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Changing the path

A systems-based analysis of the impact of the Covid-19 pandemic on human trafficking in two border districts of Nepal

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Glossary

CAFOD: Catholic Agency for Overseas Development (UK Caritas)

CSO: Civil Society Organization

DoS: Department of State (US Government Department)

FCDO: Foreign, Commonwealth and Development Office (UK Government Department)

GCC: Gulf Cooperation Council

ILO: International Labour Organization

IOM: International Organization for Migration

NGO: Non-governmental Organization

NHRC: National Human Rights Commission

RAP: Rapid Assessment Procedures

Tdh: Terre des hommes

TIP: Trafficking in Persons

Definitions/terminology[1]:

Trafficking in Persons: The U.S. government defines trafficking in persons as the act of recruiting, harboring, transporting, providing, or obtaining a person for compelled labor or commercial sex acts through the use of force, fraud or coercion. Under the Trafficking Victims Protection Act (TVPA) and consistent with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol), individuals may be trafficking victims regardless of whether they once consented, participated in a crime as a direct result of being trafficked, were transported into the exploitative situation, or were simply born into a state of servitude. Despite a term that seems to connote movement, at the heart of the phenomenon of trafficking in persons are the many forms of enslavement, not the activities involved in international transportation. Notably, elements of trafficking can include, but do not require movement.

Sex Trafficking: Sex trafficking encompasses the range of activities involved when a trafficker uses force, fraud, or coercion to compel another person to engage in a commercial sex act or causes a child to engage in a commercial sex act.

Forced Labor: Forced Labor, sometimes also referred to as labor trafficking, encompasses the range of activities involved when a person uses force, fraud, or coercion to exploit the labor or services of another person.

[1] US Department of State Definitions

Executive Summary

This research sought to understand how the Covid-19 pandemic impacted transnational migration and trafficking in two districts of Nepal, Ilam and Jhapa. It was undertaken to support interventions being developed as part of the "Addressing Impacts of Covid-19 on Efforts to Combat Transnational Trafficking in Persons (TIP) in two border districts of Nepal" project, funded by the US Department of State, led by the international non-governmental organization (NGO) Terre des hommes.

This exploratory qualitative study included documentary review, analysis of trafficking survivors' case management data for 85 Nepali women supported by a local anti-trafficking NGO, 77 qualitative interviews with TIP and local community stakeholders, and four participatory research workshops with trafficking survivors. Most respondents in our sample reported labor trafficking while working abroad.[2] In some cases, this was accompanied by sexual exploitation and physical abuse.

The Covid-19 pandemic led to a range of short- and long-term economic and social impacts in Nepal including nation-wide lockdowns from March to July 2020 and April to September 2021; suspension of all foreign employment permits; the closure of schools, government offices, private offices (but for those providing essential services) and borders with India and China; and deferral of non-urgent health check-ups and surgeries. Women, children and people migrating for work were among those most severely affected by the pandemic.

This study found that a range of social, economic, and institutional disadvantages accumulate from childhood onwards to increase the risk of trafficking for women and girls. For many of the individuals that we met, multiple factors had combined to create a path into financial precarity, which rendered high-risk migration strategies attractive, despite risks. The pandemic exacerbated the negative impacts from pre-existing social and economic conditions. Being born into poverty, child labor, landlessness, an absence of welfare support, household debt, and a lack of education were recurring factors. These were often associated with constraints associated with living in rural areas, and with social caste as a limitation on the choices available to earn a livelihood and gain access to high-quality education and health services. In addition, gender inequalities in the form of women and girls' roles as primary carers, forced and child marriage, exploitative family relationships, and financial dependence put them at high risk. This was particularly the case where there were exacerbating factors such as domestic violence, divorce, or illness or death of a husband. The geographical context of Ilam and Jhapa also provides a busy and relatively unregulated border environment where travel across borders was common, even during the pandemic.

[2] The cases reflected within this study represented a purposive sample and may not be representative of the local and regional prevalence of labor trafficking.

Survivors' accounts of labor abuses in the context of migration varied, including paying large sums of money to local agents, being deceived as to the type or location of work they had accepted, being detained during transit, and facing abuses, physical control and social isolation at the homes of their employers. Repatriation was frequently costly and complicated, often relying on the ability of workers to access assistance from NGOs, embassies, or family in Nepal. Female survivors returning to Nepal described facing stigma and further financial pressures, which may lead to re-trafficking.

Participants in our study nonetheless emphasized that migration for work was a common strategy, encouraged by families and communities as a solution to financial need. However, the lack of awareness of trafficking and the risks associated with unsafe migration were identified as a significant factor in individual vulnerability to labor trafficking. There are also inadequate formal migration routes for women due to government bans on women migrating for work. This encourages the use of informal routes and documentation, resulting in greater vulnerability and inaccurate official data.

Accounts of labor trafficking and related abuses are sometimes silenced by a fear of stigmatization. Moreover, the terminology associated with trafficking is problematic: local understandings of trafficking mainly associate labor exploitation with male workers, whilst for women the label of trafficking commonly has connotations of commercial sexual exploitation.

The onset of Covid-19 increased debt and livelihood pressures for many families. Official relief was unequally distributed, particularly to Dalit and other marginalized groups due to their lack of citizenship documentation. Workers returning from abroad were stigmatized due to a perceived risk of carrying Covid, and sometimes did not receive livelihood support. Stakeholders spoke of an increased risk of domestic violence as well as the exacerbation of pre-existing educational inequalities and increased child labor whilst schools were shut.

For the anti-trafficking sector, the pandemic also disrupted regular service delivery, as movements were restricted, and the focus of governments and law enforcement moved to control of the pandemic. In some cases, this led to a loss of funding and reduced levels of partnership with government agencies. There was also a disruption of awareness-raising work, although some innovative new techniques were also trialed. Support available to survivors was patchy.

Recommendations

Local Government and Civil Society Organizations should:

Access

a. **Ensure that survivors and returnee migrants are among the prioritized target groups for mainstream programs seeking to address the impacts of Covid-19** on livelihoods and physical and mental well-being.

b. **Ensure livelihood and debt-relief interventions are targeted at 'financial precarity' hotspots** to maximize support for those communities disproportionately impacted by Covid-19.

c. **Ensure that awareness raising and support activities under counter-trafficking and migration programs reach more remote communities,**

d. **Ensure that community level interventions target all relevant community members** including children and youth, women and girls, men, and different social/ethnic groups.

Gender

e. **Address the gendered nature of poverty within livelihood and anti-trafficking interventions,** with a focus on enhancing women and girls' financial independence, skills and knowledge. There should be an emphasis on progression towards and access to job opportunities in sectors that are well regulated and appropriately paid.

f. **Take concrete steps to support the advancement of gender equality** e.g. commit to undertaking a Gender Equality and Social Inclusion (GESI) audit of programs and activities, and take actions to address issues identified that hinder progress towards gender equality.

g. **Identify and take steps to address gender norms and practices that exacerbate vulnerability to trafficking,** through community awareness campaigns and interventions targeting males and females, as well as local decision-makers.

Migration

h. **Provide free migration support services at the local level with regular outreach activities** in villages to provide information for prospective migrants and help them with bureaucratic migration processes (echoing NHRC's (2018) recommendation).

i. **Provide local government oversight of existing provincial and federal services at the local level** to equip local decision makers with improved, up-to-date intelligence on migration and links to their residents working abroad.

Ways of working

j. **Identify and share what works well in aiding cross-sector and cross-organization anti-trafficking collaboration** during Covid-19 between local areas. Additionally, local collaboration should not be limited to operational cooperation: national level networks supporting policy engagement on trafficking may provide a useful blueprint for similar, more localized policy engagement.

Civil Society Organizations should:

Intervention Design

k. **Ensure the meaningful involvement of survivors in the design, delivery and evaluation of support programs, awareness raising and information-sharing** on safer migration.

l. **Ensure that decision-maker and practitioner-focused awareness programs include the socio-economic, cultural, and institutional factors driving trafficking,** including women and child rights, and appropriate responses to these.

m. **Design and implement early intervention programs,** such as those to alleviate child poverty, school drop-outs, and child and forced marriage.

n. **Ensure that support is provided to at-risk groups and individuals at the earliest possible opportunity,** e.g., individuals should be supported against domestic abuse, debt, and loss of livelihood long before they have begun the process of preparing to migrate.

The Government of Nepal should:

Policy

o. **Remove all sex-specific regulations limiting females' ability to migrate.**

p. **Amend the definition of human trafficking in Part 2.4 of the Human Trafficking and Transportation (Control) Act, 2064 to include forced and early marriage and trafficking of females for labor.** Update all related guidance and communication accordingly.

q. **Collate data and report on the exploitation of migrant workers in both official measures of trafficking and in trafficking prosecutions.**

Funders should:

r. **Prioritize initiatives that build the capacity of civil society organizations and local government to generate and share robust data and evidence that will support anti-trafficking work.** This should include support for research, monitoring and evaluation to underpin interventions targeting the root causes of trafficking (e.g. data on prevalence of risk factors at local levels) and data to support effective engagement with policymaking.

s. **Fund further research in the region to include other high risk sectors, namely tea plantations and adult entertainment.** As noted, the sample for this study was necessarily limited, however, the team noted a significant presence of tea plantations and dance bars in the region, both of which are under-researched despite being sectors with high rates of trafficking and exploitation.

1. Study Background, aims and methods

1.1. Background to study

This exploratory research seeks to understand how the Covid-19 pandemic impacted transnational migration and trafficking in two under-served and under-researched border districts of Nepal: Ilam and Jhapa. It was undertaken to support interventions being developed as part of the "Addressing Impacts of Covid-19 on Efforts to Combat Transnational Trafficking in Persons (TIP) in two border districts of Nepal" project, funded by the US Department of State, led by the international non-governmental organization (NGO) Terre des hommes, Lausanne.

The project had two mutually reinforcing objectives: the first, building the capacity of government and duty bearers to prevent transnational trafficking and refer those at risk, and the second, increasing the capacity of actors to provide critical protection services to TIP victims/survivors, adapted to the Covid-19 context. As part of the first objective, the project carried out exploratory research on the impact of Covid-19 on transnational trafficking, and on efforts to combat TIP, to inform future prevention and protection responses. The research was led by the University of Nottingham's Rights Lab, working closely with Shakti Samuha and Terre des hommes. This report was independently researched and authored by the University of Nottingham's Rights Lab, a leading global research center on modern slavery and human trafficking, working with project staff and with Nepali researchers.

Terre des hommes foundation (Tdh) is a leading Swiss non-governmental organization which helps to build a better future for disadvantaged children and their communities. Tdh has been in Nepal since 1995; its regular child protection and health-focused projects, as well as child protection in emergencies, continue to benefit thousands of children, their relatives, and communities across the country. Shakti Samuha is a Nepali national, survivor-led organization already working with trafficking survivors and their communities.

1.2. Covid-19 and high-migration communities: the cases of Ilam and Jhapa Districts

The areas under study are part of the Indo-Nepal border, one of the busiest transnational trafficking routes in the world. This extensive permeable border extends across four Indian states and 1,100 miles. Of this, 62 miles are shared between the state of West Bengal, India, and Province 1, Nepal. A recent study undertaken for Nepal's National Human Rights Commission (NHRC) documents a general increase in risks of exploitation for Nepali migrant workers, noting the vulnerability of undocumented workers crossing the porous border, whilst at the same time noting needs for more data (NHRC, 2020 pp. 34). Moreover, the Annual Progress Report 2076-077 from the Ministry of Women, Children and Senior Citizens shows that the highest number of TIP cases has been filed in Province 1, where Jhapa and Ilam, the two districts under study, are situated. These districts are recognized as potential districts of origin and transit particularly for Nepali victims of trafficking, and at the outset of the study there were concerns that Covid-19 may have exacerbated risks.

Nepal went into a nation-wide lockdown between March and July 2020 after the World Health Organization announced a global pandemic emergency due to the spread of the Covid-19 virus. During that time all international travel – including the issuance of foreign employment permits – was suspended; the borders with India and China closed; schools, government offices, and private offices shut (with the exception of those providing essential services); and non-urgent health check-ups and surgeries halted. Schools continued to be closed for a further four months after the lockdown ended, and just as they started to gradually re-open by the end of 2020, another lockdown was announced in April 2021 lasting until September 2021. Between the first and second lockdowns some key cities, including Kathmandu and others, were placed under localized closures. During the second national lockdown the India-Nepal border was partially closed as only 13 out of the 35 official entry points remained open (United Nations 2021). After September 2021, some restrictions remained, and others were added at the start of 2022 as the third wave of Covid-19 infections spiked around the country. It was only in March 2022 that all Covid-related restrictions were lifted.

While existing research does not provide a definitive picture of the impact of the pandemic on trafficking, some emerging trends suggest that the risk of exploitation is increasing. Globally, evidence from other developing contexts suggests that the pandemic intensified existing inequalities and created a larger pool of vulnerable persons as a result of loss of livelihoods, school closures, barriers to access support and services, and decreased capacities of law enforcement and trafficking detection mechanisms (The Rights Lab and Free the Slaves 2021; The Rights Lab 2021). Trafficking in Persons was pushed further underground and was harder to detect during lockdowns in many countries (UNODC 2021). Traffickers found new routes and ways to transport people across borders and use of online methods to recruit children and adults increased (UNODC 2021; UN Women 2020). Domestic trafficking was reportedly also on the rise as restrictions on international mobility were imposed across the world (UNODC 2021).

Women, children and migrants around the world and in Nepal were identified as particularly vulnerable to trafficking and exploitation as a result of the pandemic. Women in Nepal were more likely to experience income loss and food insecurity in 2020-2021 (World Bank 2021; World Vision 2021). There is also evidence that domestic violence against women increased during the lockdown period (NHRC 2020a).

Additionally, hundreds of thousands of migrant workers in Malaysia and the Middle East lost their jobs[3] in 2020 as a result of the pandemic, while others were forced to stay on unpaid leave, suffered wage cuts or were made to work in exchange for food (Mandal 2020; ILO 2020; NHRC 2020b). Undocumented workers (including those who went on a visit/tourist visa or falsified documents) were at even more risk, as they were unable to access health services and facilities out of fear that they might be arrested by authorities in the destination countries (NHRC 2020b).

The pandemic also worsened a number of children's outcomes in Nepal known to be associated with child trafficking and modern slavery, including child labor, abuse and child marriage. UNICEF estimated that the number of children living in poverty in Nepal rose from 1.3 million before the first lockdown to about 7 million in August 2020 (UNICEF 2020). Prolonged school closures disrupted the education of about 7 million children. Research from the Human Rights Watch (HRW) showed that the pandemic is fueling child labor in Nepal as a result of these closures and the increased financial pressures on families (Human Rights Watch 2021).

Additionally, there is evidence that girls bore the brunt of domestic work and caregiving responsibilities to enable parents to work, while others were married to relieve some of the economic pressures on their families (Sharma and Gettleman 2021; UNICEF 2021).

Our study aimed to contribute to the evidence on how these and other emerging pandemic effects are contributing to risk of trafficking and exploitation.

1.3. Research questions

The researchers sought to answer the following questions:

1. How has Covid-19 impacted factors underpinning TIP in the communities living in the two border districts of Nepal? This includes structural (for example, health, economic, educational), legal, institutional, cultural factors (including social norms and gender roles) and personal risk factors (for instance family relationships).

2. Recognizing that early, unsafe, uninformed, unplanned and or irregular migration, may be a risk factor for exploitation, what migration business models, transit routes and practices predominated across this border prior to Covid-19, and what changes have been observed in response to the pandemic that are significant for TIP?

3. What implications has Covid-19 had for the institutions and systems facilitating prevention of TIP and protection of victims of TIP?

[3] It is estimated that the proportion of job loss for Nepali workers in key countries of destination is as follows: 30% jobs in the UAE and Malaysia, 20% in Qatar and Saudi Arabia, 15% in Kuwait, 12% in Bahrain, and 10% in Oman.

1.4. Methodology

1.4.1 Study design and approach

This study utilizes a systems-based perspective, with a core assumption that trafficking and labor exploitation are driven by a range of structural and institutional factors, including those relating to specific communities (Gardner, Northall and Brewster 2020) and specific migration contexts.

The International Organization for Migration (IOM) has identified a range of risk factors and protective factors that influence a migrant's vulnerability to exploitation or abuse before, during, or after migration. These factors are associated with:

- Individual factors and household/family, for example age, sex, ethnicity, socioeconomic status, family relationships, family size, child or single parent headed-household.
- Community factors such as access to education, social services, marriage practices, natural hazards such as earthquake.
- The migration process itself for instance, is the migration route through places human rights are respected?
- Structural factors including regional, national, and international political, economic and social conditions (David et al. 2019)

Our approach examined how overarching political, social, and economic structures; the understanding and application of key legislation and regulations; and local community and institutional factors in our two case study areas (such as the presence and accessibility of services) were operative in influencing the vulnerability of individuals to trafficking and exploitation, prior to and during the pandemic.

This report intentionally focusses on factors within Nepal and the districts under investigation. This does not mean that we judge local context as more important than the global economic and political context, or the conduct of and conditions within migrant worker destination countries, in driving trafficking and labor exploitation. However, this report recognizes that the mix of causative factors will manifest differently in different localities and according to the varied circumstances of individuals. Many actors are also working to prevent TIP and to protect victims. At each level (individual, local community, or national/transnational), we may expect to see some factors that help or hinder the delivery of this support and the degree to which individuals can draw on such resources and support.

The study takes a rapid, focused ethnographic approach, exploring trafficking activity and efforts to combat this within the target localities from multiple stakeholder perspectives. Focused or rapid ethnographies focus on a specific issue or problem and/or a particular context or setting, gathering data from research participants identified as having knowledge about the issue under investigation (Higginbottom and Liamputtong 2015). Ethnographic approaches can explore wider, structural problems through intensive exploration of the ideas and behaviors of members of a group or community, enabling identification and exploration of how wider system conditions shape social phenomena at a very local level (Fine 2012; Vindrola-Padros 2021).

We drew upon the knowledge and experience of survivors of transnational TIP (many of whom were now reintegrated in their communities) as well as anti-trafficking workers, community leaders, and other stakeholders within a locality. In this way we identified factors that can increase or decrease community risk of trafficking within the context of Covid-19.

This is a primarily qualitative study, reflecting its exploratory focus on identifying factors contributing to TIP, and the complex impacts of Covid-19 as mediated through such factors. The design also reflects the historic lack of accurate, routinely collected data on matters such as border crossings by the local population, and hence the need to rely on proxies such as reported changes in local resident and trafficker behaviors. It is our hope that the study will enable identification of priorities for improving routinely collected data, not only vis a vis migration, but on social factors implicated in trafficking.

1.4.2 Study setting

Background and trafficking situation in Jhapa and Ilam

Figure 1: Map of Nepal provinces

(Source: Nations Online Project https://www.nationsonline.org/oneworld/map/nepal-administrative-map.htm)

Province 1

Jhapa and Ilam districts are part of Province 1, which is the easternmost of Nepal's seven provinces established by the 2015 constitution.

Figure 2: Map of Province 1

(Source: https://enotesworld.com/an-introduction-to-nepal-at-a-glance/)

Overall, Province 1 is among the more developed regions in Nepal. It is home to more than 4.8 million people, representing 17% of the national population (Government of Nepal National Planning Commission 2021). It has the second highest Human Development Index (0.504) after Bagmati (0.543) province where the capital Kathmandu is located (United Nations Development Program 2020). And, it has the third lowest rate of multidimensional poverty (15.9%) (Government of Nepal National Planning Commission 2021). This is lower than the national rate of 17.6%. However, in absolute numbers Province 1 has the third highest number of poor people (773,000) (Ibid).

Jhapa

Jhapa has a population of more than 994,000 (about 21% of Province 1 population), making it the 4th largest district in Nepal (City Population 2022). Females make up more than half (52%) of Jhapa's residents (Ibid). The Hindu religion is followed by 80% of people in Jhapa, similar to the national rate but about 20% higher than the figure in Province 1 (Nepal Map, no date, a). Jhapa also has about 1.5 times more people from Brahmin and Chhetri[4] backgrounds (40%) than the average in Province 1 and the whole of Nepal. There is also an equal share of Janajati[5] groups (39%), while Dalit[6] groups represent about 6% of Jhapa's population (Ibid).

[4] Brahmin and Chhetri are the highest castes in the Hindu caste hierarchy. They are considered the most dominant and powerful groups in society, are the largest castes in Nepal, and hold the most prominent positions in government.

[5] Janajati/ Aadibasi are the indigenous ethnic groups or tribes in Nepal.

In terms of education, about 23% are illiterate, which is less than the Nepal average of 32%. The rate of illiteracy among females is almost twice that of males - 30% of females and 16% of males. Those whose highest education level is primary, lower secondary and secondary are 33%, 22% and 16%, respectively. The latter is higher than the average in Nepal (11.5%) and Province 1 (13%). Men and women have more or less equal levels of primary education, with women faring slightly higher in secondary schooling (17% vs 15% among men).

Ilam

Ilam is less populous than Jhapa with a population of about 281,000 (51% female), which marks a 3% reduction in its resident numbers since the 2011 census (City Population 2022). It is also more religiously and ethnically diverse. Forty four percent follow Hinduism, 36% Kirat, 15% Buddhism and 3% Christianity (NepalMap, no date, b). Janajati groups form a higher share (about 60%) of the district's population than those from Brahman and Chhetri castes (28%). Six percent are from Dalit groups, similar to Jhapa.

Twenty percent of Ilam's inhabitants are illiterate (26% females and 14% males). There is a higher rate (37%) of those with primary as their highest education qualification than Jhapa, while slightly lower (14%) at secondary level. More men (39%) than women (36%) have a primary certificate, but slightly more women than men have lower secondary (24 vs 22%) and secondary (14 vs 15%) as their highest education level.

[6] Dalit are the most disadvantaged groups under the Hindu caste hierarchy, which includes the group that was considered the 'untouchables'. Dalit means the oppressed in Sanskrit.

Existing data on trafficking in Jhapa and Ilam

The existing information about trafficking in the two case study districts is minimal and mainly focused in Jhapa. We present below the available data from the two most recent TIP reports by the National Human Rights Commission of Nepal (2018, 2019). However, the figures should be read with caution as they only take account of officially reported cases, which are unlikely to reflect the actual prevalence of trafficking.

- Jhapa has one of the major border points between Nepal and India, Kakarbhitta, from where hundreds of thousands of people daily cross the border for regular needs as well as business.
- Jhapa had the highest number of overseas women migrant workers between 2012/13 and 2016/17, compared to other districts in the whole of Nepal.
- Jhapa had the second highest number (36) of TIP cases filed in the district courts after Kathmandu (153) in 2016/17. The total was 454.
- Jhapa was also among the top ten districts where TIP cases were registered by the Police in 2016/17 and the highest number of cases registered by the police in 2017/18.
    - A total of 10 trafficking cases have been registered in FY 2016/17 with 20 trafficking victims. All the victims were females and they were in the age range of 16 to 60 years. There were 6, 7, 3 and 4 in the age rage 16-25, 26-35, 36-45 and 46-60 years, respectively.
    - In 2017/18 – 2018/19, the number of trafficking victims identified by the police was 54, of which 49 were women.
    - In Ilam only 9 trafficking cases were registered, all women between 2017/18 and 2018/19.
- A total of 615 women and children were rescued from different border surveillance centers in Jhapa in 2016/17. Of the total, 92% were women, 5.5% were girls and 2% were boys.
- Jhapa had the highest number of missing children (142) in 2016/17, 68% (97) of which were female. In terms of age group, the majority of missing children were in the age range of 10-15 years (56%), followed by children in the age range of 15 years and above (39%) and the least 5 to 10 years (4%). The numbers of missing people is used by the NHRC as a proxy indicator for trafficking victims. Their most recent TIP report stated that “The literatures and study reports on missing persons have concluded that most of the missing persons are trafficked except in the cases of conflict, militarization and disasters”, (NHRC 2019, p.2).
- In 2018/19, the number of missing people in Jhapa was much higher than in 2016/17 at 828, of which 133 were children (98 girls, 35 boys), 291 women, 357 Janajati.
- In 2018/19, Ilam had 146 missing people, of which 17 were children (8 boys, 9, girls), 52 women.

The anti-trafficking landscape in Nepal

Nepal has a comprehensive, active civil society landscape of local, national and international organizations working on anti-trafficking programs for many years across all levels.

Various large, international non-governmental organizations (INGOs) such as Terre des hommes, Winrock, and the Catholic Agency for Overseas Development (CAFOD) deliver interventions across the country, generally in partnership with local and national organizations. Similarly, large, international donors including J/TIP, The Asia Foundation and the UK's Foreign, Commonwealth and Development Office (FCDO) fund a significant amount of counter-trafficking work.

At the national level, many NGOs and civil society organizations (CSOs) work on the topic. This includes general development entities and those with a specific thematic focus, such as Children-Women in Social Service and Human Rights (CWISH), Feminist Dalit Organization (FEDO), and Aaprabasi Mahila Kamdar Samuha (AMKAS), who work on migrant workers' rights in Nepal and destination countries. As with AMKAS, a significant and growing number of organizations are formed and led by people with lived experience of the issue that they seek to address. This is also true within the anti-trafficking sector, with project-partners, Shakti Samuha, being the first survivor-led organization in the world, among others like Samrakshak Samuha Nepal (SASANE).

Many organizations are based or headquartered in the capital to facilitate effective engagement with the national level government and maintaining connections in other sectoral actors. Such entities will frequently have provincial and project offices in specific locations to improve the effectiveness of their interventions. Shakti Samuha have offices in Jhapa and Ilam and other anti-trafficking organizations, such as Maiti Nepal, Safer Migration (SaMi) and Tiny Hands have active interventions activities in the project districts.

Civil society actively supports individuals and communities vulnerable to and affected by trafficking, including services to victims and survivors. Activities cover prevention, protection, and prosecution, often supporting duty bearers and undertaking state responsibilities. This includes identification and rescue, referring cases to the police and supporting victims in their prosecutions, as well as the provision of shelters and fulfilling primary needs such as medical, psycho-social, counselling, vocational training/capacity building, repatriation and reintegration. The Ministry of Women, Children and Senior Citizens work with and financially support civil society actors in some of this work, but much is provided by the organizations themselves through project funding, which results in service provision that can be unequal and disjointed, with access often geographically limited.

Advocacy is the other key focus of civil society work, engaging with various government levels, departments, and state actors such as the police and judiciary. Advocacy is undertaken by individual organizations, in issue-based consortia, and also through well-established networks, the most prominent of which is Alliance against Trafficking in Women & Children in Nepal (AATWIN). Membership of such networks facilitates cohesion and collective voice, strengthening advocacy demands and reducing risks to individual organizations.

1.4.3 Study period

Data collection for this research was undertaken between October 2021 and June 2022, with the majority of interviews and workshops being conducted between March and June 2022. The research focused on understanding the context of TIP in Nepal in the years immediately prior to the pandemic and looking at the impact of the pandemic from March 2020 onwards to June 2022.

1.4.4 Data collection and sample characteristics

Multiple methods were used to gather data from a range of secondary and primary sources. The main data sources were:

- a review of existing, recent documentary evidence e.g. academic research, NGO reports, routinely collected government data to produce an initial overview of any factors (risk and protective) identified in prior research;
- 77 key informant interviews with a range of people either from the localities or with an interest in these localities, with knowledge of trafficking and/or conditions in the local communities, including survivors of trafficking;
- case management data from the project, consisting of 85 case histories and associated categorical data compiled by caseworkers supporting survivors of transnational labor trafficking. Four of these cases related to respondents who were under 18 when they were trafficked, with a further 27 cases in the 18-25 age group;
- 4 participatory workshops with survivors (two per district), testing out emerging findings and exploring the significance of different factors.

Stakeholder interviewees were recruited initially via a purposive "snowball" method, starting with partners' existing contacts within organizations and the localities, and then, as interviewing progressed, by asking each interviewee what organizations and individuals might hold further information on the issues discussed. Interviewees were selected to include the multiple perspectives of those affected by, or with the potential to intervene in, TIP in the localities in question. They included:

- governance role holders e.g. local officials, etc. with oversight responsibilities that impact on TIP e.g. district or provincial government role holders;
- practitioners and professionals (e.g. operational roles) in the districts with roles in preventing and combatting TIP e.g. border patrols, civil society project staff and those involved in providing support and services to victims of trafficking;
- community members, groups, or institutions with a stake in combatting TIP or intelligence on the impact of Covid-19 in the locality e.g. local schools, welfare organizations, civil society organizations, community activists, etc.; and,
- Survivors of TIP (aged 16 and over), who can bring to bear their own lived experience in understanding and analyzing emerging findings on TIP factors and processes.

Twenty-nine interviews were carried out in each of Jhapa and Ilam districts, with an additional 19 interviews with civil society organizations (CSO) and government role-holders based in Kathmandu and in bordering districts of India but whose work related to these areas. Interviews were semi-structured and ranged in length from approximately 20 minutes to 2 hours. They focused on the experiences and observations that different stakeholders had of their communities and trafficking work, to build a picture from many different points of view of the factors that increased or decreased community risk. Please see Appendix One for the topic guides used for conducting the semi-structured interviews.

The survivor sample of 85 case histories represents the majority of the survivors identified in local communities in Ilam and Jhapa by our NGO study partner. Key demographic characteristics of the sample are included in the table below. An additional 10 cases (4 in Ilam, 6 in Jhapa) identified by the project were excluded from the analysis as the survivors did not consent to sharing their information (see ethical considerations below for further discussion of consent procedures). Hence, as a sample it represents 90% of the survivors who were discoverable to the project.

Finally, the research team's initial findings on trafficking during Covid-19 and TIP support were discussed with survivors at 4 half-day workshops, held as part of the project's survivor-led residential sharing workshops. These discussions asked survivors to draw on their lived experience to engage in co-analysis with the researchers of the emerging findings (see, for example, Clarke, Washburn, Friese et al. 2015).

1.4.5 Data analysis

Data collected from case histories, interviews and workshops was coded and analyzed thematically using NVivo software with a focus on different factors contributing to, or helping to reduce, the risks of trafficking. We examined case histories for any patterns of events or situations during different stages of participant's lives that appeared to contribute to or lead up to the experience of trafficking.[7] Survivor case histories were further coded using causation coding (Saldaña 2016) to identify where caseworkers and survivors had described links between specific events and subsequent trafficking experiences. We also coded for the different types of actors involved (e.g. family members, recruitment agents, employers, anti-trafficking organizations, etc.) and the different stages of the survivors journey prior, during and post-trafficking. Such life course approaches have been widely used in public health, to provide a way of understanding how the different conditions that people are born into and live their lives in, can contribute to an accumulation of inequalities, over people's lives and even into future generations (WHO 2014).

[7] Case histories were constructed by case workers drawing on a series of conversations with individual survivors and case management data.

Table 1: Survivor case histories: sample characteristics

N.B: All survivors consenting to share case history data for this study were female.

Category		Ilam (n=40)	Jhapa (n=45)
Age when trafficked	Under 18	2	2
	18-25	11	16
	36-35	18	26
	Over 35	9	1
Education	No schooling or illiterate	4	10
	Primary (grades 1-8)	24	28
	Lower secondary (grades 9-10)	9	5
	Certificate (grades 11-12)	1	0
	Informal education (3 months or less)	2	2
Work (prior to trafficking)	Agriculture	38	7
	Manufacturing	1	0
	Retail	1	1
	Laborer	0	37
Caste	Brahmin/Chhetri	6	25
	Janajati/Aadibaasi	30	12
	Dalit	4	8
Time since trafficking experience	Under 2 years ago	1	0
	2-5 years ago	5	19
	6-10 years ago	16	22
	More than 10 years ago	18	4

As part of the fieldwork process, rapid, ongoing analysis of qualitative data was carried out. Each researcher recorded key findings for each instance of data collection onto a RAP (Rapid Assessment Procedures) sheet (Vindrola-Padros 2021). Following this, all interviews, together with survivor case histories and relevant literature, were coded in NVivo.

Categorical data on trafficking survivors was also generated from case records, and descriptive statistics produced on the survivor cohorts.

1.4.6 Ethical considerations

Given the sensitive and potentially distressing nature of our research topic, the research team took a number of steps to ensure that the research was conducted to the highest ethical standards. These included:

- Undertaking a full ethical review of the project methods and provisions for data transfer and storage, through the University of Nottingham's Research Ethics Committee
- Submitting our project for review by the National Child Rights Council of Nepal
- Ensuring that field partners were fully trained on their duty of confidentiality to participants, ethical procedures for taking consent, data collection and transfer, and responding to potential cases of distress.

Consent for stakeholder interviews was supported by a participant information sheet, which participants were provided with in advance, and consent agreements translated into Nepali where applicable, and signed by interviewee and interviewer. Participants were given the opportunity to ask questions before providing consent. For interviewees with lower levels of literacy, the field team were trained to explain each key point in the information materials verbally and provide a translated written summary of key points, before starting the interview. Participants were also given the opportunity to withdraw from the research without any adverse implications.

Consent for sharing survivor case management information was taken by project partners using information translated into Nepali by native speakers. Consent was fully documented including participant information sheets and agreement forms. Steps were taken to emphasize that support from the wider project was not dependent on participation in the research. Again, participants were free to request withdrawal of their data.

Consent for survivor interviews and workshops was taken by researchers from the University of Nottingham, using a translator. To ensure that our research did not cause undue distress for survivors, we did not include any questions requiring them to repeat their personal exploitation experiences and committed to only interviewing or carrying out workshops with those who self-identified as having recovered sufficiently from their experience to be involved in advocacy. Survivors volunteered following a general promotion of the study, not approaches to individuals. We took the decision not to involve survivors who were younger than 16 in interviews and workshops, as their trafficking experiences were likely to be more recent.

1.4.7 Limitations

This project was exploratory due to sparse data on this border region of Nepal. Although it was a collaboration between UK researchers with expertise in human trafficking and NGO partners with extensive field experience and connections within Nepal, fieldwork was limited by the relatively short timeframe of the project (10 months) and the budget. Further time in the field would have assisted in validating conclusions and seeking to fill data gaps.

Whilst care was taken to recruit a range of key informant interviewees who have knowledge of different aspects of the local system from a range of perspectives, there is always a risk when sampling in this way of not reaching a potential interviewee who might hold disconfirming or additional information.

It is important to also note that our purposive sample of survivor case-histories is non-random and not reflective of the diversity of trafficking experiences in the study areas. All the 85 survivors who provided case histories via our partner organization for use in this study were females who experienced transnational labor trafficking, albeit sometimes alongside physical abuse and sexual exploitation (more details about the survivor characteristics are provided in chapter 3). It was surprising to the research team that cases did not include any survivors of commercial sex trafficking, which is more commonly recognized in the literature as affecting women and girls in Nepal. However, we suspect that the voluntary nature of self-identification employed in this project combined with the challenges and social stigma that sex trafficking survivors experience could be the reason why this is the case (Shakti Samuha, personal communication).

Accordingly, our sample of survivors does not reflect all types of trafficking in Ilam and Jhapa. The survivors whose case histories we analyzed were identified through outreach to survivors in the community, rather than from rescue shelters as is common in similar studies. Therefore, they do not include cases of survivors who had not made it home from abroad or never returned to their communities, or who were not willing to make themselves known to Shakti Samuha.

The sample also includes only a small number (5% or 4 people) who disclosed trafficking experiences before they were 18. A further 32% (27 people) were trafficked between the ages of 18 and 25. This means that the sample mainly consists of survivors who were adults in their first trafficking experience. However, it does highlight the significance of early-life experiences and child-protection across the life course, such as the impact of child poverty, early marriage and missing education. This provides significant data for strategies relating to prevention, and identification of risk. Moreover, the fact that we were reaching survivors within community settings has provided useful data on issues surrounding reintegration and preventing potential re-trafficking.

Another limitation we encountered was that the majority (71%) of case histories concerned trafficking experiences had occurred six or more years ago. This may have implications for the accuracy of recall (recall bias) and accurate recall may also be affected by trauma. However, we have mitigated this risk by seeking to triangulate between multiple survivor experiences and additional sources of data. Relatedly, the trafficking experiences of all the survivors for whom we analyzed case history data took place before the pandemic. One reason for this could be that those who were trafficked after Covid-19 might not yet have returned to their communities. The community-based method of survivor identification adopted by the project could also have contributed to this limitation.

This meant we were unable to access direct lived-experiences of trafficking in the context of Covid-19. However, we were able to supplement some of this knowledge by stakeholder interviews and understanding the impact of Covid-19 on the drivers of trafficking before the pandemic.

Finally, the personal perspectives, experiences, knowledge and background of the researchers will have influenced their perceptions, interpretations and analysis. Every effort was made to maintain awareness of and minimize its influence but as this is impossible to address in its entirety, some effects undoubtedly remain. All of the researchers are experienced in the topic, and many all have significant experience in the region. This will likely have contributed to assumptions based on perceived similarity or differences between this contexts and previous work or reading they had done. None of the Rights Lab team are Nepali and, while from various countries, all live in the UK. While Laoise has substantial experience in South Asia, none speak Nepali and all were entirely reliant on translation of Nepali, which was potentially inaccurate and/or incomplete. Where conversations took place through a shared language, non-verbal cues and signs may have been missed or misinterpreted by all participants. The team maintained open relations and repeatedly checked that understandings and interpretations were correct to minimize this, but some influence will remain.

The study nevertheless provides an opportunity to identify local factors and processes driving vulnerability, and in turn, potential actions to make these specific communities more resilient to exploitation, in a region of the world that has seen severe Covid-19 impacts. It therefore has the potential to contribute to the global evidence base on what would support greater resilience against trafficking post-pandemic, by generating hypotheses that could inform further research on localities with similar contexts.

2. Evidence on trafficking in Nepal

2.1. Overview of recent trends in trafficking in Nepal

The National Human Rights Commission (NHRC) of Nepal's latest analysis estimated that about 35 thousand people have been trafficked in Nepal in 2018/2019 (NHRC 2019). This is a marked increase from previous estimates of 6,100 in 2015/16 and 11,500 in 2010/11 (NHRC 2017). Women and children from rural areas and marginalized castes and ethnicities are considered the most at risk of trafficking particularly in the form of commercial and non-commercial sexual exploitation, domestic servitude, forced labor, forced or child marriages, adoption and orphanage trafficking (NHRC 2017, 2018; Walk Free 2020). However, there is recent evidence that men in Nepal are also increasingly being subject to labor exploitation and trafficking (Government of Nepal Central Bureau of Statistics 2019).

Historically, the sex trafficking of females from Nepal to India's hospitality and adult entertainment sectors was perceived to be the most common type of trafficking affecting women and girls in Nepal. While this form of trafficking is still significant and is facilitated by the Indo-Nepal open border, there has been a recent shift where trafficking is increasingly taking place within Nepal, from India to Nepal and from Nepal (potentially through India) to overseas countries such as the US, Korea, Malaysia and, most prominently, the Middle East. There have also been recent reports of trafficking of girls and women across the Nepal-China border for the purpose of forced marriage and to work in the entertainment and domestic labor sectors (NHRC 2019; Dhungana 2019).

The growth of the entertainment sector in Kathmandu coincided with an increase in in-country trafficking and that of people from other countries to Nepal. The NHRC estimated that 20% of workers in Nepal's adult entertainment industry could be subjected to human trafficking (NHRC 2019). Reports pointed to the recruitment, through force and deception, of girls and women from villages outside of the capital city to work in massage parlors, dance bars, and cabin restaurants, where they experience sexual exploitation and abuse by clients and employers (Free the Slaves 2015). Younger workers (14-18years) are more likely to be victimized and most are in no position to speak out against their abuse (Aryal 2020).

Other emerging forms of trafficking within Nepal include the slavery-like labor conditions of children in the garment industry, brick kilns and domestic work (NHRC 2019). Despite a downward trend over the past 10 years, more than 15% of children (5-17 years) in Nepal were involved in child labor in 2017/18, with girls having a slightly higher rate (17%) than boys (14%) (ILO and Central Bureau of Statistics of Nepal 2021). Child labor is higher in rural areas - at 20% compared to 12% in urban areas - and among the Dalit (19.4%) and Janajati (or indigenous) (18.1%) groups (Ibid).

Relatedly, historical forms of agricultural bonded labor still persist in Nepal despite the government's ban on Kamaiya in 2002 and Haliya in 2008, two forms of bonded labor[8]

[8] Haliya and Kamaiya refer to agricultural laborers that work on other people's land in return for a daily or short-term fixed wages (in the case of Haliya) or a portion of the produce (in the case of Kamaiya).

(Oosterhoff et al. 2018; The Freedom Fund 2022). More recently the government has mandated freeing Haruwa-Charuwa[9] bonded laborers from their loans. These communities, mostly from lower castes and ethnic minorities, have traditionally been forced to work on other people's lands in order to repay their debts.

Moreover, trafficking from Nepal to other countries outside of South Asia has been taking place through foreign employment, education consultancies (sending people to study language, hospitality and hotel management abroad), tourism and cultural programs, child adoptions and cross-border marriages (NHRC 2019).

The US Department of State's (DoS) most recent Trafficking in Persons (TIP) report stated that the laws in Nepal do not criminalize all forms of trafficking (2022). The 2007 Human Trafficking and Transportation Control Act, which has been under amendment for seven years, defines trafficking as the 'the purchase or selling of a person and causing another person to go into prostitution. However, it does not include 'a demonstration of force, fraud, or coercion' as an essential part of the base offense and does not explicitly address forced labor' (US DoS 2022, p.403-404).

2.2. Academic and research studies on trafficking in Nepal

The literature about trafficking in Nepal has largely focused on the sex trafficking of girls and young women in India's commercial sex industry and, for a long time, was mainly concerned with documenting the characteristics of survivors, how they fell victim to trafficking, and the situation of their abuse. Analyzing case files and/or interviewing survivors who escaped or have been rescued, these studies found that a majority of the survivors were either illiterate or educated to primary level, poor, from marginalized ethnic groups (e.g. Dalit or indigenous communities), were unmarried, teenagers and not employed at the time they were trafficked, or if employed, had been working in agriculture, as domestic workers or in factories (Hennink and Simkhada 2004; Sarkar 2016; Simkhada 2008; Gurung and Kachchhap 2016).

The most common routes to sex trafficking were found to be through false employment opportunities (often after girls migrated to urban areas to look for work) or fraudulent marriage proposals, and largely facilitated or perpetrated by family members or known neighbors/community members (KC et al. 2001).

Both Haliya and Kamaiya workers often fall into situations of bonded labor when they are forced to take high interest rate loans from their employers or landlords due to their inability to support their families on their meagre incomes. While the Kamaiya system comprises the largely indigenous Tharu community living in western Tarai districts, many Haliya workers are thought to come from the so-called Dalit (socially disadvantaged) group belonging to multiple castes and sub-castes (Giri 2009, p.600).

[9] Haruwa-Charuwa is another similar forced-labor system based on debt bondage, prevalent in the agricultural sector of the eastern Terai region in Nepal. Haruwa means "forced tiller" and are usually adult males, while charuwa means "forced cattle-herder" and are usually women and children.

These findings challenged previously accepted assumptions that the majority of girls were trafficked through coercion (e.g. drugged and kidnapped) by strangers and revealed the link between migration and the trafficking of women (Frederick 2011). A more recent study suggested that technology is displacing venue-based commercial sex work, where women increasingly receive and negotiate job requests via mobile phones and online, with implications for trafficking risks (Ghimire et al 2021).

Some research has also explored child trafficking in relation to child and bonded labor (Baumann and Dharel 2014). Despite its criminalization by the Bonded Labor (Prohibition) Act in 2002, studies found that bonded labor still exists in Nepal with heightened risks for children who are sent to work as domestic laborers for landlords in the city or in India to pay off a debt incurred by their parents or relatives (Giri 2009; KidsRights 2014). According to Giri's (2009) interviews with child bonded laborers, staying and working with a landlord was the only way they could get food and clothes. And while the children were proud to help their struggling families, they experienced long working hours, physical and sexual abuse and many were not able to continue their schooling (Giri 2009; KidsRights 2014).

Another area of child trafficking explored by a few studies is orphanage trafficking. The latter involves traffickers posing as boarding school or charity representatives and persuading families in destitution to pay a fee in return for offering their children education and a better life. In reality, however, children – commonly called paper orphans - are sent to orphanages or children's homes that use them to solicit money in the form of donations or voluntourism (a form of tourism in which travelers pay money to do voluntary work) (Brubacher et al 2021). There is evidence that children in care homes or orphanages live in squalor and experience malnutrition, forced begging, physical, verbal and sexual abuse, and attachment disorders as a result of volunteers constantly coming in and out of their lives (Saxe-Smith 2015; Punaks and Feit 2014).

Despite the rising numbers of female labor migrants in Nepal, there is still limited, yet emerging, evidence for the experiences of women who migrate for work and face exploitation or trafficking. The studies that explored this subject interviewed Nepali women migrants either at the destination country (Arab countries, South Korea, the US and India) or after they returned to Nepal, as well as stakeholders, such as recruitment agencies, employers, public officials and civil society representatives (e.g. Limbu 2017; Shakya and Yang 2019; Gioli et al. 2017; KAFA 2014; London School of Hygiene and Tropical Medicine 2017; Khatri et al 2021; Guichon 2014; Paoletti et al. 2014; Bhadra 2007; Abramsky et al 2018; Shrestha et al 2020). Unlike findings from studies that investigated sex-trafficking, the majority of women migrant research participants were married (many when they were younger than 18), had children and were adults when they migrated (Ibid). In line with sex trafficking research, however, they were mostly illiterate or had low education levels and were from a poor socio-economic background. With the exception of three studies, the majority did not mention the ethnic backgrounds of their interviewees. Those that did reported higher percentages of those from Brahman/Chhetri backgrounds than what is common in the sex trafficking literature, concluding that women seeking migration beyond India are more ethnically diverse (Bhadra 2007; Abramsky et al 2018; Shrestha et al 2020).

Research that explored women's motivations for labor migration found that escaping domestic violence, financial difficulties, wishing to provide a better future for their children (especially if being a single parent or the main family bread winner), and limited employment and income opportunities back home were among the main reasons for undertaking labor migration (Gioli et al. 2018; Limbu 2016; Shakya and Yang 2019; Bhadra 2007; KAFA 2014; Khatri et al 2021). Among unmarried women, the reasons ranged from providing economic security for family and siblings to aspirations of financial independence, escaping early marriage and the repayment of family debts (Gioli et al. 2017).

Research with female migrant workers has also documented the exploitation and deception many experienced at the hands of recruitment agents, the expensive loans they were forced to take to pay the agents and their experiences of forced labor, and physical, emotional and sexual abuse (e.g. Limbu 2017; Shakya and Yang 2019; Gioli et al. 2017; KAFA 2014; London School of Hygiene and Tropical Medicine 2017; Khatri et al 2021; Guichon 2014; Paoletti et al. 2014; Chakraborty 2020; Bhadra 2007).

Four studies, nevertheless, revealed some positive outcomes that women gained from migration. These included increased self-confidence, ability to plan for the future, easing of household poverty, ability to send their children to school (although there was evidence that some migrants' daughters left school to take over their domestic responsibilities), reduced domestic violence, having more say in household decisions, higher financial independence and freedom of mobility (Shakya and Yang 2019; Gioli et al. 2017; Bhadra 2007; Shrestha et al 2020).

2.2.1. Social and economic drivers of trafficking

Previous studies of drivers of trafficking within Nepal commonly focused on personal or family-level causes rather than wider socio-economic and structural mechanisms. They connected risk of trafficking to material poverty, illiteracy (of the trafficked and their parents), ignorance of trafficking risks, family disintegration (e.g. absent guardians, divorce, absent parents/guardians or polygamy), social isolation, domestic violence, gender inequality and lack of birth registration (Sarkar 2016, Jani and Astadt 2013; Maharjan and Thapa 2017; Stallard 2013). Additional factors that studies associated with vulnerability to trafficking among children were being homeless, an orphan, and travelling without parents (Baniya et al 2020). Although many of these factors reflected family-level vulnerabilities, families could also be a source of risk: many of the Nepalese women in Jani and Astadt's (2013) sample were trafficked with the knowledge and facilitation of their family members. Some studies also highlighted the worsening impact of the armed conflict and the 2015 earthquake, which caused displacement and exacerbated other trafficking determinants like poverty and unsafe migration (Perry and McEwing 2013; Baniya et al 2020; Dhungel 2021; Subedi 2009).

A more critical, albeit still limited, literature has called for a more sophisticated understanding of the intersecting nature of personal and structural drivers of trafficking. Gurung's (2014) research with female survivors of trafficking in Nepal concluded that *'the issues of oppression, domination, exploitation, marginalization, and privilege are rooted not just in one single factor such as poverty but in various other factors such as race, class, gender, sexuality, nationality, and citizenship status. These factors intersect and operate simultaneously and create an interlocking system of oppression, exploitation, and privilege'* (p.173).

Others have criticized the anti-trafficking discourse propagated by the media, government, and some local NGOs as 'simplistic' and focused on 'individual vulnerability' of the 'rural poor' (Frederick 2011; Worthen 2011). Within this framework, trafficked women and children are commonly depicted by the anti-trafficking community as 'innocent victims' without 'agency' who need protection, while ignoring the root causes of trafficking and the complex underlying structural determinants, researchers argued (Worthen 2011, O'Neill 2001, Adhikari and Turton 2020). Studies on female labor migration also discussed the impact of weak legal, political and regulatory systems as facilitating women migrant workers' trafficking.

2.2.2. Gender inequality and discrimination

Among structural drivers of trafficking, gender inequality has received the greatest attention in the literature. Previous research has placed patriarchal systems that are embedded in social norms, institutions, and policies at the center of women's and girls' amplified risk of trafficking and exploitation in Nepal and around the world (Walk Free 2021). Dhungel (2021) wrote: '*Nepali culture and society are inherently rooted in patriarchal values and male-dominated paradigms that intensify gender inequality and gender-based violence, leaving girls and women more vulnerable to sex trafficking*' (p. 196). Traditional norms situate Nepali women's roles and identities primarily within the kinship structure as sisters, daughters, wives, rather than as independent citizens with equal rights and freedoms (Joshi 2001). Also, ideas about honor, morality and sexual purity (e.g. *purdah, chhapaudi, ijaat*) promote the segregation of women and control their mobility and sexuality (Gioli et al 2018).

These patriarchal norms have shaped practices that disadvantage women and limit their freedoms, rights and opportunities in all phases of their life. Among these practices are deprioritizing girls' education and giving primacy to their domestic work and early marriage because they are not viewed by parents as economically valuable as sons (Dhungel 2021; Deane 2010). Among other reasons parents take their girls out of school and into employment, illuminated by study, are the inferior quality of the schools' facilities, lack of separate toilets for girls or having none, the financial burden of providing school materials (e.g. uniform, lunch, stationery), and having to travel long distances on unsafe roads (Stallard 2013).

Even though the minimum legal age of marriage of girls in Nepal is 20 years, a recent government report stated *that 'child marriage is accepted traditionally by our cultural and social practices'* (BK and Rokaya 2020, p.23-24). It goes on to explain that historically according to Hindu practices "*it was considered purity to get marriage before getting first menstruation period…historically marriage is source of getting labor as well. Some ethnic group practices fix the marriage of a child even before the birth. Even though there is big political change in the country practices of child marriage still exist in our society*' (Ibid, p.24). UNICEF estimates that 1 in 3 Nepali women were married in childhood (UNICEF 2022).

Early marriage and low education put girls and women at risk of trafficking (Adhikari and Turton 2020). Richardson and colleagues (2009) argued that '*to understand the connections between marriage and trafficking we need to recognize not only how young women may be placed at risk of being trafficked through early marriage, but also that when young girls are sold into marriage and sold into trafficking, definitional boundaries between early marriage and trafficking may appear blurred*' (p.270). This is because some traffickers represent themselves as marriage brokers and promise the parents that they will introduce successful future husbands to their daughters. Research conducted by Bhandari (2019) found that only 31.9% of girls continue school after marriage, with negative implications on their future opportunities and employment.

Consequently, gender inequality is manifested in women's lower literacy rates, access to knowledge, property, skills, resources, opportunities, and power (Dhungel 2021). Overall, fewer women (15 years or older) (59.7%) are literate than men (78.6%) in Nepal[10] (UNESCO Institute for Statistics, no date). However, the gap is narrower among the younger population: 90.9% of females (15-24 years) are literate, compared to 94% males (Ibid). Women's low skills limit their opportunities to unregulated sectors or jobs whether at home and abroad (Khatri et al. 2021). The share of those in informal employment in Nepal is higher among females than among males (90.5% compared to 81.1%) (Government of Nepal Central Bureau of Statistics 2019). Accordingly, females experience worse work conditions compared to males, based on a majority of decent work and SDG indicators, including low pay, share in managerial positions and entitlement to paid sick leave.

Additionally, women lack financial independence. Even when they work, there is evidence that their income is controlled by their husbands or families-in-law (Chakraborty 2020). Existing research also revealed that not owning land or property was found to compel a majority of female migrant workers to take expensive loans, leading to debt bondage and reduced bargaining power with regards to their working conditions (KAFA 2014; Limbu 2017; London School of Hygiene and Tropical Medicine 2017). According to latest figures, 8% of women own a home and 11% own land alone or jointly, whereas 19% of men own a home and 21% own land alone or jointly (Government of Nepal Ministry of Health, New ERA, and ICF 2017).

Moreover, violence against women is one of the strongest predictors of trafficking (Cameron et al. 2022). A recurrent finding of existing research with trafficking survivors in Nepal is that many end up being trafficked after fleeing from home due to experiencing violence in the family or because traffickers target those they know are experiencing family problems (Sarkar 2016; Walk Free 2020). Domestic violence affects 28% of women in Nepal (Patil and Khanna 2022). In fact, about a third (29.5%) of women and men (29.4%) believe that a husband is justified in beating his wife if she burns the food, argues with him, goes out without telling him, neglects the children, or refuses to have sex with him (Government of Nepal National Planning Commission, Central Bureau of Statistics and UNICEF 2019). Also, 46.5% of women agree that a mother-in-law is justified in verbally abusing and threatening her daughter-in-law in any of the above situations. These trends suggest the extent to which violence against women is a socially embedded phenomenon.

[10] Based on 2018 data.

Finally, discrimination against women in the form of stigma and social exclusion experienced by trafficking survivors and labor migrant returnees was documented by some researchers. Gioli and colleagues (2017) wrote that '*women are constantly victimized due to the patriarchal belief that they symbolize the honor of the family*' and therefore are often blamed for their own abuse (p.14). Two studies found that many sex trafficking survivors were rejected by their families and friends and were labelled as 'prostitutes', 'bad women' and 'HIV carriers' (Dahal et al. 2015; Richardson et al 2016). This, in turn, further worsened their livelihood opportunities (Ibid). Female migrant worker returnees, regardless of their experiences of exploitation, were also treated as victims of sexual abuse or as prostitutes (Gioli et al 2017; Shrestha et al 2020).

2.2.3. Caste- and ethnic-based discrimination

Caste-/ethnic-based discrimination in Nepal is seldom identified as a determinant of vulnerability to trafficking despite evidence that a majority of trafficking victims are from marginalized ethnic groups. Attributing trafficking simply to poverty without acknowledging its intersection with ethnic disadvantage, Frederick (2011) argued, '*denies the caste/ ethnicity power imbalance that has long existed in Nepal [...] resulting in unequal distribution of arable land, employment and opportunity*' making the poor more vulnerable to trafficking (p.130-131). He referred to the disproportionate hegemony of Brahmins and Chettris over government posts, landownership, professional and media sectors and senior positions in the development sector.

Despite the abolition of the caste system and criminalization of ethnic- and caste-based discrimination in Nepal, national and international reports suggest that it is still a reality, as Dalit and indigenous (also called Janajati) groups continue to be affected by structural discrimination (NHRC 2021; Bauman and Dharel 2014). Besides social exclusion, there is less investment in the areas where they live and they face geographical barriers to accessing education and health services (Ibid). Therefore, many children do not enroll in formal schools or are forced to drop-out in order to work and help support their families or start their own families, with girls often forced to marry particularly early (Anti-Slavery International no date, Adhikari and Turton 2020). Additionally, the National Human Rights Commission's Annual Report for 2019/20 confirmed that untouchability is still exercised against people from Dalit groups. It described incidents where people did not eat from the same food as Dalits, where the latter were denied access to temples, housing and water wells, were beaten and even murdered in hate crimes (NHRC 2021).

As they were historically denied owning land, Dalits and the Tharu indigenous people have been the main victims of the different agricultural bonded labor systems including Kamaiya, Haliya and Haruwa-Charuwa (Dhungel 2021). As debts are inherited by the offspring of bonded laborers, children become more vulnerable to servitude and trafficking, resulting in a vicious cycle of destitution (Giri 2009; Cannon and Osterhoff 2021; KidsRights 2014). Some researchers also discussed the intersection between gender and caste/ethnicity as worsening women's risk of exploitation and trafficking. In their paper on female labor migration, Khatri and colleagues (2021) wrote that '*the most vulnerable women are from low-status ethnic or caste groups*' (p.51).

The latter experience even more limited employment opportunities, poverty and landlessness compared to women from dominant castes, and therefore are at more heightened risk of trafficking.

Finally, stigmatization of sex-trafficked women and 'forced prostitution' trafficking discourse have originated from the dominant perception that non-Hindu minority groups are 'sexually promiscuous', consequently sex-trafficking survivors are contradictorily thought to be both victims and the ones to be blamed for their 'moral degradation', wrote O'Neill (2007, p.160).

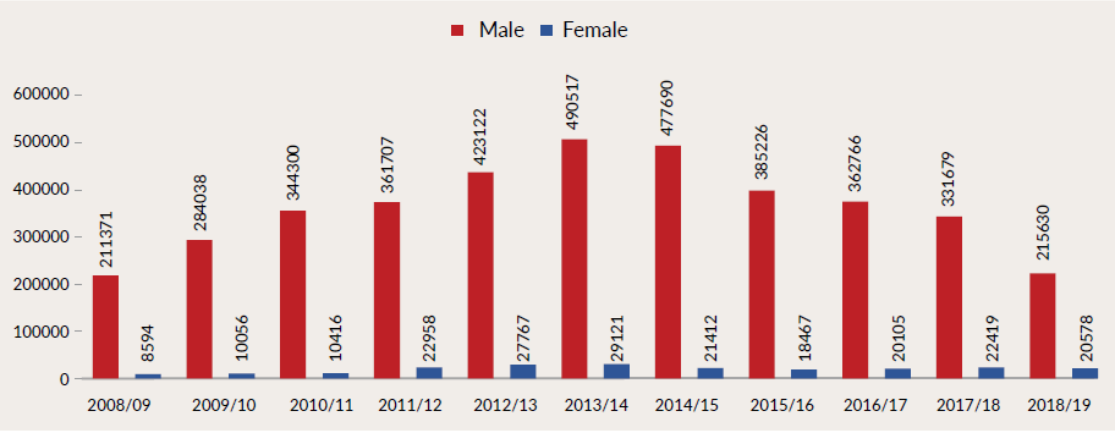
In summary, existing evidence has largely focused on the sex trafficking of Nepali women and girls, but there is also emerging evidence for transnational and local labor exploitation, bonded labor and orphanage trafficking. Determinants of trafficking vulnerability identified in the literature include gender inequality, poverty, low education, family disintegration, social isolation and – less commonly – caste discrimination.

As the sample of our cases in our study are related to labor exploitation, we will now explore this area in greater depth, drawing on documentary analysis and official statistics.

2.3 Labor migration and trafficking in Nepal

The numbers of Nepali people seeking foreign employment (beyond India) have increased over the past 10 years. Labor migration has become a defining characteristic of Nepal's socio-economic landscape as people seek to escape financial poverty and lack of opportunities in the local job market. The Department of Foreign Employment in Nepal issued over 4 million labor permits between 2008/09 and 2018/19 (Government of Nepal Ministry of Labor, Employment and Social Security 2020). Labor migration is concentrated in the Arab Gulf and Malaysia, which together accounted for more than 90% of total migrants' destinations in 2018/19. Consequently, remittance inflows amount to more than a quarter of the country's GDP, having increased by more than three-fold in the past decade (Byanjankar and Sakha 2021).

Figure 1: Labor migration permits issued by the Department of Foreign Employment in Nepal 2008/9 – 2018/19



Source: Ministry of Labor, Employment and Social Security 2020

The majority of documented migrant workers are male (91.5%) and young, with more than 80% of the total labor migrant population in 2017/18 and 2018/19 between the ages of 18 and 35. The highest share of those who received an official foreign employment permit in 2018/19 originated from Province 1 (24.4%) and Province 2 (24.2%) (Government of Nepal Ministry of Labor, Employment and Social Security 2020). Jhapa and Ilam, the districts where this study took place, were among the districts from which the highest proportion of females (13.9%) migrated in 2017/18 and 2018/19 (Ibid). Jhapa was also among the top ten origin districts of male migrants in both years. However, these figures represent those who acquired formal work permits. They exclude any migration to India or to other countries through irregular pathways. Given restrictions on formal migration for women which we detail further below, it is likely that the figures are not an accurate representation of migration trends by gender.

Overseas Nepali migrant workers are considered one of the most vulnerable groups to human trafficking. The majority of migrants hired to work abroad have low education and limited awareness of their legal rights (Verité 2013). A high proportion – 59% in 2018/19 – are employed in low-skilled, low-wage jobs and in sectors known for poor labor regulation and exploitative practices (e.g. agriculture, construction, domestic work and hospitality) in destination countries (Government of Nepal Ministry of Labor, Employment and Social Security 2020).

Research with returnees in the past has provided evidence of the exploitation and abuse of migrant workers experience during recruitment, transit and at the destination countries.

While a majority of migrants rely on recruitment agencies to arrange their migration, the International Labour Organization (ILO) estimated that less than two percent of the Nepal's recruitment industry (including brokers and recruitment agencies) are licensed and operating legally (ILO 2017). Recruiters unlawfully charge workers excessive fees upfront and either do not provide receipts or falsify those they submit to the Nepali authorities to hide the amounts that they actually charge (Ibid). This is despite the introduction of a new policy by the Government of Nepal in 2015 which requires employers in Malaysia and the six Gulf Cooperation Council (GCC)[11] countries to cover the costs of migrants' visas, processing and flights and puts a limit of NPR 10,000 on recruitment agency fees. In a prior study, recruiters justified overcharging migrants and falsifying receipts on the basis that this is the only way to stay competitive and offer low hiring costs to foreign employers (Amnesty International 2017). Others mentioned having to pay bribes to labor-outsourcing companies at destination countries to attract business (Ibid).

To pay the recruitment fees many migrants are forced to take out loans with exorbitant interest rates from informal moneylenders in their villages or the recruitment agency itself, consequently putting them at a heightened risk of exploitation (Amnesty International 2017). Some migrants sign contracts they do not understand and many do not know their rights have been violated until they have left Nepal (Verité 2014). If they become aware of recruiters' illicit practices before travelling, it is usually too late to challenge them because in many cases they receive their contract, passport, work visa and flight tickets only days or hours before their departure. Moreover, at that point they are heavily indebted and cannot afford to refuse the job (Verité 2013, 2014). Besides charging fees, some recruitment agents fabricate the age of prospective migrants to send children under 18 years to work abroad (Stallard 2013; US DoS 2021).

[11] The Gulf Cooperation Council countries are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

Such abusive recruitment practices are facilitated by the absence of effective government monitoring systems and failure to punish non-compliance with the law. In a previous study by Amnesty International, Nepali government officials mentioned that they lack resources to oversee the labor migration recruitment practices and therefore rely on self-reporting by the agencies (Amnesty International 2017). Moreover, the absence of documentation or fraudulent receipts, as well as the involvement of several agents and sub-agents in their recruitment, hinders migrants' abilities to seek justice (Ibid). Licensed private recruitment agencies based in Kathmandu, known locally as manpower offices, use district or regional agents, who in turn largely work with unregistered subagents or brokers at the village level to find potential job recruits (ILO 2017; Verité 2013). This is despite being legally required to register brokers they deal with. The ILO's research with agents found that some brokers act as "lead brokers" working with several sub-brokers (Ibid). Therefore, some firms may not know who is recruiting for candidates on their behalf, how much they charge potential recruits or what information they provide about the job offer. Similarly, migrants are usually unaware of who is processing their paperwork or profiting from their recruitment, as well as who is responsible for legal violations.

The practice of corruption – government officials accepting bribes to approve fraudulent permits – is another reason why efforts to prosecute traffickers have been impeded (US DoS 2022; Verité 2013). For example, it emerged in 2017 that officials at the Department of Immigration and the Ministry of Home Affairs were involved in allowing recruitment agents send Nepali women as domestic workers through the Kathmandu airport without having formal work permits (McCarthy 2021). Close ties between public officials and politicians have also been blamed for the government's stalling in approving policies that increase protections for migrant workers (US DoS 2022).

In transit, migrant workers recruited by unlicensed agents face violations and abuse. Illegal agents usually send Nepali migrants to other countries through India. The open border makes it easier for traffickers to avoid detection as they transport groups of migrants to Indian cities, where they stay in hotels or residents for weeks or months until they receive their visas and flight tickets. During that time, migrants are isolated, not allowed to go outside or speak to anyone (Verité 2013). Traffickers also take advantage of more lenient screenings at some Indian cities' airports or bribe officials to allow migrant workers to travel without proper documentation (US DoS 2021).

At the destination countries, migrant workers continue to face forced labor and exploitation. There is evidence that a significant proportion of workers who seek employment in India, Malaysia and the GCC countries experience unfree recruitment, limited freedom of movement, degrading work conditions, physical and sexual abuse, and no freedom to resign (Mak et al. 2017; Verité 2013). Many arrive at their place of work only to find out the terms of their employment are different from what they were promised, including the type of work they do, their working hours and their pay (Amnesty International 2011). They fall victim of illegal salary deductions or are unpaid for months while having no access to grievance mechanisms (US DoS 2021; Verité 2013). Those who travel without valid work permits face even higher risk of abuse as it is more difficult for them to escape and get help from the authorities, lest they are detained, penalized or deported.

The migrant labor sponsorship system (kafala) operational in the GCC countries, where the majority of Nepali migrants are employed, is known for facilitating exploitation and forced labor (International Trade Union Confederation 2017). Under kafala, a migrant worker's immigration status is tied to an individual sponsor during their contract period, who usually withholds their passport. This means migrant workers are not free to change jobs or to return to their country without permission from their sponsor (Ibid).

Women migrant workers

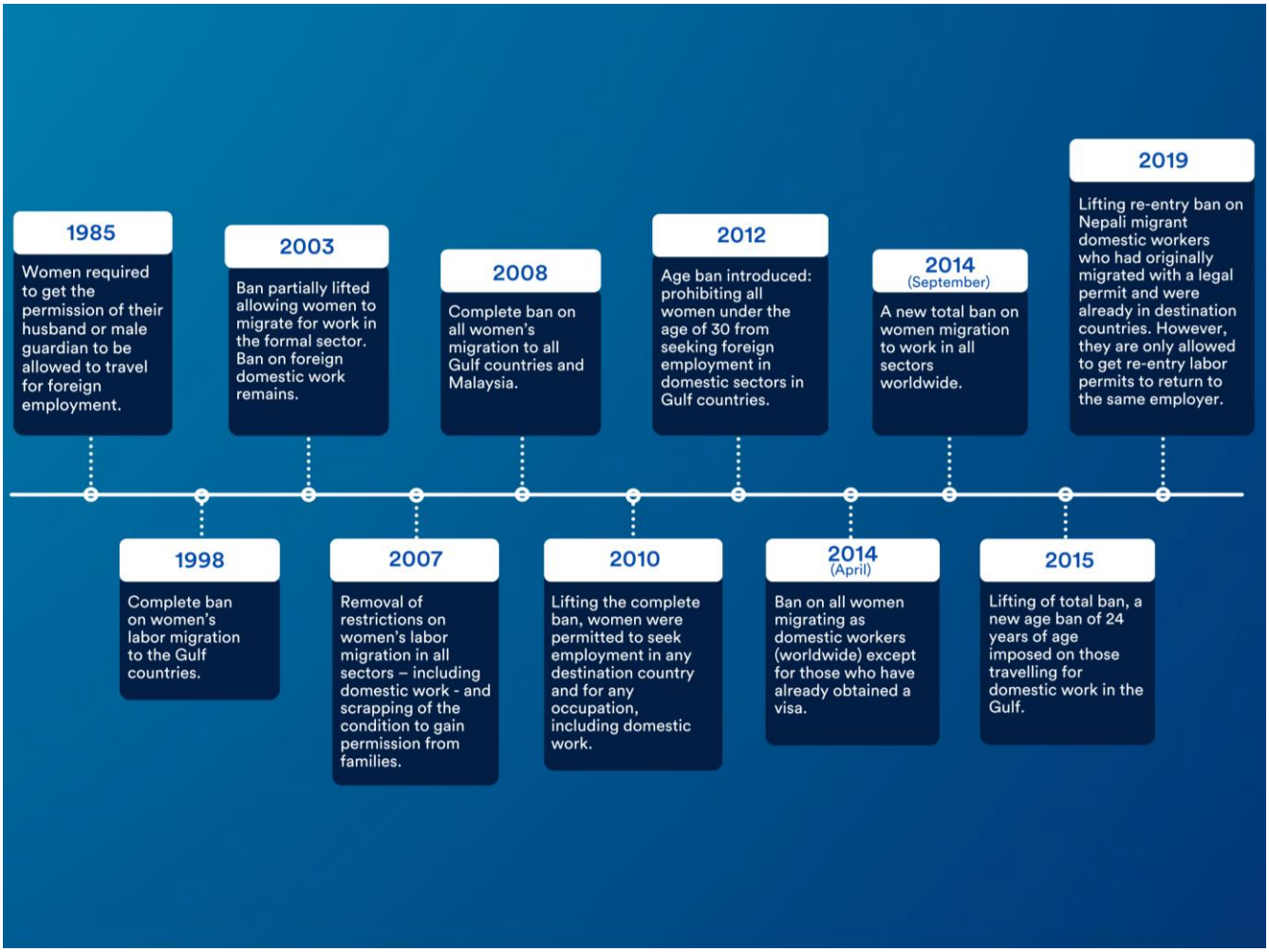
Nepalese women migrant workers experience heightened vulnerability due to government-imposed restrictions on the labor migration of women and / or migrant domestic workers since 1998, the year when all women were banned from migrating to work in the Gulf following the death of a Nepali domestic worker in Kuwait. There have only been three years (2007, 2010 and 2011) in the past 37 when Nepali women (18 years and above) were completely free to legally take up foreign employment in any sector they chose and in any destination country (see table 2). While these restrictions were intended as protective measures against widespread abuse of migrant domestic workers, research suggests that they have worsened women's vulnerability to exploitation and trafficking (Mak et al. 2019; McCarthy 2021; Khatri et al. 2021; Amnesty International 2017; González 2018). Besides pushing women towards irregular migration pathways, they obstruct their access to pre-departure training, information about safe migration and justice mechanisms (Ibid).

The majority of women, therefore, rely on unregistered recruitment agents who transport them through India to other countries (largely Middle East) without formal work permits (McCarthy 2021). Accordingly, they are at higher risk of deception, fraud, paying excessive upfront fees, coercion and abuse. A case study of Kailali district published by the National Human Rights Commission showed that only 15% of women - compared to 86% of men - who received passports from the Kailali district administration office between 2012/13 and 2016/17 also received a labor permit from the Department of Foreign Employment (NHRC 2018). A local anti-trafficking organization confirmed that only 10% of those who were issued passports are in the village, while the rest are abroad. The latter are therefore assumed to have travelled through illegal channels (Ibid).

Nepalese women mainly travel for domestic work, which is among the most highly unregulated labor sectors in the world. Migrant domestic workers have less protections than others under the kafala system in the Arab Gulf. They are not covered by the national labor laws of the GCC countries and could face imprisonment, sanctions and fines if they left their employment before the end of their contract without the approval of their sponsor (International Trade Union Confederation 2017). Some countries like Bahrain, Qatar, Saudi Arabia and UAE have introduced some reforms to their kafala regulations over the years. However, these have been deemed largely ineffective in rooting out exploitation inherent in the system (Garrett 2020; Haque 2021).

Notwithstanding, domestic workers were not always covered by the reforms (Mechale et al 2021; Limbu 2017). Female migrant domestic workers are often isolated from other migrant workers, friends or colleagues. Therefore, they are more likely to experience verbal, physical and sexual abuses and have no access to formal protection mechanisms (Limbu 2017; González 2018).

Table 2: Timeline of bans and restrictions imposed by the Government of Nepal on female labor migration



Adapted from ILO 2015 and McCarthy 2021

To summarize, this chapter has presented a wide range of evidence on contemporary trafficking in Nepal, including emerging trends and academic evidence, and the influence of social, economic, gender and caste or ethnicity-based drivers. We have also focused in greater depth on the documented characteristics of trafficking for labor exploitation. We will now move on to explore our findings in depth.

3. Findings: How systemic factors operate to contribute to trafficking in Jhapa and Ilam, and the implications of Covid-19

This chapter examines how different factors contributed to survivors' trafficking experiences, including how those related to livelihoods, gender and childhood inequalities and access to health and education services in the local areas increased people's vulnerability to being trafficked. We also look at the impact of Covid-19. To understand these factors, we draw on both case histories themselves and to interviews with a range of stakeholders, who either held strategic or operational roles related to anti-trafficking or had particular insight into local conditions in Ilam and Jhapa.

In examining the personal and community-level factors leading up to a woman's labor exploitation, we are not discounting the conditions in the country of destination as also contributing to labor exploitation. As mentioned previously, the behavior of actors such as the police and legal frameworks in destination countries, including the kafala system, also contributed to the experiences of trafficking discussed in this report and will be discussed in subsequent chapters.

3.1. The survivor cohort

The research team analyzed case data from 85 female trafficking survivors identified by the project in the Ilam and Jhapa districts (40 cases in Ilam; 45 cases in Jhapa). Most survivors who participated in the project in Ilam and Jhapa had lived in their districts before they were trafficked. Most had experienced labor exploitation (in some cases accompanied by sexual exploitation and physical abuse) while working as domestic workers in foreign countries. Some had migrated for work on more than one occasion, and of these, a proportion had experienced exploitation on more than one occasion.

Most of the survivors (88.2% or 75 of 85) had worked as day laborers or agricultural laborers before being trafficked, and a majority (82.4% or 70 of 85) had no formal schooling or only primary level schooling. If we compare this to the general female population of Ilam and Jhapa districts, we do find some differences, with those having only primary education overrepresented in both the Ilam and Jhapa samples, compared to the general population.[12]

[12] In the Census, 26% of women in Ilam were illiterate; illiteracy therefore seems to be slightly *underrepresented* in our Ilam sample, with only 15% (6 out of 40) recorded as having either no schooling or being illiterate. Primary education as the highest level of schooling was overrepresented in our sample; it was the most common education level amongst Ilam survivors (60%; 24 out of 40) compared with 36% of Census. The Census reports that 24% of women were educated to lower secondary level, similar to the case history sample that we analysed (23%; 9 out of 40).

Both the Ilam and Jhapa cohorts displayed a spread of ethnic and caste groups as do the general Ilam and Jhapa populations. Our Jhapa case history sample, however, included a higher proportion of Brahmin (33%; 15 out of 45), Chhetri (22%; 10 out of 45) and Dalits (18%; 8 out of 45) and lower proportion of Janajatis (27%; 12 out of 45) than figures for the whole district. The latter according to data from the 2011 census was as follows: Brahman-Hill (24%), Chhetri (16%), Janajati groups (39%), while Dalit groups represent about 6% of Jhapa's population.

As for the Ilam case history sample, relative to the district census data it had a higher percentage of those from Dalit (10%; 4 out of 40) and Janajati (67%; 30 out of 40) groups and a lower share of Brahmin (1 case) and Chhetri (8%; 3 out of 40) castes. In the census the figures were 6% Dalit, 60% Janajati, 14% Brahmin and 14% Chhetri castes.

Roughly half of survivors (44 cases out of 85) had first been trafficked over seven years ago. However, many of the contributing factors to vulnerability that we discuss in the subsequent sections of this report appear with similar frequency in the older and newer cases. In both older and newer cohorts, we see similar (though not identical) profiles in terms of ethnicity, age of trafficking, early marriage and early childbirth. In the case of domestic abuse and caring responsibilities, these were somewhat more frequently encountered in older cases of trafficking[13], and having only primary education was somewhat more frequently encountered in more recent cases.[14]

Most of the survivors in our sample migrated in their twenties and thirties. In Jhapa, the most frequent age of migration was 27, the median age was 27 and the mean 26. In Ilam, the most frequently reported age of migration was 37, the median age was 28.5 and the mean 29.08. Almost half of Ilam survivors and two-thirds of Jhapa survivors were married or had been married prior to migrating, with 62.4% of the total cohort across Jhapa and Ilam having married before the age of 18, and 44.7% (38 of 85 cases) also having early childbirth (before 18 years of age). A significant proportion of our sample (44.7% or 38 of 85) either disclosed domestic abuse or showed evidence of this (according to the project counselors' assessments).

30% of women in Jhapa based on the Census were illiterate. This is similar to the 27% in our Jhapa sample recorded as having either no schooling or illiterate. Primary level as the highest level of education was again overrepresented in the sample (62%; 28 out of 45) compared with 32% of the female population being educated to primary level in the Census. 23% of women were educated to lower secondary level at the time of the 2011 Census, compared with 11% (5 out of 45) of our sample.

[13] 7 years or less (41 cases): 37% (15 cases) involved domestic abuse prior to trafficking. Over 7 years ago (44 cases): 52% (23 cases) involved domestic abuse prior to trafficking. 7 years or less (41 cases): 49% (20 cases) had parenting or caring responsibilities prior to their trafficking. Over 7 years ago (44 cases): 61% (27 cases) had parenting or caring responsibilities prior to their trafficking.

[14] 7 years or less (41 cases): Illiterate or no schooling (incl. informal schooling) = 20% (8), Primary (grades 1-8) = 71% (29), lower secondary (9-10) = 10% (4), Certificate (grades 11-12) = 0% (0). Over 7 years ago (44 cases): Illiterate or no schooling (incl. informal schooling) = 23% (10), Primary (grades 1-8) = 52% (23), lower secondary (9-10) = 23% (10), Certificate (grades 11-12) = 2% (1).

3.2. The question of membership in particular social groups

The research team asked both stakeholders and survivors about who the victims of trafficking in Ilam and Jhapa tended to be. Numerous interviewees, some with direct access to information on the victims, and some without, identified people of different castes or ethnicities, (as well as identifying people with various personal circumstances). Interviewees identified Janajati/Aadibasi (e.g. Aryan, Rai, Limbu, Gurung, Magar, Tamang, etc.) and Dalit groups as victims, but also Brahmin, Madheshi/Terai origin and Satar/Santhal, and Chhetri peoples. As discussed in Chapter 2, there has been relatively little discussion in prior research of the role of ethnic or caste discrimination in trafficking, but interviewees often mentioned specific groups when asked who trafficking victims were.

If we understand trafficking as resulting only from the actions of a criminal, who via deception or force, transports a person into a situation of exploitation, then the point made by a survivor, that anyone can be deceived in the process of migration, should be borne in mind:

Trafficking takes place irrespective of rich people and poor people. ...We will not know we are being trafficked. When we go through the ordeal, only then we realize agent had actually sold us off. Whether you're rich or poor, problem doesn't leave you alone. (Survivor)

'We can't say people from this particular caste or that particular caste . . . educated women have also gone abroad and been trapped. (Local stakeholder, Ilam)

This is not to say, however, that everyone within a locality is at equal risk of being trafficked. Rather, information from stakeholders suggests that group identities are relevant to the extent to which they are associated with access to different resources, whether this differential access is due to overt discrimination or more structural inequality. Thus, interviewees from a Dalit organization said that they believe Dalit and indigenous people may be more trafficked, and this can be understood in terms of not only overt discrimination but also unequal access to education (itself influenced by geography and access to information) and economic opportunities, coupled with subsistence living:

[Interviewee 1]...they [Dalit and Janajati] are more prone to trafficking because they have to struggle for survival and they have less access to education, which leads them to the trafficking. They can be easily convinced by the people who want to do the human trafficking, because they are very innocent, and they have less awareness about human trafficking ... and they are looking for jobs for their day-to-day survival....

[Interviewee 2] They have to pay for their education so the family members ...Even if they have provided provisions of scholarship, but they have less access to the information about those scholarship provisions as well. (National stakeholder)

Similarly, an anti-trafficking practitioner pointed out that being indigenous could be linked to a number of underlying factors – including opportunity to migrate due to proximity and cultural norms, as well as unequal opportunities:

> *There is discrimination and of course, they live by the border, they surely have access to travel frequently... In our [ethnic minority] community, girls and women have not equal but have more power, we have the right to decide what we are going to do, we have the right to decide to whom I am going to marry, or which work I am choosing. (National stakeholder)*

Hence, rather than thinking in terms of membership in a particular ethnic group or caste, the evidence points to people being vulnerable because of how multiple social and economic conditions (risk factors) have intersected in their lives:

> *If we say this community... We never try to question the system; we are directed towards questioning the community or tribes only. Our mind is set as the girl who is Tamang's daughter, who is in 8th grade, who wears a kurta, sari, who has come from the village is in danger of being trafficked. When the Minister of Labor says, 'I have sent 10 thousand nurses to the UK, he proudly knocks his chest.' We never question that system. We always question who is at risk? So, first let's fix the system. When the system is fine, there will be no community or tribe in danger. (Local stakeholder, Jhapa)*

This does not, of course, rule out being able to target anti-trafficking interventions; rather, it means that targeting might better focus on supports addressing the risk factors or contributing conditions in a local area, such as premature school leaving. Nor does this mean that people at particular risk cannot be identified and reached: for example, survivors report that agents entering a community are directed towards certain households by community members.

3.3. Social, economic, and place-based factors across the life course

Discussions with stakeholders and survivors suggest that vulnerability to trafficking in Ilam and Jhapa is driven by combinations of inequalities experienced at the level of the individual or the family, as well as place-based factors.

In our workshops, when asked to think about what kinds of people would be at risk in their own settlements, survivors described fellow community members experiencing a range of problems that included what we might class as social factors, specifically, domestic abuse; economic factors at the level of the family or individual, that is, being unable to meet daily living expenses or to pay for things such as children's education; and factors related to unequal access to public goods, notably needing healthcare and education, and not knowing about sources of help.

Whilst interviewees were referring to a wider range of trafficking in Ilam and Jhapa than that of women migrant workers experiencing labor exploitation, they also identified trafficking victims as likely to be people experiencing different social, economic, or place-based inequalities.

Most stakeholders talked about economic problems at the family level and economic motives as causing people to migrate or become victims of trafficking (this was also identified as one of the causes of people becoming traffickers). Interviewees identified victims as people experiencing unemployment, including seasonal unemployment, daily wage laborers; people without land ownership; and people seeking job opportunities or to better themselves. In a few instances, interviewees mentioned single women or divorcees who are facing economic hardship; the financial vulnerability of women in instances of family breakdown appeared strongly in the survivor histories we examined. The prevalence of household debt (linked by some to the prevalence of microcredit organizations), was also of concern to stakeholders.

Whilst most stakeholders described the factors pushing people to migrate in search of work, and/or to be vulnerable to traffickers, as primarily economic, social factors were also identified. Many local stakeholders identified women as more frequently trafficked, though people also identified teenagers and children, and to a lesser extent men. Related to this, both stakeholders and survivors explicitly identified discrimination, including gender discrimination and caste-based discrimination. A range of factors that we might class as problems involving social relationships and social inequalities within families, including polygamy, family breakdown, abandonment or divorce, and domestic violence and alcoholism were discussed in relation to who the victims of trafficking were, and factors pushing people to migrate.

Lack of education was identified by a range of interviewees, with victims of trafficking being characterized as those with low levels of education and/or lacking information on trafficking (though some also pointed out that the educated could be trafficked as well). Lack of access to education and a broader lack of access to information was thought by stakeholders to make people vulnerable to traffickers; interestingly, in survivor case histories barriers to accessing affordable, quality education also appeared to fuel trafficking with parents seeking to pay for their children to be educated.

Health issues were identified by a few survivor and stakeholder interviewees; these included concerns around mental health and stress within the family, and women's health problems, including postpartum issues. As we will discuss, the need for education and health services, and the costs involved, have knock-on effects, causing other issues, such as debt. Access to education and healthcare also appeared to be connected to wider conditions in the local community, as survivors described a lack of infrastructure, in particular with regards to health, in more rural areas, making accessing such services costly.

Also identified as contributing to the problem of unsafe migration – and hence trafficking – were place-based factors, including those linked specifically to national and local migration practices and regulations; in other words, to the fact that Ilam and Jhapa are border localities with a migratory history and poor populations. Several interviewees in Jhapa and Ilam said that trafficking victims tended to be from specific settlements 'rural areas' or 'hilly areas', contrasting these with urban areas such as Ilam and Jhapa towns. Interviewees described the poor productivity of local agriculture and poor local economic conditions, where wages were low, coupled with an open border and communities with strong ties to those on the other side of the border, as creating a pull across this frontier in search of work. Coupled with this, they described migration regulations and processes that encouraged the practice of informal migration.

As we will discuss further in this chapter, these different factors constrain the choices that people are able to make, and the resources they are able to draw upon, at different points in their lives leading up to unsafe migration. Some of these factors are more visible, as they are closer in time: for example, the immediate reasons that people migrate, such as a worsening of the family's economic situation or family breakdown. Others, such as leaving school early and marrying early, are less obvious, but in retrospect have contributed to vulnerability to trafficking.

In some cases, a factor or group of factors, such as attitudes towards women or geographical isolation, could act in different ways throughout a person's life to ultimately contribute to a situation where they are trafficked. For example, in several of the case histories we examined, a family's distance from school and/or attitudes towards women were described as leading to the daughter dropping out of education. Later in life, when the woman, lacking education and having separated from her husband, was seeking a way to support her children, the same geographical and social isolation could make her less aware of the dangers of trafficking.

Below are several composite case studies, demonstrating how the factors we have identified affected the life course of women survivors of trafficking. Although we have combined the details of two or more similar cases to protect people's identities, the details are all drawn from actual case histories, and the case studies were selected as representative of recurring patterns within the data.

If we examine the factors contributing to trafficking as chronologies, it becomes evident that there are opportunities to intervene well before a potential victim has initiated the migration process. The challenge, therefore, for those designing anti-trafficking interventions, is to understand how to make contact with people at times where they may be faced with such constrained choices, in order to ensure they have viable alternatives.

Below we present several composite case studies[15], demonstrating how different factors featured in survivors' life histories.

[15] The details of several very similar cases have been combined in order to protect the anonymity of survivors.

Case Studies

Durga: Early exploitation and abuse leading to vulnerability, family breakdown, and the struggle to support children alone

Early factors

Durga was born into a poor family; her parents worked in agriculture. On at least three separate occasions, fires burned down their home, alongside their grain and cattle, making it difficult to provide sufficient food for the family. Her father believed that girls shouldn't be sent to school, so she also did not receive any education. Due in part to conflict between her parents, at a young age she moved to live with a relative in Jhapa. Her relative faced difficulties earning sufficient income as a day laborer; whilst still a child she was sent to a house in Kathmandu to do domestic work.

Later contributors

Durga was married as a child. Her husband used to beat her, and her in-laws treated her as a worker rather than a daughter-in-law. However, she could not leave as she had nowhere else to go and no means to earn money independently. After a few years, her husband became ill and she took out a loan to pay for his treatment, but he later died. As a result, she was left alone to care for her children and struggled to pay for their needs. She also struggled to pay back the loan, with the lenders increasingly demanding she return the money she had borrowed.

Durga was approached by a woman from her own community, who convinced her that foreign employment was the only way to solve her problems and said she would introduce her to an agent who could help Durga by arranging for her to go abroad to work. Durga had to take out a large loan to pay the agent.

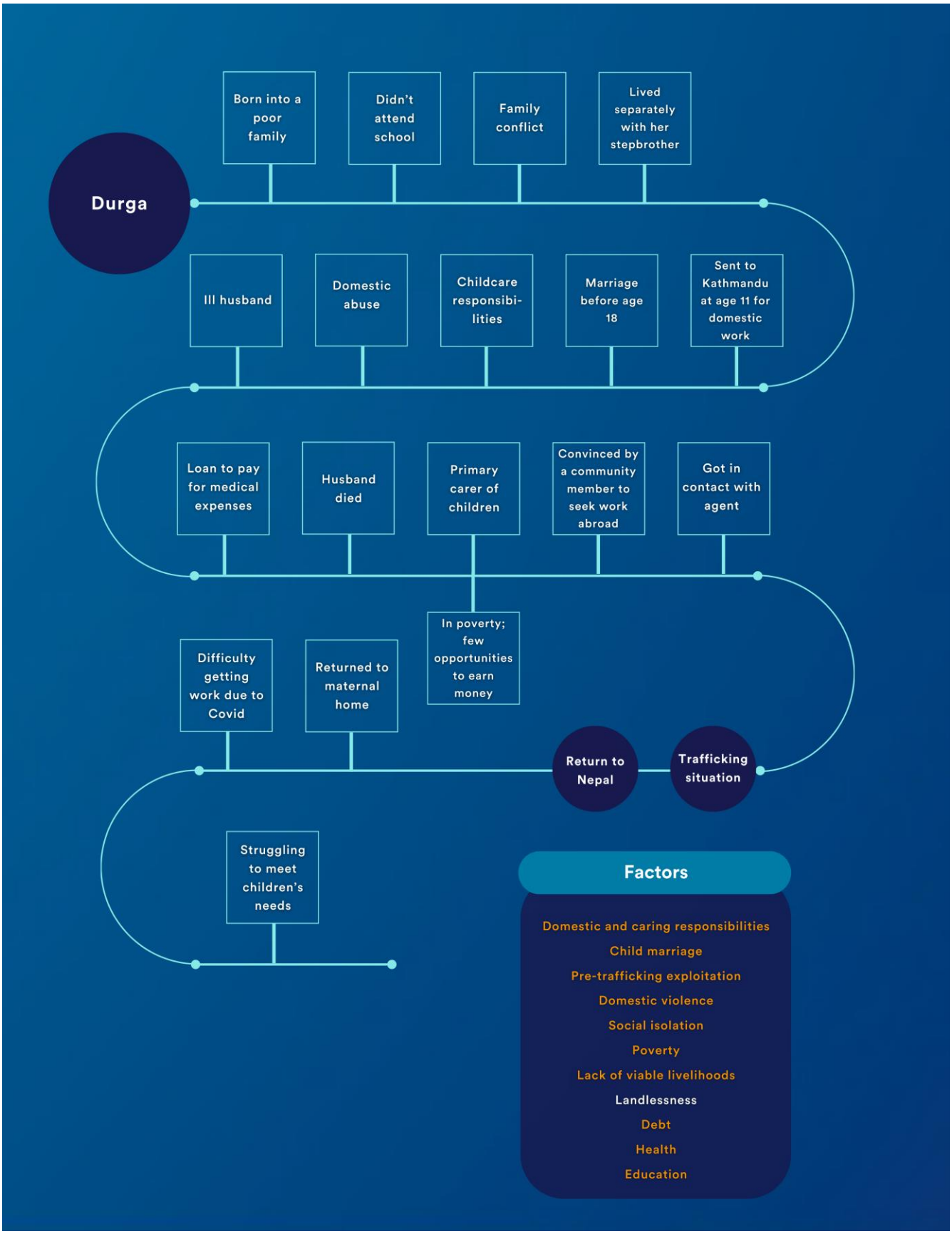
Trafficking

The agent arranged for a man to take her across the border to Karkarvitta, and from there, together with eight other women, to a house in Delhi. Several women were raped whilst waiting for the agent to arrange paperwork to send them abroad. She was put on a plane to Malaysia and from there to a Gulf state. Durga found herself imprisoned in a house, beaten and physically tortured, and forced to work long hours as a domestic without pay.

Post-trafficking circumstances

After returning to Nepal, Durga worked as a day laborer. However, the Covid-19 pandemic meant that she was unable to get work every day. She is now once again finding it increasingly difficult to meet her children's needs.

Case Study: Durga



Rosah: A crisis event worsens the family unit's financial precarity

Early factors

As a child, Rosah lived with her parents and extended family. Her father was part of the Nepali army. The family-owned land but they struggled to grow crops as it was largely infertile. Her father didn't provide her mother with any money to fund her education; her mother often worked on other people's land to generate extra income. Rosah dropped out of education in grade 10 in order to support her mother in running the household.

Later contributors

Her father suddenly died, and subsequently their land was swept away by a river. Rosah and her mother struggled to earn a living, and so she suggested to her mother the idea of seeking foreign employment.

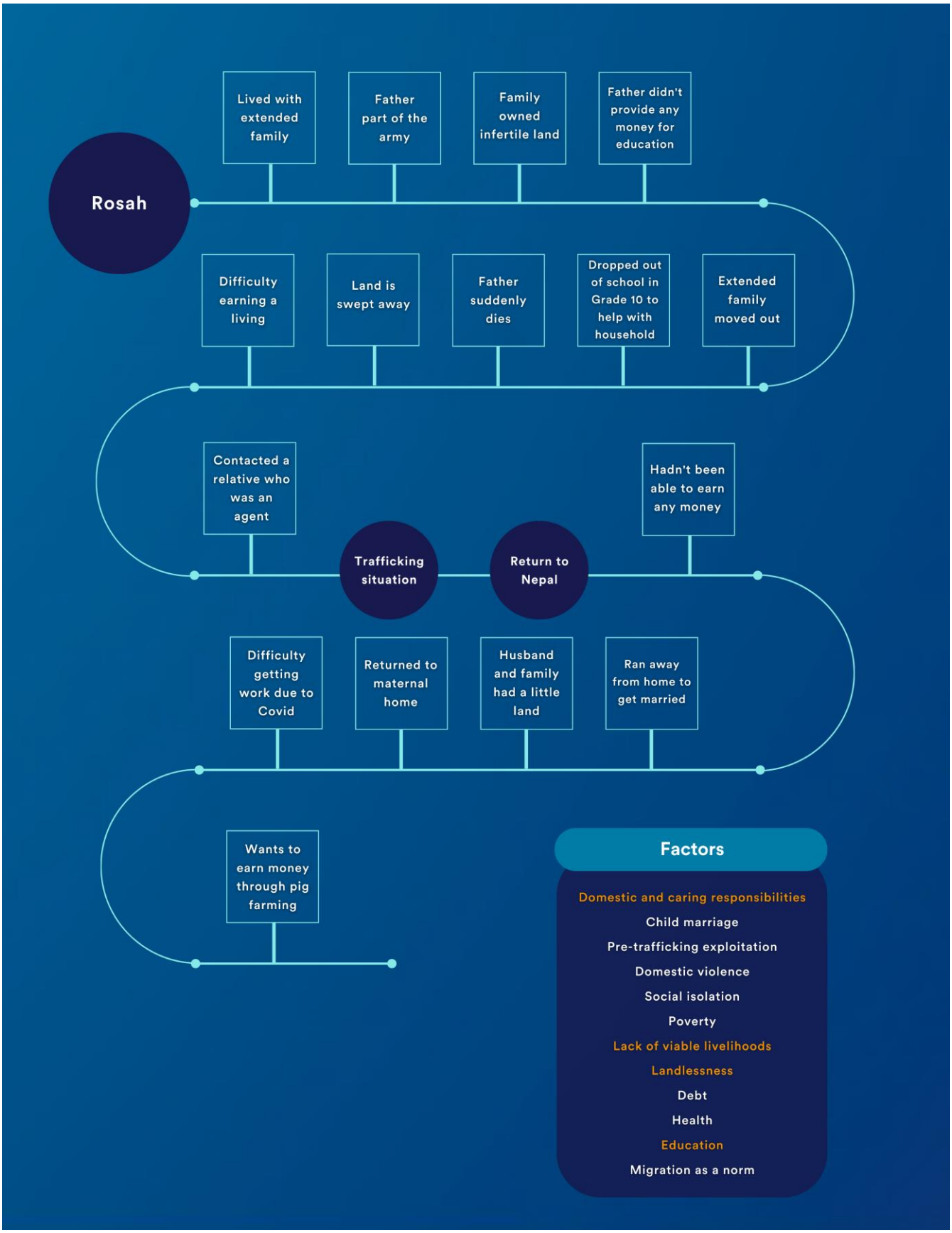
Trafficking

She got in contact with a relative who was also an agent, who made her a passport in a day. The agent arranged for her to go to Karkavitta, from there to Siliguri and on to Delhi and then a Gulf State. When she arrived there, a homeowner gave the agent a sum of money, and took her to work in his house. She worked long hours without time for rest, she was not paid for more than 10 months. Her employer prohibited her from contacting her family or talking to anyone (especially other Nepali workers). They also would not let her leave even after her visa expired. Eventually, she escaped and went to the agent's office, who asked her to work somewhere else so she can make money to pay for her return flight. After working for a few months, she paid the agent and returned to Nepal.

Post-migration circumstances

After returning to Nepal, she ran away from her maternal home to get married because she didn't think her mother would let her marry. Her husband and his family only own a small bit of land. She was not able to get much work during Covid-19 as a laborer, and so wishes to start pig farming.

Case study: Rosah



Yamkala: Financial precarity and the high cost of poor health

Early factors

Yamkala was the eldest daughter in her family. Her parents had land to grow crops, but also engaged in other labor in order to meet extra expenses. Yamkala did not attend school; as the eldest daughter, she was expected to care for her siblings and manage the household. At the age of 13, due to religious beliefs, she was forced to marry. Her husband had a large family who was also poor.

Later contributors

The couple sold their land in order to be able to pay for her husband's parents' medical expenses, as well as to fund his siblings' education and marriages. Her husband's brothers all went to work abroad, however, he himself was unable to work as he was often ill. Due to mounting expenses and increasing difficulty generating sufficient income, Yamkala was driven to seek work abroad.

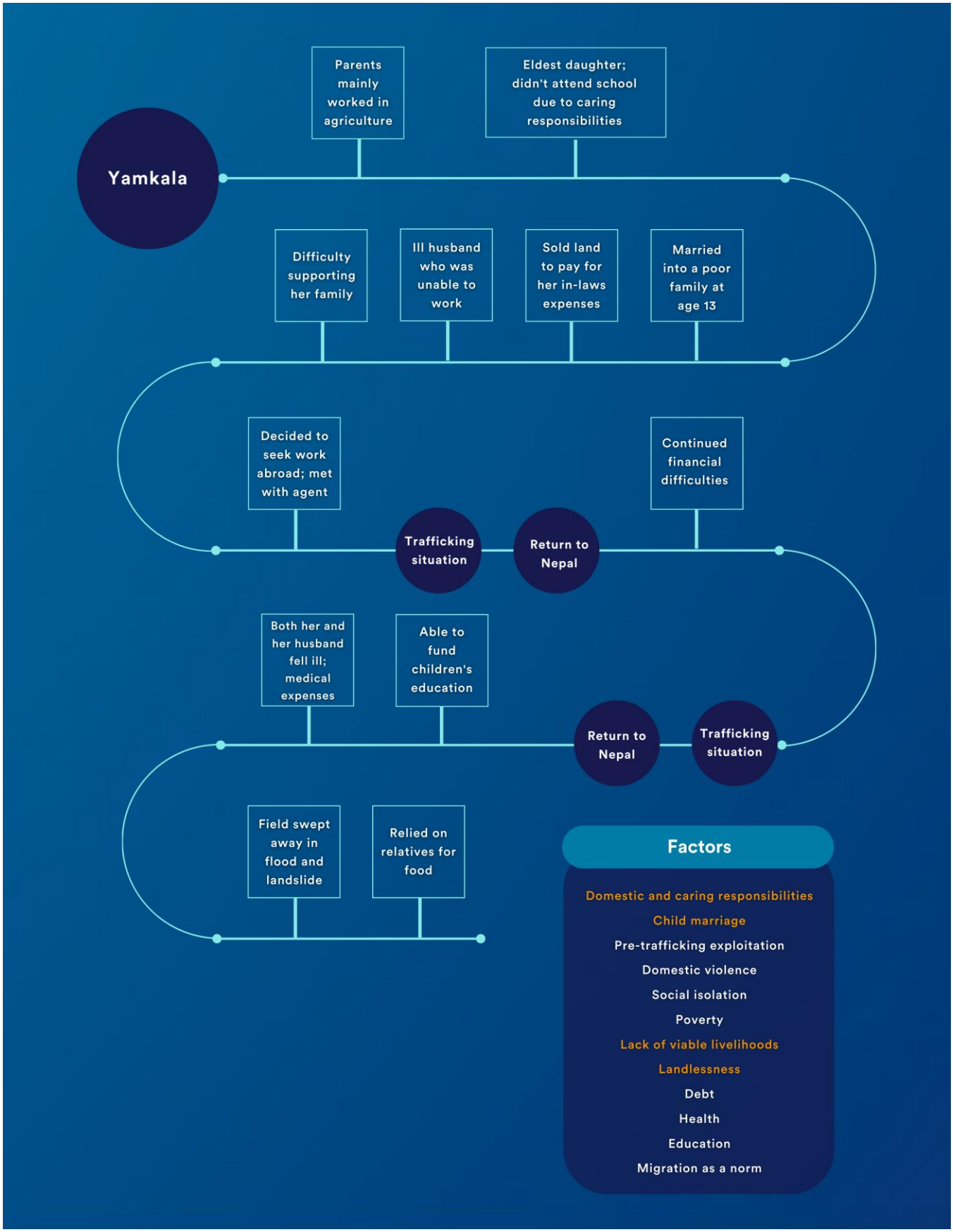
Trafficking

She met with an agent and was trafficked for labor exploitation in a Gulf state. Yamkala actually migrated for work several times; the first time she was treated very badly by the homeowner, who withheld food, assaulted her, and did not pay her. However, she had kept her passport so she could return to Nepal.

Post-migration circumstances

After returning to Nepal, Yamkala was still struggling to support her family; after one year, she returned to a Gulf state. She worked there, and although she was underpaid by the homeowner, she was able to fund her children's education. On return, both she and her husband were ill and she had to pay for medical expenses. Furthermore, their field had been swept away in a flood and landslide. For a number of months, they had to rely on their relatives to help provide them with food. Yamkala wants to stay with her children and work on her own land but getting back to normal has been difficult.

Case study: Yamkala



Surya: Poverty and a migration culture: seeking to emulate others' path out of poverty

Early factors

Surya is the youngest of six daughters, all of whom are married. Her parents worked in agriculture, and she often helped. She was able to study up to grade 9. Even though the school in her village only taught up to grade 3, her father was keen for her to receive an education and she used to travel a long distance to get to the nearest school available. Eventually, she stopped going to school.

Later contributors

As she got older, she noticed the trend of people travelling abroad to work. At the time, it was the 'trend' for men to work abroad; they often returned with goods and money. As her parents did not have any sons, she decided that she wanted to 'play the role' of a son for her parents, wanting to earn money to be able to fulfil her parents' needs. Consequently, she sought foreign employment at the age of 18.

Trafficking

Her parents supported her decision and helped her make a passport and pay an agent a large sum of money. She was sent to South Korea to work at a factory. However, she was working excessive hours, getting paid less than what was in her salary agreement, she fell ill but was forced to work because she did not have sick leave. When she ran away to get help from the Nepal embassy, they refused to send her home and told her she had to go back to work, otherwise she would be deemed an illegal migrant. Eventually her employer let her go after she paid them financial compensation. Her parents had to take a loan to pay for the compensation and her flight ticket back to Nepal.

Post-migration circumstances

She got married a few years after her return and has two children. They built a small house and have been cultivating a small piece of land. However, they could not sell their produce during the Covid-19 and her husband is in the process of preparing to migrate for work as they have been struggling to meet their children's needs.

3.4. Factors related to livelihoods

3.4.1. Gendered poverty and areas of rural deprivation

Being born into poverty, combined with a lack of opportunities in local villages, was consistently raised as a key driving force for seeking work abroad. An interviewee suggested that poverty was the main reason for trafficking because:

> *Poverty means unable to get good food, good clothing, good shelter, good treatment and so on. In search of good life, they became victim of human trafficking from their own people…In Nepal there is very difficult to find a good job. So, broker give them dream of good job. (Local stakeholder, Jhapa)*

Some interviewees associated this problem of precarious livelihoods and subsistence living with certain communities within the districts more than others, rather than simply with economic conditions in the districts in question. Certain interviewees particularly mentioned rural residents when asked who trafficking victims were. When we spoke to survivors in the first Ilam workshop about whether trafficking was happening in an area that could be seen as providing economic opportunities, through its agricultural and tourism industries, a few described now having local employment, but others described their communities not being able to access these:

> *Ilam district is rich, that was your question. If we were rich, why would we go for foreign employment? Why would we work so hard? Of course, rich people are rich, but my village is very remote, and poor. (Survivor, Ilam workshop)*

> *I also want to add something to it. The question was Ilam district. Of course, there are rich people in rich places and poor people in poor places. People who have tea are rich. Our home is pretty far off from the road. We don't have tea. Ginger also goes dead when we plant them. How on earth can we be rich? Tourists only visit Kanyam area. They don't come to the villages. We have to pay a fare to see the tourists, while we can't afford to pay the fare ourselves. Hence, to say, Ilam district is rich is incorrect. Because there are rich as well as poor people. (Survivor, Ilam workshop)*

> *You [another survivor] at least have tea plantation [to work in], you can make ends meet. We don't even have that. (Survivor, workshop)*

Similarly, a few interviewees mentioned Dalit people as at risk of trafficking, due to their living in more remote areas and their structured exclusion from land ownership, employment and livelihood opportunities:

> *Dalit are not allowed to do or carry, for example dairy products . . . They are not able to run those kind of dairy products [businesses] or hotels or restaurants because in the community . . . are not acceptable. (National stakeholder)*

Economic issues were also affected by gender dynamics. Women's financial dependency on their husbands and a lack of economic opportunities contributed to their vulnerability. In many cases the loss of income due to separation, death of or abandonment by husband, or insufficient income were key factors driving women's decision to migrate for work. Other high risks included women left on their own to provide for their children's needs. Women with small children, who have low or no education, had minimal job opportunities in Nepal that would pay them enough to make a living on their own, and therefore had sought foreign employment: not being able to provide their children with basic needs and education was among the main motivations for migration described in survivor case histories.

> *After two months, she got pregnant and gave birth to a baby girl. When her daughter reached two years of age, her husband started drinking alcohol and beat her. He did not use to go to work and whenever he worked, he never gave his earning to her. She had to work herself for income. She used to go to other's house to clean the house and wash clothes. She gave birth to two more children. She was struggling to fulfil the basic needs but it was difficult. (Survivor case history, Jhapa)*

> *As I understand it, after getting married, women face problem of lack of money. When she goes in search of work, she become a victim of trafficking (Survivor, workshop)*

3.4.2. Land ownership

In the survivor case histories, working on other people's land/property, either being engaged in agricultural work or other activities as a day laborer, was the most common means of livelihood for survivors prior to their trafficking. The majority of Ilam survivors worked in agriculture on someone else's land prior to their trafficking (95%; 38 out of 40), whilst the majority of Jhapa survivors had been day laborers prior to their trafficking (82%; 37 out of 45). Only 13% of Jhapa survivors (6 out of 45) had worked in agriculture on their own land prior to their trafficking. Whilst lack of land ownership is widespread in Nepal – with only 21% of men and 11% of women owning land (Government of Nepal Ministry of Health, New ERA, and ICF 2017), we note that in survivor case histories, attempts to own land were sometimes implicated in the need for a person to migrate for work. Survivors reported migrating after going into debt and losing their house and land; taking loans to buy land and then not being able to repay the debt; and marrying into families with no land.

Lack of land ownership was described as contributing to women's financial dependency. For example, Jhapa workshop participants argued that while just owning land might not be enough to sustain a living, it would give women the ability to borrow money from a bank or act as a source of emergency funds (via its sale).

> *The reason for going abroad is due to lack of money. If we had a small plot of land, we could get a loan from a bank. We could do new business. So, it seems that there should land in your name (Survivor, workshop)*

> *If I had land in my name I could raise a son and a daughter by selling some part of the land. I didn't have to go abroad. But due to lack of land, I had to go abroad and suffer a lot. (Survivor, workshop)*

However, some survivors also argued that land ownership was not a panacea, and that problems related to income would remain even if they had land in their name:

> *What to do with land in my name? I had to work to eat. If I sold the land, it will not be enough for me to survive even for 1 year. So even if there is land, the trafficking will not decrease. (Survivor, workshop)*

> *Just because you have a land doesn't mean you don't need to work. To fulfil the daily need you have to work and you don't know when will you get in trafficker's hand. (Survivor, workshop)*

3.4.3. Child labor

It was mentioned in twenty-eight of the survivors' case histories that they had engaged in child labor in their early years. Extreme poverty and the family not owning land had forced some survivors (as children) to work with their parents on other people's agricultural land, or to collect and sell wood so they could afford food and other basic needs. In a few cases, the parents were absent and so the survivor and her siblings had to find work (either domestic work or daily laborers) to sustain themselves. One of them had to work as a laborer after marriage at 14 years of age because her husband was an alcoholic, used to beat her and withhold money.

In all cases the consequence was that they could not go to school and most got married when children or teenagers, which as the following sections will explain, increased their vulnerability to exploitation and trafficking. Three of the survivors were sexually and/or physically abused by their employer when working as child agriculture laborers or domestic workers in Nepal.

3.4.4. Financial precarity

It was noticeable that pre-trafficking help-seeking described in the case histories did not appear to involve any government or CSO sources of help. In contrast, a number of survivors are now accessing help from Shakti Samuha for livelihood support, and a couple seeking or receiving Covid relief.

We note this as the financial precarity of some communities was described by a few interviewees and featured in some case histories. For example, one interviewee said in relation to seasonal agriculture:

> *Even if people cultivate in the village, there is not enough food for the whole year and there is no work all year round. They have to spend time without working. There may not be a single employed person in the house. Therefore, they look at other people in the village who have gone for foreign employment, and the family of that person seems to be financially strong. Thus, they also want to earn some money like them and live a happy life. (Local stakeholder, Jhapa)*

Survivor case histories demonstrated that for those in subsistence circumstances, a lack of safety net meant that unexpected events such as landslides or sickness could lead to rapidly deteriorating economic circumstances. In one case, a survivor's father was part of the Nepal police force, owned land, and didn't struggle for food or clothing. *"Suddenly her father died. Their land also swept away by the river. There was no one to earn for living."* This illustrates that natural disasters and extreme climate events in the region, which appear to be occurring with greater frequency, can rapidly increase the precarity of a population, with potential long-term impacts for risks of exploitation.

Moreover, subsistence living could be seen to reinforce vulnerability to trafficking, sometimes across generations: for example, women would leave education early to help their families make ends meeting, but this then became a barrier to job opportunities in the long term, reducing the chances of becoming financially stable. Case histories often indicated that, having few alternative ways to make money, they were driven to find work abroad, ultimately ending up as victims of traffickers.

3.4.5. Debt

In both survivor histories and accounts given by stakeholders, debt exacerbated women's and the family's financial precarity, and was implicated in individuals' initial decision to work abroad, as well as remaining a key factor in survivors' post-trafficking lives.

Needing to pay off debts can be seen as a clear driver of trafficking: unable to provide for their families, individuals or their partners often took out loans; whilst providing temporary relief, this ultimately led to greater problems in the long-term, with pressure to pay back loans driving people to seek work abroad:

> *When I returned from Saudi Arabia I said to my daughter, "Look, my daughter, you should not go abroad". But she did not listen and said, "I will also go". Later to repay the loan, she went to Kuwait. After 3-4 months of going to Kuwait, I heard that my daughter was chased by the brokers in Kuwait. I asked help, to her uncle. After asking her uncle for help, he met my daughter. They told him if you want to bring your daughter back give us 300 dinars, I didn't have enough money to pay for that. Later my daughter was out of contact. I could not contact my daughter for 9 months. After one year, they did not pay anything and only sent her back. (Survivor, workshop)*

The problem of debt was linked to people's subsistence livelihoods, in which there were no means to deal with emergencies or life events. For example, in multiple survivor cases, loans were taken out to pay for medical expenses. In one case, after her husband fell ill, a couple needed to travel to India and pay for medical treatment. To do this, a loan was taken out as they did not have sufficient funds, but, following the husband's death, it was increasingly difficult to pay off. Struggling with the increasing pressure from those she had taken a loan from, as well as recognizing her inability to meet the needs of her children, she was driven to work abroad. In another case, on return to Nepal, a survivor's husband fell ill, needing hospital treatment. To pay for this, loans were taken out, but her husband subsequently passed away. This led to a continuous struggle to pay back this debt, with the husband not owning either land or property, and this being further exacerbated by the survivors' own deteriorating health and receiving no help from relatives.

Continued financial pressures on return were frequently implicated in survivors' decisions to re-migrate after their initial trafficking experience; this included the pressure to pay off loans. Multiple accounts also showed that individuals sometimes took out loans to pay agents. Others indicated having to pay to leave the situation of exploitation. For some survivors, this debt may remain on their return to Nepal, further exacerbating vulnerabilities and the risk of trafficking. For example, one case mentioned that, in attempting to leave her 'employment' at a company, she had to pay a reimbursement. This resulted in her parents taking out a loan (on top of other debts that had already been incurred) to pay for this. Therefore, on return to Nepal, not only had she not earned money as expected, there were additional financial pressures on the family.

Several stakeholders expressed concerns about the proliferation of microfinance or lending organizations, and their lending practices, with one noting that loans were sometimes used to cover day-to-day living costs, providing no means for the loan to be paid back. Moreover, interviewees described situations where gender inequality interacted with the availability of credit to push the woman into debt, leading to the woman having few options in the context of family conflict:

> *...here, many women are forced to go for foreign employment. The government does not control the manpower office; there are many manpower offices. In one ward there are 14 to 15 microfinance offices also. Microfinance gives loans with higher interest. They provide loan at 24% to 30% interest [...] A woman had to pay the interest monthly and the interest rate is also very high. So due to this there is fight in her family... After that they go in search of job to repay the debt. In that situation they come in contact with trafficker, the trafficker sends them to foreign country to earn money...Today's microfinance aim is to uplift the living standard of women. So, they do not do business with men, they only target women. So, the head of the family forces their wife to take out a loan from the finance companies. ... When a woman is unable to pay the loan the microfinance company comes to their house, threatens them, takes away their animals. (Local stakeholder, Ilam)*

3.5. Factors related to gender and childhood inequalities

3.5.1. Patriarchal social norms

Patriarchal and traditional gender norms was one of the main overarching themes that emerged from our data as an underlying driver of unsafe migration of women and their subsequent exploitation and trafficking. Confirming existing evidence, the survivors' social identities and roles within their families and communities put them at a disadvantage throughout their life course. The belief that women's primary responsibility is providing care to family members, their subordinate position in the family hierarchy and their lack of autonomy underpinned many of the outcomes that contributed to their trafficking. This includes dropping out of school, child/early marriage, domestic abuse and financial dependency.

Trafficking survivors who participated in the workshops highlighted issues such as discrimination between girls and boys in upbringing, restricted freedoms, double standards in treatment of men and women, and social norms that worsen women's social exclusion and perpetuate their inferior position within families and in society at large. Examples they gave include discrimination in education, everyday constraints on girls' and women's freedom to move and travel, and marriage traditions that put girls at risk of exploitation by their husbands and in-laws. While one participant recognized that some of these issues have improved in the past years, for example in terms of education of girls, domestic abuse, and the power relations between women vis-à-vis their husbands and in-laws, women still face exploitation by their families.

Our country Nepal is a male dominated country. In some countries, women may be predominant. But because our country is a male dominated country, women have to face more violence. (Survivor, first Jhapa workshop)

In my opinion, women have been suffering violence from their families. Because when daughter is born to a family, she is discriminated in raising style, reading and writing and so on. If daughter is in the womb, family pressure the mother to do abortion. Not only that, when a daughter gets married and goes to another house, there also she is discriminated by her in-laws. Many of us have gone for foreign employment. There we face labor exploitation. When we come back to your country, here also we get mental pressure from your family. This is the suffering of women. Now when it comes to men, it seems that they are also being exploited because of poverty and stress. (Survivor, first Jhapa workshop)

3.5.2. Domestic and caring responsibilities

Domestic work and caring responsibilities fell primarily on women since childhood, which limited their educational and employment opportunities. There were many cases where survivors had to drop out of school early or did not go to school at all to care for their younger siblings or an ill family member and to help their mothers with domestic work.

This was more prevalent among eldest daughters. One story illustrated the gender inequalities between siblings, where, as the eldest daughter, she had to stay at home against her will to take care of her siblings, while her brothers were able to go to school. Her father thought that girls are born to work at their husbands' houses and, therefore, they needed to learn to do household work to be able to run a family, rather than waste money on going to school. Even though her mother was in favor of giving her and her sister an education, she could not disobey the father who was strict and physically violent.

The accepted social norm that the woman/girl's primary role is to care for the family was also among the main drivers of child marriage and exploitation by husbands and in-laws, as will be discussed in the following sections.

In fact, one of the main triggers for seeking labor migration among our sample of survivors was being left to solely care and provide for their children's needs due to their husband's neglect, abuse, unemployment, marrying another woman or death. One survivor put it elegantly:

> *Sometimes the word 'mother' spoils us. Mom always wants to give their baby better tomorrow than today. That is why mothers have to be sold abroad. Sometimes I feel the same. I am also not from a rich family where we are struggling. My mom used to skip a single meal for us. I didn't realize it when I was child. Back then if my mother had followed in the footsteps of other moms out there, she would have been sold. Because she has sacrificed for me. (Survivor, Jhapa)*

3.5.3. Child and forced marriage

Early or child marriage was one of the most common life events that heightened women's risk of exploitation and trafficking. A majority (62.4%) of the survivors in our sample were married before turning 18 years of age. Early marriage was, in most cases, driven by traditional norms, the family's poor financial situation or an interaction between the two factors. Many of the survivors had been either forcibly married during their childhood or had no say in the decision of their marriage. Two survivors mentioned that the reason they were married when still children (13 and 14 years old) was because their community adhered to a strict religious belief that girls had to get married before the commencement of their menstrual cycle. Another survivor said that her parents married her to her sister's groom after her sister ran away on her wedding day to marry another man.

Although the issue of dowry did not emerge from the survivors' case histories, a national stakeholder shared that in some communities (e.g. Harwa-Charwa) families prefer to marry their girls early because the dowry is smaller than if they married later in life.

Some survivors, however, agreed or wanted to get married at young age to escape difficult life situations e.g. extreme poverty and/or absence of parents. One survivor from Jhapa was married at age 15 after her father died and her mother migrated for work. She had dropped out of school after six years because of her family's poor financial situation to care for her siblings. Another survivor said she ran away with a boy when she was 16 to escape her and her family's suffering from bonded labor.

There were several ways marriage contributed to women's risk of trafficking. It is almost always associated with dropping out of school early and, in many cases, survivors ended up in situations of exploitation, abuse and social exclusion. Survivors' education is discussed in section 4.6.4. We focus here on how marriage as an institution had increased survivors' vulnerability to trafficking.

3.5.4. Pre-trafficking exploitation

Early marriage increased the risk of women's exploitation, as some of the survivors' marriage experiences before migration amounted to domestic servitude. After marriage, women (or girls) were expected to take over domestic work and bear the responsibility of caring for their children at their husbands' homes. This, in many circumstances, included living in multi-generational homes (including husband's parents and brothers in law, their spouses and children) where they were required to help other women with household chores and, if they own a land, also help with unpaid agriculture work. In many cases the division of labor was exploitative of women. For example, one survivor mentioned that her husband's higher caste family were taking advantage of her. When she moved with her in-laws after marriage, she was required to do a lot of household work that she thought they '*wanted a worker instead of a daughter-in-law*'. Similarly, another survivor found out after getting married that her husband had mental health problems and that his family '*forced him to marry her so that they could have a baby to take care of him*'. His father and brother also needed her because '*there was no woman in the house to take care of the house and family*', as her mother-in-law was dead and sister in-law was working abroad. When her husband died before she gave birth, her in-laws abandoned her and she had to rely on her neighbors to bring food during her postpartum period. With no income source or support from her family/in-laws, she decided to migrate for work. In another two survivor stories, the women's inability to perform their role to her in-laws' satisfaction due to health problems created tensions with their husbands and their families, which eventually resulted in a decision to migrate for work. The above cases also indicate how the wider practice of migration exacerbated vulnerability for girls, when mothers and other female family members migrate.

One interviewee contended that teenage girls struggle to meet the duties of being a daughter-in-law within the patriarchal Hindu tradition.

> *The girl in early marriage is not capable to handle the family actually. After the marriage, lots of responsibility, we are not one day limited as a daughter but we expand our status and title from daughter to daughter-in-law. So, in that journey, lots of roles and responsibilities, since we follow the Hindu religion, our family, our community is under the system of patriarchy, daughter-in-law have lots of responsibilities, which can't be by the teenage girls. Technically, teenage girls, they don't have that capacity for decision-making and the determinations for power or are very eager to achieve something in that-- like very unstable is teenage. (National stakeholder)*

Additionally, our data revealed that many survivors' marriages were marred by deception or lack of knowledge about their husbands' circumstances or who they are; a poignant foreshadow of the duplicity often encountered in their later migration experiences. This was exacerbated by the fact that they had no say in the decision of their marriage. Some survivors had had no knowledge or were lied to about their husbands' socio-economic status (including land ownership), their health conditions (mental and physical as well as alcoholism) or the fact that they were already married with children. Also, some of the survivors, like the case mentioned above, had not known they would be the only woman responsible for all the domestic shores in their in-law's home. Women eventually decided to migrate after struggling with an enormous burden or because they and their children were in poverty.

3.5.5. Domestic violence

Domestic violence was another common characteristic of survivors' marriage experiences and a key factor in being cut off from emotional and material support, leading to migration. About 45% of our sample of survivors suffered from domestic abuse prior to their trafficking. In line with the literature, stakeholder interviewees also consistently referred to violence against women in their homes as a key driver of trafficking in the local areas. Domestic violence by husbands was often associated with alcoholism and general neglect where men cut women off from their earnings, were not working at all, or would leave them and their children alone for extended periods of time. As a result, the women either sought or was approached by agents who heard about their difficult situation. For example, one survivor was beaten by her alcoholic husband because she was young (14 years old) and did not know how to fulfil her domestic responsibilities. She also had to work in other people's homes to bring money to feed herself and her children because her husband did not share his earnings with her. However, her income was not enough to cover her children's basic needs and she experienced extreme poverty. After returning to her maternal home to escape her abusive relationship, a recruitment agent convinced her to migrate so she could earn money and support her children.

Survivors we interviewed also noted that experience of domestic violence or separation from husbands was sometimes a trigger that led to increased financial hardship for women and their children, pushing them into the hands of traffickers, as the following interview excerpt demonstrates:

Survivor: Like they (traffickers) can persuade by saying we will give you a job which will benefit you and also help you to prevent poverty. Traffickers take advantage of poverty, if traffickers see any delicate house, then, they take advantage of the family of the delicate house.

Interviewer: What do you mean by delicate house?

Survivor: The one who is unable to do anything or unable to show affection in the family and always abuses and beats the family which is seen by society. Traffickers see the fragile situation of that family and think of taking advantage of that family. Domestic violence also results in human trafficking because after being a victim of domestic violence a woman faces economic hardship and thinks to earn money, but she often doesn't find any job.

One stakeholder added that migration is sought by women to gain independence from abusive relationships. However, their lack of skills and resources render them vulnerable to trafficking.

> *It is direct relation, mostly, when the migration time, they are suffering from gender-based violence, like domestic violence and others, whose husband are going to migration, their wife also suffering from other social values. They are highly vulnerable and they wanted to go, why I am not going to Gulf country? Also I would be independent. In this time, if they have no skill and other resources, their stance again could be highly vulnerable. (Local stakeholder)*

3.5.6. Social isolation within the family and community

The survivors' case histories highlight the social isolation and lack of support they experienced throughout their life whenever they faced difficult times. In many accounts, the victim's immediate family relationships did not protect them from being trafficked but rather, the quality of those relationships acted as a push towards unsafe migration. Accounts included the alcoholic husband being the primary person who directly encouraged the woman to migrate for work; the woman being made to feel unwelcome if she had returned to the maternal home; and the woman deciding to migrate as she and her children were receiving no financial support from her husband or relatives, following, for example, the husband taking a second wife, being ill, or dying, or the woman leaving the family home due to abuse by the husband or other relatives.

Interestingly, in workshops and interviews, survivors identified harmful family relationships as directly driving trafficking, with one workshop group identifying changes to family relationships as the most important change in relation to preventing trafficking.

Workshop participants also mentioned that regardless of the socio-economic status of a family, the social stigma around women returning to their mother's home is one of the reasons they seek foreign employment when they experience domestic abuse.

> *What is the use of money if you do not get love and affection? Then what option is left for a woman? If she goes and stays in her mother house then society says bad things about her. That is why at last she decides to go abroad. Being rich is not enough but family love is required. As soon as the family despises, the society despises. She goes abroad to be happy to keep her physical and mental health good. Wealth is not big thing. (First Jhapa survivor workshop)*

In a few cases support from family members reduced risk or moderated the negative impact of trafficking on victims. In some instances, family members (parents, siblings, mothers-in-law, husbands) provided post-trafficking support to survivors including covering healthcare expenses or helping them repay their loans, which reduced the risk of re-trafficking. Others helped rescue them from their situation of exploitation by seeking help from the police and anti-trafficking organizations in Nepal.

> *She returned from Kuwait in second Covid-19 pandemic time. She returned because of her mother-in-law expired, she has to be do ritual procedure from her side. She is first elder daughter-in-law of her mother-in-law. She had planned to go back foreign migrant employment because of her loan. Now she has some loan to pay in village. But her children shown to her empathy, they will support her. Now she has hope for future. Her children are growing up day by day, they will do their job and they can support her. (Survivor case history, Ilam)*

Social support from the community appears to have a similar protective effect: when survivors discussed reasons people would want to migrate for work or not, they told us that having a good 'group' or 'neighborhood' (first Ilam workshop) in their village would be a reason not to migrate.

3.6. Factors related to place: access to healthcare and education

3.6.1. Barriers to accessing services and opportunities

Health problems within the family and education levels were both described as influencing an individual's vulnerability to trafficking. In both instances, research participants described how health and educational outcomes were affected by a lack of access to services.

Barriers to accessing these public services included community attitudes, geographical isolation and limited information flows, poor quality of existing service provision, and costs associated with access.

A survivor described the current challenges to finding out about and accessing services in her village as follows:

> *Many things come to our ward, our municipality but since the people from the village are not informed, even when all facilities come to us, we only come to know of them after the time expires. So, that makes no sense. That kind of situation is unfavorable to us... We shouldn't say they aren't there, but the information doesn't reach us. (Survivor, workshop)*

Similarly, a social worker in a more rural area expressed concerns that health workers were not currently reaching all children – *"Social workers are not informed of all the children. . . The right people don't benefit."*

Historic barriers to accessing education that were reported in case histories included the economic condition and location of the family, often combined with attitudes towards women, including early marriage. Women frequently dropped out of school or simply didn't attend at all due to coming from poor socioeconomic backgrounds and needing to help the family by earning money or caring for siblings. One interviewee described how those '*who don't get good education, they do agriculture for their livelihood*' (Community member, Jhapa). Thus, whilst dropping out of school may in the short term have provided another person in the family engaged in labor, it reinforced families' poor socioeconomic status and financial precarity. One example of attitudes towards women's education found in the case histories is this description of how a survivor's parents had stopped paying her school fees because:

> *They used to say that sending daughters to school is waste of money as daughters don't need education who are born go to other's house after marriage and work there. Instead, they used to say that they need to learn to work so that they could work in their house to run a family. (Survivor case Jhapa)*

However, there were clear indications that such attitudes were not held by many survivors when it came to educating their own children, with many instances of survivors having taken on debt or migrating so as to pay for their children's schooling. In these cases, barriers to education appear to center mainly on provision.

A national stakeholder had described how disadvantaged communities such as Dalit communities often lacked access to local services:

> *Yes, in the remote areas, the schools are very far, the people live very far … it takes 1 to 3 hours walk for them to reach the schools, which is very difficult; not accessible. The school is not accessible to the communities, that is the problem also. Mainly, it is an economic problem also. (National stakeholder)*

A local CSO representative similarly expressed concern about the quality of local services and their proximity:

> *For this, the country is also responsible because there is a lack of facilities in government schools which are in private schools. Why cannot the government make guarantees of basic education, health and employment to a citizen? Because of this incapability, people are going abroad […] Here, if the government would have made government school to boarding school this risk would have decreased. If the government was responsible and strict towards the health sector and employment then the risk would have been controlled. (Local stakeholder, Jhapa)*

Access to healthcare was not only a historic factor in people's past experiences of trafficking; for some of the survivors we spoke with, healthcare was still am ongoing issue and one important enough that people said it was one of the things influencing whether they wished to stay in their village or might wish to leave it. The proximity of hospitals was a key concern, with some workshop participants describing the difficult journey needed to access appropriate healthcare:

> *We have no black topped road, we have a dirt road. It's difficult reaching the health center. If anybody falls sick suddenly and needs to call an ambulance, it can't come. So, we have to use a pickup to ferry sick person. Hence at times, we feel like leaving the village. (Survivor, workshop)*

Additionally, the cost of healthcare was raised as an issue. One participant said that they were unable to take their ill child to the hospital due to its cost and another explained that, despite suffering from ill health for over three years, they were unable to pay the hospital costs for treatment. Another, when asked whether access to healthcare and good infrastructure would remove the need to travel abroad, said, '*here is a hospital but it is not free. Even going to the hospital requires money. You also need money to pay the bills'* (Survivor, workshop). This underlines the importance of not simply providing access to good quality healthcare, but, rather, providing good quality affordable healthcare.

3.6.2. Ill health as a contributor to vulnerability

In the case histories, health problems were sometimes contributed to trafficking for a range of reasons including being in debt. Ill health often exacerbated existing economic instability within families and triggered the need for individuals to look elsewhere to make money. One relatively common pattern amongst the case histories from Ilam and Jhapa was a health issue and subsequent health expenses acting as a trigger for further disadvantage. Several case histories and interviews indicated that women's husbands falling ill and subsequently being in need of medical care was a key driver for their motivations to migrate; this was often frequently associated with debt – after taking out a loan to pay for medical expenses, wives turned to working abroad to pay off the debts. Similarly, having to handle the economic fallout of family members (in particular, husbands) dying was also noted as pushing women to want to work abroad - some to simply be able to generate an income that they and their children could survive from, and others to pay off the debt that had accumulated in treating their husband's illness or burying him:

> *After 5 years of her husband's death, her survival became difficult. She became unable to provide basic needs of her children. The people to lend her money for her husband's treatment also started asking for the money. She became hopeless. (Survivor case history, Jhapa)*

In another case the continued need to pay for her husband's treatment led to her being re-trafficked.

These case histories also demonstrate the ways in which health issues are closely tied with women's familial obligations or 'duties' as care giver. Indeed, reflecting these responsibilities in a different context is another case history of survivor from Jhapa; both her mother-in-law and father-in-law were ill, and their other son had separated from the family due to a prior conflict, which led to her and her husband selling their land to pay for their medication. This led to a deterioration in the financial wellbeing of the family and subsequently drove the woman to seek work abroad.

3.6.3. Health impacts of labor exploitation

Instances of physical, emotional, and psychological abuse were identified in the case histories when describing working conditions abroad. Long working hours were commonly reported, with some survivors unable to rest when they were unwell. One case demonstrates how falling ill was used to further control the victim, with hospital costs deducted from her already meagre salary:

> *She had to stand all the time while working so she faced a problem with her legs. She felt ill. She told her owners to take her to the hospital. They took her to the hospital but they decreased her expenses from her salary. She told them that it became hard for her to work there and wanted to return Nepal but they did not let her return her home country. (Survivor case history, Jhapa)*

Some women who were trafficked for domestic servitude also faced rape and sexual assault from homeowners. Multiple survivors also indicated health issues – both mental and physical - on return to Nepal. These ongoing issues demonstrate that rescue and repatriation is not the end of survivors' journeys, and that recovery is not a simple process. One survivor, after falling ill abroad and managing to return to Nepal, continued to need medical treatment, with this resulting in monthly payments for medicine, paid for by elderly parents.

Mental health was also indicated to be a serious issue and one which affected survivors in different ways. One interviewee said:

> *After returning to Nepal, I got sick. I was depressed. I only wanted to die. My family told me that I used to run away from people. Many people from different NGOs come to meet me but I don't remember anything. (Survivor, Jhapa)*

3.6.4. Low education level as a contributor to vulnerability

Case histories revealed that it was common for women to have been to primary level or having no schooling at all. For the Ilam case histories, 15% (6 out of 40) had no schooling or were illiterate prior to their trafficking. This compared with 27% (12 out of 45) of those in Jhapa. Sixty percent (24 out of 40) of the Ilam cases had been educated to primary level (grades 1-8) and nearly a quarter (23%; 9 out of 40) to lower secondary level (grades 9-10). Only 1 survivor had been educated to certificate level (grades 11-12). In Jhapa, 62% (28 out of 45) had been educated to primary level, 11% (5 out of 45) to lower secondary level, and no survivors were educated to certificate level prior to their trafficking.

Poor education and illiteracy were frequently cited by interviewees as key vulnerabilities to trafficking. As well as influencing whether or not a woman would be pushed by circumstances to migrate, education levels were also described as influencing the type of work and destination country, pushing the woman into situations where, for example, they might be more isolated from potential sources of help or have fewer legal protections:

> *So, there is the matter of education, so, the level of education also determines which country I am choosing to travel to. If I am totally illiterate, then how can I imagine I am going to the USA for work, I don't have any education so, no skilled training. I have to choose domestic work. (National stakeholder)*

Access to education was also a strong motivator to work abroad; migrating was frequently motivated by the need to fund children's education. Working abroad was seen as a chance to earn money that it would not be possible to earn in Nepal, subsequently allowing parents to provide a good education for their children – one which they themselves had most commonly not received. As one interviewee explained:

> *Because in Nepal there is lack of employment opportunity, they think we can learn in foreign country and we can rear and care our children here in Nepal. They may also think that I didn't get good education but I will give my children good education and build good future for them. (Survivor, Jhapa)*

In one case, even though a survivor had a prior experience of trafficking, being able to fund children's education remained such a concern that they sought work abroad again, resulting in being re-trafficked.

Interviews revealed that education was sometimes explicitly used by traffickers to lure individuals into situations of exploitation:

> *There are some children who say, 'I really want to study but the conditions at home don't allow it. I go in search of that. If someone teaches me then I will work for them'. They take children who are in such situations. (Community member, Ilam)*

> *In the past, traffickers used to lure people by romantic relationship, by marriage but nowadays it has changed. Now they are using good education, well paid jobs and good settlement in foreign countries to lure victims. (Community member, Ilam)*

3.6.5. Education as a factor reducing vulnerability

Investing in education and skills training was highlighted by a local stakeholder in Ilam as something that would make trafficking less prevalent due to it giving individuals more opportunities.

Some workshop participants also thought education played a protective role, making it less likely the person would be deceived by traffickers:

> *If you don't have education, you can't even read the signboard [to know where you are being taken]. If there is no education, there is no way out. Without education we are afraid to speak anywhere. If there is education, we can sort out any problem. (Survivor, Ilam workshop)*

However, workshop participants also highlighted that even educated people could fall victim to trafficking: '*[e]ducation alone is not the greatest thing. You have to have courage, alertness and dedication*' (Survivor, workshop) and '*[j]ust because children are sent to school does not mean that trafficking will reduce. Until [there is] public awareness, children are not safe.*' (Survivor, workshop).

> *Along with education, it seems that public consciousness is also needed. Even well-educated friends have gone to Australia, USA. They have sold themselves and suffered. If education was important [in preventing trafficking], they would not have gone to abroad [to be trafficked]. (Survivor, workshop)*

3.7. The Impact of Covid-19 on trafficking risk factors

3.7.1. Impact of Covid-19 on livelihoods

Vulnerabilities related to livelihood were identified by participants as those most significantly exacerbated by Covid-19, with the pandemic limiting opportunities further and therefore increasing the risk of trafficking abroad.

> *People were devoid of opportunity, people lost whatever little income or job opportunity they had. So when people were looking for alternative means, they might have come in contact with the traffickers, inevitably increasing the risk. (Local stakeholder, Ilam)*

Interviewees argued that people's desperation gave traffickers a bigger chance to lure people into opportunities during the pandemic. This was more likely because, as one stakeholder explained, people rely on word of mouth to seek help from friends and people in their social networks, which is how traffickers target vulnerable individuals. Two participants added that people were forced to sell themselves to make ends meet.

> *During Covid time there was a lack of employment opportunities, so the agents or brokers got a chance to lure people. They used to go into villages and say 'you don't have any opportunity here in Nepal so make paper and vaccine cards, you can go to India, there you will get a good job, good money' and in this way they became victims. (Local stakeholder, Jhapa)*

3.7.2 Covid-19 and debt

Relatedly, Covid-19 was identified as worsening people's vulnerability to trafficking due to increased indebtedness. As people's savings had been depleted, they were forced to take loans but were struggling to repay them, particularly during the period of Covid lockdown:

> *...people also have taken loans because just before [Covid-19], they've taken loan thinking that they will migrate soon and they would pay off. But then because of the Covid...it didn't happen. So the loan was with them and they spend those money on their daily expenditure and now they don't have work they couldn't migrate and then they have this loan that they need. (National stakeholder)*

3.7.3 Differential impact of Covid-19

Some study participants pointed out that Covid-19 has impacted some livelihoods more than others. Daily wage laborers, small business owners and those working in hospitality were identified as the most affected. Those who did not own cultivatable land were identified as in a more precarious situation because they could not meet their basic needs. Similarly, people who rent their homes were at more risk as they were struggling to pay their rents.

Our data also showed that women's livelihoods, including those of the survivors in our study, were particularly hit by Covid-19. Women experienced higher pressure to provide for their families where male breadwinners either died or lost their jobs. Single mothers with caring responsibilities were also left without any source of income, either because their place of work was shut down, they could not get work as laborers or because they could not sell their produce.

As a result, one stakeholder said, women who may have not wanted to migrate before Covid-19, are now compelled to do so.

> *After Covid many people went abroad. There was an economic crisis. Before Corona, the women who said I don't want to go abroad have decided to go abroad today... [M]others or women have a big responsibility. They are compelled to go abroad. (Local stakeholder, Jhapa)*

National anti-trafficking stakeholders also commented because of stigmatization and isolation, coupled with economic problems, survivors would be pushed into being re-trafficked:

> *I think, yes, the risk [of re-trafficking] went up I guess, because I have seen in the far western region like a lot of people came to the country, when there was Covid they came and then again after that they went to India or whatever because there was not any livelihood option back to the village. They didn't get any food, there was nothing, no work. So, what to do. So, they had to go back. Not only those went who came, but others also they also went, they left the village, they left the country because they needed jobs. They need to eat, they need to survive. So, when you don't have any option back to your home or country or society, then the migration is very obvious and during when you migrate... the risk of trafficking is always there... (National stakeholder)*

3.7.4 Covid-19 relief

Emergency relief packages (food and protective health supplies) distributed by the local government and CSOs ameliorated some of the immediate negative effects of the pandemic. One interviewee added that some 'selected' individuals took up job opportunities through the Prime Minister Employment scheme. However, these support efforts were not sufficient to protect people from the adverse effects on their livelihoods.

Although some survivors from Ilam reported receiving material relief during Covid-19, in other cases it appears that survivors received less support from government than other citizens. For example, in one survivor workshop, participants confirmed that people who were thought to be migrant workers were deprioritized for help on the grounds that foreign workers would have more money than others. Some reported asking for and not receiving relief:

> *The rich people used all the relief provided by the government. We didn't get anything. When we asked for relief fund, they said that it should be given to the poorest people. Rich people ate, sold and earned money from relief materials. (Survivor, Jhapa workshop)*

Similarly, one national stakeholder told us that Dalit communities were less able to benefit from the government-provided help packages because many did not have their citizenship cards, which were required to access support. Additionally, because Dalit groups are concentrated in remote areas of Nepal, there were delays in sending them relief supplies. Representatives from Dalit support organizations told us that they have been working to fill these gaps and work on more long-term interventions to improve their access to services and livelihood support.

3.7.5 Impact of Covid-19 on stigmatization of survivors and women migrants

During Covid-19, stigmatization and isolation of survivors intensified the impact of lockdown. Migrant workers who were repatriated to Nepal during the pandemic were the subject of public concerns that they were bringing Covid-19 with them. Female migrant workers faced these attitudes in addition to the pre-existing biases against women who had worked abroad. Some survivors described returning to Nepal and being treated with fear by others, including family members, because people thought they had brought the virus with them: *I didn't receive any help from government. My society also misbehaved with me and gave me the name as Miss Corona.* HIV positive survivors also struggled to access the treatment they needed during lockdown.

Although not reported in our sample of trafficking survivors, stakeholders also discussed the plight of female returnees who returned with young children born abroad who did not have papers.

3.7.6. Impact of Covid-19 on domestic abuse

In line with emerging reports, another way our interviewees thought women were more negatively impacted by the pandemic was through rising domestic violence. They attributed this to increased psychological pressures on families and confinement at home. While abuse intensified during the lockdown period, one interviewee argued that this effect could endure because women who have lost their jobs will be spending more time at home until they go back to work.

> *Covid increased domestic violence because there was a lack of everything in society, in the family due to which there was mental instability. Due to lack of income, there is a fight in the family. (Local stakeholder, Ilam)*

3.7.7. Impact of Covid-19 on health and education

As with other countries, health services were profoundly affected, with one local health worker describing the cessation of their regular preventative efforts in order to undertake pandemic-related work. Multiple survivors indicated falling ill but not going to the hospital to get treated. In a discussion regarding how the pandemic affected victims, one interviewee claimed that the suicide rate had increased. A case history indicated how her parents were unable to earn a sufficient amount for their basic needs nor her medical treatment, demonstrating how Covid-19 not only exposed, but increased, unequal access to health services.

Health impacts also exacerbated pressure on livelihoods. An interviewee indicated that, in some cases, the main breadwinner died, whilst others had gotten ill and were unable to work.

As elsewhere, education was greatly disrupted. Young people spoke of the negative impact on their studies and that their time was wasted sitting at home with nothing to do. One stakeholder pointed out that children whose parents have little education were not able to monitor or assist with online schooling, further worsening educational inequalities. There is also evidence that children were crossing the border to go work in India while schools were closed, as one NGO worker told us:

> *We asked children moving across the border, where are you going, things are closed because of Covid. You have no papers. When we told them so, they said they are going for work. Schools are closed. Father used to ply cars, but because of Covid, business has closed down (Local stakeholder, Jhapa)*

As with health effects, the negative impact of Covid-19 on parents' livelihoods exacerbated existing inequalities in relation to access to education: several survivors reported struggling once again with education costs.

3.7.8. The factors underpinning trafficking and Covid-19: situation summary

In summary, the medium and long-term effects of Covid-19 on livelihoods and indebtedness are cause for some concern. In particular, we note the differential impacts on landless laborers, small traders, and employees of industries such as tourism and hoteliers that were important to these local areas.

Local impacts on social factors that contribute to community members' vulnerability included the further stigmatization of returnees, rising domestic violence, and further limits on people's access to health and education, in part linked to affordability. Here again, we note that there appear to be differential impacts, with survivors and those with precarious economic situations more greatly affected.

In short, the life-course factors pushing people to migrate have been increased. In the next chapter we will also see that the ability to address unsafe migration at the level of migration control has been significantly hampered.

4. The decision to migrate and the trafficking experience: implications of Covid-19

In the previous chapter we considered life-course factors that created a context and drivers for high-risk migration. In this chapter we focus on triggers for migration decisions before considering factors affecting the experiences of the survivors, from the time preceding their migration for work, to the period after their repatriation. We also look at the impact of Covid-19 on migration practices.

4.1. The information environment

4.1.1. Migration as an adaptive strategy

Stakeholders described a culture within the border communities of going for foreign employment, with the victim's decision to migrate being influenced by the example of others from their community going abroad for foreign employment. This was borne out in survivor case histories and interviews. Some survivors reported knowing community members or had immediate family members who were working abroad or had returned from abroad at the time they decided to migrate.

Stakeholders in the anti-trafficking sector referenced the positive, or even aspirational, view of migrating for work in Nepal. One stakeholder described how despite knowing about risks, the community still had examples of the benefits of foreign employment:

> *Irrespective of the awareness on the risk involved, there are people who have worked abroad to return home with money earned. So, considering such people as examples, people who have chosen to work abroad. Despite being duped, compelled to travel in faulty documents, landing up in jobs other than those promised earlier or ending up in sex trade, people have returned home with some money. And apparently, there are people who tend to compare and say, my neighbor has a modern house, cemented rooftop whereas I have to make do with leaking corrugated sheet, old building structures. Neighbors are sending their kids to good schools, while I have not been able to pay for their food and clothes. (Local stakeholder, Ilam)*

In survivor accounts, family or the wider community are sometimes described as viewing migration as a coping strategy: for example, in the account below community members directed an agent towards the victim with a view to being helpful:

Interviewer: So, the agent was female, right? Whom she was talking with?

Respondent: With my neighbors and my neighbors told her about me that I have very critical conditions and I bought land by loan. So, send her by any means. Like you have sent my wife and my daughter, similarly, sent her too. That's how villagers started talking about me. She came to my house; we had a conversation and I told her that I really want to go there but you need to make me work in a good place not in a bad place. (Survivor, Jhapa)

One stakeholder linked the 'tendency' to migrate to impoverished, hilly (remote) communities and this shared idea of opportunities to be found abroad.

One of the factors that is driving this problem is our culture's tendency to replicate those who have done better than us. For example, if someone in a village goes to India for employment and builds a house for their parents or buys new clothes, the other villagers are attracted by that opportunity. This leads to the parents themselves to encourage their children to go abroad for employment. We have seen these in cases. (Local stakeholder, Jhapa)

A key element of this practice of migration is the sending of remittances home; survivor accounts of the reasons for going abroad often refer to wanting to send money home to family, including to their children. Payments being sent directly home were also a solution in situations where a foreign worker could not have a bank account abroad (personal communication with field team.) In some cases, prior to migrating the victim already had immediate family members such as a brother, sister, or husband, working abroad and sending money home to support the family:

They never gave salary on her hand. They used to send directly in Nepal. Her relative elder sister used to receive money from IME service. She (relative elder sister) used to give half money to her mother (mother of survivor). (Survivor case history, Ilam)

4.1.2. Awareness of trafficking in the community and amongst local stakeholders

Awareness in the community

Lack of awareness of trafficking and the risks associated with unsafe migration were identified by both survivors and many of the stakeholders we interviewed as a significant factor in people's vulnerability to trafficking. This may have been influenced by the emphasis of local projects, sponsored either by local CSOs and/or the local government, on raising awareness amongst the local population of trafficking. In one of our workshops, a survivor argued that differences in awareness and education accounted for who was at greater or lesser risk of being trafficked:

> *Janajatis might be simple comparatively, but it is not that Chhetri, Brahmin [historically more advantaged ethnic groups] are not trafficked. Many of them are also not informed like us. We might consider them to be smart and able, but they are also uneducated and unaware. We might not think so, but Brahmin and Chhetri are also like that. They are also trafficked, I guess. (Ilam workshop 1)*

One survivor reported raising awareness within their village; however, the evidence suggests that the stigmatization of trafficking victims continues to contribute to a lack of awareness in local communities of the risks of trafficking and how to reduce these risks. Some survivors described not disclosing their experiences to their family due to the stigmatization of trafficking survivors, and its association in people's minds with sex exploitation. In one case we examined, a survivor had worked hard to convince others in her village that she had been in foreign employment in Saudi Arabia, rather than trafficked. Some of the survivors who participated in our workshops, and anti-trafficking activists, linked this stigmatization to discriminatory attitudes towards women:

> *We went to work for our family [abroad], but we are trafficked there. I have not told anything in the family about my suffering even to my husband till today. If family find out my sufferings, they will not accept me. And my neighbor will make fun of me. (Survivor workshop, Ilam)*

In one instance, the effect of this stigmatization and secrecy was described as directly contributing to a lack of awareness that had contributed to trafficking:

> *All from the village, they had also gone there and returned. When I told them how I was trafficked by a Kuwaiti agent. They said, "yes, of course you didn't know that". That means they had also gone there. (Survivor, Jhapa)*

Awareness and education (sufficient to assist with understanding contracts and travel documentation) was thought to prevent trafficking. First, it was described as enabling the potential migrant or their family to be wary of -or detect- deception by an agent seeking to lure someone into engaging in unsafe migration. Some interviewees also described the ability to read, including reading a contract and place names, as protective. This explains why, when speaking about who was at greater or lesser risk of trafficking, interviewees tended to link a lack of awareness and lack of education together.

Awareness amongst the wider population was thought to be protective, by alerting communities to the presence of a potential predator e.g. an agent from outside the community. Both survivors and stakeholders described scenarios where villagers were now alert to and reporting the appearance of newcomers in their area:

> *Nowadays different kinds of organizations are working, society also has become aware, if unknown people enter the community, they are in a strict observation by the society. (Community member, Ilam)*

The level of awareness in the local areas that feature in this study appeared, however, to be limited in a number of ways. First, some stakeholder interviewees thought that, inside towns, people had more awareness, whereas younger people and those outside had less awareness. In one workshop, survivors themselves were asked to consider this possible town/countryside divide, and several pointed out that there was less information available to villagers, including information on trafficking:

> *Various information can be obtained from radio and TV. But there is no such facility in the village. As we are busy with our own work, we don't have time to get information. That's why people are trafficked more in village. (Survivor, Jhapa workshop)*

> *In urban areas people are more educated so there is less risk. Remote areas are at risk because there is less information provided about trafficking. (Survivor, Jhapa workshop)*

In relation to this, a number of stakeholder interviewees argued forcefully that more awareness-raising activity by agencies needed to reach into the villages, rather than educated groups in more urban areas:

> *But rather than holding [awareness] events in hotels, they could rather add one more staff with that money. They could rather reach the villages. (Local stakeholder, Ilam)*

Amongst adult interviewees, ideas of trafficking appeared to be shaped both by media coverage but also by trafficking awareness programs. For instance, one interviewee explained that '*We had kind of trained people on how to identify traffickers. Traffickers can pose as tourists visiting villages, traders buying local produce.*' (Local stakeholder, Ilam) We should also note that some secondary school students interviewed displayed awareness of trafficking as well as an understanding of human rights, which appeared to be based on both the experiences of their local communities and information they received at school. Other interviewees, both survivors and stakeholders, referenced the media as one of their sources of information on trafficking, and in some cases, as the person's only source of information.

In relation to the wider community's understanding of trafficking, it would appear that gaps in awareness persist, and that these may have the effect of contributing to local communities' vulnerability to trafficking. At the same time, whilst awareness is clearly an important contributing factor, some survivors described going for foreign employment even after having already experienced exploitation abroad, underlining the role played by other factors in their migration decision.

Stakeholder awareness and understanding of trafficking

In addition to concerns over awareness levels in rural areas, it appears that the understanding of trafficking amongst local decision makers and workers is variable. Some local stakeholders described ideas of trafficking that revealed a degree of mismatch with the experiences of the trafficking survivors identified by Shakti Samuha. For example, organ trafficking of children was mentioned by several interviewees who did not mention local women experiencing labor exploitation when going for domestic work. Child trafficking, when discussed by local interviewees, tended to be spoken of in terms of organ trafficking and child labor, seldom in terms of exploitation related to early marriage. A number of interviewees also associated male trafficking with labor exploitation and female trafficking with sexual exploitation. This latter view was thought by several of the anti-trafficking organizations we interviewed to contribute to the stigmatization and underreporting of female trafficking. In other instances, stakeholder interviewees characterized agents or those involved in trafficking as coming from outside the community, whilst in survivor case histories agents were often community members, or at least people known to community members.

This partial understanding of trafficking was not universal, however, with some local leaders and frontline workers demonstrating an awareness of the type of trafficking this report focusses on. However, it does suggest that for at least some decision makers and practitioners, concern about trafficking may not be accompanied by a sufficiently detailed understanding of the problem to support them to make the most effective responses to the issue.

A few interviewees noted that one barrier to effective responses was viewing trafficking as an isolated issue or not linked to wider community and structural issues, including the role of women in the community:

> *That is still people like are, certain people only can relate, but still like some people think trafficking is a different issue, isolated issue and it is not. It should come in an integrated way, it is related with many things, it is related with not only poverty, it's not only education. It's about discrimination, it's about violence against women, our goals in the family level, it's about ignorance, access to property rights. So, it is a big political issue, but still people do not consider in the same way. So, they think trafficking is just like women are trafficked because they are not educated, they are poor that's why they are trafficked. (National stakeholder)*

Related to understanding trafficking, a few stakeholders also noted their need for better intelligence and data on trafficking. We discuss the information sources on trafficking available to professionals and local decision makers in Chapter 5.

4.2. The role of community members and social networks in unsafe migration

Whilst in some cases survivor accounts describe the victim as leaving the household without informing their family, most of them depict husbands or other immediate family members participating in the decision or giving them permission to migrate for work. One survivor, for example, recounts both an agent who knew her family's situation, and her husband, as influencing her decision to migrate. In a few cases other family members, including the husband, had gone abroad or had decided to go abroad for work as well.

Stakeholder interviewees had varying degrees of direct knowledge about who agents were. For example, some interviewees simply described agents as a criminal element or greedy people. Whilst some stakeholders described a wide range of people acting as agents, *'No, they are not well to do. They are common people…They have their own occupation.'* (Local stakeholder, Ilam), *'There is not a particular type' (Local stakeholder, Ilam).*

However, both survivors and stakeholders described frontline agents as members of local communities and from similar ethnic and socio-economic groups as the migrant and her community. Hence, in Ilam, an area with a large Rai and Magar (indigenous ethnic groups) populations, agents are described as *'Generally Rai, Magar … Say Dalits for that matter. Poor people, families who only have daughters and have no son. Women who are without husband, widows'* (Local stakeholder, Ilam). Another mentioned *'unemployed youth'* (Local stakeholder, Ilam). As one survivor commented, *'Our people. No one is from outside. Foreigners won't come [as agents], nor from India'* (Survivor, Jhapa).

Local agents were linked into wider networks of agents that moved victims across borders, or received them in destination countries. Some stakeholders characterized the situation as local people, who were not profiting greatly from recruiting migrants, but who are connected into a well-developed criminal network or a '*pyramid of money*' (Local stakeholder, Jhapa). '*I think the broker and the agent are wealthy people. They give this work to poor people, illiterate people in local area. But the people who work under them might not know that they are working for human trafficking. They only get 5 to 10 thousand for their work.*' (Local stakeholder, Jhapa) One survivor commented, *'It must be difficult for the agent to run their business. They work hard but don't earn much'* (Survivor, Jhapa). At the same time, it was clear that in-country agents working with migrants from Ilam and Jhapa were able to draw on considerable resource, in some cases, paying for documents, housing migrants, and covering travel costs – including when migrants flew from Kathmandu – upfront.

A few interviewees noted that the agents who were the first point of contact for the migrant were not necessarily intending to traffic the person and might be unaware of what awaited the migrant in the destination country, and with one interviewee pointing to the lack of control an agent had on the employment outcome in the destination country. Interviewees described several cases where contacting the *same* local agent had resulted in both positive and negative experiences of working abroad; for example, one survivor described using the same agent twice to go to two different countries: *'When I went for the first time it was good. I got paid well in Lebanon but in Kuwait I was exploited.'* (Survivor, Jhapa).

In many of the survivor cases, agents were known to the victim for different periods of time prior to migrating: in a considerable number of accounts, the agent was a member of the same village or community and was described as a neighbor, relative, or friend of a relative. One stakeholder interviewee describes families using these family connections to track down agents and demand they repatriate family members or face the authorities. Several interviewees described the agent knowing about a victim's family circumstances, and hence being able to target them. In some cases, agents were respected or higher status members of the community:

> *There was a man. He had worked as an agent in village. He is neighbor of her. He linked to Manpower Company here. She had paid Rs.14,000/- (fourteen thousands rupees) for Saudi to agent as a charge. Now he is head teacher in same village. He left his agent job now. (Survivor case history, Ilam)*

Whilst recognizing the influence of community relationships in encouraging and facilitating informal migration, this wasn't the case for all the survivor histories we examined. In other cases, the agent is described as encountered outside of the community, or as coming into the community, or as someone the survivor hears about through word of mouth and then contacts. Moreover, some survivors had travelled to Kathmandu and used an employment company based there.

4.3. The regulatory and legal framework for migration

Some stakeholders reported that aspects of the regulatory and legal framework around migration can contribute to trafficking by channeling prospective migrants into informal routes using unregulated agents.

In line with the literature, one NGO argued forcefully that legislation aimed at limiting the migration of women, could have the effect of pushing women migrants into informal routes of migration. Of pertinence to the type of trafficking experienced by the survivors that this project identified is the prohibition on migrating for domestic work. One local NGO worker argued,

> *For uneducated women, domestic worker is their primary option for foreign employment. …They have the compulsion to go abroad and send money back home. But, there is no legal mechanism for them to go from Nepal. (Local stakeholder, Jhapa)*

Although an overwhelming majority of survivors located by this project had their citizenship papers prior to migrating, in some accounts, needing to arrange papers was a reason for contacting an (informal) agent, suggesting either a need for false documents (the use of which was reported by a few survivors) or a need for help in navigating the migration process.

There is a small amount of evidence suggesting that some people may be unable or unwilling to navigate formal migration routes successfully. A local NGO worker expressed concern that the backlog in people wishing to migrate for foreign employment due to Covid-19 had encouraged people to leave using tourist visas rather than trying to obtain work visas, reporting an enormous post-Covid surge in tourist visas. One survivor did not appear to be able differentiate between official and unofficial migration brokers or agents. This is not surprising given the reliance of formal recruitment agencies on unlicensed village-level brokers, as discussed previously in chapter 1. A previous study also found that a majority of a sample of prospective female migrants drawn from an ILO safe migration program (n=267) had very low levels of knowledge about the migration process, relied on agents for key information, and did not know if their immigration broker was licensed (Abramsky et al., (2018) cited in NHRC 2018, pp. 51-2).

The use of informal migration routes may increase a person's vulnerability to trafficking in a number of ways: first, through the use of agents who were not regulated by the government and/or the use of false documents, making a victim difficult to trace; second, through the debts incurred via such routes; and third, through the lack of compensation available to the victim.

Conversely, the protective value of a more formal route could be seen in some of interviewees' stories and survivor case histories. For example, the cap on fees that could be charged by an employment agency is set at NPR 10 000, whereas survivors described paying agents much higher fees. Should a migrant worker experience labor exploitation, they are able to receive compensation from the government. Although securing compensation is a lengthy process, several interviewees recounted successful instances of this. One respondent described how he had facilitated the return of a legal migrant worker

to his family, and how a government insurance payment had covered the worker's medical bills and supported the family. Authorities can also take actions to ensure conduct of recognized agents; for instance, one survivor recounted the manpower agency they had used being subsequently closed by the government.

However, as has been found by the NHRC and previous research referenced in chapter 2, exploitation of female migrant workers continues to occur via the formal emigration routes; in our sample, some trafficking survivors appear to have left via formal channels.

4.4. The border environment and migration routes

Interviewees described to the research team how the physical presence of an open border and the population's historic behavior in relation to it increased the risk of trafficking by enabling a potentially less safe migration route via India.

In addition to an open border, in both Jhapa and Ilam the main border crossings run through settled areas, with residents on both sides used to crossing to shop, conduct business, or for social and leisure purposes. For example, in Ilam tourists cross to enjoy the scenic countryside on the Nepal side of the border, and in Jhapa to attend a popular market on the Indian side of the border. One interviewee commented that Madhesi families 'go to India to buy their daily groceries and supplies.' Similarly, a local survivor remarked that they felt India was as much their country as Nepal. It may be that familiarity with and local ties to India may in some instances have facilitated the decision to go abroad.

The long-held practice of local people working across the border in India, including for seasonal work, also complicated policing of the local border crossing. This, together with the lack of a visa requirement, hampered efforts to detect traffickers. It was mentioned in some of the survivor case histories we analyzed that, when crossing the border to Nepal, they were told by the agents/traffickers to smile and say they were going shopping or to visit their relatives.

Some stakeholders were of the view that the attractiveness of the open border to traffickers drove the prevalence of trafficking in Jhapa. And some stakeholders described scenarios where the practice of crossing the border for work may have made people vulnerable to traffickers: for example, one stakeholder described girls from more rural areas who were found at a border crossing explaining that they had come there as they had been promised a job by someone.

The presence of the border was clearly not a direct contributor to the decision to migrate for all victims located in Jhapa and Ilam, as there is evidence from both interviewees and survivor case histories of some victims travelling not across the nearby border but to Kathmandu. However, many of the cases we examined had used India as a migration route. As one survivor explained,

> *At that time we were not allowed to go through Nepal so it was easy to go through India and expense was also less because a visa was not also needed to go through India (Survivor, Jhapa)*

Thus, whilst we cannot understand the proximity of an open border as a motivation for emigration, it did provide a more convenient - albeit less direct and predictable - migration route for female migrants who could not afford (or during the domestic worker ban were not allowed) a different route.

4.5. Triggers for migrating

As we described in Chapter 3, in most cases, the survivors located by the project described a series of life events or circumstances preceding their migration, which formed common patterns across the cohort. Whilst a number of these events were early on in survivors' lives – notably the pattern of poverty, early marriage, and early school leaving – other patterns of events were closer in time to the migration decision (e.g. being in debt or not able to afford their children's expenses). In some cases, these later life events were explicitly linked by either the survivor or their caseworker as a trigger for the decision to migrate.

At its simplest, the decision to migrate could be characterized as mainly economic, with women deciding to migrate either due to being unable to afford the necessities of life, or in an effort to lift themselves and/or their dependents out of poverty. Case histories indicated that cumulative financial pressures often combined until they effectively forced individuals to consider working abroad. At the same time, women were also motivated by social factors, including a need to escape abusive domestic situations, whether in their marital or maternal homes, a desire for more autonomy or freedom from the social conditions they lived under, and their perceived social responsibilities towards the family. One survivor similarly described this mix of economic and personal factors:

> People are forced to go for foreign employment due to poor economic condition of the family, some may not get loved by their husband, social discrimination, illness [are the] main factors of human trafficking. (Survivor, Jhapa)

A number of patterns in the survivor histories are worth noting here:

1. **Migration triggered by the breakdown of the family unit and the need for a woman to support dependent children on her own**

A common pattern preceding migration was domestic abuse by the husband (or other family members), sometimes accompanied by the husband's alcoholism, joblessness or debt, leading to family breakdown and/or economic neglect, with the immediate trigger for the woman deciding to migrate being the need to support her children.

In other cases, the husband dies, is away/out of contact, or is unable to work due to illness, again leading the woman to seek a means to support her dependent children. In some instances, migration does not appear to be the first solution selected; rather, other solutions appear to have been tried first, including returning to the maternal home. The role of dependent children in the migration decision, and the decision following on from other events, thus accounts for the age at which many of the survivors first migrated e.g. their twenties and thirties.

2. **Migration triggered by crisis events that worsens the family unit's financial precarity**

In some cases, rather than family breakdown and economic neglect precipitating a woman being in financial crisis, the family's poverty becomes more acute due to events, including health problems and their related costs; loss of land due to disaster; death of the woman's father; and/or debts, including those incurred attempting to either recover or secure land or pay for healthcare. The nature of these crises suggests a need for further examination of the sending communities' access to healthcare, equitable land ownership, and affordable credit.

3. **Migration as a means for a woman to access economic opportunities or lift her family out of poverty**

In a few cases, no triggering crisis was reported; rather unmarried or separated women migrated due to their and their maternal family's poverty and a reported desire to contribute to the household and/or be less dependent. We might describe such cases as aspirational, but only in the sense that they appear to be a response to an overall situation of limited opportunities and poverty, rather than a person having reached a crisis point. One anti-trafficking practitioner pointed to the prospect of earning higher wages or earning in a stronger currency. Some survivors also thought that in addition to those who were responding to '*poverty and torture by family, husband'* (Survivor, Jhapa), some people were motivated by the hope of better work and better life opportunities:

Yes, people do copy one another. Yes, nowadays people get jealous of others' property, work and so on. (Survivor, Jhapa)

She was feeling that, if I could earn money, I can live alone in future. So, she decided to go for foreign [employment]. (Survivor case history, Ilam)

Whilst some interviewees described this motivation of improving life circumstances in terminology that may sound aspirational, in many instances the improvements sought were in relation to objective deficits. For example, an interviewee described people wanting what their neighbors have in terms of having a roof that did not leak.

When the research team interviewed survivors and anti-trafficking practitioners, they described a similar range of motivations for migration. One anti-trafficking practitioner summarized the reasons for migrating as follows:

Different backgrounds of women are here, like some have economic financial problem; some have children. In Nepal it is very difficult to find a good job. So, the broker gives them the dream of a good job. So, these kinds of woman go in search of a good job and became victims of human trafficking. (Local stakeholder, Jhapa)

4.6. The migration decision and contact with an agent

Participants in the decision-making process

Although some interviewees, particularly stakeholders, discussed trafficking victims as being lured by agents, we found both cases where agents had approached the survivor and/or influenced the survivor's decision, and cases where survivors describe contacting agents after they have decided to migrate, in order to obtain help doing so. As well, we also found other family and community members either influencing or participating in the survivors' decision to emigrate for work, including husbands, parents, other relatives, and neighbors.

In some survivor accounts, agents are described as influencing the decision to migrate.

One day she had met with a woman from different village and told her secretly, she has planning to go foreign migrant employment because of her loan. Her friend was happy and she told her she will help her for her process of foreign migrant employment. (Survivor case history, Jhapa)

Agents sweet talked to people. They said, one can pass through quarantine. They even used such means to convince and transport people. (Survivor workshop, Ilam)

However, in other instances, survivors describe contacting agents after they have decided to migrate, in order to obtain help doing so.

Interviewer: How did the agent find you?

Respondent: He did not find me. I went myself because I was facing economic problems in my house. One sister told me to go to that agent and that agent was also a woman. (Survivor, Jhapa)

Most cases we examined suggest that the woman had a significant say in the decision to go abroad, in a few cases even keeping this decision secret from their families or taking steps to migrate without their agreement. On the other hand, a practitioner we interviewed noted that in some cases, married women were asked by husbands, who were getting too old to work, to go abroad.

4.7. The situations of exploitation and means of control used by the traffickers

Upon request from agents, women typically paid them between NPR 25K to 50 to issue their passports, visas and other travel documentation. The few women who were sent to work in factories in Malaysia paid between NPR 70K and 100K. Most had to take loans or borrow from family to cover these expenses.

Most of the survivor cases we examined involved domestic servitude e.g. they had been trafficked as housemaids, to various countries, including Oman, Kuwait, Dubai, Turkey, Saudi Arabia, Jordan, and Lebanon. Some of these cases also involved sexual exploitation by the members of the household in which the survivor was working. A small number involved labor exploitation in factories in Malaysia and Jordan.

In survivors' accounts, the point at which they can be said to have been trafficked varied: once their migration had begun, the point at which it was clear that either the broker or the employer was taking actions without the person's consent varied. In some cases, the victim was told they were going to one country or job, only to be sent to another, or they were detained (e.g. locked in a room) by the agent whilst in transit in India. In other cases, the destination country was as agreed, but the victim had been deceived by the agent about the terms of their contract or the terms and conditions of their contract were not adhered to e.g. they were not paid or they were underpaid, or they were forced to work unreasonably long hours. In most cases, when the victim reached the home of their employer, their travel documents were confiscated, and they were deliberately isolated, with means of control including physical or sexual assault, torture, intimidation, withholding of food, medical attention, and/or pay.

We note that whilst there were many reports of the use of physical control of the victim, other commonly reported means of control were the withholding of information or providing incorrect information, and by isolating victims from their social contacts, notably from their families, and therefore potential sources of help. In Chapters 5 and 6, we discuss how survivors' vulnerability to these strategies could be increased by lack of awareness of trafficking and lack of education.

4.8. Leaving the situation of exploitation

Survivors described being able to leave the situation of exploitation using the help of others, including their family members, the Nepali embassy/government, anti-trafficking organizations, or through the employer or in-country agent. In many cases, this escape only became possible after considerable time, at the point when the survivor succeeded in making contact with family in Nepal. In a few cases, the survivor ran away from their employer and was able to reach the Nepal embassy, which arranged to pay for a ticket home. Sometimes, the in-country agents or employers had arranged for the repatriation of the survivor.

In a few case histories of trafficking in a Gulf State, where contact was made with the local police rather than establishing a link to Nepal, survivors were returned to their employers due to the fact that local law considered it an offence for a worker to leave their workplace without permission, thus, regrettably, enabling exploitation.

> *She could not do anything at that time because she had not her passport with her and she did not know their language. She stayed there for 5 years until her visa expired. She tried to run away from that house four times, but she would get caught by the police and they used to send her back to the same house. (Survivor case history, Jhapa)*

The role of family support and the need for resources for repatriation were evident in a number of cases of return we examined. Because of the money and knowledge needed, survivors' families were sometimes not able to assist the victim on their own, and needed support from an agency in Nepal. In other instances, family members raised the money to pay for the survivor's plane ticket home and/or to pay off the agent.

> *she found a phone and called her brother, after that she was rescued from there and from Nepal, we [the anti-trafficking organization] were also requesting manpower to get her back. After that, after 15 days she was able to reach Nepal. (Local stakeholder, Jhapa)*

Additionally, there were suggestions, in both a survivor interview and by a stakeholder, that education may also have assisted people in leaving the situation of exploitation:

> *If an educated woman finds any doubt, she will return from the road. Even if she gets married and takes her to the place of prostitution, she can run away when the boy is not there. And education is such a thing, to make people self-reliant. (Community member, Ilam)*

4.9. The post-trafficking experiences of survivors

4.9.1. Stigmatization and barriers to reintegrating into families and communities

Some survivors described being supported by their communities, having a good 'group' or 'neighborhood' as one reason that they would not migrate for work (Survivor workshop).

However, reintegration of survivors into communities was difficult in some cases, with community members often not supporting, or actively shunning, survivors. For example, a workshop participant described how village gossip about survivors and lack of support could be detrimental effects to their livelihoods and wellbeing:

> *In our society, instead of supporting trafficked people, they talk ill about them everywhere. Even if they cough, the village folk will say she has tuberculosis, she has disease. They won't have much work but they will continue to gossip endlessly, in the public tap and everywhere. Such gossip really affects the person concerned. Nobody supports, or understand. If not supported by certain organization, we don't enjoy the right to go back to the village and lead a decent life. (Survivor workshop: mechi4)*

Some survivors described not disclosing their experiences to their family or village neighbors due to the stigmatization of trafficking survivors, and its association in people's minds with sex. Survivors who participated in our workshops, and anti-trafficking activists, described this stigmatization as gender-specific:

> *Participant 5: Every member of each house goes for foreign employment. Everyone loves money brought from foreign but hate the people returned from foreign country.*
>
> *Participant 3: Women are viewed differently from the society. They think women go abroad and do bad things. So, women are at risk. (Survivor Workshop: Ilam)*

While men also face exploitation, they do not experience the same stigmatization by their communities when they migrate – the reference here to 'do bad things' is related to perceptions about the sexual behavior of women migrants, and the beliefs around gender roles. A national stakeholder noted this difference in the treatment between men and women:

> *...if the same man goes abroad...[and] comes back he's actually treated as a you know he did his work, but ...a woman if she goes abroad and she comes back she's treated very differently. (National stakeholder)*

One survivor criticized the government's lack of efforts to change these harmful social attitudes, spread awareness about trafficking and provide support for survivors.

> *There is a thinking in our society that even if a man suffers violence, he is a man and nothing will happen to him. But if a woman suffers violence, society think she should be excluded from society and should be treated badly by the society.*

Leaders and the government are weak on this side. They should spread public awareness that the victim of trafficking should not be treated like this. Victim of trafficking was unknowingly involved in such work. A woman left her house to support her family. While searching job, she is trafficked. There she is forced to work. The government should give more help to such people. But the society tries to exclude such woman from the society, beats her and despises her. The woman who experienced such things later commits suicide. So, to avoid such bad practice they need to be protected by the family, the community, and the government. We should all work together to eradicate this evil thing from the society – (Survivor workshop, Jhapa)

4.9.2. Reintegration and wellbeing

Some survivors suffered from physical and mental health problems upon their return to Nepal. Physical health issues were either directly related to the physical abuse they endured at the hands of their overseas employers or due to the latter's neglect of their health problems while they were abroad. Additionally, case histories and survivor workshops highlighted the isolation survivors experienced when they were living with their families and communities due to trauma that caused them not to leave their homes or meet people. They talked about suffering from anxiety, nightmares, insomnia, paranoia, and lack of appetite. Additionally, some survivors in one of our Jhapa workshops told us that women survivors of trafficking suffer psychologically due to their post-trafficking experiences of social alienation and that some end up taking their own lives. Below is an excerpt from a survivor case history describing the traumatic impact on one survivor who had suffered extreme physical and psychological abuse during her time working abroad.

After returning from foreign employment she was unable to speak. The condition of mental status was also not good. When somebody used to look after her, she used to get afraid and used to think that the visitors came to kill her. She was taken to the hospital after 7 days and after 15 days of hospital stay her health was improved and she got discharged from hospital as per the advice of the doctor. But after 1 month staying at home, her health condition again got worse and till today she needs to go to hospital frequently. She sometimes feels normal and sometimes it becomes very hard for her. (Survivor case history, Jhapa)

4.9.3. Re-trafficking and intergenerational vulnerability

Survivors also described sending – or considering sending – their children to migrate for work, despite their own experiences. This naturally suggests that despite awareness of the risk of trafficking, other push factors can operate to propel a survivor to migrate again.

This is not to say, however, that awareness of the risks does not reduce the likelihood of unsafe migration: one survivor described how she and a friend were approached during the Covid-19 lockdown by an agent offering to send them abroad, but she refused because of her prior experience and dissuaded her friend from migrating. In another instance, a survivor considered migrating during Covid but changed her mind when she could not get clear information on her destination and visa from the agent.

4.9.4. Survivor post-trafficking support needs and access to support

The survivor case data had limited information on the support services accessed by survivors on their return to Nepal; however, discussions with the project counsellors working with the women suggest that survivors had access to relatively little, if any, support aimed specifically at trafficking victims prior to contact with the project.

Survivors who returned to Ilam or Jhapa returned to agriculture, with some leasing land or seeking to get title to land. In other cases, they sought out factory work, or work as day laborers. In some cases, survivors described returning in debt, as they still owed the agent money associated with their migration or repatriation.

In a few instances, survivors had received some livelihood training from local government and CSOs. For example, survivors reported receiving training in the cultivation of cash crops such as ginger, and animal husbandry and other farming from cooperatives. On the other hand, many survivor histories identify the survivor's source of funding for medical or livelihood needs as family members, or described survivors as seeking financial support to undertake farming or to work as a small trader: this suggests that at least some survivors in the districts currently have limited access to credit.

Police and CSO rescue services could involve support for re-integration back into the survivor's family and community if appropriate, and/or addressing the housing, livelihood and other support needs of the survivor. For example, one enforcement official described their support in this way:

> *We have rescued people from India, and when we do so, we place them in shelters. After we place victims in shelters we invite their parents. And if the parents tell us it's difficult to integrate their daughters back into the society, and request us to find a suitable work, or recruit her in the police or any other institution for that matter, we provide a recommendation in such circumstances. We invite institutional heads along with the parents, and then we explain things vis-à-vis the work and other situations. And with the permission of the parents, we place them in such institutions. (Local stakeholder, Jhapa)*

Some local organizations either provided skills training for survivors, or linked survivors to programs offering this, with interviewees describing the provision of training in beauty, food preparation, and tailoring. Although mental health needs have been identified in relation to survivors, we do not have any information on CSOs providing any support in this area outside of this project.

In addition to needing livelihoods support, those who returned with physical or mental health needs did not always get the care they needed. Stakeholders described the difficulties encountered by survivors in accessing services, including women's preventative health services; the one-stop service for victims of domestic violence; and mental health services, due to both stigmatization and the complex processes for accessing support. In several cases, survivors' families were bearing the cost of medical treatment for the survivor. In one instance, a stakeholder described a family having to pay for mental health treatment themselves due to the complexity of accessing mental health treatment the survivor was entitled to.

Table 3: Barriers and enablers of trafficking survivors' re-integration

Barriers to re-integration	Enablers of re-integration
Social stigma associated with women travelling abroad and being trafficked.	Public awareness about trafficking that does not stigmatize victims and aims to change perceptions about women's migration and trafficking experiences
Mental and physical health problems	Access to free healthcare and rehabilitation services
Lack of livelihood opportunities	Livelihood support: up-skilling, linking to job opportunities, owning agricultural land
	Supportive family relationships
	Community support groups
	Housing support

Upon return to Nepal, a few of the survivors sought legal remedy (including compensation) for their trafficking, but more often in the cases we examined, there is no report of the survivor doing so, or the survivor's only action was to share their experience with Shakti Samuha when the project came looking for survivors. In some instances, the survivor had not spoken to anyone about their experiences prior to this. This may have been either due to the difficulty of seeking recourse against illegal agents, including not being able to seek government compensation, or the complexity, even when migrating via official channels, of seeking legal remedy. Additionally, some survivors repatriated from the Gulf or India, including during Covid-19, faced additional legal problems when they returned with babies or young children born abroad who did not have any citizenship papers.

4.10. The impact of Covid-19 on migration patterns

Interviewees' perspectives on the impact of Covid-19 on trafficking diverged considerably, although both those who believed it had increased, and those who believed it had decreased, referenced people's movement and ability to cross the border during the pandemic. Some community members, survivors, and those in anti-trafficking and official roles believed that trafficking had reduced in part because of the suspension of movement across the border and increased border controls that accompanied the national lockdown. However, in some cases, interviewees who believed that the border closure reduced trafficking, simultaneously described the porosity of the border, and the likelihood that crossing was happening to a greater or larger extent, but in more difficult-to-police parts of the border. Indeed, one anti-trafficking organization told us that they '*deputed staff at river crossings, wondering if they [people] were walking through*'. Some interviewees and survivors reported first-hand knowledge of people crossing the border via covert or alternative routes during the lockdown in response to border closures, with a number referencing the particular terrain of Ilam. Interviewees from several anti-trafficking organizations also described rescues and interceptions of trafficking victims continuing during the pandemic. For example, one anti-trafficking worker noted that whilst before Covid there had been 100 rescues in a year, after Covid, although there was a check at the border, this figure had increased to 150 rescue cases.

Outside of the period of the actual border closure, although there were more controls on the border, there was still significant traffic. As noted in relation to one of the smaller crossings, many local people kept crossing for work, and although their organization was not detecting trafficking, they were aware it could be happening. The difficulties encountered by those trying to detect trafficking at border crossings is apparent when we note that whilst some specific routes were mentioned by interviewees in relation to trafficking during the pandemic period – for example, via Siliguri – interviewees also mentioned Siliguri as the location for their own or other local peoples' jobs or relatives in India. In the context of pandemic shortages and unemployment, routine crossing by local people in search of supplies and work during the less restricted periods of the pandemic may have increased. Coupled with this, stakeholders reported difficulties such as staffing shortages that may have hampered police and other agencies monitoring the border during Covid-19, particularly during the period when strict closure of the border had ceased.

Interviewees additionally described changes in the strategies used by traffickers to take people across the border, or changes in trafficking routes. For example, one practitioner described discovering that traffickers were bringing women to the border via air:

> *…they [the traffickers] took up newer measures, I believe. They were even ready to pay the ticket fare. When we asked women who had disembarked at Bhadrapur after flying in from Kathmandu – for we have staff deputed at the airport – where are you going, they answered, Ilam. They didn't know the difference between Bhadrapur and Ilam. When we saw they were confused, we took them to a shelter. When the police questioned, they said, they were out visiting places. It was evident, perpetrators were ready to invest in ticket fare. (Local stakeholder)*

Several sectoral interviewees judged that transnational trafficking was displaced in some instances by internal trafficking within Nepal. A number also expressed concerns about traffickers' increased use of social media to recruit young women and children. Whilst some respondents described this trend in terms of the impact of Covid-19, one argued that it represented a longer-term trend.

Some local anti-trafficking workers described changes in the profile of trafficking victims they were encountering, with a couple saying they were seeing a greater proportion of victims from the local area after Covid-19. Whilst this could suggest a post-pandemic localization of trafficking in Jhapa, more data would be needed to establish this.

Also of concern is evidence indicating a post-Covid surge in informal migration. For example, a practitioner working with returnees commented that the sharp downturn during Covid-19 for foreign migration had now become a sharp upturn, due to Covid causing more 'economic crises'. Several stakeholders described a surge in migration due to pent-up demand from the Covid-19 restrictions that blocked migration or particular routes such as via air, and that this, coupled with additional requirements for migrating via approved channels, might be encouraging more irregular emigration:

> *Covid created a situation of panic for those who were going and sending people for foreign employment. Recently, in a six to seven months period or eight to nine months period, there were about 70 - 75 thousand visit visas issued. That statistic shows the problem (Local stakeholder, Jhapa).*

One interviewee, discussing Ilam municipalities near the border reported increasing numbers of missing individuals.

In the round, then, the evidence of Covid-19's effects on migration patterns was somewhat mixed, but there were some indications that covert migrations continued to some extent during the pandemic, and that traffickers had made some adaptations to changing conditions. There was also tentative evidence of a post-pandemic surge in migration. The degree of reduction in trafficking during border restrictions is also uncertain; moreover, changes in the strategies employed by both traffickers and migrants may require responses by agencies seeking to detect trafficking. Going forward, a key concern should be to understand the likely effects on levels of unsafe migration of both the deferral by Covid-19 of planned migrations, and of the effects of Covid-19 on the underpinning factors contributing to trafficking.

5. Anti-trafficking interventions and the impact of Covid-19

The pandemic also affected the organizations and personnel of the anti-trafficking sector, and the delivery of anti-trafficking work, both in Ilam and Jhapa and in the country more generally. A full assessment of the strengths and weaknesses of existing anti-trafficking work is outside the scope of this report. However, interviewees provided some information on what was, in their view, generally working well and less well in efforts to combat trafficking, as well as their experiences of how Covid-19 affected these anti-trafficking efforts during the pandemic restrictions. There are instances both of how existing weaknesses in anti-trafficking work were thrown into sharp relief during Covid-19, as well as instances where Covid-19 may have provided valuable experience to organizations that can now be built on.

This section of the report discusses lessons learned and the impacts of Covid-19 on the governance of anti-trafficking efforts, including partnership working; preventative work; detection and enforcement efforts; and efforts to re-integrate and support survivors.

5.1. Impact of Covid-19 on the local anti-trafficking organizations

By far the most commonly reported impact of Covid-19 on organizations involved in anti-trafficking work was the disruption of regular delivery, with either no or reduced regular activities due to Covid-19 restrictions, particularly with regards to going to the field.

Some of the delivery of anti-trafficking work, at both national and local levels, shifted online. However, there were limitations to this, and although we interviewed one national anti-trafficking organization who had been doing online outreach to victims, people more often described using online means to coordinate within and across organizations, rather than this allowing continued contact with the population.

At the same time, a number of CSOs described shifting funding and delivery into emergency response, some of which was undertaken in a coordinated manner between multiple organizations. In some cases, anti-trafficking work shifted into Covid-19 control work. At local level, some CSOs reported focusing efforts on distributing food and sanitary supplies into the villages. From the point of view of villagers themselves, it appears that activity varied with some interviewees reported that no one came to help the community whilst others reported receiving material relief from local government. The reasons for this disparity require further evidence.

CSOs reported difficulties with funding as a result of Covid-19, with a number noting that regular funding sources diverted their resources to emergency relief along with concern that it may not revert. Some funding to organizations was interrupted as a result of disruption to activities, which may have caused knock-on effects to the overall stability of the organization and to its human resources.

Due to lockdown we did not get to work properly. So, our donors were in confusion whether to provide funds or not. …Our organization was not closed but I heard that in Kathmandu many offices were closed. I heard that many organizations did not get money from their donors and workers did not get their salary. (National stakeholder).

…those organizations who are and those funds are related with the government fund, so they may not be badly affected. But the funds that is from the community and a small INGOs working in Nepal, they also affected because of the pandemic, they could not do flow the funds as well. (National stakeholder)

One respondent noted concern that the previous level of funding from international governments would decrease on account of Covid-19's global impact and the investments in social security and health that were needed domestically.

We have heard from all these partners, even our NGO partners, saying that there is a huge cut in the funding, from the donor. Because most of, I don't know, like maybe the donor has shifted to another kind of area of interest, or they want to work on something relevant for Covid measures or something like that.... definitely I think the funding opportunities will be reduced. Yes, we see a drastic change, yes that's true. (National stakeholder)

On a more positive note, at national level one CSO successfully trialed international crowdfunding of its emergency Covid work during the pandemic.

In addition to these changes in funding, national CSO interviewees described some service innovation. Organizations identified new approaches and strategies, such as integrating mental health resilience and human rights/equality in the curricula of schools and colleges. The pandemic has also prompted novel requests from some community members:

After post Covid, lots of communities are in contact with us, they requested to provide us counselling support for their younger children, those who are in a higher grade. So, with consultation with our counsellor they given their curriculum course and then they visited the schools and took those kinds of classes to children (National stakeholder).

In addition, multiple civil society respondents recognized the impact that the pandemic and working with very distressing situations has had on organizational staff, personally and professionally, including the loss of colleagues and immediate family members. One organization provided staff individual counselling and more general support as needed:

> *...counselling is always very, very helpful not only our clients are benefited, also for staff to be honest.... because they were also working a very difficult, vulnerable situation. Their family time and all those scenarios was very challenging. So, I think the staff member also they require these things. And then we also provided couple of sessions to our staff also for stress management and things like that.*

Conversely, whilst the pandemic placed stressors on anti-trafficking workers, one national stakeholder we interviewed noted that many activists could not work and were forced to stop through lockdowns so got a chance to rest and consider their approaches afresh.

5.2. Anti-trafficking governance: strategy and planning, partnership working, and data and insight.

5.2.1. Data and insight on trafficking

The research team found that in Ilam and Jhapa, stakeholders in local government, civil society organizations, and various positions of leadership or responsibility in the community had differing understandings of the nature and scale of trafficking in their local areas. In part, this appears to be due to varying access to data and evidence on migration and trafficking, an issue identified by several interviewees.

Local government role-holders and community workers were asked, just as survivors were, about their understanding of trafficking and about the prevalence of trafficking in their communities. This revealed a range of different understandings, as well as different levels of information on the scale and nature of trafficking in the local area. Some role-holders did identify the risks associated with foreign employment and had specific information on cases of labor exploitation. On the other hand, two types of trafficking that our examination of survivor case data suggests are found in both Ilam and Jhapa – labor exploitation of migrant women workers and child marriage – were not mentioned by some interviewees when asked about trafficking, even though they identified other forms such as sex trafficking and child organ trafficking. Whilst this is quite tentative evidence, it corroborates findings from the project's baseline study report, which found relatively low levels of knowledge amongst 21 stakeholders in Mechinagar and Suryodaya municipalities on the nature of trafficking and how to respond to it (Terre des hommes, 2021).

Several interviewees described the importance of CSOs in providing information to local government on trafficking in their localities. CSOs and NGOs were also an important source of national level data. One local government interviewee argued that more needed to be done to use such data:

> *The State needs to pay attention to sensitive and impacted areas. We need to use whatever data human trafficking organizations... [have] to identify the regions that are affected the most and have the most people trafficked from. (Local stakeholder, Jhapa)*

5.2.2. Covid-19 and gaps in data and insight

There were a wide range of views on what happened to the prevalence of trafficking during Covid-19, with not only community members but also professionals and officials having divergent accounts of the impact of Covid-19.

Underlying this appears to be a lack of data and intelligence available to local stakeholders. This was even the case with role-holders we might assume had direct first-hand knowledge, as even those whose work involved the issue of foreign employment lacked wider information on trafficking in their area. Interviewees described a historical situation where people would migrate for work via India, and in these cases were not being recorded as migrant workers. One local anti-trafficking worker remarked that '*80 to 90 [%] of the people travelling through India*' were economic migrants seeking a cheaper migration route than the formal one, and that these people don't have formal documents and official records:

> *They won't have all the documents. Moreover, Nepal will have no official record of such people. Nepal only maintains records of people or workers who have passed through the labor. There are instances where people catch a flight through India when such routes suits them better, and that accounts for legal travel. But then about 80 to 90% people don't account for legal travel when they use routes through India. (Local stakeholder, Ilam)*

A couple of interviewees noted that it was only as a result of Covid-19 that data on border crossings was collected. As mentioned previously, several stakeholders pointed to the need for more national data on migration to be shared with local government to assist in understanding the local situation:

> *... government should introduce a policy of maintaining records at the local level, at the wards and municipalities. This should be included in the budget, policy and program. Because generally records are maintained at the center and the local levels are unaware of the whereabouts of the citizens within their jurisdiction. (Local stakeholder)*

However, one interviewee said that Covid encouraged local bodies such as the police and different levels of local government to recognize the need to understand which of their residents were working abroad, and to start to gather and keep records of migration for work at a local level.

Some interviewees highlighted the effects of the lack of a comprehensive understanding of trafficking and a lack of data on trafficking on initial government responses to the Covid-19 pandemic. They described how this resulted in Covid-19 responses that did not take account of the risks of people being trafficked or of the needs and vulnerabilities of returnees and trafficking survivors. For example, a survivor described the de-prioritization for Covid-19 relief of those who had gone for foreign employment because of the impression these individuals would have funds. National stakeholders described needing to build understanding of the circumstances of survivors, such as lack of citizenship documents, and their support needs during the pandemic.

5.2.3. Local planning and partnership working

Understanding the impacts of Covid-19 on the governance and coordination of anti-trafficking work needs to be understood against the backdrop of the devolution of power from national to local government level. In the context of this shift, some stakeholders expressed concerns about the degree to which different local governments were prioritizing and implementing national anti-trafficking measures. Some local stakeholders felt that more could be done at local level to provide a framework for anti-trafficking efforts:

> *Municipalities should be responsible and not say, 'it is not my duty'. Ward should also do the same. There are a lot of people who agree with that. (Local stakeholder, Jhapa)*

In some cases, stakeholders reported that mandated anti-trafficking structures such as district-level committees were implemented on paper only or had only recently been put in place. Elsewhere, stakeholders described municipalities putting in place a structure across wards to facilitate awareness-raising and rescue activities.

One local role holder, referencing the structures for priority-setting among local government, suggested there needed to be greater engagement by a wider group of local stakeholders with the issue of trafficking:

> *There's this practice, whereby women alone are expected raise problems of women, Dalits alone on the problems of Dalits. Whereas in reality all kinds of institutions, the state and the government should work on this. (Local stakeholder, Ilam)*

In sum, the picture is one of great variability in terms of local level resourcing and coordination of anti-trafficking work.

5.2.4. Impact of Covid-19 on anti-trafficking planning and partnership working

A number of interviewees at national and local level described how during the pandemic, CSOs had taken the initiative to deliver Covid-19 relief to different groups of people in society, including survivors, migrant returnees, bonded laborers, and women. At local level, partnership working continued in relation to anti-trafficking efforts such as border monitoring, with CSOs helping to monitor the border. One local stakeholder described collaboration amongst anti-trafficking organizations and public sector organizations as increasing during the pandemic:

> *Our collaboration increased. For instance, our cooperation increased with the Human Rights Forum at the ground level. They would refer cases to us, we would forward cases to them. Likewise, cooperation between the local governments and the prime minister employment program, local governments and the local women and children increased during this period. (Local stakeholder, Ilam)*

National CSOs also described undertaking advocacy work to bring to government's attention issues such as domestic violence during lockdown and the needs of groups such as HIV positive survivors.

Despite the high visibility of CSOs in the Covid-19 response, a few interviewees expressed concerns that the pandemic had decreased the dialogue and exchange of information between government and civil society when policies were being developed.

> *... during the Covid time, there were certain laws pass where and then nobody, even the consent stakeholder, didn't know about it. So, government were very, very, very, very closed. They didn't do any kind of, they were, they didn't invite it civil society. (National stakeholder)*

At local level, some interviewees described cross-agency meetings being interrupted, due in part to restrictions and in part to the focus of local government on Covid-19. Moreover, several CSO interviewees pointed out that local elections, with their accompanying changes in government personnel, would also disrupt working relationships.

We do not have enough information to gauge the extent to which joint working is being started or re-established in the aftermath of Covid-19. Some stakeholders described the re-launch of cross-agency joint working at municipality level, enabling organizations to share intelligence and coordinate anti-trafficking work, including both preventative work and rescue and support to victims. Local government stakeholders reported having fewer resources from the national level in the context of the economic downturn, with one interviewee explaining because they had limited resources themselves for the delivery of anti-trafficking activities, it was essential to work in partnership with CSOs and other agencies.

5.3. Preventative work

Much preventative work described by CSO and local government interviewees in Ilam and Jhapa could be characterized as awareness-raising activities aimed at the public, including projects intended to support people to make safer migration choices. Such awareness raising work was delivered by local or national CSOs, schools, the police, or local government. It was aimed at various groups, including students, women, and people living in rural areas, and took the form of social media, billboards, training events, street dramas, and information provided to people visiting government offices.

> *Though things are a bit inactive as of now, we had about two, three years back created safety nets at the wards and the village level. We had included lots of women in that structure… When the local people are trained on such issues and hazards, wrongdoers get wary and hesitate on taking things for granted. (Local stakeholder, Ilam)*

Interviewees who discussed these activities tended to think of them as effective, with numerous stakeholders mentioning the importance of education and awareness to prevention. Some local awareness work focused on supporting more informed decision-making around migration as an economic choice, with one anti-trafficking worker explaining

> *As to the case of access to information, we inform people on all aspects of foreign employment including the good and the bad realties… This also includes comparative information on how much they are earning in Nepal and will earn in countries they are migrating to… We counsel them in a realistic manner… Also in regard to financial literacy, we counsel people in cutting down unwanted expenses. We train them to maintain books, conduct comparative analysis on income and expenses. (Local stakeholder, Ilam)*

Several interviewees called for there to be awareness programs in every ward.

> *Various organizations are conducting awareness programs. Street drama and other plays are staged, people are more aware through the media, social media. Incidents have decreased as compared to the past. (Local stakeholder, Ilam)*
>
> *With awareness as well as propaganda that human trafficking is like this, it can have an effect. (Local stakeholder, Ilam)*

Some interviewees also thought that trafficking had reduced as a result of this work, although others critiqued certain approaches to it, including arguing that awareness alone without targeting the lack of employment opportunities and skills development would be effective. This perspective is supported by the various cases identified among the survivor-participant cohort where women migrated for work multiple times despite previous negative experiences.

Some of the described prevention work appeared to have an element of diversionary activities: that is, enabling alternatives to migration, or safer migration routes, though this was mentioned less often. Most respondents' ideas of prevention focused on changing the potential migrant's behavior, either by making them aware of the risks of trafficking pre-departure, or even by intercepting them on their journey. However, activities to provide prospective migrants with alternatives, such as skills training and connection with a range of opportunities provided by the government, were also mentioned by several local stakeholders.

5.3.1. Impact of Covid-19 on prevention and future preventative work

Some awareness-raising work continued during Covid-19, with interviewees describing both Shakti Samuha, Maiti Nepal, and the Safer Migration Project continuing to work in rural areas, alongside taking on relief distribution efforts. One project reported that despite not being able to go into the community, they aired radio advertisements encouraging people to call in for more information. A health worker explained that when delivering relief, they also counselled about trafficking. As seen in other countries, community workers adapted their work so that instead of group gatherings they met with very small numbers of people face-to-face, and also used virtual means to coordinate with other organizations.

However, the suspension or limitation of awareness-raising activities was discussed by several stakeholders and as one pointed out, during periods of total lockdown, field work was not possible. School closures also meant the suspension of classroom-based awareness work. One anti-trafficking worker argued:

> *We conduct a lot of community level programs, which are done with crowds. We could not gather crowds during Covid. We had to reduce our own movement. We could not conduct our awareness programs. Because we could not do these back then, I think what's happening now with the issue of visit visas for foreign employment is an impact of Covid. (Local stakeholder, Jhapa)*

Moving into 2022, some municipalities restarted awareness-raising work with rural youth. Unfortunately, we could not establish a full picture of the degree or length of disruption of awareness-raising activity.

In response to the impacts of Covid-19 on livelihoods, several stakeholders, including local government, identified the need for preventative measures going beyond awareness-raising and focusing on alleviating the impacts of Covid-19 on livelihoods. One local government interviewee described intervening with micro-credit organizations vis-à-vis their debt recovery, as they realized that women were migrating due to this debt. Another interviewee noted that trafficking victims who had returned during Covid-19 had re-migrated due to the lack of employment activities.

> *We are doing many awareness... We the workers from NGO sector, we should be little specific and shouldn't do only awareness instead we should endorse the vocational skill training. There should be discussion of seasonal agriculture because most places in our village are barren so we should make people grow productive agriculture. There should be establishment of industries. (Local stakeholder, Jhapa)*

A number of local government stakeholders said there was a need for the higher levels of government to assist with increasing local employment opportunities and skills development.

> *The government has to introduce self-employment and capacity development packages... the federal or the provincial or the local government has to introduce some relief packages, to uplift those at risk. (Local stakeholder, Ilam)*

Such comments should not be seen as implying that no livelihoods responses are forthcoming. One local government stakeholder described a range of programs they were delivering in partnership with CSOs and the private sector, including a livelihood program involving returnee migrants and a youth self-employment program. However, they also noted the lack of funds available to government to address the impacts on livelihoods.

5.4. Detection, enforcement, and justice activities

Different organizations from the state and civil society were found to be involved in collaborative efforts to conduct surveillance of the border, identifying and intercepting potential traffickers and victims. In fact, when asked about prevention, a number of stakeholders spoke about these efforts rather than other activities. This collaborative surveillance in local areas extended into the community, with community members themselves becoming additional eyes and ears in the efforts to detect traffickers:

> *We made a procedure and do have a committee to work against human trafficking. We have found many victims from other regions. We don't find any victim of human trafficking of this place. We work in coordination with Maiti Nepal and help the victim to get back to their district...This includes chambers of commerce, area police, teachers from school and children's communication.... We can get lots of information from the bus driver also, whether any new person has come or not if he is suspicious or not. We should also give training to the bus driver, taxi driver because they had taken 2 new people to Maiti Nepal and rescued them. (Local stakeholder, Ilam)*

At border crossings themselves, a number of CSOs described their work in intercepting and speaking with people who were going abroad and making them aware of the risks. Intelligence networks were also described as assisting with the immediate rescue of potential victims. Both CSO and local government interviewees described rescue attempts when contacted by families about missing or stranded relatives.

However, in some cases, this conception of prevention of trafficking appeared to verge into the area of preventing women from migrating without informing their family (see the last quote in this section). In one case, a local government interviewee described this in relation to their own family:

> *The day before yesterday my 24-year-old sister-in-law was lost, we searched for many days. After searching for two days, we couldn't find her, we thought that she had gone to India. We said that we would contact the Armed Police Force in India. We were able to find her in India and brought back to Nepal. She said that she went on her own and came back, she went to look for a job but did not like the job and returned. If we work in network, it is easier to find such victims not only inside Nepal but also outside Nepal. (Local stakeholder, Ilam)*

5.4.1. Covid-19 and detection and enforcement

Interviewees reported interruptions to regular detection and surveillance efforts during the initial lockdown period. For example, one organization reported closing down for nine months, and then gradually re-opening with reduced staffing, and that the other organizations engaged in this work similarly shut down. Another CSO, when discussing organizational inactivity, explained that '*At that time, people's focus was only to control Covid from spreading'*. Some interviewees reported that police and other organizations who were engaged in detecting trafficking were hampered in both rescue and detection operations due to staffing shortages caused by illness.

While some CSO and local government interviewees reported that rescue work continued to take place, another interviewee described it as being interrupted during the lockdown period. A number of anti-trafficking workers described their frustration at becoming aware of people requiring rescue but being unable to assist due to travel restrictions.

The introduction of new checks (e.g. health checks) were brought in at what was previously an open border. Some interviewees felt that screening had reduced the number of people crossing in hope of work in India. However, the extent to which such checks were able to improve detection of trafficking is uncertain due to the diversion of traffickers to more minor border crossings, as previously discussed. Moreover, a couple of interviewees raised questions around the effectiveness of screenings that were conducted at border crossings:

> *…there is lack of security, everyone can easily pass through the border easily, the vaccine card is checked but not properly. If I give a vaccine card to my family relative then also, they say 'ok you can go'. (Survivor, Jhapa)*

There were mixed views on the impact of Covid-19 on local people's access to justice and redress. For example, one interviewee said in relation to their local judicial committee that although face-to-face meetings were suspended, the delivery of its programs aimed at women continued. (Judicial committees are municipal level bodies that can handle certain types of disputes, including domestic disputes, divorce and certain offences against the person, including denial of liberty. As such, they have a potential influence on a woman's vulnerability to trafficking, as well as a route for survivors to seek redress (Shrestha and Wagley (2020)).

5.5. The impact of Covid-19 on support services for survivors

Survivors gave mixed reports of whether or not they had received help during Covid-19, with some describing support for both livelihoods and immediate needs, and others saying that they had not had support in their villages. Where support for survivors had involved support for agriculture, or where survivors were working in retail businesses or social enterprises (for example, handicrafts or selling foodstuffs) set up to provide them with a livelihood, these ventures were impacted by lockdown just as other economic activity.

Several interviewees from public sector and civil society organizations recalled the acute need of returnees in quarantine or waiting at the border:

> *Because a lot of migrants were coming in to the country from India and abroad like Gulf and there were the most marginalized women with children, elderly people they were the most suffered people and they had to stay on the border for many days because Nepal government also closed all the borders, they did not let people into the country and even if they entered the country, that was like very mismanaged, people were at risk, they were not able to go home, they didn't have food. (National stakeholder)*

A number of CSOs described providing material support to returnees during Covid-19, or facilitating access to material support, regardless of what their normal activities were – for example, supplies for returnee migrants with infants, food and sanitary supplies, or housing for returnees – but we do not have information on how widespread this activity was.

> *You know when the Covid started at that time, the type of programming we were doing is mostly to ensure that the, you know, the returning migrant workers ...was around in linking them to the appropriate government schemes. You know, whatever government schemes were available at that point in time, like, you know, food, access to food. (National stakeholder)*

For those who returned during Covid-19, there was a general picture of the immediate material support available for returnee workers – whether victims of trafficking or not – as patchy, dependent on individual initiatives by different organizations, and with need far exceeding what was provided. A number of CSO interviewees described acting to meet survivor needs before government did, and believed that they therefore influenced the government support that was subsequently rolled out:

> *All the time we didn't work with government, but our work was duplicated later by the government.... So later government, when government prepared this relief packet, they started putting sanitary pads, children's napkins and everything in the package. (National stakeholder)*

However, whilst the government would later provide emergency relief to returnees, some interviewees argued that support for livelihood and work to ensure that communities accepted returnees (reintegration) remained an unaddressed gaps. One argued that government needed to ensure that returnees were prioritized for preventative activities such as livelihood support:

> *Like victim blaming [of returnee migrants] is there and there is no support mechanism in the family, in the society, from the government, support mechanism is lacking... There should be a special package or priorities or support system from the government, from the local government and we don't see such things....So, what I was asking them [political parties] "What are your special plans, schemes for those people who are returning who are most vulnerable, or who are survivors?" and they didn't have anything. (National stakeholder)*

5.6. Situation summary: the anti-trafficking sector after Covid-19

Covid-19's most immediate impacts on the anti-trafficking sector were the disruption in both its regular activities, including its participation in public policymaking, and its funding. At the same time, it appears that organizations maintained operational working relationships with government and were an important element in the Covid-19 relief efforts.

Interviews with local anti-trafficking organizations and role holders revealed a tendency to view preventative work as largely related to intercepting and/or warning potential victims about the dangers of trafficking. At the same time, some stakeholders spoke about the need for more structural interventions in the context of the economic impacts of Covid-19.

The experiences of organizations during Covid-19 – both CSOs and public sector – led some stakeholders to focus on the need for better data and the better use of available data, and to identify gaps in their delivery. Amongst the gaps identified by interviewees were the need for anti-trafficking organizations to have a greater focus on more upstream preventative measures, including those focusing on mitigating the effects on livelihood of the pandemic, and the need for more to be done to address the issue of support for Covid-19 returnees.

6. Discussion and recommendations

This exploratory study aimed to answer three main research questions:

1. How has Covid-19 impacted the factors underpinning TIP in the communities living in Jhapa and Ilam, two border districts of Nepal?

To answer this question, we first explored what factors and mechanisms underlie increased risk of trafficking and exploitation among our sample of women labor migrants. Taking a lifecourse approach, we showed how, besides immediate triggers, vulnerabilities to transnational labor trafficking start to accumulate from childhood and are shaped by socio-economic, gendered, ethnic, place-based and institutional structures. In line with existing literature, socioeconomic determinants included being born into a poor family, living in rural and remote areas with little access to economic opportunities, not owning agricultural land, financial precarity due to subsistence living, and subsequent indebtedness. These factors consistently affected survivors' lives from childhood until they became immediate causes for labor migration, especially after females become mothers with responsibility to feed, clothe and send their children to school. As described in chapter 4, migration decisions followed three main patterns: (1) a woman with no earning opportunities finds herself solely responsible for her children's expenses after family breakdown; (2) a crisis that worsens their families' financial precarity (e.g. steep healthcare costs, debt or loss of land); and (3) seeking better earning opportunities to alleviate their financial poverty.

Our findings specifically highlight the intersection between gender and poverty as a clear pathway for vulnerability to exploitation. A female child born into poverty heightens their risk of exploitation and trafficking as they go on to seek foreign employment in young adulthood. When girls, many survivors had to drop out of school because of their families' poor finances and traditional gender roles that de-prioritized their education and relegated them to the home to care for their family members and do domestic work. It is well-established in the literature that illiteracy, and low education and skills create increased vulnerability to trafficking and modern slavery. Forced and child marriage was another big factor in cementing survivors' exploitation from a young age in the form of marital domestic servitude, domestic violence and deception. When combined with women's financial dependency on their husbands, lack of economic opportunities and land ownership and institutional structures that put restriction on women's legal migration these factors increased survivors' risk of trafficking.

Place-based inequalities added to these vulnerabilities in the form of limited access to affordable healthcare, education, jobs and information (including that related to safe migration) in the rural areas of Ilam and Jhapa. Dalit communities known to live in remote areas were also disproportionately affected. Another relevant emerging finding was the adverse impact of environmental disasters like flooding and landslides on communities whose livelihoods depend on agricultural land.

Covid-19 has intensified most of these factors, thereby increasing the risk of labor trafficking and exploitation. Families' incomes were hit hard and many have ended up in high levels of debt. Those who are wage laborers, small business owners and those working in hospitality are thought to be the worst affected. Women and girls with caring responsibilities were also among the most disadvantaged by the pandemic, as family

breadwinners fell sick, died or lost their jobs leaving mothers with the sole responsibility to take care of their children. Domestic violence against women increased with rising stresses on family finances, increasing vulnerability to trafficking.

Covid-19 has also worsened barriers to access healthcare and education. Adverse health effects have impacted some people's ability to work. Additionally, place-based effects during the pandemic were manifested in the form of barriers faced by rural and remote communities to access Covid-19 relief packages distributed by the local municipalities.

2. Recognizing that early, unsafe, uninformed, unplanned and or irregular migration, may be a risk factor for exploitation, what migration business models, transit routes and practices predominated across this border prior to Covid-19, and what changes have been observed in response to the pandemic that are significant for TIP?

The migration journeys of our sample of women who survived international labor trafficking before the pandemic showed that while the majority took an active role in the decision to seek foreign employment, many were also targeted by recruitment agents (traffickers) within their communities or families who knew about the women's difficulties. However, it was clear that women were highly dependent on community members and agents for migration support, due to poor access to reliable and independent information, high travel expenses, and complex migration processes that did not match the education levels of vulnerable women.

The majority of our sample of 85 survivors were trafficked as domestic workers in Arab Gulf countries through India. Women took loans to pay agents large sums of money to issue their passports and other travel documentation. The choice of destination and type of work was in most cases made by the agent sending them abroad. Survivors were deceived about the terms of their employment and sometimes even about the destination country and the nature of work or employer. In transit, women were often kept for days, weeks or even months with other women in a locked room or flat in India before they were moved to the destination countries.

Barriers to formal routes of migrating, such as legal bans or lack of affordability, and lack of awareness about trafficking risk, were among the reasons that women migrated using less-safe routes, for example via India or using false papers. Moreover, as we have described, attempts to block informal channels of migration are challenged by the local population's use of a very porous border, and concerns have been expressed about the growth in informal migration due to deferred migrations during Covid-19. Additionally, evidence of multiple re-trafficking episodes among survivors confirmed that despite knowledge of risks, some women had little choice but to migrate again in hope for better opportunities that could alleviate their tough living conditions at home.

Our findings showed that while cross-border migration temporarily fell during the Covid-19 lockdown, it did not completely cease as traffickers were using covert tactics and unmonitored routes. Outside of the period of the actual border closure, although there were more controls on the border, there was still significant traffic. In the context of pandemic shortages and unemployment, routine crossing by local people in search of supplies and work during the less restricted periods of the pandemic may have increased.

3. What implications has Covid-19 had for the institutions and systems facilitating prevention of TIP and protection of victims of TIP?

Covid-19 restrictions disrupted the regular delivery of anti-trafficking and related interventions including prevention, detection and rescue. Besides constraints on face-to-face activities during the lockdowns, some of the anti-trafficking funding streams were diverted to deal with emergency responses to the pandemic. Concerns were raised that some of these funding sources are not returning to the same levels as prior to the pandemic. Covid-19 has taken a toll significant on anti-trafficking personnel who worked in distressing situations, personally and professionally, including the loss of colleagues and immediate family members.

Moreover, anti-trafficking efforts since Covid-19 lockdown seem to have been hindered by stakeholders' lack of a comprehensive understanding of systemic drivers of trafficking experienced by our survivor sample, and a lack of data and intelligence on trafficking routes at the local level both before and after the pandemic.

On the positive side, local partnership work between CSOs and anti-trafficking organizations seems to have continued during the pandemic. There have also been innovations in program delivery and ways of working.

Based on these findings we developed the following recommendations for anti-trafficking stakeholders to guide local interventions.

Recommendations

Local Government and Civil Society Organizations should:

Access

a. **Ensure that survivors and returnee migrants are among the prioritized target groups for mainstream programs seeking to address the impacts of Covid-19** on livelihoods and physical and mental well-being.

b. **Ensure livelihood and debt-relief interventions are targeted at 'financial precarity' hotspots** to maximize support for those communities disproportionately impacted by Covid-19.

c. **Ensure that awareness raising and support activities under counter-trafficking and migration programs reach more remote communities,**

d. **Ensure that community level interventions target all relevant community members** including children and youth, women and girls, men, and different social/ethnic groups.

Gender

e. **Address the gendered nature of poverty within livelihood and anti-trafficking interventions,** with a focus on enhancing women and girls' financial independence, skills and knowledge. There should be an emphasis on progression towards and access to job opportunities in sectors that are well regulated and appropriately paid.

f. **Take concrete steps to support the advancement of gender equality** e.g. commit to undertaking a Gender Equality and Social Inclusion (GESI) audit of programs and activities, and take actions to address issues identified that hinder progress towards gender equality.

g. **Identify and take steps to address gender norms and practices that exacerbate vulnerability to trafficking,** through community awareness campaigns and interventions targeting males and females, as well as local decision-makers.

Migration

h. **Provide free migration support services at the local level with regular outreach activities** in villages to provide information for prospective migrants and help them with bureaucratic migration processes (echoing NHRC's (2018) recommendation).

i. **Provide local government oversight of existing provincial and federal services at the local level** to equip local decision makers with improved, up-to-date intelligence on migration and links to their residents working abroad.

Ways of working

j. **Identify and share what works well in aiding cross-sector and cross-organization anti-trafficking collaboration** during Covid-19 between local areas. Additionally, local collaboration should not be limited to operational cooperation: national level networks supporting policy engagement on trafficking may provide a useful blueprint for similar, more localized policy engagement.

Civil Society Organizations should:

Intervention Design

k. **Ensure the meaningful involvement of survivors in the design, delivery and evaluation of support programs, awareness raising and information-sharing** on safer migration.

l. **Ensure that decision-maker and practitioner-focused awareness programs include the socio-economic, cultural, and institutional factors driving trafficking,** including women and child rights, and appropriate responses to these.

m. **Design and implement early intervention programs,** such as those to alleviate child poverty, school drop-outs, and child and forced marriage.

n. **Ensure that support is provided to at-risk groups and individuals at the earliest possible opportunity,** e.g., individuals should be supported against domestic abuse, debt, and loss of livelihood long before they have begun the process of preparing to migrate.

THE GOVERNMENT OF NEPAL SHOULD:

POLICY

o. **Remove all sex-specific regulations limiting females' ability to migrate.**

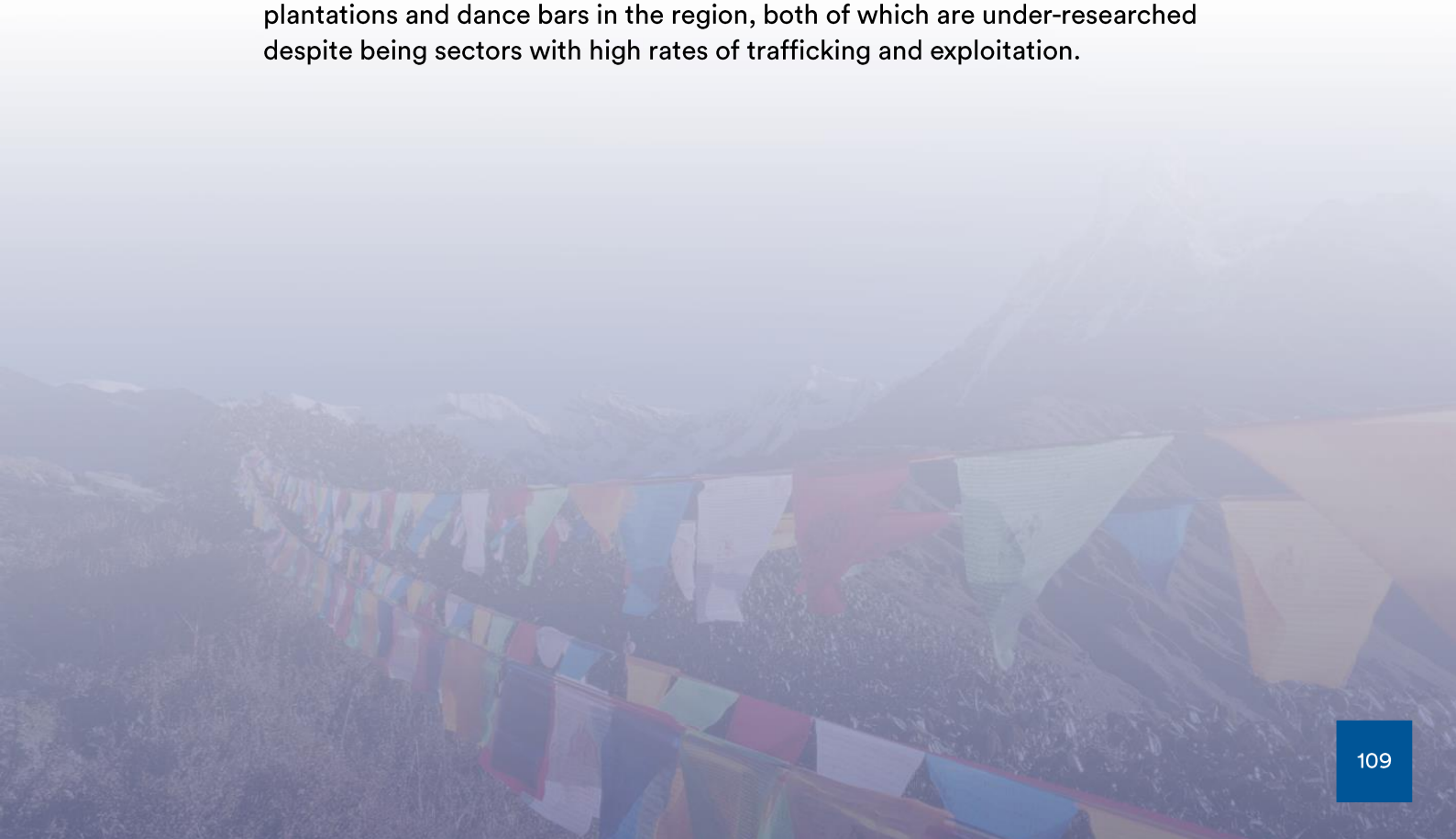
p. **Amend the definition of human trafficking in Part 2.4 of the Human Trafficking and Transportation (Control) Act, 2064 to include forced and early marriage and trafficking of females for labor.** Update all related guidance and communication accordingly.

q. **Collate data and report on the exploitation of migrant workers in both official measures of trafficking and in trafficking prosecutions.**

FUNDERS SHOULD:

r. **Prioritize initiatives that build the capacity of civil society organizations and local government to generate and share robust data and evidence that will support anti-trafficking work.** This should include support for research, monitoring and evaluation to underpin interventions targeting the root causes of trafficking (e.g. data on prevalence of risk factors at local levels) and data to support effective engagement with policymaking.

s. **Fund further research in the region to include other high risk sectors, namely tea plantations and adult entertainment.** As noted, the sample for this study was necessarily limited, however, the team noted a significant presence of tea plantations and dance bars in the region, both of which are under-researched despite being sectors with high rates of trafficking and exploitation.



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The Rights Lab study team members and contributors

The Rights Lab members of the study team[16] (listed in alphabetical order) were:

Krista Blair is a specialist in participatory research and evaluation, and as a consultant has supported a wide range of people living with disadvantage and exclusion, including people with multiple and complex needs (e.g. people living with homelessness, mental health needs, and substance abuse); people experiencing domestic abuse; people suffering from social isolation; refugees and asylum seekers; and people living in poverty. She has supported fieldwork and project teams, including those working remotely, and has experience with fieldwork in rural settings. She also has experience carrying out research and evaluation as part of a wider CSO project, and in researching complex (social) interventions.

Laoise Ní Bhriain is a monitoring and evaluation specialist with significant personal and professional experience in Nepal and in the wider South Asia region. She has worked on anti-trafficking projects in various regions of Nepal that focused on a range of sectors and related issues including migrant domestic workers, marginalized populations, forced labor, survivor reintegration, and policy change and implementation. Through this Laoise has established a significant network of contacts and relationships with relevant Nepali organizations, including project partner Shakti Samuha.

Dr. Rana Khazbak is a Research Fellow within the Communities and Society team. Before joining the Rights Lab, she completed her doctoral studies at the LSE's Department of Social Policy. Informed by the capability approach and youth-centered participatory methods, her PhD study explored the impact of mixed-tenure social housing regeneration on young people's wellbeing in London. Previously, her research covered several youth-related issues including multiple disadvantages, inequalities in education and employment, homelessness, citizenship identities and online activities. In the past, she worked at international NGOs and research organizations including the UNDP, JPAL and the Population Council.

Charlotte Gray worked as part of the Rights Lab's Communities and Society Program, supporting recent and current studies of the effect of Covid-19 on localities and workforces; she was also involved in the evaluation of an educational intervention supporting workers' rights. She previously worked in the Rights Lab's Law and Policy Program, contributing to the Antislavery in Domestic Legislation Database. She achieved the best first-class degree in the University of Nottingham's School of Sociology and Social Policy in the graduating class of 2020, with a BA (Hons) in Sociology with Quantitative Methods.

The report was researched and authored by the Rights Lab study team with additional research and analysis by our Nepali colleagues Sagun Lawoti and Nani Maya Thapa. Study design and qualitative lead: Krista Blair. Principal investigator and study oversight: Dr. Alison Gardner. Quantitative lead: Charlotte Gray. Literature review lead: Rana Khazbak. Partnership and operations lead: Laoise Ni Bhriain.

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The Nepal members of the study team were:

Sagun Sunder Lawoti is currently studying for a Doctorate in Sociology at Tribhuvan University. His experience includes acting as a consultant, rapporteur and interpreter for numerous international organizations including ECPAT, UNDP, Asian Development Bank, UNICEF, IMF and USAID, among others. He has also worked as a journalist for The Everest Herald, The Independent and the Himalayan Times.

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Appendix One: Interview Topic Guides

Indicative Topic Guide for people with roles in organizations:

governance roles, practitioners and professionals, organizational caregivers (service providers), community groups or institutions

1 Respondent's background in relation to trafficking

a. Views on what constitutes trafficking or exploitation
   - In relation to men and women
   - In relation to children

[Showcard with variants of trafficking and borderline practices e.g. forced marriage; child marriage; *Kamaiya and Haliya* ; child labor; sexual exploitation; organ removal; domestic servitude; prostitution; forced labor; exploitation in a children's home; orphanage trafficking)

b. Organization's role in or interest in trafficking
   - Respondent's job role
   - Organization's purpose and activities in relation to trafficking: any activities the organization undertakes that contributes to
     - Prevention
     - Detection/discovery
     - Rescue and referral
     - Support/recovery/compensation/protection for victims.
   - Geographical area of responsibility and/or service delivery
     - History of organization's activities within Jhapa and Ilam

2 About trafficking in Jhapa and Ilam: Respondent's observations on trafficking

2.1 Participant views on the nature and scale of trafficking in Jhapa/Ilam before Covid

Types of trafficking, Level/scale of problem prior to Covid pandemic.

a. Are most/some victims people from this community or from other communities? Which communities? Why?

Views and observations on those individuals at risk of trafficking (personal factors) -- **Discuss circumstances/issues making it more likely person will be trafficked/exploited** e.g. Are some types of people more likely or less likely to be at risk in this community or coming to this community? Discuss which of these family/individual circumstances is most important?

Showcard with individual-level factors (migration/displacement; family relationships; caste/ethnicity; neighborhood, region or area person is from; marriage; family livelihood and finances; person's education/schooling; health or disability, including mental health; registration/citizenship; family or community expectations or traditions; place or position in the community; single or child-headed household; age; male/female; what they know/awareness; experiences of trauma or dislocation)

b. **Barriers and enablers of trafficking in the local community/locality.** Tell the respondent we want them to think about the longstanding or key issues in their local area. (Locality-level factors)

- What has this area historically had/not had that makes trafficking more likely?

- What does the local area have/not have that hinders trafficking?

Showcard with place-based factors (the open border; access to schools or training provision; policing and law enforcement; availability/affordability of housing; access to healthcare; local businesses and jobs; access to welfare/hardship services or supports; services for women; local services or support for children or youth; other services; local associations or groups; attitudes, behavior or powers of local government and local officials; legal aid or advocacy; history of the area.)

c. **Views and observations on those participating in trafficking**: What people are involved in carrying out trafficking? What circumstances make it more likely someone will take part in trafficking?

Showcard with characteristics of those taking part in trafficking (local vs non-local, relationships with victim, economic or social circumstances e.g. work/ livelihood; ethnicity/region . . .)

If local, discuss how people from the locality become involved in trafficking.

2.2 Participant views on the nature and scale of trafficking in Jhapa/Ilam during Covid

a. Barriers and enablers of trafficking during Covid

- What changes *during Covid* made trafficking more likely *in this local area*? Why?
- What changes hindered trafficking? Why?

If respondent has difficulty with question, produce showcard

Showcard of changes during Covid: (changes at the border; changes to people's movement/travel; changes to schooling; changes to jobs/incomes; changes to community services; employer or employee responses to Covid; changes in security or policing; new or different pressures on families …)

b. Are some people now more likely or less likely to be at risk than before Covid? Why?

c. Changes to what those participating in trafficking do AND changes to who is participating in trafficking (how they contact victims; movement of victims; nature of exploitation; behaviors in relation to crossing border; areas they operate)

3 Impacts on your organization and its anti-trafficking activity/services

a. Main challenges that Covid presented for your work/activity relating to trafficking.
   - Prevention activity and impact of Covid
   - Detection/enforcement and impact of Covid
   - Support and recovery for victims and impact of Covid
     - For each - Different/new/more or less activity or services? Different clients/people worked with?
     - New obstacles to delivery? Positive effects on your work?

b. Impacts on your organization overall
   - Funding/resources
   - Joint working or collaboration with other organizations
   - People – staff, volunteers, members, leadership
   - Physical location or assets
   - Information/ability to plan

Most serious/most long-lasting impacts? What effects do they expect to last past Covid?

Impacts on other organizations they work with/know?

Emerging from Covid – most serious, most long-lasting impacts? What effects do they expect to last past Covid?

What can be done about these impacts?

4 Ask participant who else would have information on what we discussed with them.

Indicative Topic Guide for individual community members – Survivors, informal carers, individual community activists and leaders

1 Respondent's background in relation to trafficking

a. Views on what constitutes trafficking or exploitation
   - In relation to men and women
   - In relation to children

[Showcard with variants of trafficking and borderline practices e.g. forced marriage; child marriage; *Kamaiya and Haliya* ; child labor; sexual exploitation; organ removal; domestic servitude; prostitution; forced labor; exploitation in a children's home; orphanage trafficking)

b. Person's own interest in problem of trafficking in Jhapa and Ilam

   - Connection to/role in Jhapa, Ilam, or related area e.g. a particular neighborhood or settlement within the target municipalities or surrounding area
   - How did they first become concerned with problem of trafficking?
   - Current activity/involvement in anti-trafficking efforts

2 About trafficking in Jhapa and Ilam: Respondent's observations on trafficking

2.1 Participant views on trafficking in Jhapa/Ilam *before* Covid

a. Types of trafficking, how much of a problem prior to Covid pandemic.

b. Are most/some victims people from this community or from other communities? Which communities? Why?

c. Views and observations on those individuals at risk of trafficking (personal factors) -- **Discuss circumstances/issues making it more likely person will be trafficked/exploited** e.g. Are some types of people more likely or less likely to be at risk in this community or coming to this community?

Showcard with factors (migration/displacement; family relationships; caste/ethnicity; region or area person is from; marriage; family livelihood; person's education/schooling; health or disability; registration/citizenship; family or community expectations or traditions; place or position in the community; single or child-headed household)

Which of these family/individual circumstances is most important?

d. **Barriers and enablers of trafficking in the local community/locality.** Tell the respondent we want them to think about the longstanding or key issues in their local area. (locality-level factors)

Showcard with place-based factors (the open border; access to schools or training provision; policing and law enforcement; availability/affordability of housing; access to healthcare; local businesses and jobs; access to welfare/hardship services or supports; services for women; local services or support for children or youth; other services; local associations or groups; attitudes, behavior or powers of local government and local officials; legal aid or advocacy; history of the area.)

- What has this area historically had/not had that makes trafficking more likely?

- What does the local area have/not have that hinders trafficking?

e. **Views and observations on those participating in trafficking**: What people are involved in carrying out trafficking? Are the people involved from this/other communities? What circumstances make it more likely someone will take part in trafficking?

Showcard with characteristics of those taking part in trafficking (local vs non-local, relationships with victim, economic or social circumstances e.g. work/ livelihood; ethnicity/region . . .)

If local, discuss how people from the locality become involved in trafficking.

2.2 Participant views on the nature and scale of trafficking in Jhapa/Ilam *during* Covid

a. Barriers and enablers of trafficking during Covid

- What changes *during Covid* made trafficking more likely *in this local area*? Why?
- What changes hindered trafficking? Why?

If respondent has difficulty with question, produce showcard

Showcard of changes during Covid: (changes at the border; changes to people's movement/travel; changes to schooling; changes to jobs/incomes; changes to community services; employer or employee responses to Covid; changes in security or policing; new or different pressures on families …)

c. Are some people now more likely or less likely to be at risk than before Covid? Why?

d. Changes to what those participating in trafficking do AND changes to who is participating in trafficking (how they contact victims; movement of victims; nature of exploitation; behaviors in relation to crossing border; areas they operate)

3 Participant views on how Covid affected anti-trafficking efforts

Main challenges (and/or positive effects) that Covid presented for those fighting trafficking:

- Prevention activity and impact of Covid
- Detection/enforcement and impact of Covid
- Support and recovery for victims and impact of Covid

Most important effects? Most long-lasting?

Priorities for those fighting trafficking after the pandemic has passed?

4 Ask participant who else would have information on what we discussed with them.

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