

In the business of human misery

The earthquake in Nepal has caused enormous loss to life and property. But for human traffickers, who prey on the poor and the vulnerable, it has opened up a plethora of new trading opportunities



SANKAR SEN

Devastating earthquakes in Nepal have resulted in unprecedented loss of lives and property and caused untold human misery. Unfortunately, such calamities have also provided an opportunity to traffickers to carry out their nefarious operations.

Since the April earthquake, human sharks are on the prowl again. They are seeking to traffic young girls from Nepal. Many of these girls have lost touch with their families and are desperately seeking shelter. They are lured by the traffickers with the promise of safety and jobs.

Cross-border of trafficking of women, from Nepal to India, for sexual exploitation, however, is not a new phenomenon. The action-research study, titled *A Report on Trafficking in Women and Children in India 2002-2003*, sponsored by the National Human Rights Commission and conducted by

the Institute of Social Sciences, estimated that about 5,000 to 6,000 girls are trafficked from Nepal to India every year. Nepalese girls are in demand here because they are relatively fair. There is also a popular myth that sleeping with virgins cures sexually transmitted diseases.

Traffickers also take advantage of the poor economic conditions of many Nepalese families. They make false promises of employment, love and marriage. The traffickers pretend to be guardians. They offer to help the girls get medical treatment in India or reach their relatives in this country. Traffickers also have connections across the Nepalese system — from politicians, Government officials and policemen to customs officials and travel agents.

In the south-eastern part of Nepal, women of the Badi caste were traditionally entertainers who offered cultural shows as

well as sexual services to local kings, religious leaders and landlords. Modern-day Traffickers have leveraged this local tradition and incorporated the Badi community into the cross-border sex trafficking ring. They also prey on women who face social stigma and have been ostracised by their families such divorcees and rape victims.

Mr Durgadas Khemeri, a well-known social worker of Nepal, who has rescued many Nepalese girls from the brothels of Mumbai, describes how many victims are duped by 'professional husbands'. After the wedding, the 'grooms' sell their brides to brothel owners. More than half the trafficked girls eventually contract HIV/AIDS. Kept in virtual slavery, they are unable to negotiate any aspect of the situation.

Unfortunately, no meaningful steps have been taken by either the Government of India

or the Government of Nepal to tackle the situation. While there has been some acknowledgement by Government officials in both countries about the magnitude of the problem and the need for action, neither side has taken serious measures to stop trafficking. "Despite a plethora of national and international instruments that addressed trafficking and abuses common in industry, the trade continues to prosper", notes a report by Human Rights Watch, titled *Rape for Profit*.

In India, the Suppression of Immoral Traffic in Women and Girls (Amendment) Act, 1986, designed to combat human trafficking, has proved inadequate. The Act considers only prostitution as a form of trafficking and does not include other forms of trafficking, as enunciated in the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especial-

ly Women and Children. The Immoral Traffic (Prevention) Amendment Bill, 2006, which broadens the definition of trafficking, by including all forms of enslavements, from servitude to prostitution, and shifts the blame from victim to the perpetrator, has not yet been enacted.

The South-Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children envisages a task force for dealing with trans-border trafficking. Since the Convention has been ratified by all member countries, the task force should be set up, without delay. Informal networks including non-Governmental organisations should be institutionalised, so that they can carry out anti-trafficking operations. Some *ad hoc* committees, set up at the initiative of local law enforcement agencies along the

Uttar Pradesh-Nepal border, are doing useful work. It is a pity that while there exists a nexus between traffickers and pimps on both sides of the border, cooperation between the law enforcement agencies of India and Nepal is missing.

Notably, the US Congress has passed the Trafficking Victims Protection Act, 2000, which lays down that, "USA will not provide non-humanitarian, non-trade related foreign assistance to any Government that does not comply with minimum standards for elimination of trafficking, and making significant effort to comply with such standards". Nepal and India are on the Tier II watchlist for not firmly complying with the TVPA's minimum standards

(The writer is a former Director General of the National Human Rights Commission and former Director of National Police Academy)