

What are the underlying reasons which explain the scale of sex trafficking in Nepal and what do these reasons tell about the situation of Nepalese women's human rights?

Extended Essay in Human Rights

What are the underlying reasons which explain the scale of sex trafficking in Nepal and what do these reasons tell about the situation of Nepalese women's human rights?

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Abstract

This Extended Essay in Human Rights is about the contemporary human rights issue of sex trafficking in Nepal. The essay addresses the research question; “*What are the underlying reasons which explain the scale of sex trafficking in Nepal and what do these reasons tell about the situation of Nepalese women's human rights?*” Departing from the recognition that sex trafficking is a major social problem in Nepal, the essay aims at discussing what factors in Nepalese society allow for the large-scale selling of Nepalese daughters, and massive sexual exploitation. This question was investigated through the use of a mix of acclaimed scientific works, reports from non-governmental organizations, governmental institutions and web-based sources, all of which were critically assessed in order to attain a comprehensive and insightful analysis of the topic. The conclusion reached was that a combination of many factors explains the scale and exploitative nature of trafficking in Nepal. It is argued that Nepal is a deeply patriarchal and hierarchal society, with historical cultural, religiously implanted deep-rooted values and practices which shape women's and men's thinking and actions in ways that make it difficult for Nepalese women to gain control over their own lives and realise their newly gained human rights. The gender inequality is further amplified by poverty and globalization, as well as by a long-lasting civil war. Furthermore, the government has only made charlatan steps towards the implementation of women's political, civil, social and economic rights. The essay concludes that it is the state's lack of inclusive approach to the protection and enforcement of women's rights which has let women become victims of sex trafficking.

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CHAPTER ONE

1.0 Introduction to topic

Historically, women have been treated as subservient citizens to men, sometimes not even considered as human beings. Women have consequently been marginalized and suppressed socially, culturally, economically and politically. In the past and at present, most sedentary societies have been of a patriarchal and hierarchal nature. By both building on and reinforcing gendered social structures, the abuse of women in public and private spheres has been allowed. Sexual exploitation and discrimination of women by men have existed in society for as long as we know, making women a desirable and tradable good. In today's money-driven and globalized world, women have, due to persistent gender inequality, become victims of the crimes of trafficking. Trafficking is the abuse and exploitation of human beings for monetary gain¹. Trafficking of human beings "feeds on" gender discrimination and inequalities, and in turn results directly into human rights violations. Peoples' personal freedom, integrity, liberty, security and dignity are a few of the many rights violated when humans are trafficked². Trafficking of human beings is the fastest growing illegal activity in the world³, and more than two-thirds of the trafficked victims are women, who in most cases, are trafficked for the purposes of commercial sexual exploitation.

1.1 Introduction to study area

Nepal is a premier source-country for sex traffickers; the "Bombay route" is the world's largest of its kind, where it is estimated that more than 10 000⁴ Nepali women and girls are trafficked to India for commercial sexual exploitation. Approximately half of the women working in the brothels of Mumbai have originally been trafficked from Nepal⁵. The flesh trade in Nepal is a major social problem, especially since differentiating between

¹ The UN special rapporteur on Violence against Women defines trafficking as "... the recruitment, transportation, purchase, sale, transfer, fraud, deception or coercion (including the abuse of authority or debt bondage) for the purpose of placing or holding such person, whether for pay or not, in forced labor or slavery-like practices, in a community other than the one in which such persons lived at the time of the original act described in 1."

² Trafficking infringes on many international documents, e.g. the Universal Declaration of Human Rights (UDHR); The United Nations Convention against Transnational Organized Crime; Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000); the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC).

³ Samarasinghe, Vidyamali: "Female Sex Trafficking", pg. 11

⁴ Figures from Nepal's National Human Rights Commission. The estimation is of high uncertainty and vary from source to source, as the actual number of sex trafficked women are hard to obtain due to the clandestine and illegality of the activity, as well as the difficulty of separating trafficked sex workers from willing (see appendix for elaboration).

⁵ Freidman, Robert: "India's Shame: Sexual Slavery and Political Corruption Are Leading to An AIDS Catastrophe," *The Nation*, 8 April 1996

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“willing” prostitutes from trafficked women in Nepal is virtually impossible⁶. Children from peripheral regions are trafficked internationally across the Indo-Nepali border and domestically to core regions. Some rural regions in Nepal are almost emptied of girls between the ages of 10-18⁷. The country's National Human Rights Commission considers trafficking as the worst form of human rights violations in modern Nepalese society.

1.2 Research question

In this essay, the key factors in Nepali society that contribute to make Nepali girls and women vulnerable to sex trafficking will be analyzed. While examining the causes that enable the extent of trafficking, the findings will then be used to also analyze the general human rights situation of women in Nepal. In Nepal, socio-cultural and religious structures are so ingrained in society that the newly democratic state functions fail its responsibilities, including the enforcement and protection of women's human rights. The poor economic situation of Nepal, combined with the long-lasting civil war and the forces of globalization, have only contributed to making Nepal even more a “Mecca” for sex traffickers.

A suitable **research question** is therefore:

What are the underlying reasons which explain the scale of sex trafficking in Nepal and what do these reasons tell about the situation of Nepalese women's human rights?

⁶ See appendix A.2 for a further explanation of the statement

⁷ Samarasinghe, Vidyamali: “Female Sex Trafficking”, pg. 63

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1.3 Human Rights Instruments of Sex Trafficking

The trafficking of women and sex slavery are initially two separate issues⁸ but are closely interconnected⁹. Even though the only law applying in brothels is the fact that men can buy women, there are several international legal frameworks relating to the issue of sex trafficking. Sex trafficking is not just a matter of the trafficking and sexual exploitation of a woman, but of the *general gender inequality* which enable sex trafficking to occur.

The League of Nations first discussed the issue of trafficking of women¹⁰ in 1921 at a global level. The United Nations followed up this issue indirectly through the Universal Declaration of Human Rights which entitles every human being, women equally much as men, human rights in order to live a life of dignity. Sex trafficking violates the possibility of living a life of dignity, as e.g. articles respecting the freedom from slavery¹¹, cruel and degrading treatment¹², the right to choose an “employment” with just and favorable conditions¹³ are infringed. There are many international instruments which deal with sex trafficking directly, such as:

The UN Convention on the Suppression of Trafficking in Persons and the Exploitation for the Prostitution, which declares¹⁴ that *trafficking and prostitution is incompatible with the dignity and worth of human persons and endangers the welfare of the individual, the family and the community*. Adding to that, there is the UN Convention on Transnational Crime and The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Perhaps more significant, is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which not only addresses gender discrimination in general, but also mentions sex trafficking directly by making states the primary protector of women against exploitation through trafficking¹⁵.

⁸ Brown, Louise: “Sex Slaves”, pg. 10

⁹ Refer to appendix A.1 for an elaboration of why this is the case

¹⁰ Samarasinghe, Vidyamali: “Female Sex Trafficking in Asia”, Pg.13

¹¹ Article 4 of the UDHR states: “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.”

¹² Article 5 of the UDHR states: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

¹³ Article 23 of the UDHR states: (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

¹⁴ UN General Assembly: *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, available at: <http://www.unhcr.org/refworld/docid/3ae6b38e23.html>

¹⁵ Article 6 of CEDAW states: “State parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”

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CHAPTER TWO

2.0 Reasons why sex trafficking of Nepali women occur

Human rights can only be violated by states, not by individual persons or groups. Consequently, the Universal Declaration of Human Rights (UDHR) only imposes obligations on the state¹⁶. Feminists have critiqued this state centeredness, as abuses against women that happen in private spheres are then regarded as *crimes* and not human right violations. It is primarily the obligation of the state to protect women from human rights violations¹⁷, and in theory, sex trafficking is outlawed in Nepal¹⁸. Nevertheless, since international legal frameworks are not legally binding, not implementing the legislations give no other consequences other than for the trafficked women. By not taking positive action, the Nepali state has indirectly allowed for the continuation of human rights violations. Social and political structures in society are hence arguably more responsible for the trafficking of women than the actual individuals who traffic women.

2.1 Political upheaval and instability

Nepal is a new and still unstable democracy. After the 10-year-lasting “People’s War” ended, the Hindu state and monarchy was abolished, and an elected government of mostly Maoists came into government. More so than its predecessors, the Maoists have advocated for positive human rights changes, with an explicit focus on women, workers, ethnic and other minority rights. On paper, gender equality in Nepal has existed since the 1990s, yet even then, the issue of sex trafficking was partly denied and ignored, because acknowledging the existence of such a horrendous human rights violation would, in the previous prime ministers’ opinion, be humiliating for the nation-state. After the Maoists came into government, discrimination based on caste was banned. Since then, “culture” and “religion” has no longer officially been acceptable as a defense to deprive citizens of their human rights on paper, although this is evidently not happenings in practice¹⁹.

In Nepal, the political institutions have attempted to transform in order to fit new realities, but democracy is still very much a fresh concept. It is apparent that in the state, democratic principles and rules of law still need to be fully incorporated and obeyed. What this means, is that corruption is usual among officials. It must be noted that the sex industry

¹⁶ Freeman, Michael: “Human Rights”, pg. 128

¹⁷ Brown, Louise: “Sex slaves”, pg. 11

¹⁸ Refer to appendix A.3 for full list of international documents that Nepal has signed

¹⁹ Ebbe, Obi NI, and Dilip K. Das, eds: “Global Trafficking in Women and Children”, pg. 102

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simply cannot function without the cooperation and blessing from officials such as the police, politicians, and bureaucrats. In fact, research has documented that officials are often the criminals' closest collaborators; owning brothels, for example, is not uncommon²⁰.

Evidently, the Nepali government has failed to protect the weakest in its society – Nepali daughters. Instead of protecting the victims, prostitutes have been regarded as the criminals and face discrimination even after they have escaped the trafficking nightmare. There is a definite abuse of power among governmental officials²¹, who even collaborate into keeping women a man's property; a good to be sold and used.

2.2 Socio-cultural and religious factors

Due to the fact that culture has a popular appeal, in spite of counter-active attempts to change this, culture remains used as justification to abuse the human rights of women. Since gender discrimination is so prevalent in urban and rural Nepal, there must be something about the Nepali society, the ideology and norms in culture and religion, that allow for the subjugation of women.

"A clay pot which gets soiled can never get properly clean again. But a brass pot that gets spoiled will be clean after washing²²."

The symbolic expressions in this Nepali proverb, brass referring to men and clay, referring to women, reveal the gender inequality in Nepal. Nepali society is highly patriarchal; women are subservient. Defined by their relationship to men, women are a man's property, whom they depend on. A Hindu woman's ultimate goal in life is to have a son; only then is she regarded as successful and will be respected in her community. A woman without any man is nothing; widows have the lowest standing in society, under untouchables.

Discrimination against the girl child is prevalent in Nepal; there is a substantial cultural preference for boys. Female infanticide, and more recently feticide too, has arisen as a problem in Nepal²³. Daughters are seen upon as an economic burden. Patrilocality²⁴ remains the norm in Nepal, making daughters "guests in their own houses". A family will need to feed a girl who eventually leaves home to become a domestic worker in her husband's house. In

²⁰ Hughes, Donna M., Laura Joy Sporic, Nadine Z. Mendelsohn, and Vanessa Chirgwin. "Nepal and India - Facts on Trafficking and Prostitution." Accessed at: <<http://www.uri.edu/artsci/wms/hughes/india.htm>>.

²¹ Ebbe, Obi NI, and Dilip K. Das, eds: "Global Trafficking in Women and Children", pg. 102

²² Kristvik, Ellen; "Nepali Sex Workers", pg. 86

²³ Ertelt, Steven: "Nepal Sees Same Sex-Selection Abortion, Infanticide Problems as India." *Lifenews.com*, 14 Aug. 2007

²⁴ Moveal to the husband's village after marriage

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addition, the cultural practice of huge marriage payments in the form of dowry²⁵ make daughters even less desirable. Moreover, it is known that women, whose natal families have not been able to meet the dowry demands of in-laws, are sometimes subjected to atrocious crimes²⁶.

Child marriage, possibly the most serious violation of a child's rights with effects, including health problems, rape, unwanted pregnancies and deprived education, remains quite widespread in Nepal. More than 60% of girls marry before the age of 18²⁷, and some are even married before the age of 10. Families marry off girls at such a young age because it increases the likelihood of pure virgins, and therefore, the dowry price is less.

Religion, in this case Hinduism, influence the age of brides as well. Purity and its opposite pollution are of utmost importance in Hinduism. Even though the caste system on paper has gradually been outlawed, it is still operating in practice as a result of the obsession with purity. Brides-to-be need to be pure before marriage, and because of this, parents marry off their girls at a young age to secure their daughter's virginity. Males, of course, do not need to be "pure" because morality in Hinduism is, as noted, gendered – men are like brass, and can be clean again.

It is not possible to differentiate female discriminating practices in Nepal that have religious origins from socio-cultural practices, since religion from a social science point of view is "culture"²⁸. Religion naturally influences the everyday life, as more than 80%²⁹ of Nepal's population affiliate themselves with Hinduism. Being born in Nepal means to grow up in a society filled with strong cultural, religiously endorsed traditions, with abundance of myths, norms, rituals and festivals.

Hinduism has no single founder or source of scripts – there are many sets of beliefs and traditions which usually contradict each other³⁰. Does Hinduism then discriminate women, since many principles in Hinduism can be contradicted, and any viewpoint can be argued against? Hinduism has a couple of powerful female gods such as Kali, which are worshipped, but it is also known that other major gods, like Rama, had prostitutes and

²⁵ The dowry system was officially proclaimed as banned in Nepal as of January 2009; however, the practice has not stopped.

²⁶ Poudel, Smita: "Dowry: a Social Evil." *OhmyNews.com*, 26 Sept. 2006

²⁷ Nepal's demographic health survey

²⁸ Nye, Malory: "Religion: the basics", pg. 3

²⁹ The others are practicing Islam or Buddhism, high-religions that also in certain respects place unequal values on women and men.

³⁰ To illustrate: "Hinduism has monotheism, atheism and a huge pantheon of gods", as well as "reincarnation, paradise and no afterlife at all." Kristvik, Ellen: "Nepali Sex Workers", pg. 85.

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concubines. A commonly told Hindu myth is the story of Ram and Sita. Sita is kidnapped by a demon. When Ram rescues her, he disowns his wife because she might have been abused and thus be “polluted”. Even when she proves her innocence by burning herself, he does not take her back because her reputation is ruined. This is the ideal Hindu couple.

In a central ritual in a Hindu marriage, the bride drinks the water she washes her groom's feet with. This symbolizes that a wife has to swallow the leftovers of her husband. When females have their periods, they are as “impure” as dogs³¹, and will be exempted from duties such as cooking in order to not pollute. A man's bad luck and hardship, including death, is said to be caused by his wife's lack of affection or faithfulness. Supposedly, a good wife is supposed to die before her husband, which is why widows are so discriminated against in the society. A man can leave his wife and remarry anytime. A female, however, is according to the scriptures only able to “divorce” by becoming a widow.

Religion and culture has both historically and currently contributed to the development of sex trade in Nepal. Prostitution is not a new phenomenon in Nepal. From the 19th century, girls from Himalayan hill tribes and ethnic groups were taken to Katmandu to meet the sexual needs of the men in ruling Rana families. When the Ranas were overthrown in the early 1950s, the national market for Nepali hill tribe girls stopped. This caused some to migrate to India, which was how the Indo-Nepali sex trafficking route originally was established. The activity of sex trafficking in this route has since only increased. Nepal also has the Deuki system, a kind of “temple prostitution”, similar to the Devadasi system found in India. Even if the system was not initially a form of prostitution, it became so in the colonial period when girls were sold to serve “god” with Hindu priests' blessings. In addition, there is an untouchable caste originating from Western Nepal called “Badis”. Badis had at first the profession of “entertainers”, but as times modernized, new types of entertainment were in demand, including sexual services. As discussed above, there is a historical legacy of making girls and women (from certain castes and ethnic groups) as objects of sexual desire exchangeable and tradable.

There is a connection between religious legitimate ideas of inequality between genders and contemporary gender discrimination. The discrimination Nepalese women face from “womb to tomb”, through early marriages, a subordinate position in the household, less rights to inheritance than men, and being subjected to domestic violence, paves the ground for sex trafficking. With little decision making power of their own, as sisters receive fewer resources

³¹ Kristvik, Ellen: “Nepali sex workers”, pg. 95

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than their brothers; they are less likely both to have a formal education and to receive extensive and proper medical care. This means that women are not equipped well enough to know the possible dangers of work they migrate to. The pervasive notion in Nepal that boys are worth more than girls, through cultural and religious ideas, make it possible for Nepali men to traffic girls.

2.3 Economic factors – poverty in the picture

Although sex trafficking cannot solely be blamed on poverty and financial need, it certainly is a factor that encourage the practice of trafficking girls. When general perceptions hint that it is allowed to exploit women, economic hardship give more ground to justify human rights violations.

To understand why so many Nepalese women fall prey to sex trafficking, the financial situation of Nepal needs to be scrutinized. Nepal is one of South Asia's poorest countries³², where 40% of the population lives below the poverty line³³. About three-quarters the livelihood of all Nepalese is subsistence farming. The majority are poor peasants living in the countryside, where malnourishment is common³⁴. The situation for lower castes and ethnic minorities is even worse. Carpentry and tourism are Nepal's biggest industry³⁵. Nepal is also dependent in development aid, which covers about half of the GNP.

Nepal is a country where there are wide differences between regions, in terms of education levels, health care services and, naturally income. People living in central areas and cities earn approximately four times more than people in rural areas. The poorest 10% only earn 2.6% of the total household income. In sharp contrast, the richest 10% earn 40.6%³⁶.

Most families can only provide two options for their girls; marry them away to a better off family where they can do domestic work or send them to core regions where work is available. The dowry price that comes along with marriage makes the last option more favorable. The literacy rate for females is half of that of males³⁷. This means that most women do not have any formal or higher education and will hence not be able to get the better jobs. Boys usually occupy the workplaces where skilled labor and schooling is a requirement. For women, farm work, more simple manufacture and factory work, domestic work and sex work are the principal occupations that are open to them.

³² In the UN's 2007 HDI index ranking, Nepal had one of the lowest HDI ranking of all South Asian countries, behind even Bangladesh.

³³ United Nations estimates

³⁴ 50% of all children are malnourished

³⁵ Nepal's National Human Rights Commission Report 2006

³⁶ World Factbook, CIA 2006

³⁷ Female literacy 35% compared to 62% for males (World Factbook, CIA 2003)

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Moreover, research has shown that half of women that are trafficked come from “broken homes”, where a financial situation has changed considerably and abruptly. A deceased family member, a divorce or alcoholism make bad economic situations tip over to become an insupportable one. Families want one less mouth to feed, and in consequence, they cannot be picky about the work their daughters are send off to do. Nobody wants to live in poverty - one rather wants to break away from the situation. Selling sex is an option to do just so, as a last resort. Nepal has a high unemployment rate at about 46%. Work abroad will therefore be appealing, especially in India, which is the most common country of destination for Nepalese in search of work.

Surprising research of recent origin has also documented that families who encourage daughters to do sex work are not necessarily burdened with acute poverty.³⁸ Instead, families want their daughters to work by prostituting themselves so that they can participate in the consumer culture. “Poor communities are besieged with the values, images and the materialism of affluent societies³⁹.” By selling their girls into sex slavery, families can acquire the same status symbols as the modern lifestyles of the West. In Sindhupalchowk, for example, some villages show clear signs of family members working in the sex industry; houses with tin roofs and metal roofs indicate that a girl in the family working in the sex industry is sending remittances back home⁴⁰.

With the emergence of globalization and technology, endless possibilities have opened up. The arrival of television in Nepal awakened people's lust for materialistic things. Modern transportation systems have enabled labor migration. Nepali's want the same things as more affluent people do, and it is this desire and drive that lead them into selling their daughters in order for families to get *better* and *more* consumer goods.

2.4 Globalization and foreign labor

Globalization has arguably made the poor even poorer and the rich even richer, and this consequently affect the weakest in society; women. This phenomenon, called “feminization of poverty”, is not directly caused by globalization, but through the many structural adjustments that the process requires, such as debt increase and cuts in social services, enforced by the IMF and the WHO⁴¹. As long as such inequalities exist, exploitation of poor young women will continue to occur.

³⁸ Brown, Louise: “Sex Slaves”, pg. 54

³⁹ Brown, Louise: “Sex Slaves”, pg. 54

⁴⁰ Brown, Louise: “Sex Slaves”, pg. 56

⁴¹ Samarasinghe, Vidyamali: “Female sex trafficking in Asia”, pg. 8

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Globalization embraces female migrants. Nepal is a sending country of trafficked workers. Women of poor conditions are the suppliers to meet the demand of men in better positions. Mobility is unquestionably a fundamental human right, and has the potential of giving many Nepali women more economic independence and to empower them. Foreign labor is vital to Nepal's rural predominantly and war-affected economy. An estimated 1 million Nepalese currently work abroad, contributing significantly to the country's GNP⁴².

In the process of migration, there are many intervening disempowering obstacles that can hinder the route to the planned place of destination. When women initially set out to voluntarily move to for example, India, induced deceit, force and threat can easily lead to the situation changing into a matter of trafficking. Demonstratively, migration and trafficking are two closely interrelated processes about the movement of persons which can easily lead to the growth of illegal and criminal industries like that of the sexual exploitation of women. Some years ago in Nepal, a measure proposed to curb trafficking was that adult girls should have their guardians' approval in order to travel to India. This was a controversial proposal, seeing that it also violated women's human right of independent movement.

2.5 Armed conflict

In Nepal, the armed conflict has led to a decrease in national budget spending on females, children and social welfare and agriculture due to increasing defense expenses⁴³. 90% of females are employed in the agricultural sector, and will therefore be dearly affected by these cuts. The armed conflict in Nepal has had devastating consequences on civilians, in particular women and children. The armed conflict between the Maoists and state of Nepal has led to an augmented vulnerability of girls and women by making them become even more weak and accessible. Killing, abductions, displacement were the everyday reality in the countryside, and caused many women and children to flee in search of work and security. In 2005, between 180, 000 to 230, 000 people were displaced in Nepal⁴⁴. The trafficking of women and children, both internally and cross-border to India, was documented to be increased during the years of armed conflict⁴⁵.

⁴² Remittances of \$1.5 billion make up 20% of the gross national product of Nepal

⁴³ Bhadra, Chandra, and, Thapa Shah, Mani: "Nepal: Country Gender Profile March 2007." *Japan International Cooperation Agency Report*, 2007

⁴⁴ Caritas Nepal, 2005

⁴⁵ National Human Rights Commission: "Trafficking in Persons, Especially On Women and Children in Nepal", 2007

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Chapter three

3.0 Conclusion

A wide range of substantial academic literature and reports have constituted the sources that have been used in researching sex trafficking in Nepal. This has led to a comprehensive and arguably in-depth analysis of this contemporary and serious human rights issue. As internet sources are regarded as less credible, several published printed sources have been used as well. Most print sources have been written of authorities in their field, which have been reviewed by peers. Some secondary sources of several NGOs, informing about the human rights issue in an objective and unbiased manner, have also been used. Governmental sources have been read critically for assessing possible bias. The different sources provided somewhat different explanations as to why sex trafficking occurs, emphasising different factors. From the totality of all sources, the following was deduced:

This essay declared initially that trafficking occurs because human rights are violated, and that the act of trafficking results directly in human rights violations. Investigating the reasons for the scale of trafficking in Nepal seems to validate this assumption. There is no single root cause for the scale of trafficking in Nepal, but a combination of many. Sex trafficking is ultimately about inequalities. Poverty, intensified further by globalisation, increases the gender inequity. The long period of war has made women even more vulnerable to the abuse of men.

Patriarchal norms in Nepali society accept that females should satisfy male needs and wants at whatever cost, even at the expense of women's human rights. Families are not solely to blame for females being trafficked into prostitution; the society, the government of Nepal, has not done enough to stop sex trafficking. Even if *on paper*, Nepal entitles all its citizens to the full enjoyment of human rights according to that of international law, *in practice*, women are not enjoying human rights because historical cultural, religiously impregnated deep-rooted values and practices that shapes women's and men's thinking and actions in ways make it very difficult for Nepalese women to gain control over their own lives and realise their newly gained human rights.

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Appendix

A. 1 Why the sex industry is a keen user of trafficked women

When trafficked, girls and women are taken out of their natural habitat, removed from everything they know – their security nets and social networks. Bewildered in a new place, they can easily be manipulated as they are truly helpless.

A. 2 Why it is hard to differentiate between “willing” and trafficked prostitutes

Holders of the abolitionists' position view prostitution as a violation of human rights even if it is so called “voluntary”, asking; “how can a woman willingly just want to be a vagina price tag?” After all, the fewest become elite prostitutes or “call girls” who have full control over their career. The majority of sex workers are found in brothels, where lives are not at all glamorous. They are frequent victims of violence, abuse, and cannot set their own terms for their services.

Moreover, many women who were initially trafficked into prostitution continue on as “willing” prostitutes after their psychological and physical will to resist has been broken down. In this process, called “seasoning”, “...They are beaten, battered, pinned down and raped, kept without food and water, threatened with death, and subjected to every kind of torture and abuse before they give up and accept their fate in the dark world (India Today, April 15 1989)”. After the debt bondage has been paid off, and she is “free”, the prostitute will be so severely stigmatized that continuing with selling sex is about the only option she is left with. This is why arguably almost all women from Nepal working especially in Indian brothels are “trafficked”.

A. 3 What international documents regarding the combating of sex trafficking have Nepal signed?

Nepal has signed almost all international human rights treaties, but some significant documents include:

Convention for the Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others, Convention on the Rights of Child, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Supplementing the Convention on Transnational Crime, Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, ILO Convention 182, Elimination of Worst Forms of Child Labor and ILO Convention 29, Convention on the Elimination of All Forms of Discrimination against Women.