Human Trafficking in Post-Earthquake Nepal
Impacts of the Disaster on Methods for Victim Recruitment

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List of abbreviations

CRS  Catholic Relief Service
CTIP  Combating Trafficking in Persons
DCWP  Danajon Communities Watch Project
GDP  Gross Domestic Product
GoN  Government of Nepal
HTTCA  Human Trafficking and Transportation (Control) Act
IFRC  International Federation of Red Cross and Red Crescent Societies
MANK  Mahila Aatma Nirbharta Kendra
MWCSW  Ministry of Women, Children, and Social Welfare
SAIEVAC  South Asia Initiative to End Violence Against Children
TAF  The Asia Foundation
THTCP  The Human Trafficking Project
TIP  Trafficking in Persons
OHCHR  Office of the High Commissioner for Human Rights
UN  United Nations
UNEP  United Nations Environment Programme
UN.GIFT  United Nations Global Initiative to Fight Human Trafficking
UNICEF  United Nations Children’s Fund
UNODC  United Nations Office on Drugs and Crime
US  United States
USD  United States Dollars
VDC  Village Development Committee

Experts Interviewed

Achyut Kumar Nepal – Communication Officer for Maiti Nepal: At the time of the interview, Achyut Kumar Nepal had been working for Maiti Nepal, the best-known anti-trafficking organization in Nepal, for eight years. Maiti Nepal, which was founded by 2010 NZZ Heroes awardee Anuradha Koirala in 1993, focuses on the prevention of girl trafficking and the rehabilitation of trafficking survivors through counselling and non-formal education.

Krishna Bahadur Gurung – Project Coordinator for Mahila Aatma Nirbharta Kendra (MANK): Krishna Gurung has worked for MANK for the past 20 years. Stationed directly in the working area, he has led
projects on the reduction of human trafficking and child labour as well as gender-based violence. His responsibilities include the conduct of awareness raising campaigns, the establishment of transition centers for children and women and the support of protection units at local and district level.

*Maija Karolina Liakka – Child Protection Consultant at UNICEF Nepal:* After having worked as an advisor on child protection at the East Finland EU Office in Brussels for a year, Maija Liakka joined the UNICEF Nepal Child Protection unit in 2013. UNICEF Child Protection supports the Government of Nepal in establishing and implementing a child protection system. Furthermore, the unit works with local partners in the fields of prevention and advocacy of human trafficking as well as the rescue and reintegration of victims. Activities conducted in these fields include awareness raising programmes, psychosocial counseling, the establishment of screening points along national borders and the support of transit centers for victims, among others (UNICEF 2015a).

*Nripendra Khatri – Protection and Accountability Officer for Catholic Relief Service (CRS):* Before joining CRS to support post-earthquake relief efforts, Nripendra Khatri worked as a programme director for Prisoner Assistance. There, he gained experience in psycho-social therapy and vocational training for youth with criminal backgrounds and survivors of human trafficking.

*Rajan Burlakoti – Child Protection Officer for UNICEF:* Before his appointment at UNICEF (for a description of the UNICEF programme see Maija Liakka above), Rajan Burlakoti worked as a Project Coordinator for Maiti Nepal and as a Campaign Coordinator for the South Asia Initiative to End Violence Against Children (SAIEVAC). Thus, he has extensive experience on working with various stakeholders on different issues connected to human trafficking.

*Shareen Tuladhar – Programme Manager of the Combating Trafficking in Persons (CTIP) Programme at The Asia Foundation (TAF):* The CTIP programme works on the prevention of human trafficking and seeks to improve the protection, reintegration and rehabilitation of trafficking survivors. In order to achieve this, the programme supports the government in the development of guidelines and policies. Furthermore, CTIP promotes safe labour migration and capacity building trainings for communities, care givers and law enforcing officials.
1. Introduction

“This is the time when the brokers go in the name of relief to kidnap or lure women”, an anti-trafficking expert warned after the devastating earthquake that struck Nepal on 25 April 2015 (The Guardian 5 May 2015). “People here are now desperate and will take any chance”, another local community worker said, “there are spotters in the villages who convince family members and local brokers who do the deal” (The Guardian 5 May 2015). In fact, the phenomenon described by these statements is not new: similar scenarios were reported after other major natural disasters of recent years, including the 2004 Tsunami, cyclone Nargis that hit Myanmar in 2008, and the 2010 earthquake in Haiti (U.S. Department of State 2005; THTP 2008; U.S. Department of State 2013).

Despite numerous media reports on human trafficking in post-disaster situations, academic research on these topics is still lacking behind. Thus, the UNEP (2011) note that “great uncertainty exists regarding the possible elevated levels of exploitation during political conflicts or climate related disasters”. Similarly, in a study aimed to better understand the ways in which natural disasters can increase the risk of trafficking, Andreas Psota (2014) finds that the methods used by recruiters in and after disasters have not been sufficiently analyzed in existing studies. In concrete terms, he states that more research should be done on the question whether traffickers use the same methods to recruit victims in and after disasters as in normal circumstances, or whether methods are adapted and new ones created. The aim of this paper is to contribute towards closing this last knowledge gap by 1) seeking to understand the ways in which the recent earthquakes have changed the context of human trafficking in Nepal and then 2) analyzing if and how, in response to this new context, methods for victim recruitment have changed. The analysis will be based on literature research and interviews conducted with six protection experts working on anti-trafficking projects for CRS, Maiti Nepal, MANK, TAF and UNICEF in Nepal.

In addition to helping close knowledge gaps in academic literature, the findings of this study can contribute towards a better understanding of human trafficking in a country where the phenomenon already presented a major challenge long before the recent disaster. Furthermore, as anti-trafficking interventions depend on an in-depth understanding of the methods used by traffickers, the results of this paper can serve as a point of reference for organizations working to combat the sale and exploitation of men, women and children in Nepal.

1.1 Definition of Key Terms

According to article 3 of the UNODC Protocol to Prevent, Suppress and Punish Trafficking in Persons, human trafficking consists of the following three elements:

1. **An Act** such as recruitment, transportation, transfer, harbouring or receipt of persons.
A Means such as threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.

3. A Purpose such as exploitation, which includes but is not limited to sexual exploitation, forced labour, slavery and the removal of organs (UNODC 2000).

The Trafficking in Persons Protocol further stipulates that wherever one of the means listed above have been applied, consent of the victim is considered irrelevant. Finally, the protocol states that in the case of child trafficking, two elements, namely act and purpose, suffice to determine a case. In the context of the present investigation, the terms human trafficking and trafficking in persons will be used interchangeably.

A second key term is that of the natural disaster. Following the definition given by the International Federation of Red Cross and Red Crescent Societies (IFRC), a natural disaster is understood as a sudden, calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community’s or society’s ability to cope using its own resources (IFRC 2015).

Finally, the time frame implied when speaking of human trafficking in or after natural disasters needs to be defined. Following Psota 2014, the present study acknowledges that impacts of a disaster may be felt not only in the immediate aftermath of a shock, but still months and years later. Thus, the wording in and after the disaster is understood to include a long-term perspective.

1.2 Method of Data Collection and Analysis
The main findings presented in this paper are based on interviews with six experts working in anti-trafficking projects. For more information on the interviewees and their backgrounds, refer to the section Experts Interviewed in the preface. The number of interviewees was limited to six as the key information provided by them was largely similar. Therefore, it was expected that further interviews would not result in a significant change of the overall findings. This impression was confirmed in informal conversations held with other protection experts working in Nepal.

The interviews were based on the questionnaire included in annex 6.1. However, the questionnaire was used as an orientation point rather than a strict guideline. Thus, additional questions were added and the order of questions adapted to the course of the conversation where appropriate. In order to be able to take notes efficiently while still being able to maintain eye contact with the interviewee, the answers were noted down with the help of a notebook.

The analysis of the interview notes was based on the categorization system of content analysis (Früh 2004; Mayring 2004). Following the procedure proposed by Werner Früh, the notes were first
structured on the basis of a number of categories that represent the primary interests of the study. For example, the category method was used to classify statements describing methods of victim recruitment. In a second step, each of these main categories was in turn divided into a set of sub-dimensions. For instance, excerpts labelled method were further differentiated by headings such as employment or marriage, indicating that traffickers promised employment or asked for the victim’s hand in marriage respectively. Where useful, further sub-dimensions were added.

2. Context

2.1 Human Trafficking in a Non-Disaster Context

2.1.1 Factors that Cause or Affect Human Trafficking

To be able to understand changes in the human trafficking context in and after a disaster, we first need to describe the starting point against which these changes are measured. This description is based on the assumption (in the following referred to as assumption 1) that human trafficking can be understood as the result of a multitude of interdependent factors. Thus, the present section will outline some of the factors that cause or affect human trafficking in a non-disaster situation. Due to the complexity of the issue and the many variables of the phenomenon that are still unknown, this outline needs to be understood as an approximation of reality.

According to Kevin Bales (2007), the likelihood of human trafficking from a country depends on the level of corruption within the government, infant mortality rates, demographic data such as population density and age distribution, food production and political stability. Apart from factors linked to the source country, root causes for human trafficking include the demand for sex workers, organs and cheap labour force at destination points in- and outside the source country, among other factors (Psota 2014).

The table below lists factors that were named as contributors to human trafficking by experts from CRS, Maiti Nepal, MANK, TAF and UNICEF as well as Psota (2014) and Bales (2007).
Fig. 1: Factors contributing to processes of human trafficking

For reasons of simplification, root causes of individual factors have not been included in the overview. Similarly, the table does not reflect interdependence between factors, e.g. the fact that political instability, which is listed under state level, can at the same time present a root cause for unemployment at the victim level. Despite these shortcomings, the overview helps illustrate assumption 1, namely that human trafficking is the result of a multitude of interdependent factors.

2.1.2 Human Trafficking in Pre-Earthquake Nepal

Human trafficking in Nepal occurs among men, women and children who are trafficked from, through or to Nepal. The figure below depicts the composition of victims as reported by the UNODC (2012):
According to MANK, human trafficking mainly occurs among socially and economically disadvantaged groups such as the Tamang and the Dalit communities. The majority of victims are women and girls, unregistered migrants or migrants relying on unregistered recruiting agents. The types of exploitation most frequently reported are sexual exploitation and forced or bonded labour. Forced and bonded labour occur in agriculture, construction, factories and mines, in the domestic service sector as well as in begging and in the adult entertainment industry. Apart from domestic trafficking, victims are frequently brought to India, but also to China and other countries in Asia as well as to the Middle East, sub-Saharan Africa and the USA. (U.S. Department of State 2015). While recent and reliable statistical data on the number of trafficking cases in and from Nepal are not available, it is estimated that around 11,000 – 13,000 girls and woman work in the night entertainment industry in the Kathmandu Valley alone (UNICEF 2015a). Additionally, UNEP estimates that 12,000 – 20,000 women and children fall victim to trans-border human trafficking every year, with around 30% of them ending up in conditions of forced labour and around 70% being exploited as sex workers (UNEP 2011).

Through the 2007 Human Trafficking and Transportation (Control) Act (HTTCA) and subsequent regulations, Nepal prohibits slavery, bonded labour, forced prostitution, facilitation of prostitution and the removal of human organs. However, while the Act criminalizes exploitation, it does not address the process of recruiting, transporting, harboring and receiving victims of trafficking. Similarly, the HTTCA does not recognize child prostitution as trafficking in the absence of coercion, fraud or force, although this has been defined as a form of trafficking by the 2000 UNODC Protocol to Prevent, Suppress and Punish Trafficking in Persons (see section 1.1). In addition to the provisions of the HTTCA, Nepal prohibits forced child labour and transnational labour trafficking through the Child Labour Act and the Foreign Employment Act respectively (U.S. Department of State 2015).

The government of Nepal has established Women and Children Offices as well as District Committees on anti-trafficking in all 75 districts of the country. Further main actions taken to combat trafficking include awareness raising in the communities and the support of eight victim rehabilitation centers (UNICEF 2015a). Despite these efforts, however, investigation procedures, victim protection and

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1 Based on the officially abolished but socially still widely practiced cast-system, members of the Dalit community are considered “impure” and “untouchable”. As a result, they are often landless and face stigmatization at public places such as drinking water taps and health services. Similarly, children of Dalit families are often seated in the last rows of the classroom and are excluded from cooking activities in school (Dalit NGO Federation 2013). Just as the Dalit community, the Tamang belong to the poorest in the country.

2 Bonded labour is additionally prohibited through the 2002 Bonded Labour (Prohibition) Act (U.S. Department of State 2015: 258).

3 These centers are in Kathmandu, Sindhupalchok, Jhapa, Parsa, Rupandehi, Chitwan, Banke and Kailali (UNICEF 2015).
the implementation of anti-trafficking laws continue to present a major challenge in Nepal (U.S.
Department of State Report 2015).

2.2 Human Trafficking in the Context of Natural Disasters

2.2.1 The Impact of Disasters on Human Trafficking

The investigation at hand is based on the following three assumptions:

Assumption 1: Human trafficking is the result of a multitude of interdependent factors (for a
discussion of these factors see section 2.1.1).

Assumption 2: A disaster will affect some of these factors and possibly their composition.

Assumption 3: Methods used by traffickers to recruit their victims respond to these factors. For example, if food production in the source country is low and unemployment high, traffickers may respond by promising victims jobs in a country where the demand for cheap labour force is high.

The logic of these assumptions implies that in a post-disaster context, the way trafficking is done may – but need not – change if factors such as the ones outlined in section 2.1.1 change. For example, if unemployment rates in the source country experience a sudden rise, recruiters may reduce attempts to lure their victims with promises of good education and may instead come up with new, additional promises of lucrative employment abroad. This line of thought implies that if we wish to understand possible changes in recruiting methods after a disaster, we first need to understand the ways in which the disaster affects the factors that cause and influence human trafficking. Thus, in the following, two studies addressing the impacts of natural disasters on human trafficking will be discussed: a theoretical framework put forward by Andreas Psota (2014) and an empirical study prepared by Alburó-Cañete et al. (2014).

In his study on increased risks for human trafficking in post-disaster situations, Andreas Psota (2014) developed the Framework for Human Trafficking in Natural Disasters. The framework differentiates three primary factors that determine effects of a disaster on the human trafficking situation.

1) **Disaster Focus**, i.e. the level of destruction, which may include the loss of assets, the loss of income possibilities, or the death or invalidity of the breadwinner.

2) **Vulnerability Focus**, i.e. the level of vulnerability: in a non-disaster context, conditions that increase vulnerabilities (e.g. poverty, lack of opportunity, lack of adaptation strategies) tend to develop in a long-term process before resulting in a decision that increase the risk for trafficking (e.g. the decision for unsafe migration). In the case of a disaster, this process may be cut short and vulnerabilities can suddenly be exacerbated by the consequences of destruction. For example, the loss of house and assets may increase the likelihood of trusting offers for work abroad faster and
with less prior information-seeking than in a non-disaster context. As a result, susceptibility to fall for false promises increases.

3) **Human Trafficking Focus**, i.e. the level of the traffickers’ accessibility to the victims, which is substantially influenced by official security mechanisms such as police, the judicial system or implementation of anti-corruption policies on the one hand and on unofficial social structures and safety nets on the other. For instance, traffickers may be able to act more freely as police and government institutions are overwhelmed by the impacts of the disaster. At the same time, relocation, separation of family members or children left alone after a disaster result in a loss of community protection and thus in a greater risk for trafficking.

The three factors thus outlined are closely interrelated and show significant overlaps. Keeping this in mind, Psota’s frame work can be depicts ed as follows:
Overall, Psota’s framework thus suggests that the destruction caused by a natural disaster results in a change of mainly two factors that cause and affect human trafficking, i.e. the vulnerability of potential victims as well as official and unofficial protection mechanisms. If these factors experience adverse changes, he proposes, the risk for human trafficking increases.

A second major study assessing the link between natural disasters and human trafficking is the baseline study conducted by Alburo-Cañete et al. (2014) for the Danajon Communities Watch Project in the Philippines. Other than Andreas Psota, however, Alburo-Cañete et al. do not aim to put forward a theoretical framework, but rather seek to provide empirical evidence for the link (or the absence of a link) between disasters and trafficking in the Philippines. For this purpose, Alburo-Cañete et al. conducted qualitative interviews with 88 respondents who were either survivors of human trafficking or who possessed information about the trafficking experience of a person close to them. The interviews were complemented by household surveys and institutional capacity assessments. Based on this vast corpus of data, Alburo-Cañete et al. reached a conclusion similar to the one presented by Psota:

\[ \text{The severity of disaster does not directly and automatically cause a rise in human trafficking. It does, however, have a direct impact on livelihoods. The disruption of livelihood activities especially of those who are already in impoverished conditions can lead to certain sectors becoming more prone to human trafficking and other forms of exploitation.} \]

\[ \text{(DCWP 2014)} \]

In addition to the impact on livelihoods, Alburo-Cañete et al. identify the disintegration of social support systems as a further factor that increases the risk for exploitation after a disaster (DCWP 2014). Thus, both Psota and Alburo-Cañete et al. propose that disasters affect the human trafficking situation primarily via the disruptions of livelihoods and social protection systems.

In the following, the theoretical base developed in this section will be applied to the case of post-earthquake Nepal.

2.2.2 The Case of Post-Earthquake Nepal

The earthquakes that struck Nepal on April 25th and May 12th caused massive destruction in infrastructure, including health posts, heritage sites, government buildings, roads and water supply systems. Additionally, over half a million families have lost their houses, and nearly 7,000 schools have been reduced to rubble. Overall, around eight million people – one-third of the country’s population – is

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4 The Danajon Communities WATCH Project aims to prevent human trafficking on and around the Danajon Bank in Central Philippines through enhancing the resilience of impoverished and vulnerable communities (DCWP 2014: 2)
estimated to have suffered some type of loss or damage as a result of the earthquakes. Among those affected, poor rural areas have suffered more adverse impacts than town and cities, and women more than men (GoN 2015). Thus, those hit the hardest by the earthquakes are those who were already most vulnerable before the disaster. “These people now have no access to food, water and shelter, and any promises and offers can easily attract them” Nripendra Khatri, Protection and Accountability Officer for CRS, says. Shareen Tuladhar from The Asia Foundation (TAF) describes a similar situation when stating that “vulnerabilities have exasperated as the economic status dropped”. “The only possibility to recover from this situation”, Rajan Burlakoti from UNICEF explains, “is to migrate or re-migrate, which greatly increases the risk to fall victim to human traffickers”. These statements by local protection experts are in line with the theories of Psota and Alburu-Cañete et al., which maintain that the destruction of livelihoods increases the vulnerability to exploitation.

In addition to material losses, over 8,790 people lost their lives and around 22,300 were injured in the recent earthquakes in Nepal (GoN 2015). As a result, many family-based protection structures have been disrupted as children lost parents and women were widowed. “These women and children face an increased risk of exploitation”, Nripendra Khatri says. Similarly, Khatri states that women and children who sleep outside with no access to secure facilities after the earthquake are at a higher risk of misuse. However, it is not only the breakdown of household-based security structures that increase the vulnerability of earthquake-affected persons: Shareen Tuladhar explains that in some areas, traffickers escaped from collapsed jails and may try to take advantage of the emergency situation by restarting their business with human lives. As these expert statements illustrate, the breakdown of private and public protection mechanisms presents another main cause for an increased risk for human trafficking in post-
earthquake Nepal. As in the case of material losses, this finding is in line with Psota and Alburó-Cañete’s theories presented above.

In response to the heightened risk of human trafficking in the post-earthquake context, government and non-government agencies have sought to implement emergency protection measures, which present a further factor in shaping the dynamics of human trafficking in the post-disaster context. In concrete terms, the Government of Nepal prohibited children under the age of 16 to travel outside their home district without an adult approved by the district Child Welfare Boards. Similarly, cross-border adoption of children from Nepal was put on hold for three months after the disaster (The Himalayan 27 May 2015; UNICEF 2015a), and the Nepalese police established additional control mechanisms in earthquake-affected areas, especially in temporary settlements, along transportation routes and in border areas (The Himalayan 18 June 2015). Finally, the department of immigration conducted special trainings on human trafficking for all immigration officials and launched nationwide awareness programmes through the mass media (UNICEF 2015a). Despite these efforts, however, Nripendra Khatri points out that “the government is very slow in implementing programmes for earthquake victims”. Instead of providing support, he says, the authorities focused on the new constitution\(^5\) in the aftermath of the earthquake. As a result, he concludes, ensuring protection in the post-disaster context mainly depends on the work of NGOs and INGOs. Emergency protection measures implemented by the latter include border patrolling, the establishment of checkpoints (Maiti Nepal, TAF and UNICEF, a.o.), the identification of women and children at risk (UNICEF, a.o.) and the support of transit centers and shelters for victims (TAF and UNICEF, a.o.). Furthermore, numerous organizations set up information desks and conducted campaigns to raise awareness on potential risks as well as support available (TAF and UNICEF, a.o.) (UNICEF 2015b).

So far, this section has suggested that vulnerability to human trafficking seems to have increased, which triggered a response by various agencies seeking to enhance protection. However, although experts agree that vulnerabilities have increased, no definite figures on changes in the numbers of actual trafficking cases can be provided (UNICEF 2015a). In fact, figures given by various agencies differ widely: according to the Nepalese police, incidents of human trafficking increased by 50 per cent after the disaster – from 10 cases in the month before to 15 cases in the month immediately after the first quake (The Himalayan 18 June 2015). Much larger absolute numbers of cases have been recorded by the border control posts established by Maiti Nepal, who report an increase in trafficking by around 200-300

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\(^5\) In 2006, at the end of a 10-year civil war, Maoist rebels voiced the demand for a new constitution. However, due to internal conflict, subsequent attempts to draft a new constitution failed. Only nine years later, reportedly as a result of the disastrous consequences of the earthquakes, traditional parties and the Maoists concentrated their efforts to push through a new draft constitution on 20 September 2015. Based on the new constitution, Nepal will become a federal republic divided into seven newly drawn-up states. However, the proposed delineation of the new states led to severe conflicts, especially in Nepal’s Tarai region along the Indian border (BBC 2015).
trafficking cases in the three months after the earthquake as compared to the three months before the disaster. Based on organization-internal statistics, this represents an increase by 20-30%. Achyut Kumar Nepal, communication officer for Maiti Nepal, notes that “while this is an increase, it is not as drastic as has been reported by the media”. In contrast to police statistics and Maiti Nepal, UNICEF representative Rajan Burlakoti is more hesitant to confirm an increase in cases at all, stating that “there is no evidence for an increase in numbers, but we see more women and children approached in ways that are usually linked to a risk”.

To sum up, this section has shown that the earthquakes have affected at least two factors that crucially influence the human trafficking situation in Nepal, namely livelihoods and social protection mechanisms. Furthermore, emergency protection measures by various agencies have been shown to represent one of the factors that has been added to the variables that help shape the dynamics of human trafficking in the post-disaster situation. According to the logic outlined in section 2.2.1, changes in the factors that shape human trafficking may in turn result in changes in recruiting methods used by traffickers. In the reminder of this paper, it will be analysed if and how the impacts of the disaster have changed methods of victim recruitment in Nepal. The analysis will be based on the discussion of specific recruitment methods observed by protection experts working in anti-trafficking projects.

3. Results and Discussion

3.1 Recruiting Methods used by Traffickers in Disaster and Non-Disaster Circumstances

In this chapter, methods used by traffickers to recruit their victims will be discussed. Thereby, the focus will be on the encounter or event that causes the victim to leave his or her family and community. Methods used in later stages, e.g. recruiters forcing victims to lie to border officials, or traffickers offering bribes to government officials for support and protection (UNODC 2012), will not be considered here. Before turning to the analysis of methods specific to the Nepalese context, a few general considerations on recruiters and their approaches will be provided.

As Achyut Kumar Nepal, communication officer for Maiti Nepal, points out, victims of human trafficking are generally recruited either through a relative, through an individual outside the family or through an agency. For example, in family-based recruitment, a person who has sold his kidney may convince his cousin to do the same. “A relative knows about the household situation, and he or she can easily convince other family-members”, Krishna Gurung says. In the outsider-based approach, a foreigner might offer lucrative employment opportunities in town or abroad, or he may pretend to fall in love with a young girl to bring her under his control. In cases such as these, recruiters are usually from the same social, economic or ethnic groups as those they recruit, and in significantly more cases they are woman than man. According to the United Nations, in almost half of all cases, the first person in contact with the
victim in the process of recruitment is either a relative or an acquaintance from the same social group. In agency-based recruitment, an agency for foreign employment may offer to provide fake documents at high fees to those who do not have legal papers, thus gaining some degree of dependency from the victims (UNODC 2012). In all three cases, recruiters may be victims of human trafficking themselves (UN.GIFT 2008).

Although recruiters tend to be relatives or acquaintances of the victims, the backgrounds of traffickers differ widely with regard to age, nationality and profession, and there is no single typical profile (UN.GIFT 2008). Similarly, Shareen Thuladar explains that there is no typical place for recruitment – it may happen at home, in school, at work or in a neighbour’s house. Furthermore, as Rajan Burlakoti points out, persons involved in the process of human trafficking may not be aware of the bigger network they serve, and they might in fact act out of a genuine interest to help the victim.

What the processes of victim recruitment generally have in common is that they happen through complex but well-organized networks, and that the major recruiting methods involve deception and false promises for a better life (Psota 2014). However, it is not the offers by the recruiters alone that lead to situations of exploitation – in many cases, social and economic conditions cause the victim to actively approaching traffickers for help. As Rajan Burlakoti points out, conditions causing a demand for the traffickers’ offers may include poverty, social marginalization, gender-based discrimination, unawareness of the risks or a willingness to take these risks. The victim’s role in recruitment will be illustrated in more detail by some of the examples provided below.

In the following, recruiting methods as they were named by the experts interviewed will be discussed. The categorization of methods presented below was chosen for the convenience of the reader. However, it needs to be kept in mind that in many cases, boundaries between methods are fluid and approaches chosen by recruiters overlap. The different methods are presented in the order of importance ascribed to them by the experts interviewed, with the most frequently mentioned and most emphasized recruitment strategies mentioned first. However, given the limited number of interviews conducted as well as the lack of detailed official data on these issues, the ranking cannot be generalized beyond the data collection at hand.

3.1.1 Offering Jobs

According to the experts interviewed, victim recruitment is most commonly done through promises for better economic opportunities. The present section will provide a number of case examples to illustrate this approach. The examples will be grouped into pre- and post-disaster cases, depending on the context in which they were observed or for which they were mentioned. However, it is understood that cases described for the time before the earthquake are likely to occur in similar forms after the disaster as well.
Pre-Disaster Situation

“They recruit their victims by selling hope to them”, Nripendra Khatri says, and provides an example of how this may happen: “in the villages people dance every day, so they will come and tell the young girls that they are good singers or dancers, and then they will try to create a group, telling them that they can do good jobs in different places of Nepal”. Once the girls are brought to the dance bars in that way, he adds, they are trained to be sex workers, and at a later stage they may be taken to other countries. “We have heard many cases like this”, he says.

An alternative scenario of victim recruitment through promises of jobs within Nepal is described by Achyut Kumar Nepal: “Maybe a girl is sitting idly at home, she has many siblings but does not do any work”, he explains. “When a trafficker sees this, he reaches out to the family, talks to the parents and tells them: ‘why do you let her stay at home without doing anything? I’ll provide her a job in the city’. The parents will agree and send her with him, not knowing that she will be trafficked. They don’t know she works in a dance bar and is forced into sexual exploitation. After some time she is trafficked to India, and from there to the Middle East or to Africa”.

Another common method used by recruiters is to directly promise young men and women jobs in Malaysia or the Middle East, among other countries. “They would promise a salary of 25’000 Rupees, which is a lot of money for vulnerable groups”, Khatri explains, “but the victim would end up paying 15’000 Rupees for flight and permits, just to get the job”. Once the victims reach their destinations, he adds, “they are treated like prisoners”.

What both methods, i.e. job offers for work within Nepal and abroad, have in common, is that wrong promises about the type of work and working conditions are made. “Young girls are told that they will get work as a waitress”, Khatri states, “but then they will end up working as maids and get raped every night”. In other cases, victims are promised decent work in a hotel in Qatar, when in reality they have to work 18 hours shifts, do not receive adequate food, no salary and have their passports taken. “Lots of people die in this scenario”, Khatri says.

However, as already pointed out above, job offers actively advertised by recruiters present only one side of the story. In many cases, recruitment may be family- or victim driven, as an example shared by Krishna Gurung illustrates. In this particular case, Gurung says, two young siblings had lost their parents and were staying with their uncle and aunt. Seeking to get hold of the property the children had inherited from their parents, the uncle and aunt conspired to murder the children. However, the children learned of the plan and ran away to Kathmandu, where they joined their elder sister. There, they witnessed their brother-in-law beating their sister and, scared of him, ran away. Afraid that they would not find a place to stay together, they separated, with one sibling asking for work as a dishwasher in a hotel. The other sibling, a girl, was asking for help from a recruiter who brought her to India, where she
had to work in the sex industry. Thus, for both children, child work and exploitation happened due to adverse circumstances which forced them to actively approach their recruiters.

As several experts pointed out, victim-driven recruitment is common not only in extreme cases like the one described above: “it is often the women themselves who ask to be taken to other countries”, Rajan Burlakoti says, “be it for reasons of poverty, violence at home, or because they have seen others do the same”. “Everyday life in the villages is hard”, Burlakoti further explains, “and if a woman thinks she can do half the work in another country for good money, migration is worth trying”. Accordingly, agencies offering foreign employment are booming. Similarly, offers for jobs in Kathmandu are often actively sought after both for adults and children: “there is a trend where kids are sent to houses of wealthy families in Kathmandu as domestic helpers”, Nripendra Khatri says. “The problem is that people don’t see trafficking as a problem, they see it as a form of remittance”. Considering that 29% of Nepal’s GDP is gained through remittance from foreign employment (World Bank 2015), this statement may be little surprising.

While false job promises in response to active demands by victims may present one of the most common recruiting methods, Krishna Gurung mentions the case of a girl who was trafficked not through promises but through violence at the workplace: “The girl was sent to Kathmandu because relatives promised her a job as a household helper”, he says. “At the relative’s place, she opened the door every morning for the milk vendor. A broker who knew about the girl asked the milk lady to kidnap her, and one day when she opened the door, the vendor put a handkerchief on her mouth and she fainted. When she woke up, she was already near the border”. According to article 3 of the UN Trafficking in Persons Protocol (see section 1.1), a case qualifies as child trafficking when an act (e.g. recruitment) and a purpose (e.g. forced labour or exploitation) are involved. Based on this definition, and under the assumption that she was kidnapped to be exploited, the girl was trafficked twice – once through a job promise, and a second time through physical violence.

Post-Disaster Situation

The method of recruiting victims through job offers directly responds to the economic hardship in a country where 24.8% of the population (numbers for the period between 2007 and 2011) lived below the international poverty line of USD 1.25 per day (UNICEF 2015c) already before the earthquakes. As discussed in section 2.2.2, the earthquakes have further increased economic needs and with that victim-driven demands, which in turn has created opportunities for traffickers. This situation is illustrated by a report in the Kathmandu post (3 August 2015) on the arrest of 27 Nepali girls and two traffickers bound

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6 Luckily, the girl could be rescued by MANK – she was given a new identity and was reunited with her siblings after nine years of separation. In the meantime, she has completed her education and has opened a handicraft shop.
for Dubai. According to the article, the girls stated that they had left their homes in search of income to help recover from the disaster. 

In addition to increasing victim-driven demand, the consequences of the earthquake also seems to be actively exploited by recruiters, as the following example illustrates: on 9 June 2015, the Kathmandu Post reported the case of five girls, the youngest of them six years old, who were rescued by Maiti Nepal as they were trafficked to the Indian state of Punjab to work as showgirls for Punjabi weddings. All girls were from families in Kathmandu who had lost their houses in the earthquake. According to the news report, they were recruited from their families’ temporary tent shelters by recruiters who deceived them with videos of attractive dance shows and threatened them with torture in case they refused to comply. The consequences of the earthquakes was one of the factors causing them to go with the traffickers, the girls reportedly said. While the method of deception and threat are not specific to the disaster-context, the fact that all girls were recruited from tent shelters nevertheless suggests that these cases present a deliberate exploitation of post-disaster vulnerabilities. In other words, the case illustrates a choice of victim-targeting that is specific to the post-disaster context.

The discussion of the pre-disaster context identified two major recruiting methods, namely job offers containing false information about type and conditions of work, which is often coupled with an active demand by the victim, and recruitment through physical violence. According to Achyut Kumar Nepal, “this modus operandi has remained the same after the earthquake, but because of the destruction, recruiters have more logical grounds to deceive and convince the victim”. Similarly, Shareen Tuladhar points out that in the post-disaster situation, victims appear to be more likely to actively approach a recruiter or accept job offers without thorough cross-checking.

Thus, overall, victim recruitment through job offers was done in similar ways before and after the disaster. However, one element that has been found to be specific to the post-disaster situation is that recruiters specifically target those hit hardest by the disaster, i.e. those staying in tent camps.

3.1.2 Offering Education

Pre-Disaster Situation

In the case of child and youth trafficking, several protection experts state that recruiters would sometimes take their victims out of their villages and homes by promising them a good education in Kathmandu. According to Shareen Tuladhar, some recruiters pretend to represent professional educational consultancies, promising to enrol youth at Universities that sometimes do not even exist. Unable to support adequate education – left alone an expensive private school – themselves, parents can easily be convinced with the offer. Instead of attending classes, however, children are in many cases forced to work as household helpers for wealthy families, often under adverse conditions.
Post-Disaster Situation

Due to the high number of caretakers who were killed in the earthquake, recruitment through promises for education has become more popular in the post-disaster context: “orphans are taken in by other family members who have also lost their livelihood and are struggling to survive”, Rajan Burlakoti says. In this situation, he explains, traffickers will come in the name of relief, offering to accept the children into a school program that includes 24-hours residency care. “Many families will believe this”, he says, “and without documentation will hand the children over to the recruiters”. Rajan Burlakoti’s explanations are backed up by Krishna Gurung and Shareen Thuladar, who confirm that due to the high number of caretakers killed in the disaster, proportionally more children have been trafficked after the earthquakes than before.

Thus, while the actual recruiting method of promising education does not seem to have changed after the earthquake, the fact that this method seems to be used more often in the post-disaster context presents an adaptation in itself. In other words, the findings suggest that recruiters respond to changes in vulnerabilities by adapting their target groups and the type of support promised – in this case education – accordingly.

3.1.3 Offering Leisure Activities

Pre-Disaster Situation

Maija Liakka shared the case of two girls who were taken to what was supposed to be a child club meeting by a woman from the same village. On the way, the woman informed the children that the location of the meeting had been changed, and after a few similar excuses the girls ended up at the border, from where they were taken to India.

Post-Disaster Situation

According to Maija Liakka, occurrences similar to the one described above have been reported for the post-disaster context as well: in one particular case, she says, foreign church representatives were stopped at interception points as they were trying to take children from their homes in the earthquake-affected hill regions to Kathmandu. According to Liakka, the alleged aid workers said that they wished to invite the children for leisure activities in town, which would support their emotional recovery from the shock of the disaster.

7 While no exact data on this is available, an example from Sindhupalchok – the district worst hit by the disaster – will illustrate the severity of the situation: according to Netra Bhujel, the headmaster of Palchowk Lower Seconary School in Palchowk VDC, 42 out of the school’s total 152 students have lost at least one parent in the disaster (Netra Bhujel. Personal interview. 31 August 2015.).
Thus, as a comparison of the pre- and post-disaster situation shows, the method of taking children from their homes and villages by promising leisure activities outside have been used both before and after the earthquake. However, in the case cited for the post-earthquake context, the method was adapted in that psycho-social impacts of the shock were actively used as an argument to convince parents to entrust their children to the recruiters.

3.1.4 Engaging in Romantic Relationships

A recruiting method that has become popular in recent years is that of engaging the victim in a romantic relationship: “Recruiters may hang around schools and pretend to fall in love with the victim”, Shareen Tuladhar says, “and then at one point they drug the girl and ship her overseas”. According to Nripendra Khatri, this method has been common in the aftermath of the earthquakes. However, the experts interviewed were not aware of changes or adaptations of this method after the disaster.

3.1.5 Promising Emergency Relief

In the aftermath of the disaster, cases where recruiters pretended to be relief workers have been reported. For instance, Krishna Gurung states that “some come in the name of some organization and tell the victims they have a quota for labour to help earthquake-victims”. Similarly, Shareen Tuladhar shares the case of a recruiter who pretended to be working for a relief programme of the US embassy, telling victims that he would bring them to the US against payment. While this particular recruiter could be identified and arrested, there have been other cases where relief work, i.e. the promise of shelter and food, was used as a pretext to gain the trust of victims. “In normal situations these people would rather portray themselves as recruitment agencies for foreign employment”, Rajan Burlakoti says, “but in the disaster-context they pretend to be volunteers for aid agencies”.

In some cases, Nripendra Khatri points out, recruitment in the context of relief work may be clearly victim-driven: given the high cultural importance ascribed to hospitality, Khatri explains, some local families in rural areas offered to host young relief workers from Kathmandu in their homes. In such constellations, he says, “there have been cases where vulnerable families lured young man into alcohol and then sent their daughters inside the room with him and locked the door from the outside”. “Then”, he adds, “the whole community stood outside of the house and shouted ‘what are you doing to our daughter, now you have to marry her’”. Such a situation can bring a man into a serious dilemma, especially if he is already married. Thus, Khatri concludes, “even a guy with good intentions might start to think about selling the girl”.

In contrast to the other recruiting methods described in this section, both recruitment in the name of relief and victim-driven attempts to marry girls to relief workers are clearly disaster-specific.
Nevertheless, the fact that recruiters promise work quotas as part of relief efforts at the same time illustrates the fluid boundaries and overlaps of different methods discussed in this paper – in this case promises for work and relief support.

3.1.6 Placement in Monasteries
A method that has not been noted in the literature on human trafficking in Nepal so far is one described by Krishna Gurung. According to him, there have been at least four cases of young boys who were taken out of school and brought to Tibetan monasteries in India or Ladakh. “There they train them to build an army for Tibet”, Gurung says. Due to their physical resemblance with the Tibetans, the victims of this form of trafficking are mostly boys of the Tamang, Gurung and Sherpa communities. All of these cases occurred before the earthquakes, and Krishna Gurung was not aware of similar incidents after the disaster.

4. Conclusion
This paper sought to understand 1) the ways in which the recent earthquakes have changed the context of human trafficking in Nepal and 2) analyze if and how methods for victim recruitment have changed in response. With regard to the first question, the observations of local protection experts have suggested that the human trafficking situation has primarily been affected by the post-earthquake destruction of livelihoods and the breakdown of social protection mechanisms. While no definite rise in the absolute number of trafficking cases can be confirmed as a result of these impacts, experts nevertheless agree that the situation has increased vulnerabilities of earthquake-affected people to exploitation.

With regard to recruitment methods, the findings presented in this paper suggest that approaches used by traffickers to gain control over their victims in Nepal include false job offers, kidnapping through physical violence as well as false promises for education, leisure activities or relief support. Furthermore, cases where victims were engaged in a romantic relationship by the recruiters or convinced to stay in monasteries have been reported. It has been found that in many cases, these offers and promises directly cater to an active demand on the side of the victims.

With regard to methods specific to the post-earthquake context, it has been shown that recruiters respond to changes in vulnerabilities not only by targeting the most disaster-affected groups, but also by adapting their promises and offers to situation-specific needs. Thus, recruiters have been reported to actively visit tent camps of earthquake victims and to promise the type of support most needed, including relief items, work or full-time care for orphans. These results support the logic presented in section 2.2.1, namely that the disruption of livelihoods and social protection mechanisms affect the human trafficking situation, which may in turn result in adaptations of recruiting methods. In some cases, e.g. when
promising leisure activities for children, recruiters adapted their methods to the post-disaster context by citing psycho-social impacts of the earthquake as reasons to take children away. As the methods cited above, this approach may be facilitated by a breakdown of social protection mechanisms or the distraction of parents by economic crisis. With other methods, i.e. engaging the victim in a romantic relationship or offering places in monasteries, no disaster-specific changes or adaptations were noted. Regardless of whether recruiters did or did not adapt their methods to the disaster situation, Achyut Kumar Nepal points out that “it has become easier for traffickers to convince the victims after the disaster – there are more logical grounds for deception and victims are more likely to accept or actively seek offers”. In fact, this reasoning was supported by all experts interviewed.

While the findings presented in this paper contribute to a better understanding of human trafficking in post-earthquake Nepal, it needs to be noted that human trafficking is a highly complex phenomenon, many aspects of which are not known or understood yet. To illustrate this, Rajan Burlakoti cites the example of surrogate mothers, a type of exploitation that was only recently discovered in Nepal: “these women have been exploited to breed children for foreigners for years”, he says, “but when inter-country adoption was prohibited after the earthquake, those who had already delivered had problems brining the child abroad”. As a result, the phenomenon became public. “This exploitation of bodies has been going on for years on a large scale”, Burlakoti concludes, “and if such a big thing can go unnoticed for so long, I don’t want to imagine what other types of exploitations there might be that we still have no idea about”. The example of the surrogate mothers helps put the findings of this paper into perspective: while the case examples discussed in this paper can provide insights about a few aspects that are known about human trafficking, the facts that are still unknown to aid workers and researchers presumably present a much larger portion of the entire issue. Accordingly, the findings presented here not only necessarily present a stark simplification of a highly complex phenomenon, but they also do not allow general conclusions. This having said, the cases presented nevertheless help gain an idea of the ways trafficking is done in Nepal after the earthquakes.

To gain a more holistic understanding of recruiting methods used in disaster and non-disaster situations in Nepal, further research is needed. For example, it would be valuable to compare the findings at hand with expert observations gained at later stages of the post-earthquake rehabilitation process. Similarly, it would be interesting to include and compare the perspectives of survivors of human trafficking who were recruited before and victims who were recruited after the disaster.

5. Works Cited


6. Appendix

6.1 Questionnaire

Interview Questions to Experts Working in Anti-Trafficking Projects

**Introduction**

- Name
- Background in work on trafficking (organization, responsibilities, years of experience)

**1. Human Trafficking in a Non-Disaster Context**

1.1 In which districts does your project work?

1.2 Who are the victims of human trafficking in that area? (men, women, teenaged women, teenaged men, female children, male children)

1.3 What are the types of exploitation these people fall victims to? (forced labour, sexual exploitation, domestic servitude, fake marriages, organ trafficking, circus, others) (priorization, 1st, 2nd, 3rd etc)

1.4 Who are the recruiters? (business-men, relatives, friends, others)

1.5 What methods do the traffickers use to recruit their victims? (false promises related to job opportunities, persuasion, threats, others)

1.6 Where do the traffickers recruit their victims? (at their homes, at their workplace, during migration, others)

1.7 Could you describe examples of trafficking you have observed or heard about in the area in a non-disaster context?

**2. Human Trafficking during and after Natural Disasters**

2.1 Has the number of incidences changed after the recent earthquake? (increase, decrease, no changes)

   *If yes:* at what stages after the earthquake did these changes in the trafficking situation set in? (in the first 2 weeks after disaster, in the first 2 months, other)

   *If yes:* were these changes temporary or are they still ongoing?

2.2 Are some types of victims different after the earthquake than in non-disaster context? (especially young children, children who have lost a care-taker, persons who have lost their homes, others)

2.3 Are there any differences in the types of exploitation after the earthquake and in a non-disaster context? (additional types; more/less in: forced labour, sexual exploitation, domestic servitude, fake marriages, organ trafficking, circus, others) (priorization, 1st, 2nd, 3rd etc)
2.4 What methods have human traffickers used to recruit victims after the earthquake? (same as in non-disaster context, traffickers disguised as aid workers, false promises related to emergency relief, others)

2.5 Do you observe or have you heard about any trafficking methods that are used specifically in the context of natural disasters? If yes, what are they? (traffickers disguised as aid workers, false promises related to emergency relief, others)

2.6 Could you describe an example of you human trafficking you have observed or heard about in the area after the earthquake?

2.7 Have natural hazards other than the recent earthquake (landslides, floods) had an impact on the situation of human trafficking in the area?

2.8 Does your project include any additional, specific measures to be observed in the event of natural disasters? If yes: what are they? If no: do you think this would be necessary?

### 3. Contextualization and Outlook

3.1 What do you think is going well with regard to anti-trafficking work in Nepal?

3.2 What is going not so well?

3.3 What do you think is most needed in this field?

4. Is there anything we have not addressed but that you find important to add with regard to Human Trafficking in either a disaster or a non-disaster context in Nepal?