-2 End the interview |

[Instruction:

MA = Multiple answer question

SA = Single answer question

Enumerator will not be allowed to read out the possible choices of multiple response questions]

## Section A: Respondent's Demography

Questionnaire number: ……………………………………

A1. Name of enumerator: ………………………………………………..

A2. Interviewer code no.: ………………

A3. Date of interview: ... .../… …/… …

A4. Interview start time: …………........

A5. Interview end time: .........................

A6. Total time taken to complete the survey…

A7. Name of district: …………..

A8. Name of municipality: ……………….

A9. Ward number ……….

A10. Province:

| Province 2 | 1 |
|---|---|
| Province 3 | 2 |

A11. Residence: [SA]

| Rural municipality (*gaon palika)* 1 | Municipality (*nagarpalika*) 2 |
|---|---|
| Metropolitan city (*mahanagarpalika) 3* | Sub metropolitan city (*upmahangarpalika) 4* |

A12. Gender: [SA]

| Female 1 | Male 2 |
|---|---|
| Other 3 | |

A13. Age: _____

A14. Educational status: [SA]

| Illiterate | 101 |
|---|---|
| Literate but no formal education | 102 |
| Grade 1 completed | 1 |
| Grade 2 completed | 2 |
| Grade 3 completed | 3 |
| Grade 4 completed | 4 |
| Grade 5 completed | 5 |
| Grade 6 completed | 6 |
| Grade 7 completed | 7 |

| | |
|---|---|
| Grade 8 completed | 8 |
| Grade 9 completed | 9 |
| Grade 10 completed | 10 |
| SLC/SEE/ 10+1 completed | 11 |
| 10+2 completed | 12 |
| First year bachelor completed | 13 |
| Second year bachelor completed | 14 |
| Third year bachelor completed | 15 |
| Fourth year bachelor completed | 16 |
| Bachelor completed | 17 |
| First year master completed | 18 |
| Master completed | 19 |
| PhD completed | 20 |
| Don't know | 98 |
| Refused | 99 |

A15. Caste/ethnic group: [SA]

| | | | | | |
|---|---|---|---|---|---|
| Sherpa | 101 | Bhote | 102 | Thakali | 103 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Chhetri | 201 | Bahun | 202 | Magar | 203 | Tamang | 204 | Newar | 205 |
| Kami/B.K. | 206 | Rai | 207 | Gurung | 208 | Damai/Pariyar | 209 | Limbu | 210 |
| Thakuri | 211 | Sarki/Mijar | 212 | Sanyasi | 213 | Gharti/Bhujel | 214 | Sunuwar | 215 |
| Chepang | 216 | Thami | 217 | Yakha | 218 | Pahari | 219 | Chhantel | 220 |
| Gandharva | 221 | Jirel | 222 | Dura | 223 | Badi | 224 | | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Tharu | 301 | Muslim | 302 | Yadav | 303 | Teli | 304 | Chamar | 305 |
| Koiri | 306 | Kurmi | 307 | Dhanuk | 308 | Musahar | 309 | Dushad | 310 |
| Kewat | 311 | Brahman Tarai | 312 | Baniya | 313 | Mallaha | 314 | Kalwar | 315 |
| Kumal | 316 | Hajam | 317 | Kanu | 318 | Rajbansi | 319 | Sudhi | 320 |
| Lohar | 321 | Tatma | 322 | Khatwe | 323 | Dhobi | 324 | Majhi | 325 |
| Nuniya | 326 | Kumhar | 327 | Danuwar | 328 | Halwai | 329 | Rajput | 330 |
| Kayastha | 331 | Badahi | 332 | Marwadi | 333 | Satar | 334 | Jhangar | 335 |
| Bantar | 336 | Barai | 337 | Kahar | 338 | Gangai | 339 | Lodha | 340 |
| Rajbhar | 341 | Dhimal | 342 | Binda | 343 | Bhedihar | 344 | Nurang | 345 |
| Darai | 346 | Tajpuriya | 347 | Chidimar | 348 | Mali | 349 | | |

| | |
|---|---|
| Others | xx |

A16. Religion: [SA]

| | |
|---|---|
| Hindu | 1 |
| Buddhist | 2 |
| Muslim | 3 |
| Christian | 4 |
| Kirat | 5 |
| Atheist | 6 |
| Other (specify) | xx |

A17. Family size:

A18. Types of family:

| Nuclear | Joint | Extended |
|---|---|---|
| 1 | 2 | 3 |

A19. What is your main occupation? [SA]

| Agriculture | 1 |
|---|---|
| Industry/business | 2 |
| Service | 3 |
| Labor | 4 |
| Student | 5 |
| Housewife/house-maker | 6 |
| Retired | 7 |
| Unemployed | 8 |
| Other (specify) | XX |

A20. What is the major source of income for your family? [SA]

| Agriculture | 1 |
|---|---|
| Industry/business | 2 |
| Service | 3 |
| Remittance | 4 |
| Wage labor | 5 |
| Retirement/pension | 6 |
| Other (specify) | XX |

A21. What is your monthly income? [SA]

| Up to NPR 2500 | 1 |
|---|---|
| Up to NPR 10,000 | 2 |
| Up to NPR15,000 | 3 |
| Up to NPR 20,000 | 4 |
| Up to NPR40,000 | 5 |
| More than NPR 40,000 | 6 |
| Refused | 98 |
| Don't know | 99 |

A22. How many family members are contributing for the monthly expenditure of your family? [SA]

| One | 1 |
|---|---|
| Two | 2 |
| Three | 3 |
| All member of the family | 4 |
| Refused | 98 |
| Don't know | 99 |

A23. Marital status: [SA]

| Married | 1 |
|---|---|
| Single | 2 |
| Widow/widower | 3 |
| Divorced | 4 |
| Separated | 5 |
| Refused to answer | 98 |

A24. Do you have the citizenship certificate? [SA]

| Yes | No | Refused |
|---|---|---|
| 1 | 2 | 98 |

A25. Are you originally from here?

| Yes [go to B1] | 1 |
|---|---|
| No [Continue] | 2 |

A26. If No, when did you migrate?

| 2 year ago | 1 |
|---|---|
| 5 year ago | 2 |
| 10 year ago | 3 |
| More than 10 year ago | 4 |
| Don't know | 98 |
| Refused | 99 |

A27. Why did you migrate here?

| Daily wage work | 1 |
|---|---|
| Service (government, non-government) | 2 |
| Business/trade | 3 |
| Family reasons | 4 |
| Marriage | 5 |
| Studies | 6 |
| Don't know | 98 |
| Refused | 99 |

## Section B: Road Connectivity/Infrastructure

B1. What are the major challenges/problems in your community? [MA]

| Infrastructure and services | |
|---|---|
| Lack of roads | 1 |
| Lack of regular supply of electricity | 2 |
| Lack of education facilities | 3 |
| Lack of drinking water facilities | 4 |
| Lack of irrigation facilities | 5 |
| Lack of health facilities | 6 |
| **Risk and vulnerabilities** | |
| Crimes: theft, petty crimes | 8 |
| Lack of safety | 9 |
| Price hike | 10 |
| Lack of job opportunities | 11 |
| Poverty | 12 |
| Ethnic/caste discrimination | 13 |
| Gender-based violence | 14 |
| Human trafficking and transportation (men) | 15 |
| Human trafficking and transportation (women) | 16 |
| Human trafficking and transportation (girl child) | 17 |
| Human trafficking and transportation (boy child) | 18 |
| Human trafficking and transportation (third gender) | 19 |
| Missing persons/children | 20 |
| Unaccompanied minors | 21 |
| Child labor | 22 |
| Forced labor | 23 |
| Illegal adoption | 24 |
| Illegal removal organs | 25 |
| **Others** | |
| Land disputes | 27 |
| Corruption | 28 |
| Lack of human resources for work | 29 |
| Migration | 30 |
| No problems at all | 31 |
| Other (Specify)… | Xx |
| Don't know | 98 |
| Refused | 99 |

B2. Do you think/feel these days that the road connectivity in your area has increased than in the past? [SA]

| | |
|---|---|
| Road connectivity has increased with good quality road | 1 |
| Road connectivity has increased but quality of road is worse | 2 |
| Road connectivity has remained the same | 3 |
| Don't know | 98 |
| Refused | 99 |

B3. How important is it for this area to have more road connectivity with other parts of the county? [SA]

| Very important | Important | Not necessary | Not necessary at all | Don't know | Refused |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 98 | 99 |

B4. What are/could be the positive impacts of road connectivity? [MA]

| | |
|---|---|
| Increased business avenues | 1 |
| Generate employment opportunities | 2 |
| Easy access to health facilities | 3 |
| Generate economic activities | 4 |
| Easy access to market | 5 |
| easy mobility of people | 6 |
| Access to transport (public and private) | 7 |
| Easy access to education facilities | 8 |
| Easier to meet friends and family | 9 |
| Migration | 10 |
| Accident rate has decreased | 11 |
| | |
| Others | XX |
| Don't know | 98 |
| Refused | 99 |

B5. What are/could be the negative impacts of road connectivity? [MA]

| | |
|---|---|
| Increased pollution | 1 |
| Increased accidents | 2 |
| Threat of crime and violence | 3 |
| Displacement of the people | 4 |
| Threat to children for labor use | 5 |
| Threat to children for sexual exploitation | 6 |
| Threat to children of being trafficked | 7 |
| Threat to women for forced labor | 8 |
| Threat to women for sexual exploitation | 9 |
| Threat to women for being trafficked | 10 |
| Increased alcohol consumption | 11 |
| Increased human trafficking and transportation | 12 |
| Migration | 13 |
| No negative impacts | 25 |
| Others | X |
| Don't know | 98 |
| Refused | 99 |

B6. Are road construction/expansion/ bridge construction projects completed on time in your area? [SA]

| | |
|---|---|
| Yes | 1 |
| No | 2 |
| Don't know | 98 |
| Refused | 99 |

B7. How do you assess the overall quality of the roads in your area? [SA]

| Very good | 1 |
|---|---|
| Good | 2 |
| Bad | 3 |
| Very bad | 4 |
| Don't know | 98 |
| Refused | 99 |

B8. Who have benefitted the most from road connectivity in your area? [MA]

| Local community | 1 |
|---|---|
| Sick people | 2 |
| Students | 3 |
| Laborers | 4 |
| Business people | 5 |
| Contractors | 6 |
| Politically affiliated people | 7 |
| All people in general | 8 |
| Don't know | 98 |
| Refused | 99 |

B9. Who has been negatively impacted by the road connectivity project in your community? [MA]

| Local community | 1 |
|---|---|
| Laborers | 2 |
| Business people | 3 |
| Contractor | 4 |
| Politically affiliated people | 5 |
| In general, all people | 6 |
| People who have had to displace due to road expansion/construction | 7 |
| No one has negative impact | 8 |
| Don't know | 98 |
| Refused | 99 |

B10. Has road connectivity boosted the economic condition of your family? [SA]

| Yes | 1 |
|---|---|
| To some extent | 2 |
| No | 3 |
| Don't know | 98 |
| Refused | 99 |

B11. Who are normally hired in the construction of roads in your community/area? [MA]

| Local men | 1 |
| Local women | 2 |
| Third gender | 3 |
| Children | 4 |
| Elderly people | 5 |
| Male migrant workers from other districts | 6 |
| Female migrant workers from other districts | 8 |
| Migrant workers from other countries | 7 |
| Don't know | 98 |
| Refused | 99 |

B12. Do men and women get the same pay and facilities for same work in road construction project in your community/area? [SA]

| Always | 1 |
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

B13. Do workers (male and female) get the pay and facilities on a timely basis in road construction project in your community/area? [SA]

| Always | 1 |
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

B14. Do workers get the pay and facility in the road construction project as promised by the contractor in your community/area? [SA]

| Always | 1 |
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

B15. Do contractors of the road connectivity project use standard safety and security measures for their worker during the work? [SA]

| Always | 1 |
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

B16. Do you know of any kind of disputes or conflict in the road project site between contractors and workers in your area? [SA]

| Always | 1 |
|--------|---|
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

B17. Do you know of any kind of disputes or conflict in the road project site between contractors and local community in your area? [SA]

| Always | 1 |
|--------|---|
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

B18. Do you know of any kind of disputes or conflict in the road project site between workers and local community? [SA]

| Always | 1 |
|--------|---|
| Sometimes | 2 |
| Seldom | 3 |
| Never | 4 |
| Don't know | 98 |
| Refused | 99 |

## Section C: Displacement of People

C1. Has someone of your community been displaced due to the road connectivity project in your area? [SA]

| Yes [Continue] | 1 |
|----------------|---|
| No [Go to D1] | 2 |
| Don't know [Go to D1] | 98 |
| Refused [Go to D1] | 99 |

C2. If yes, do you know if they have been compensated? [SA]

| Yes | 1 |
|-----|---|
| No | 2 |
| Don't know | 98 |
| Refused | 99 |

C3. What are the vulnerabilities associated with displacement? [MA]

| | |
|---|---|
| Lack of housing | 1 |
| Poverty | 2 |
| Lack of adequate compensation | 3 |
| No compensation | 4 |
| Landlessness | 5 |
| Lack of services | 6 |
| Lack of protection mechanism | 7 |
| Lack of safety and security | 8 |
| Increase in crime rates | 9 |
| Increase of incidents of violence against women and children | 10 |
| Forced migration | 11 |
| Lack of policies | 12 |
| Others | 13 |
| Don't know | 98 |
| Refused | 99 |

C4. How many households/houses have to be displaced due to road expansion/construction project in your areas?

| | |
|---|---|
| Specify the number of houses | |
| Don't know | 98 |
| Refused | 99 |

## Section D: Safety and Mobility of people

D1. How do you assess the overall safety and security situation of your community/area? [SA]

| | |
|---|---|
| Improved | 1 |
| Same | 2 |
| Deteriorated | 3 |
| Don't know | 98 |
| Refused | 99 |

D2. Do you think there are adequate security presence (such as police, Armed Police Force) in your area/ community? [SA]

| | |
|---|---|
| Very adequate | 1 |
| Adequate | 2 |
| Not adequate | 3 |
| Not adequate at all | 4 |
| Don't know | 98 |
| Refused | 99 |

D3. How responsive are security personnel in maintaining peace and security in your community/area? [SA]

| Very responsive | 1 |
|---|---|
| Responsive | 2 |
| Not responsive | 3 |
| Not responsive at all | 4 |
| Don't know | 98 |
| Refused | 99 |

D4. How safe do you feel while walking alone in the evening or night in your own community/area? [SA]

| Very safe | 1 |
|---|---|
| Safe | 2 |
| Unsafe | 3 |
| Very unsafe | 4 |
| Don't know | 98 |
| Refused | 99 |

D5. How do you assess the overall mobility of people with increased and improved road connectivity in your community/areas? [SA]

| Increased a lot | 1 |
|---|---|
| Increased | 2 |
| Decreased | 3 |
| Decreased a lot | 4 |
| Remained the same | 5 |
| Don't know | 98 |
| Refused | 99 |

D6. How do you assess the overall movement of vehicles (public and private) with increased and improved road connectivity in your community/area? [SA]

| Increased a lot | 1 |
|---|---|
| Increased | 2 |
| Decreased | 3 |
| Decreased a lot | 4 |
| Remained the same | 5 |
| Don't know | 98 |
| Refused | 99 |

D7. In the past five years, what types of vehicles are coming more frequently in your community/area? [MA]

| Heavy bus | 1 |
|---|---|
| Mini bus | 2 |
| Micro bus | 3 |
| Jeep/van | 4 |
| Truck/tipper | 5 |
| Motorbikes/scooters | 6 |
| Taxis/cabs | 7 |
| Private vehicle | 8 |
| Don't know | 98 |
| Refused | 99 |

D8. What type of vehicle do you use for your own mobility? [MA]

| | |
|---|---|
| Heavy bus | 1 |
| Mini bus | 2 |
| Micro bus | 3 |
| Jeep/van | 4 |
| Truck/tipper | 5 |
| Motorbikes/scooters | 6 |
| Taxis/cabs | 7 |
| Private cars | 8 |
| Bicycle | 9 |
| Rickshaw/tuk-tuk | 10 |
| Don't use any vehicles | 11 |
| Don't know | 98 |
| Refused | 99 |

D9. How safe do you feel travelling in the vehicle? [SA]

| | |
|---|---|
| Very safe | 1 |
| Safe | 2 |
| Unsafe | 3 |
| Very unsafe | 4 |
| Don't know | 98 |
| Refused | 99 |

D10. Has the access of pubic vehicles after the increased road connectivity in your community/areas increased or decreased? [SA]

| | |
|---|---|
| Increased a lot | 1 |
| Increased | 2 |
| Decreased | 3 |
| Decreased a lot | 4 |
| Remained the same | 5 |
| Don't know | 98 |
| Refused | 99 |

D11. Have you experienced any harassment in public vehicles? [SA]

| | |
|---|---|
| Yes [Continue] | 1 |
| No [Go to D13] | 2 |
| Don't know [Go to D13] | 98 |
| Refused [Go to D13] | 99 |

D12. If yes, what kind of harassment have you experienced? [MA]

| | |
|---|---|
| Not getting seats despite having tickets | 1 |
| Misbehavior by drivers/conductors | 2 |
| Not dropping at required destination | 3 |
| Physical assault | 4 |
| Pickpocketing | 5 |
| Verbal abuse | 6 |
| Teasing | 7 |
| Groping/touching | 8 |
| Sexual harassment | 9 |
| Rape | 10 |
| Others | XX |
| Don't know | 98 |
| Refused | 99 |

D13. Have you heard of any harassments in public vehicles? [SA]

| | |
|---|---|
| Yes [Continue] | 1 |
| No [Go to D16] | 2 |
| Don't know [Go to D16] | 98 |
| Refused [Go to D16] | 99 |

D14. If yes who are normally harassed in the public vehicle? [MA]

| | |
|---|---|
| Women | 1 |
| Men | 2 |
| Poor people | 3 |
| Illiterate people | 4 |
| Elderly people | 5 |
| People from marginalized community | 6 |
| People with disability | 7 |
| Children | 8 |
| Third gender | 9 |
| Don't know | 98 |
| Refused | 99 |

D15. What kinds of harassment have you heard of? [MA]

| | |
|---|---|
| Not getting seats despite having tickets | 1 |
| Misbehavior by drivers/conductors | 2 |
| Not dropping at required destination | 3 |
| Physical assault | 4 |
| Pickpocketing | 5 |
| Verbal abuse | 6 |
| Teasing | 7 |
| Groping/touching | 8 |
| Sexual harassment | 9 |
| Rape | 10 |
| Others | XX |
| Don't know | 98 |
| Refused | 99 |

D16. Do you think the increased road connectivity has eased the movement of people? Within district or to India or to another county via India? [SA]

|  | a.  Within districts | b.  To India | c.  To other countries via India |
|---|---|---|---|
| Yes | 1 | 1 | 1 |
| No | 2 | 2 | 2 |
| Don't know | 98 | 98 | 98 |
| Refused | 99 | 99 | 99 |

D17. What is the status of in-migration in your community as a result of increased road connectivity? [SA]

| Increased | 1 |
|---|---|
| Remained the same | 2 |
| Decreased | 3 |
| Don't know | 98 |
| Refused | 99 |

D18. Do you think the migration within district or, to India, and other districts for work has increased or decreased as result of road connectivity? [SA]

|  | a.  Within District | b.  To other districts | c.  To India |
|---|---|---|---|
| Increased | 1 | 1 | 1 |
| Remained the same | 2 | 2 | 2 |
| Decreased | 3 | 3 | 3 |
| Don't know | 98 | 98 | 98 |
| Refused | 99 | 99 | 99 |

## Section E: Human Trafficking

Human trafficking is defined as a crime against state when someone is recruited, transported, or held by the means of threat or use of force, deception, or the abuse of power for the purpose of exploitation. Exploitation includes prostitution or other form of sexual exploitation, forced labor or services, slavery or practices similar to slavery, forced marriage, and the sale of human organs. Trafficked individuals are treated as possessions and made to do work they do not want to do through physical force or threats of force against the person or their family. Trafficked individuals are often told lies about the types of work they will do or the amount of money and benefits they will receive. Human trafficking can happen in your community or areas.

E1. Do you know anything about human trafficking? [SA]

| Yes [Continue] | 1 |
|---|---|
| No [Go to E4] | 2 |
| Don't know [Go to E4] | 98 |
| Refused [Go to E4] | 99 |

E2. What kinds of human trafficking have you heard of? [MA]

| Sex trafficking | 1 |
|---|---|
| Forced labor | 2 |
| Child trafficking | 3 |
| False marriage | 4 |
| Organ trafficking | 5 |
| Illegal adoption | 6 |
| Child labor | 7 |
| Others | x |
| Don't know | 98 |
| Refused | 99 |

E3. What forms of human trafficking are prevalent in the community? [MA]

| Sex trafficking | 1 |
|---|---|
| Forced labor | 2 |
| Child trafficking | 3 |
| False marriage | 4 |
| Organ trafficking | 5 |
| Illegal adoption | 6 |
| No event of human trafficking happened [go to E7] | 7 |
| Child labor | 8 |
| Others | X |
| Don't know | 98 |
| Refused | 99 |

E4. Do you know anyone in your community who was/has been trafficked? [SA]

| Yes [Continue] | 1 |
|---|---|
| No [Go to E7] | 2 |
| Don't know [Go to E7] | 98 |
| Refused [Go to E7] | 99 |

E5. If yes, who was the victim of human trafficking? [MA]

| Women | 1 |
|---|---|
| Men | 2 |
| Poor people | 3 |
| Illiterate people | 4 |
| Elderly people | 5 |
| People from marginalized community | 6 |
| People with disability | 7 |
| Boys | 8 |
| Girls | 9 |
| Third gender | 10 |
| Myself | 11 |
| Don't know | 98 |
| Refused | 99 |

E6. In the past one year, how many events of human trafficking have occurred as you heard of in your areas?

| Number of events of human trafficking | |
|---|---|
| Don't know | 98 |
| Refused | 99 |

E7. What do you think are the reasons for people to be trafficked? [MA]

| | |
|---|---|
| Poverty | 1 |
| Lack of education | 2 |
| Poor wages | 3 |
| Domestic violence | 4 |
| Lack of knowledge on anti-human trafficking and transportation laws | 5 |
| Lack of law and order | 6 |
| Weak implementation of laws and policies | 7 |
| Gender discrimination | 8 |
| Organized crime | 9 |
| Lack of job opportunities | 10 |
| Unsafe migration | 11 |
| Restrictive government laws on migration | 12 |
| Ethnic discrimination | 13 |
| Lack of information | 14 |
| No formal contract between employer and employee | 15 |
| Easy access to technology | 16 |
| Easy mobility | 17 |
| Easy access of agents/traffickers/transporters to the vulnerable people | 18 |
| Lack of protection/preventive mechanisms in the community | 19 |
| Lack of cross border security | 20 |
| False promises/deception | 21 |
| Others | X |
| Don't know | 98 |
| Refused | 99 |

E8. In your community, are there any organization/agencies to address human trafficking? [SA]
[Instruction to enumerator: if yes then fill stakeholder mapping sheet]

| | a. By your community | b. By government body | c. Non-government body | d. By contractors |
|---|---|---|---|---|
| Yes | 1 | 1 | 1 | 1 |
| No | 2 | 2 | 2 | 2 |
| Don't know | 98 | 98 | 98 | 98 |
| Refused | 99 | 99 | 99 | 99 |

E9. What type of gender-based violence is prevalent in your community? [MA]

| | |
|---|---|
| Sexual violence | 1 |
| Physical violence | 2 |
| Emotional/psychological violence | 3 |
| Economic violence | 4 |
| Verbal violence | 5 |
| Forced marriage | 6 |
| Forced labor | 7 |
| Human trafficking | 8 |
| False marriage | 9 |
| Domestic violence | 10 |
| No gender-based violence in my area | 11 |
| Others | xx |
| Don't know | 98 |
| Refused | 99 |

E10. If you were to identify or suspect a case of trafficking, whom do you approach? [MA]

| | |
|---|---|
| Women's Cell in police stations | 1 |
| Shelter homes/safe homes | 2 |
| WHRDs | 3 |
| Hotlines | 4 |
| One-stop Crisis Management Centers (OCMCs) | 5 |
| NGOs working in the area | 6 |
| Lawyers (judiciary) | 7 |
| Community forest user groups | 8 |
| Female community health volunteers | 9 |
| Community groups | 10 |
| *Aama Samuha* (Mothers' Group) | 11 |
| *Baddgar* (Chiefs in Terai) | 12 |
| Others | xx |
| Don't know | 98 |
| Refused | 99 |

## Section F: Cross-border Questions

F1. How important is it for this area to have improved cross-border road connectivity with India? [SA]

| Very important | Important | Not necessary | Not necessary at all | Don't know | Refused |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 98 | 99 |

F2. How strong do you think is the security at the India-Nepal Border? [SA]

| Very strong | 1 |
|---|---|
| Strong | 2 |
| Weak | 3 |
| Very weak | 4 |
| Don't know | 98 |
| Refused | 99 |

F3. How safe do you feel while crossing the border to go to India? [SA]

| | F3b. Considering the security situation | F3c. Considering the harassment situation |
|---|---|---|
| Very safe | 1 | 1 |
| Safe | 2 | 2 |
| Unsafe | 3 | 3 |
| Very unsafe | 4 | 4 |
| Don't know | 98 | 98 |
| Refused | 99 | 99 |

F4. Who all are present at Nepal-India borders? [MA]

| Police | 1 |
|---|---|
| Armed police | 2 |
| Army | 3 |
| NGOs' booths | 4 |
| Government information desk | 5 |
| Others | x |
| Don't know | 98 |
| Refused | 99 |

F5. Do you know any of suspected cases of trafficking at Nepal-India border? [SA]

| Yes | 1 |
|---|---|
| No | 2 |
| Don't know | 98 |
| Refused | 99 |

## Section G: Employment and Working Condition

G1. What percentage of people do you think are employed in your area?

| Less than 25% | 1 |
|---|---|
| 25% to 40% | 2 |
| 41% to 50% | 3 |
| 50% to 75% | 4 |
| More than 75% | 5 |
| Refused | 98 |
| Don't know | 99 |

G2. In which sector are people (women/men) usually employed in your community? [MA]

| | |
|---|---|
| Hotels/restaurants | 1 |
| Agriculture | 2 |
| Domestic help | 3 |
| Construction work | 4 |
| Transport sector | 5 |
| Shops | 6 |
| Business | 7 |
| Service | 8 |
| Foreign employment | 9 |
| Daily wage labor work | 10 |
| Other | xx |
| Don't know | 98 |
| Refused | 99 |

G3. On an average, what is the daily wage of labor working in your community? [SA] G3. On an average, what is the daily wage of labor working in your community? [SA]

| | |
|---|---|
| Up to NPR 500 | 1 |
| Up to NPR 1,000 | 2 |
| Up to NPR 1,500 | 3 |
| Up to NPR 2,000 | 4 |
| More than NPR 2,000 | 5 |
| Refused | 98 |
| Don't know | 99 |

G4. How do you assess the working condition of people in your area in terms of?

| | a. Safety and security | b. Wage /payment | c. Working time | d. Living conditions | e. Food |
|---|---|---|---|---|---|
| Very good | 1 | 1 | 1 | 1 | 1 |
| Good | 2 | 2 | 2 | 2 | 2 |
| Bad | 3 | 3 | 3 | 3 | 3 |
| Very bad | 4 | 4 | 4 | 4 | 4 |
| Don't know | 98 | 98 | 98 | 98 | 98 |
| Refused to answer | 99 | 99 | 99 | 99 | 99 |

G5. What are the occurrences of fatal/non-fatal occupational injuries in your area?

| | |
|---|---|
| High | 1 |
| Moderate | 2 |
| Low | 3 |
| None | 4 |
| Refused | 98 |
| Don't know | 99 |

G6. Do you know someone who has worked or performed activities without getting the expected payment? [SA]

| Yes | 1 |
|---|---|
| No | 2 |
| Don't know | 98 |
| Refused to answer | 99 |

G7. Do you know of someone who was forced or has performed work or activities against their will? [SA]

| Yes | 1 |
|---|---|
| No | 2 |
| Don't know | 98 |
| Refused to answer | 99 |

G8. Do people opt for easy means to earn their living?

| Yes | 1 |
|---|---|
| No | 2 |
| Don't know | 98 |
| Refused to answer | 99 |

G9. How prevalent is sex work in your area? [SA]

| Very prevalent [Continue] | 1 |
|---|---|
| Prevalent [Continue] | 2 |
| Not prevalent [End the interview] | 3 |
| Not prevalent at all [End the interview] | 4 |
| Don't know [End the interview] | 98 |
| Refused [End the interview] | 99 |

G10. Who are used as sex workers? [MA]

| Women | 1 |
|---|---|
| Men | 2 |
| Girls | 3 |
| Boys | 4 |
| Third gender | 5 |
| Poor people | 6 |
| Rich people | 7 |
| Illiterate people | 8 |
| Daily wage laborers | 9 |
| People working in transport sector | 10 |
| Marginalized people | 11 |
| People working in construction sector | 12 |
| People working in hotel/restaurant | 13 |
| Service men/women | 14 |
| Visitors | 15 |
| Migrant workers | 16 |
| Don't know | 98 |
| Refused | 99 |

G11. Who are involved in sex work activities? [MA]

| Women | 1 |
|---|---|
| Men | 2 |
| Girls | 3 |
| Boys | 4 |
| Third gender | 5 |
| Poor people | 6 |
| Rich people | 7 |
| Illiterate people | 8 |
| Daily wage laborers | 9 |
| People working in transport sector | 10 |
| Marginalized people | 11 |
| People working in construction sector | 12 |
| People working in hotel/restaurant | 13 |
| Service men/women | 14 |
| Visitors | 15 |
| Migrant workers | 16 |
| Don't know | 98 |
| Refused | 99 |

G12. Where do the activities of the sex worker occur in your area? [MA]

| Hotels | 1 |
|---|---|
| Restaurants | 2 |
| Construction sites | 3 |
| Rented apartments | 4 |
| Own home | 5 |
| Other home | 6 |
| Forest | 7 |
| Others | xx |
| Don't know | 98 |
| Refused | 99 |

G13. Name of respondents (optional):……….

G14. Mobile number of respondents (optional):………..

Thank you!

# Annex 4. Qualitative tools: FGD guides for national and local levels

## National Level I/NGOs Focus Group Discussion Guide

Location:                                          Date of FGD:

Duration (start time and end time):

Name of moderator:                                 Name of note-taker:

Participant summary (include # participants):

Age range of participants:

### Introduction

*Namaste! We are from The Asia Foundation conducting a research on human trafficking to address women and children's risk from enhanced regional connectivity in Nepal. The objective of this research is to understand the inter-linkages between human trafficking and increased road connectivity and identify issues related to human trafficking and vulnerable groups, as well as the key socioeconomic and development drivers of human trafficking and exploitation. The research is aimed at identifying vulnerabilities associated with transport sector operations with a focus on labor influx and outflow, increased business opportunities due to economic activity and growth, and incidences of development-induced displacement, which increases the risk of human trafficking, as well as identifying services and its gaps for anti-trafficking responses.*

*Your identity will be kept confidential. We are asking about things that you are familiar with or known to be happening. If you feel uncomfortable at any time and do not wish to continue, please feel free to excuse yourself. Participation in the discussion is completely voluntary and you do not have to answer any questions that you are not comfortable with. We also will not present any other potentially identifying information in anything that we produce based on this conversation. We will treat everything that you say today with respect, and we will only share the answers you give as general answers combined with those of all the people who speak to us. We ask that you keep everything confidential and respect the right to privacy of other participants in the discussion.*

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### Human trafficking

› What is the situation of trafficking within the context of improved road connectivity? (Probe: What are the direct and indirect causes as a result of improved road access within vulnerable communities?) Is there any case in your notice?

› What are the types and new patterns of human trafficking within the context of road connectivity and access? (Probe: newer methods used by traffickers, newer routes, vulnerability indicators)

› What are some of the risks and vulnerabilities that communities face as a result of major road/infrastructure construction and/or when more remote areas get connected with the rest of the country? (Probe: issues related to displaced population)

› With increased cross boarder/regional connectivity, what are some of the risks that Nepal faces to ensure the protection of vulnerable population and migrant workers?

## Response mechanism

› Has your organization been able to take any measures to curb the incidences of trafficking related to road connectivity?

› Has your organization engaged or interacted with road, infrastructure and transport sector stakeholders in relation to anti trafficking efforts? Please give specific examples.

› What are the acts/policies/laws in place to deal with the situations of trafficking related to road construction/connectivity? Do you think they adequately address the issue?

› What are the coordination mechanisms to respond to trafficking crimes with government and non-government agencies? In the context of new federal structure, who are the focal points (with responsibilities) that deal with trafficking cases? Do you think the existing mechanisms are adequate?

› How is the issue of trafficking integrated into the mandates of other ministries and line agencies? Are there any budgets allocated for anti-human trafficking activities? (other than Ministry of Women, Children and Senior Citizen, Ministry of Labour, Employment and Social Security, National Women Commission, Ministry of Transport and Infrastructure)

› What are the good practices/success stories in mitigating human trafficking? (Probe: if they have any example to share on road connectivity)

› Has your organization provided any direct service to victims/survivors of human trafficking related to road connectivity? (Psycho-social, legal, medical, paralegal, and so on)

## Gaps

› Do you see any gaps in policies or implementation of policies to combat trafficking? If yes, what are your suggestions to improve the situation?

› What are the challenges and gaps in the existing anti-trafficking law (HTTCA 2007)? What are the issues related to transportation under HTTCA?

› What are the existing mechanisms now that Nepal has transitioned into a federal state? Are the National Committee on Controlling Human Trafficking (NCCHT), the District Committee on Controlling Human Trafficking (DCCHT), and the Local Committee on Controlling Human Trafficking (LCCHT) functioning in the new structure? If not, who are the key players to combat trafficking?

What are your recommendations to better address human trafficking within the context of road connectivity?

**National-level Road Connectivity Officials
Focus Group Discussion Guide**

Location:                                          Date of FGD:

Duration (start time and end time):

Name of moderator:                                 Name of note-taker:

Participant summary (include # participants):

Age range of participants:

## Introduction

*Namaste! We are from The Asia Foundation conducting a research on human trafficking to address women and children's risk from enhanced regional connectivity in Nepal. The objective of this research is to understand the link between human trafficking and increased road connectivity and identify issues related to human trafficking and vulnerable groups, as well as the key socioeconomic and development drivers of human trafficking and exploitation. The research is aimed at identifying vulnerabilities associated with transport sector operations with a focus on labor influx and outflow, increased business opportunities due to economic activity and growth, and incidences of development-induced displacement which increases the risk of human trafficking as well as identifying services and its gaps for anti-trafficking responses.*

*Your identity will be kept confidential. We are asking about things that you are familiar with or know to be happening. If you feel uncomfortable at any time and do not wish to continue, please feel free to excuse yourself. Participation in the discussion is completely voluntary and you do not have to answer any questions that you are not comfortable with. We also will not present any other potentially identifying information in anything that we produce based on this conversation. We will treat everything that you say today with respect, and we will only share the answers you give as general answers combined with those of all the people who speak to us. We ask that you keep everything confidential and respect the right to privacy of other participants in the discussion.*

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### Round of Introductions

### Road connectivity

›   How do you usually start a new road construction/connectivity project? Do you carry out any economic, social and environmental impact assessment before starting the project? If you have, how does it support your project design and implementation? (Probe: for compensation to local communities)

›   In the past, how have you been implementing the road connectivity projects? What are the criteria for selection of vendors for any big road/bridge/infrastructure construction projects?

›   Which ministries do you work with to implement the road connectivity projects? What are your working modalities?

›   Do you work with other NGOs or I/NGOs to implement the road connectivity projects? What are your working modalities?

›   What is your working modality with the private sector to implement the road connectivity projects?

›   Do you review the contracts prepared by the contractors to their workers? (Probe: Safety measures, issues related to human rights, exploitation, child labor, gender equal recruitment)

›   What are your dynamics with the contractors if they fail to implement the projects as planned?

## Human trafficking

› What is your understanding of human trafficking and transportation?
› Are there any plans and policies from your department to implement for the prevention and control of human trafficking and transportation in sites that you work in? If yes, what are they? How do you implement them?
› What are some of the unintended social consequences of road connectivity (Probe: Displacement, migration, trafficking)
› If yes or no, please explain. Have you considered integrating the issue of human trafficking as one of the impacts of road construction?
› Are there any good practices or examples of combating human trafficking and transportation using formal and informal groups (transportation department, bus drivers' union, truck driver union, labor union)
› Are you working with any other ministries/line agencies to ensure ethical recruitment practices, fair work environment, and human rights in road construction projects? In what ways?
› Are you working with other organizations (NGOs/CBOs) to ensure ethical recruitment practices, fair work environment, and human rights in road construction projects? What has your experience been like?
› Do you have any mechanism to identify cases/incidents of human trafficking in construction sector?
› Do you have any complaint handling mechanism if any employee wanted to lodge any complaint against abuse and exploitation?
› What are your modalities to work with contractors to ensure ethical recruitment practices, fair work environment and human rights in road construction projects? What has been your experience?
› Are there any challenges you are facing to ensure human rights of laborers at construction sites?

## Recommendations

› Do you see any gaps in policies or implementation of policies to combat trafficking? If yes, what are your suggestions to improve the situation?
› What are the measures that can be put in place to address human trafficking caused by road connectivity?
› What are your recommendations to better address human trafficking within the context of road connectivity?

## Local-level Community Members
## Focus Group Discussion Guide

Location:                                           Date of FGD:

Duration (start time and end time):

Name of moderator:                                  Name of note-taker:

Participant summary (include # participants):

Age range of participants:

### Introduction

*Namaste! We are from The Asia Foundation conducting a research on human trafficking to address women and children's risk from enhanced regional connectivity in Nepal. The objective of this research is to understand the link between human trafficking and increased road connectivity and identify issues related to human trafficking and vulnerable groups, as well as the key socioeconomic and development drivers of human trafficking and exploitation. The research is aimed at identifying vulnerabilities associated with transport sector operations with a focus on labor influx and outflow, increased business opportunities due to economic activity and growth, and incidences of development-induced displacement which increases the risk of human trafficking as well as identifying services and its gaps for anti-trafficking responses.*

*Your identity will be kept confidential. We are asking about things that you are familiar with or know to be happening. If you feel uncomfortable at any time and do not wish to continue, please feel free to excuse yourself. Participation in the discussion is completely voluntary and you do not have to answer any questions that you are not comfortable with. We also will not present any other potentially identifying information in anything that we produce based on this conversation. We will treat everything that you say today with respect, and we will only share the answers you give as general answers combined with those of all the people who speak to us. We ask that you keep everything confidential and respect the right to privacy of other participants in the discussion.*

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### Road access and connectivity

› What are the positive/negative changes as a result of improved road access and connectivity in your area? Why do you think so? (Probe: for new business avenues, employment opportunities)
› In what ways were your livelihoods impacted as a result of road connectivity?
› Who benefitted most as a result of improved road connectivity? And how?
› Who are normally used/ hired for the construction of the roads in your area? (Probe: Men, women, children, migrant workers from outside the country/other districts?)
› How are hired people treated by the contractors? (Probe: Equal pay, women men hired equally, facilities, safety measures, forced labor, child labor, abuse, and exploitation of workers)
› In what ways can vulnerability of women and children in this area be addressed? Who can play a role and how?
› In your view, what can be done to ensure that the local populace are not at risk when construction of roads/bridges/expansion is undertaken? (Probe: Vulnerable to gender-based violence, forced labor, and human trafficking)

## Mobility

› What do you think about improved road access and increased mobility? (Probe: Use of vehicles, public transport, mobility and migration of people, opening of local markets, access of market for local products, opening of restaurants, use of roads to go to other districts or India)

› Have any new routes emerged recently in your area? Do you use any new routes for travel within Nepal and across the border?

› Has mobility of women and children increased/decreased because of road connectivity? In what ways? (Discuss) Are people safe in the community to use the constructed roads and public transport or walk in the night? (Probe for women and children)

› Has influx of people from other countries/ districts increased after the construction/ improvement of roads? What kind of work are migrant people from another country/district involved in?

› Are people migrating out from the community after the construction/improvement of roads? Why do people leave?

› Do people travel to other countries? Where, how?

› What is your source of information/services about job opportunities abroad or within the region? Have people got jobs that they have been promised? How can these services be improved?

## Trafficking

› Do you know what it means to be trafficked? (Probe: Types of trafficking)

› Who do you think are the most vulnerable to trafficking? How do traffickers lure them?

› What are new routes and methods being used for trafficking?

› What are the reasons for trafficking?

› How many of you think enhanced connectivity will increase risk of trafficking for women and children? Why?

› Are you aware of any incident of human trafficking in your community?

## Safety and security measures/prevention mechanisms

› Have you heard or experienced any harassment cases against vulnerable population—women, children, elderly, disabled persons? Have you come across children who are travelling without guardian(s)? Have you taken any actions, in such situations?

› What kind of presence of security personnel (armed police, police) do you see in your community and along the road corridors? (Probe: Their awareness, responsiveness, their efficiency)

› What kind of work has been carried out by the government, NGOs, and community networks to prevent, monitor, and respond to human trafficking in your community? (Probe for their responsiveness and effectiveness)

› Are you aware of any measures taken by contractors/road officials in your community to avoid forced labor, sexual exploitation, and other forms of exploitation?

› Are you aware of any anti-human trafficking mechanism in your community?

› How do you view the role of local authority/body in combating human trafficking?

› What are your recommendations to better address human trafficking within the context of road connectivity?

## Local-level Vulnerable Persons
## Focus Group Discussion Guide

Location:                                                  Date of FGD:

Duration (start time and end time):

Name of moderator:                                        Name of note-taker:

Participant summary (include # participants):

Age range of participants:

### Introduction

*Namaste! We are from The Asia Foundation conducting a research on human trafficking to address women and children's risk from enhanced regional connectivity in Nepal. The objective of this research is to understand the link between human trafficking and increased road connectivity and identify issues related to human trafficking and vulnerable groups, as well as the key socioeconomic and development drivers of human trafficking and exploitation. The research is aimed at identifying vulnerabilities associated within transport sector operations with a focus on labor influx and outflow, increased business opportunities due to economic activity and growth, and incidences of development-induced displacement which increases the risk of human trafficking as well as identifying services and its gaps for anti-trafficking responses.*

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*Please let us know whether you give us permission to take notes or audio or video recording of the information you share in the discussion. (Ask for permission). This discussion may last for one hour. Do you have any questions before we begin?*

### Road access and connectivity

› What is the main source of livelihood for you and your families?
› Is your community facing any challenges/problems in this area?
› What are the main problems faced by the community in this area?
› What are the main problems faced by the women and children in this area?
› Who do you think are the most vulnerable people in this area?
› In what ways are vulnerable people (women, children, youth, marginalized community) exploited in this area?
› What are the positive changes in your area as a result of improved road access and connectivity? Why do you think so? (Probe for new business avenues, employment opportunities)
› What are the negative changes in your area as a result of improved road access and connectivity? Why do you think so?
› In what ways were your livelihoods impacted as a result of road connectivity?
› Who benefitted the most as a result of improved road connectivity? And how?
› Who are normally hired for the construction of the roads in your area? (Probe: Men, women, children, migrant workers from outside the country/other districts?)
› Please tell us if you have any information on how laborers/workers are treated by the contractors. (Probe: forced to work, excessive time of work, rest and leisure, language and behavior toward employees, especially, females; Equal pay, women men hired equally, facilities, safety measures?)

› In what ways can vulnerability of women and children in this area be addressed? Who can play a role and how?
› In your view, what can be done to minimize vulnerability of women and children when construction of roads/bridges/expansion is undertaken? (Probe: Vulnerable to gender-based violence, forced labor, and human trafficking)

## Mobility

› What do you think about improved road access and increased mobility? (Probe: Use of vehicles, mobility and migration of people, opening of local markets, access of market for local products, opening of restaurants, public transport, use of roads to go to other districts or India)
› Have any new routes emerged recently in your area? Do you use any new routes for travel within Nepal and across the border?
› Has mobility of women, children, or migrants increased because of road connectivity? In what ways? (Discuss)
› Are people safe in the community to use the constructed roads and public transport or walk in the night? (Probe for women and children)
› Has influx of people from other districts increased after the construction/improvement of roads? What kind of work are migrants from another country/district involved in?
› Are people migrating out from the community after the construction/improvement of roads? Why do people leave?
› Do people travel to other countries? Where, how?
› What is your source of information/services about job opportunities abroad or within the region? Have people got jobs that they have been promised? How can these services be improved?

## Trafficking

› Do you know what it means to be trafficked? (Probe: Types of trafficking)
› Who do you think is more at risk of being trafficked? How do traffickers lure them?
› What are new routes and methods being used for trafficking?
› What are the reasons for human trafficking?
› How many of you think enhanced connectivity will increase the risk of trafficking for women and children? Why?
› Do you consider yourself vulnerable to trafficking? If Yes why? If No why?

## Safety and security measures/prevention mechanisms

› Have you heard or experienced any harassment against vulnerable population (women, children, elderly, disabled persons)?
› Have you found/seen any minor working in the road/bridge construction project?
› Have you come across children who are travelling without guardian(s)? Have you taken any action in such situations?
› What kind of presence of security personnel (armed police, police) do you see in your community and along the road corridors? (Probe: Accessibility to them, their awareness, responsiveness, their efficiency)
› Is there presence of any human rights defenders groups (paralegal/women's groups/mothers' group, etc.)? If yes, are they active or functional?
› What kind of work has been carried out by the government, NGOs, and community networks to prevent, monitor, and respond to human trafficking in your community? (Probe for their responsiveness and effectiveness)

› Are you aware of any measures taken by contractors/road officials in your community to avoid forced labor, sexual exploitation, and other forms of exploitation?

› What would you do if someone lures you or promises you a better job or better pay in another city or country?

› Have you received any training or orientation on human rights/women's rights so far?

› What are your recommendations to better address human trafficking within the context of road connectivity?

# Annex 5. Demographic composition and socioeconomic information of the survey respondents

Out of the total 306 sampled respondents, 54 percent were male and 46 percent were female respondents. Most of the respondents were from the age group of 26–35 (32 percent) and 36–50 (38 percent). Across the caste/ethnicity groups, 29 percent of the respondents were from the hill caste groups, 33 percent were from the hill ethnic group, 19 percent were Madheshis and 19 percent were Dalits and from the marginalized groups.

In terms of education levels, most of the respondents had secondary level education (29 percent) and 17 percent reported they had completed bachelor level and above. Out of the total respondents, 61 percent fell into the medium income bracket, 25 percent into the low-income bracket, and the remaining 14 percent into high-income bracket. Over one-third of respondents (37 percent) said their occupation is business, another 26 percent said agriculture, and 18 percent said service sector. Around 3 percent of the respondents had labor as their main occupation and 16 percent were students in the sample. Most of the respondents stated business (40 percent) and agriculture (23 percent) as the main sources of their family income while 18 percent stated service sector and 18 percent said wage labor.

*Table A5. Demographic Composition of the Respondents*

| Demographic Composition | | Percent | Demographic Composition | | Percent |
|---|---|---|---|---|---|
| **Gender** | Female | 46 | **Occupation** | Agriculture | 26 |
| | Male | 54 | | Industry/business | 37 |
| **Age** | 18–25 | 14 | | Service | 18 |
| | 26–35 | 32 | | Labor | 3 |
| | 36–50 | 38 | | Student | 16 |
| | Above 50 | 16 | **Major source of family income** | Agriculture | 23 |
| **Education** | Illiterate | 20 | | Industry/business | 40 |
| | Literate | 7 | | Service | 18 |
| | Primary | 12 | | Wage Labor | 18 |
| | Secondary | 29 | | Retirement/Pension | 1 |
| | SLC/SEE | 4 | | | |
| | Intermediate | 12 | **Income** | Low Income | 25 |
| | Bachelor's and above | 17 | | Medium Income | 61 |
| **Caste/ethnicity** | Hill caste | 29 | | High Income | 14 |
| | Hill ethnic | 33 | **Corridor** | Corridor 1 (Kathmandu-Naubise-Mugling) | 32 |
| | Madheshi caste | 19 | | Corridor 2 (Birgunj-Pathlaiya) | 34 |
| | Dalit and marginalized groups | 19 | | Corridor 3 (Pathlaiya-Dhalkebar) | 34 |
| **Marital status** | Married | 82 | | | |
| | Single | 13 | | | |
| | Widow/widower | 5 | | | |

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