

From Challenges



to Opportunities

Responses to Trafficking and HIV/AIDS in South Asia



United Nations Development Programme

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Preface

South Asia is a region marked by various forms of inequities and disparities, be they economic, social or political. Within this region, several forms of socially sanctioned violations and practices related to issues of sex and sexuality, reinforce discriminatory norms and values and intensify stigma and marginalization. Such norms and practices further influence masculine and feminine identities and socialise men and women into specific gendered-roles that are crucial determinants in exacerbating the multiple vulnerabilities of women and men to a plethora of developmental challenges, including unsafe migration, trafficking and HIV/AIDS.

It is estimated that the prevalence of HIV infection is the highest in women aged 15-25 years, while it peaks in men between five to ten years later. Almost 50 percent of those living with HIV/AIDS are found to be women (UNAIDS 2002). In order to comprehensively address the multiple vulnerabilities faced by young persons, especially young women, to HIV/AIDS, it is imperative to focus on existent gender relations and inequalities that define the lives and realities faced by women and men.

Factors driving the epidemic globally and more specifically within South Asia, are grounded in differential power relations that define gender specific roles both within the private and the public sphere. As both a cause and consequence of gender inequality, HIV/AIDS deepens the entrenchment of gender disparity, while skewed gender relations are a driving force in the spread of HIV/AIDS. Issues of power, human rights and socio-cultural identities are pertinent factors in approaching HIV/AIDS within a gendered framework. Such a comprehensive framework also necessitates the empowerment of women and

men as agents of change, leading a process of deep-rooted transformation through what are often termed, 'third generational responses' within development.

In South Asia, current processes are on the one hand creating new opportunities while also leading to diminishing choices for many, thus prompting greater human mobility driven by both 'push' and 'pull' factors. Such trends reflect underlying patterns of poverty, marginalisation and disempowerment and have impacted significantly on the wellbeing and human security of marginalised populations, feeding into processes of forced and/or uninformed migration, often leading into trafficking.

In tracing the continuum of vulnerabilities related to trafficking and HIV/AIDS, it is imperative to fathom and critically analyse the varying degrees and forms of disempowerment and exploitation that are faced by women. Areas from where women and children move out in search of livelihoods, alternatively termed 'source areas', are relatively underdeveloped. Existing gender and sexual norms, discriminatory practices and socioeconomic hardships force marginalised communities to move, a process that is often unsafe and carried out in the absence of both choices and information. An atmosphere of stigma and silence around issues of sexuality and HIV/AIDS has also been identified as an important factor in marginalising the survivors of trafficking and/or HIV/AIDS within source communities. While in transit, vulnerabilities to trafficking, sexual exploitation and HIV/AIDS are multiplied owing to the unavailability of official documents in the case of those migrating in distress. Within destination areas, it is found that a dearth of support services and redress mechanisms often lead into

situations of trafficking and sexual exploitation, commercial or otherwise.

Responses to HIV/AIDS in the region have not yet accorded adequate importance to the interplay between trafficking and HIV/AIDS and the factors that accentuate women's unsafe mobility, particularly in the context of their rights to move in search of livelihoods. Neither have initiatives on issues related to trafficking effectively addressed the challenges of HIV/AIDS. Linkages between the two social issues create considerable challenges that must be understood if adequate responses are to facilitate radical changes. The mutually aggravating links between trafficking and HIV/AIDS pose serious challenges to the region, and demand expeditious and rights-sensitive responses that address the disempowering socio-economic situation of women. However, the emergence of such links, which the rapidly escalating HIV/AIDS epidemic has brought to the fore, also presents us with opportunities. Opportunities to address the climate of silence and denial within which trafficking and HIV/AIDS flourish, opportunities to challenge the disempowering norms and practices that make women vulnerable, and opportunities to empower women and girls to make choices about their lives and to protect themselves and others from trafficking and from HIV/AIDS.

This compilation is in essence a documentation of how such opportunities can be seized. Through this publication, the UNDP Regional HIV and Development Programme (South and North East Asia) aims to share some innovative and path-breaking initiatives led by a few civil society partners in responding to the complex nexus of vulnerabilities of women and children in South Asia. It highlights the border-

less nature of both the HIV epidemic and of trans-border human trafficking, which is becoming the third largest form of illegal trade after drugs and arms trafficking. In seeking to break through the silence and denial that surrounds such manifestations of violent and violative practices against women and young persons, this publication also analyses HIV/AIDS as a major developmental challenge that is closely interlinked with issues of socioeconomic inequity, stigma and human rights violations. These studies provide a regional and mutual learning-platform for various stakeholders who are at the forefront of anti-trafficking and HIV/AIDS-related issues, including civil society partners, sex workers' collectives, PLWHA (people living with HIV/AIDS) organisations, government officials, law enforcement agencies, judicial machinery, media personnel and so on.

The publication includes brief analyses of the organisations' successes, the challenges they face, the opportunities they open up, and the learning that emerges from initiatives ranging from sustained policy-level advocacy to groundbreaking grassroots-level action. The studies reflect considerable diversity in the scope of responses to the issues, be it in the field of safe mobility and informed migration, sustained media advocacy, rights-based recovery and repatriation, community-based care, support and reintegration or policy-level advocacy.



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Mobility and HIV/AIDS: The Context

The UN Protocol to prevent, Suppress and Punish Trafficking in Persons, 2000, defines trafficking as:

"The recruitment, transporting, transfer, harbouring or receipt of persons, by means of a threat or use of force or other forms of coercion, of abduction, of fraud, of deception of the abuse of power or of a position of vulnerability, or of giving or receiving payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation".

It is estimated that over 200,000 persons are trafficked annually from South Asia. Trafficking is by and large a gendered phenomenon and evidence from major government and NGO sources indicates that the incidence of trafficking of women and girls over the past decade has escalated considerably. Inevitable correlations do not exist between trafficking and HIV/AIDS and while it is found that mobility can create conditions, which make migrating women, children and men more vulnerable, it would be alarmist to conclude that mobility or migration necessarily leads to trafficking or HIV infection.

Estimates of the number of people trafficked vary hugely, from tens of thousands to millions. Partly this is due to the clandestine nature of the activity and the inherent difficulty of tracking criminals, and partly due to different definitions/concepts of trafficking. The Massachusetts-based Coalition Against Trafficking in Women (CATW) estimates that 5,000 women are trafficked from Nepal to India yearly.

Importantly, trafficking should not be confused with sex work. In the broadest sense, trafficking includes sexual exploitations as well as domestic servitude, unsafe agricultural labour, sweatshop labour, construction or restaurant work. It therefore needs to be analysed in its broadest sense and complexity.

Human trafficking is not new. But today it is one of the fastest growing transnational crimes-traffickers; networks are more organ-

ized, there are better roads, communication facilities. And the catchments area is spreading beyond the traditional enclaves - ensuring constant supply. The demand side is also increasing. While there is no single 'victim' stereotype, the majority of trafficked women are under the age of 25, with many in their mid to late teens. The fear of infection from HIV has driven traffickers to recruit younger girls, some as young as seven, erroneously perceived to be young to have been infected.

Simultaneously, the number of those infected by HIV is spiraling. Asia is faced with a double emergency - a trafficked child or woman has greater chances of contracting HIV/AIDS because s/he is placed in the most vulnerable of situations with absolutely no control over his/her choices.

Studies show that brothel sex workers are most likely to become infected during the first six months of work, when they probably have the least bargaining power and are made to service more customers than others. These are often those that refuse to use condoms and whom the older and more experienced sex workers decline to service. Young girls are also subjected to abuse and frequent rapes to 'break them in', thereby increasing their exposure to HIV.

ABSENCE OF CHOICES: THE NEXUS OF VULNERABILITY

The common factor linking HIV transmission and trafficking is the powerlessness to negotiate and the absence of choices. It is this 'nexus of vulnerability' which links the two phenomena. In South Asia, both trafficking and HIV/AIDS are occurring in a climate of denial and silence. It is this silence about violence against women and girls, and the silence and unwillingness to acknowledge that the HIV/AIDS is a major development challenge, which is allowing the epidemic to spread, and perpetuating trafficking.

Central to trafficking of women and children is a woman's inferior

status, deeply entrenched cultural biases which stand in the way of her realising her potential and the failure of the State to guarantee women's rights. In country after country from where large numbers of women and girls are being trafficked, one finds the same instances of female powerlessness.

Discrimination spawns the related phenomena of economic dependency, domestic violence, lack of access to resources and exploitation in all its forms. In Bangladesh, for example, the site for recruitment for trafficking is usually a poor area marked by food insecurity and unemployment - the country's northern districts, where women can only find seasonal work at very low wages and where parents are quick to accept offers of marriage or employment for women and children in lieu of payment.

GENDER AND MULTIPLE BURDENS

The average age of girls trafficked from Nepal to India dropped from 14-16 years in the 80's to 10-14 years in 1994, according to a report by the Human Rights Watch. The notion that young girls are 'virginal' less sexually experienced and hence 'disease-free' and safe, has fuelled increases in the demand for younger sex workers.

Gender-based discrimination is compounded by discrimination based on forms of "otherness" such as race, ethnicity, religion and economic status. This forces the vast majority of women into precarious marginalisation. In South Asia, "the Rohingya women of Myanmar's Northern Arakan state have been rendered stateless by the fact that Myanmar denies the Rohingya citizenship. Their undocumented status and lack of access to official papers is one of the factors impeding their free and informed movement across borders. The Rohingya women, in particular, become soft targets for traffickers who prey on their predicament," points out a January 2000 report by Radhika Coomaraswamy, the Special Rapporteur on Violence against Women.

Asia is home to some of the world's most affluent. It is also home to two-third of the world's poor. The increasing feminisation of the region's poverty makes the situation complex. Two-thirds of the region's poor are women and about 20 to 40 percent of the households are led by them. In addition, the number of women living in poverty has increased disproportionately over the last decade. Growing land-

lessness and lack of work in the village are pushing tens of thousands to move to towns and cities with breakdown of communities and traditional knowledge. Factors that compound such movements also lie in what can be termed, 'socially sanctioned violations' (such as widespread caste segregation, violence based on gender and class and caste). Situations of conflict and calamities are additional 'push' factors. Even for those who live in cities, employment options in the formal sector are severely limited. As the economy undergoes rapid changes, there are new opportunities. But for those without education or the 'right' connections, it means growing inequalities.

For many people, mobility is an important survival mechanism and a freedom. But people on the move can be particularly vulnerable to HIV exposure due to long periods of separation from family, removal from familiar behavioural norms and expectations, social and cultural; isolation and lack of access to information and services. Many who start out as migrants end up being trafficked en route.


SAFE MOBILITY: A RIGHTS BASED OPTION

Globally, there exists a new protocol, 'The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000)', which contains the first international definition of 'trafficking in persons'. It is a step forward from the 1949 UN Convention that focused only on sex work and considered all sex work, voluntary and forced, to be trafficking. Much work needs to be undertaken however and there remains no room for complacency.

Progress in movements against trafficking and HIV/AIDS is evidenced in the formulation of a human rights standard to deal with trafficked persons. The result of concerted efforts by GAATW and several NGOs, 'The Human Rights Standards for the Treatment of Trafficked Persons and Recommendations' is a lobbying tool at the national, regional and international level for human rights protection for trafficked persons and to promote their basic rights.

Through this publication some of the replicable practices in the region are being showcased that address trafficking and resulting vulnerabilities to HIV/AIDS, through approaches that empower women and girls to rebuild their lives, to create awareness in others, to challenge social stigma and denial, and to assert their fundamental rights.





Safe Mobility Mechanisms: Sustaining Preventive Action

Women's Rehabilitation Centre
(WOREC), Kathmandu

The 'Women's Rehabilitation Centre' (WOREC) promotes safe mobility practices and prioritises human rights and women's rights issues within the context of movement of people in search of livelihoods and better opportunities. WOREC has extensive experience at the grassroots-level and has been successful in addressing the vulnerabilities of young persons to trafficking and HIV/AIDS through the formation of 'Information Booths', which facilitate safe mobility and monitor trafficking.

A WOREC counsellor at an information booth at the Janakpur railway station, on one of her routine "mobile patrols"

Genesis. A field trip to Nuwakot by a Nepalese medical professional, and an accidental encounter with a trafficked girl who was HIV-positive, led to the birth of the Women's Rehabilitation Centre (WOREC) in April 1991. The Kathmandu-based NGO believes that the response to trafficking is not to put curbs on mobility, but put in place mechanisms to make migration safer.

WOREC's roots lie in the personal experience and vision of Dr Renu Rajbhandari, a Kathmandu-based medical doctor who was on a mission to Nuwakot in central Nepal, one of the poorest districts in the country, to test the blood sample of a

Nepalese girl. The girl had returned from Mumbai and had been diagnosed with HIV.

Rajbhandari, who was at that time a member of a team working for Nepal's National AIDS Control Project, was given the task of going to Nuwakot and talking to the girl and taking her blood sample. The girl had been lured and sold into the sex trade in Mumbai, and was suspicious of the doctor's motives. "She told me that she suspected I would take her blood and make money out of it..." The young girl was angry. And having experienced that anger, the doctor was inspired to address the factors that underlie trafficking and HIV/AIDS in Nepal.

WOREC counsellors, Chatra Dhamala and her colleague Nathuni Mandal filing their daily reports at an information booth



WOREC's mission is to bring about positive changes in the plight of women and children in the country, work towards a socially just order and an environmentally sound, economically productive, equitable and sustainable Nepali society.

Evolution. In the early years, the organisation's focus was on trafficking and HIV/AIDS, says WOREC Executive Director Baburam Gautam. The NGO took up small projects to provide alternative skills to adolescent girls who were in danger of being trafficked. A small grant from UNDP funded these income-generation schemes in select districts. The girls were taught to make bamboo products and knit sweaters. WOREC assisted in marketing these products.

Soon after, WOREC launched a programme integrating non-formal education and skill training. One of its more innovative move was the commissioning of a team of 'social mobilisers' who fanned out into the districts where WOREC was spreading anti-trafficking messages. Given Rajbhandari's medical background, much emphasis was placed on spreading awareness about AIDS. In 1992, WOREC organized a national seminar on the socio-economic dimensions of HIV/AIDS.

Gradually, WOREC widened its perspective and expanded its focus to include issues such as peer education involving men. It also started mobilising farmers' groups and introduced a health component in its programmes. Says Gautam: "We realized that trafficking is an outcome of many other socio-economic factors in Nepal such as gender discrimination, caste and violence against women. And until we were prepared to grapple with these issues, we could not tackle trafficking or HIV."

Around 1996, WOREC evaluated its work, and redefined its goals. The thrust was on collective empowerment and social mobilisation; human rights and social justice; and sustainable livelihood and development. It was decided that counselling and advocacy were to be the main tools to achieve these goals.

In 1995-96, there was a renewed focus on trafficking in Nepal following raids on brothels in Mumbai. Nepalese girls who had been trafficked to red-light areas in Mumbai were rescued and sent back. The atmosphere in the country was tense, says Gautam, because the government was initially reluctant to take back the girls, many of whom had been diagnosed with HIV.

The crisis marked a defining moment for NGOs in Nepal. Displaying a rare sense of unity, seven NGOs that were working at the grassroots-level to combat trafficking came together to rehabilitate the trafficked women. Fourteen of the rescued girls found refuge in the building in which WOREC had its office.

In 1997, WOREC helped set up 'Shakti Samuha', a collective of survivors of trafficking and girls who are vulnerable. The group has



Inside a rail compartment, checking for suspicious looking groups being lured by traffickers

emerged as an independent entity and is implementing anti-trafficking programmes in squatter communities and carpet factories, on its own and in partnership with WOREC.

During the first couple of years, WOREC worked in three districts in Nepal: Kathmandu, Nuwakot, and Udayapur. By 2001, its advocacy against trafficking had extended to other districts: Morang, Sunsari, Dhanusha, Makwanpur, Nawalparasi, Sindhupalchowk, Siraha and Mustang.

As its reach and influence expanded, WOREC has redefined its conceptual framework. "It is a more holistic approach today," says Gautam. Advocacy of the rights of women and children runs parallel to advocacy of minimum standards for survivors of trafficking. Programmatically, there is a greater emphasis on establishing the linkages between trafficking and migration.

Safe Mobility. More than 12 years after WOREC was set up in response to the situation of one survivor of trafficking, the problem continues unabated. Anti-trafficking networks have sprung up in South Asia, but traffickers have also got smarter—coming up with new routes and new tactics, which have thrown up new challenges for organisations such as WOREC.



Information dissemination through anti-trafficking messages inside an information booth

Rajbhandari, who continues to be on WOREC's Executive Committee alongside her current assignment as Nepal's National Rapporteur on Trafficking against Women and Children, says WOREC's efforts have put trafficking on the national agenda, but now the challenge is to get greater public recognition for safe mobility mechanisms.

The focus on safe mobility stems from the realisation that information is the key issue. Whether it is women, children and men in remote and border villages and towns in Nepal or those queuing up outside the offices of manpower agencies in search of jobs overseas, there is a

dire need for information on key aspects of migration.

The challenge of securing greater recognition for safe mobility is compounded by the fact that the initial official response to trafficking was to place curbs on mobility, especially for women. WOREC was among the few NGOs in Nepal, which vigorously advocated making migration safer rather than clamping down on those seeking a better life elsewhere. It was the evolution of this idea that culminated in the establishment of information booths in 1999-2000 at Janakpur and Biratnagar with assistance from UNDP.

WOREC set up these booths as part of a pilot project. But their suc-

One of the most significant developments has been the start of documentation of migration trends and the creation of a database of children below 14 in villages, including those who are currently elsewhere. Bharatpur village in Dhanusha district has taken the lead in this direction. Work on the database on children started a month ago, says Tilak Thakuri, who works as a social mobiliser with WOREC.

cess has been heartening, and efforts are on today to expand the network of booths to other parts of Nepal.

The booths serve to involve the local people in propagating safe mobility messages. Attendants are hired from the community, and there are backward and forward linkages with other mechanisms to ensure safe migration. A transit home has been set up close to the booth at Janakpur with assistance from the International Organisation of Migration (IOM). The home provides a temporary refuge to those who are rescued from traffickers.

The booths serve a critical function, and in order to let the community know about their existence, WOREC taps into other institutions. One key move in this direction is the alliance with the 'Village Development Committee' (VDC) and the village-level Task Force against trafficking. Says Gautam: "There is a provision in the National Plan against Trafficking to set up village-level task forces. The government appoints task force members and WOREC provides training. We have also developed sensitisation packages on safe mobility for the task forces."

Training sessions have been held with 10 VDCs in Dhanusha district, where Janakpur is situated. Similar work has also been undertaken with VDCs in Moran, Sunseri and Udayapur. This has had an impact on policy. The village development boards are now organising mass meetings with villagers on safe mobility strategies.

On another front, WOREC is working to strengthen labour migration processes with a view to combating trafficking in women and children and the spread of HIV/AIDS in the country. In collaboration with Nepal's Ministry of Labour, WOREC convened a meeting of employment and 'manpower' agencies in July. Those who took part in the cross-sectoral meeting included the Federation of Employment Agencies, the Labour Ministry, and several NGOs working on safe mobility. The meeting's importance needs to be assessed in the light of the absence of any comprehensive pre-departure training for Nepalese people migrating overseas for jobs.

Says Jyoti Poudial who deals with programme co-ordination and advocacy at WOREC: "Right now, the pre-departure training provided by manpower agencies entails no more than 'educating' people on how to use toilet paper, how to use a knife and fork and so on. There is no information dissemination on working conditions, laws of the

country of destination, access to health care and so on."

Partnerships and Alliances. WOREC's multi-sectoral partnerships are critical to its strategy to promote safer migration. WOREC held several meetings with railway authorities and the district administration before setting up the information booth at Janakpur. The interaction helped establish an equation and the railway authorities agreed to give WOREC the land to build the booth. Similarly, partnerships with international agencies such as the UNDP and IOM have provided support for transit homes and operation of the booths.

Underpinning safe mobility mechanisms such as the establishment of 'information booths' is a strong advocacy campaign to carry messages to the community. WOREC conducts sensitisation sessions for women politicians as well as women's groups and youth groups, and is part of the Alliance Against Trafficking in Women and Children (ATWIN). It also provides training to other NGOs working on safe mobility.

As part of its outreach work on safe mobility, WOREC has built networks with youth groups in villages and small towns where young people are particularly vulnerable. In Bharatpur village, Menaka Neopane, 25, member of the Himal Youth Group, speaks about 'Amro Sapna' (Our Dream), a bi-monthly wallpaper. It features poems, articles and case studies about safe migration and is put up on public places.

The youth club members also go on door-to-door campaigns with their message of safe migration. Every month, members meet and chalk out an action plan. The area is divided among 16 boys and girls and each person is allotted a specific number of homes to visit. As they move around, the youth club members also speak about HIV/AIDS and the interlinkages with migration and trafficking.

WOREC's advocacy of safe mobility mechanisms has earned it a place on a committee set up by the Nepal Government to formulate content for a pre-departure training package aimed at Nepalese people migrating abroad for work. WOREC is already engaged in 'training the trainers' programmes on this issue. In June, one such session was held in Bhaktapur, and dealt with topics such as the migration-trafficking nexus, health and migration including sub-topics such as 'HIV/AIDS and mobile populations'.

Challenges Faced, Lessons Learned. Taking on traffickers and working to making mobility safer is not easy and, like many other NGO working on these issues, WOREC has faced considerable pressure. Traffickers get away because they are often hand-in-glove with those in positions of power. WOREC has faced such challenges by leveraging alliances with a wide spectrum of civil society such as women's groups, human rights groups and people in key positions in the administration, police and so on. It also maintains links with dis-

Information Booths: Tickets for Safe Mobility

JANAKPUR town in Nepal's Terai region is a Hindu pilgrimage site: it is believed to be the place where Ram and Sita were married. People come from all over the world to the Janaki Mandir, a shrine dedicated to Sita.

But this border town also has a dark side: it is a key stop in South-Asia's trafficking trail. Janakpur has the only railway service in Nepal linking the town with Jaynagar in the Indian state of Bihar. Traffickers use the rail link between the two towns to ferry children, especially boys, from poor villages in Nepal, for use as cheap labour in homes and factories in India's cities.


Precisely how long this human trafficking has gone on is hard to establish. One instance of this organised trafficking came to light on 30 April

2001 when two counsellors working at the information booth set up by WOREC at Janakpur railway station intercepted a train wagon, and rescued 25 boys who were about to be taken to Mumbai.¹

Poverty and lack of awareness drives parents, mostly subsistence farmers in this region, to the clutches of touts who promise riches to entice them to part with their children. Many refuse to accept the stark truth even after the children remain missing for years.

The information booth was set up three years ago by WOREC as part of

1. Cross Border Trafficking, by WOREC, submitted to ILO, International Programme on the Elimination of Child Labour, March 2002



UNCERTAIN FUTURE: A large number of children from Bharatpur village and surrounding areas have been trafficked to India

a pilot project to alert those on the move about the risks of being trafficked. Today, its success has succeeded in checking trafficking along this particular route. Local civic authorities acknowledge the decline in trafficking. Says Jitendra Singh, assistant sub inspector of police posted at the Janakpur railway station: “Since the booth came up, traffickers are wary of getting on the train from this point. Earlier, every week, we intercepted young boys who were being trafficked. Now, it is much less.” However, Singh admits that during the festival season, when hundreds of passengers jostle for seats and some of them clamber onto the rooftop of the trains, monitoring becomes difficult.

“You cannot stop people from moving if they want to. But our job is to provide information which we think is important,” says Chatra Dhamala, 24, a counsellor at the Janakpur information booth.

The booth—a tiny, sparsely furnished shed that stocks posters, leaflets and brochures in Nepali—serves a critical function in alerting women, men and vulnerable children about the risk of being trafficked. The information relates to the different methods and different routes used by traffickers, the usual destinations, and the middlemen involved in this business.

Dhamala and her colleague, Nathuni Mandal, a young man also in his twenties, take turns operating the booth. The day begins early, at around 6 a.m., an hour before the first train leaves Janakpur for Jaynagar. As the crowd gathers to board the train, the booth attendants swing into action: scanning the platforms for suspicious-looking groups, hopping inside the compartments to see if anyone is being trafficked. Anyone who looks uneasy or suspicious in any way is grilled. “We monitor every train and we leave only after the last train has left,” says Dhamala.

The two attendants also take turns at the booth to counsel anyone who may have questions or seek information. “Women are shy. It is usually the men who stroll inside our booth,” says Mandal.

But in a country where literacy rates are very low, and very few rural men and women read and write, information kits cannot be the staple of an advocacy campaign. Word-of-mouth dissemination of information is the key.

Every three months or so, Dhamala and Mandal hold platform meetings to spread awareness about trafficking. The information booth does not have a phone, but Dhamala and Mandal have entered into an arrangement with the owner of a newspaper vendor at the station. The telephone at his kiosk currently serves as the booth’s ‘helpline’ number. The booth attendants also have contacts with the railway administrative staff. “We let them use our loudspeakers to make announcements,” says D.N. Regmi, assistant general manager of the Janakpur railway station.

Traffickers operating in this area principally prey on poor families with small boys, but women and girls as well as men are equally vulnerable. Last December, Dhamala and her colleague alerted the police about nine teenaged girls who were being trafficked to India: the nervousness on the faces of the girls drew the counsellors’ attention. There were also discrepancies in their versions about the identity of the man who was accompanying them. The girls were rescued and sent back to their villages.

Dhamala and Mandal say they are constantly on the lookout for groups of young boys, girls or women who look uneasy. “We have developed a trained eye by now. If we spot a 30-year-old woman with a teenaged girl inside a train, we separate them and ask them individually about their relationship. If we find that the details do not tally, we inform the police.”

The two counsellors are happy they have dented trafficking along the Janakpur-Jaynagar route to an extent, but they say they need information booths such as the one in Janakpur at every station along the journey, and more resources so that there can be continuous mobile patrolling.

“Traffickers are smart people. They know we are here at Janakpur, so they often climb onto the train at the next station,” says Dhamala.

trict-level bar associations and other professional bodies of lawyers. These alliances have come in handy when the organisation has needed legal counsel.

One additional factor these days is the Maoist-led movement. WOREC staff admits that their outreach work has been affected by political instability and violence in the country. The same factors are giving rise to desperation and distress migration and adding to people’s vulnerabilities.

At the village level, prevailing cultural norms remain a key challenge: patriarchal practices are entrenched and it is a daunting task to create conditions that will empower women and reduce their vulnerabilities. “Often, families do not allow girls to come out and attend meetings,” says a youth club member in Bharatpur.

The key lessons from WOREC’s experience at the grassroots-level is that mobility cannot and should not be curbed; instead, it must be made safe. Rajbhandari says: “In order to make mobility safe, the response should be made at the community level and at the personal level. At the same time, one has to work with district authorities and decision makers at the national level to impact on policy.”

Mechanisms such as ‘information booths’ will be successful if they are community-driven and not donor-driven, emphasizes Rajbhandari. “That is a key lesson. At every stage, we tried to find out what the communities wanted. And we approached issues such as trafficking and HIV holistically. We also realised that migration was unavoidable, and there was no point in saying ‘do not move’. We started testing some of these ideas on women’s groups and youth groups, with whom we were

working in Dhanusha district. It was the community that came to us and said, 'We want more information.' People wanted to know where to go and how to go, what is HIV/TB, how to remit money, how to get a passport and so on."

A stakeholders' meeting followed, which included representations from railway authorities, police, district administration, local women's groups and youth groups. "It was the community, including shopkeepers at the railway station, who pitched in with resources to build the booth. Also, UNDP was receptive to the idea," notes Rajbhandari.

But the booth became a success only because WOREC already had links with the community and much work had been initiated in educa-

tion, general awareness, leadership development and social transformation.

The road ahead involves establishing and strengthening similar platforms where information on safer mobility can be developed and disseminated. Emerging issues include the need to address the co-relations between migration, trafficking and HIV/AIDS, and the impact these issues have on migrating youth. Since the migrating population in Nepal is mostly from the interior and rural areas, information booths need to be positioned not only at railway stations in border towns but also at other accessible areas that young people frequent.

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UNDP and WOREC have collaborated on initiatives to strengthen migration processes from rural Nepal by developing safe mobility practices and sensitising the local-level government machinery. UNDP is currently working with WOREC in widening the impact and outreach of 'Information Booths', while also developing youth advocacy groups that foster the growth of village youth and adolescents as future change agents in preventing trafficking and vulnerabilities to HIV/AIDS.

From the Frontline to the Front Page: Media Advocacy & Sensitisation

Lawyers for Human Rights and Legal Aid (LHRLA), Karachi

‘Lawyers for Human Rights and Legal Aid’ (LHRLA) has made inventive use of its media advocacy approach to spread awareness about and to train the spotlight on ‘difficult’ issues, such as trafficking. It has also worked extensively to sensitise both the media and government personnel on the complexities involved. Its efforts to focus media attention on trafficking, and its networks with other organisations in this area, have paid off: today, Pakistan has a national law to deal with the issue. Besides building up an exhaustive database on trafficking, its expertise arising from years of grassroots-level activism is widely acknowledged by the media and government agencies.

Genesis. At law school, they don’t train you to conceptualise TV serials out of casework; nor would most lawyers know how to sell a ‘story’ to a TV station. But few lawyers in South Asia have been as successful as Zia Ahmed Awan, President of the Karachi-based Lawyers for Human Rights and Legal Aid (LHRLA), in using publicity as a tool to generate awareness about legal rights in a region woefully lacking in human rights consciousness.

Listening to Zia Ahmed Awan recount the story of Rozan-e-zinda, a television serial in which an actor played Awan, one gets a hint of LHRLA’s unorthodox approach to media advocacy. In 1994, the state-run Pakistan Television telecast a 12-episode TV serial based on real-life stories. Every episode of the serial was a new story, and each one was based on a case LHRLA had dealt with. The idea for the serial was Awan’s, and it created a tremendous impact.

“Giving publicity to the cases translated into greater awareness about the issues involved. We wanted to motivate people to resist injustice,” says Awan. LHRLA’s influence increased dramatically after

the telecast of the serial, and established Awan as one of Pakistan’s leading activist-lawyers.

Activism and links with the media were nothing new for Awan, who had courted arrest while demonstrating solidarity with journalists who had been sacked from the National Press Trust by former Pakistani President Zia ul Huq. Another stint in prison followed in 1983 when he and other lawyers staged demonstrations in support of the Movement for the Restoration of Democracy (MRD). The spells in the prison were learning experiences for Awan and sharpened his activist edge.

One of the lessons that emerged from these experiences was of the importance of having the media as a partner. “Activism is most effective under a media glare. Sometimes the danger is real, and the media spotlight provides the protective shield. The media is also a tool to create public awareness,” says Awan.

Evolution. LHRLA, a Karachi-based non-profit, non-political organisation, was formed by a group of 50 lawyers led by Awan in January 1989 to meet the growing demands of those who were unable

THE ZINA HUDOOD ORDINANCE (1979)

THE Hudood Ordinance criminalises zina, defined as extra-marital sex, including adultery or fornication. It also criminalises zina-bil-jabr, defined as rape outside of a valid marriage. The punishment: stoning to death.

Trafficked women are booked under the Hudood Ordinance, which makes adultery or sex outside marriage a crime against the state. They can also be booked under the Passport Act. 'Illegal immigration' carries an additional sentence of three or four years, either waiting for trial or to clear immigration formalities. Women in the sex trade are also often charged with zina. In all these cases, the women and girls are made to spend long periods in prisons.

Source: LHRLA

to obtain legal aid in Pakistan. Its agenda included providing free legal services in cases related to child abuse, rape, torture, divorce, inheritance, illegal detention, child custody, constitutional petitions for fundamental rights/public interest litigation; documentation; conducting paralegal training courses and lobbying for reform against discriminatory laws.

When LHRLA started out, the lawyers had a target group—women and children—but hardly any resources. None of the members knew how to write project proposals; they grappled with the challenge of drawing attention to the causes they were committed to.

LHRLA was the first NGO to take up the issue of trafficking of women and children in Pakistan. Its work started with women in jails. The tales from the prisons in Pakistan drew the lawyers' attention to trafficking. The Pakistani regime of the day had passed the Hudood Ordinance and many of the lawyers who were part of LHRLA were fighting to get it repealed. As part of that struggle, they visited prisons and came across many women who were languishing in jail. As they started talking to them, they discovered that many were Bangladeshi and Burmese, and had been trafficked to Pakistan. They had been lured by dreams of riches. A network of recruiters, transport agencies, moneychangers, hotel owners and promoters were involved in the racket. The unfortunate women and girls were first raped then sold to the commercial sex trade.

LHRLA's lawyers realised that in order to get the women released and generate public awareness about their plight, they would have to fight the problem not on a case-by-case basis, but as part of a sustained campaign.

More than a decade after it was formed, LHRLA is widely acknowledged as one of the key players behind the heightened awareness about trafficking issues among the public and officialdom in Pakistan.

As LHRLA's profile grew, the lawyers realised that since trafficking was a trans-border issue in many instances, it was necessary to spread awareness about the issue at the regional level. Says Awan: "There were many Bangladeshi women who had been trafficked to Pakistan under false promises of marriage. Eventually they landed up as bonded laborers or were sexually exploited. I felt the administration and the public in the source countries had to be sensitised into accepting the ground realities of trafficking in South Asia."

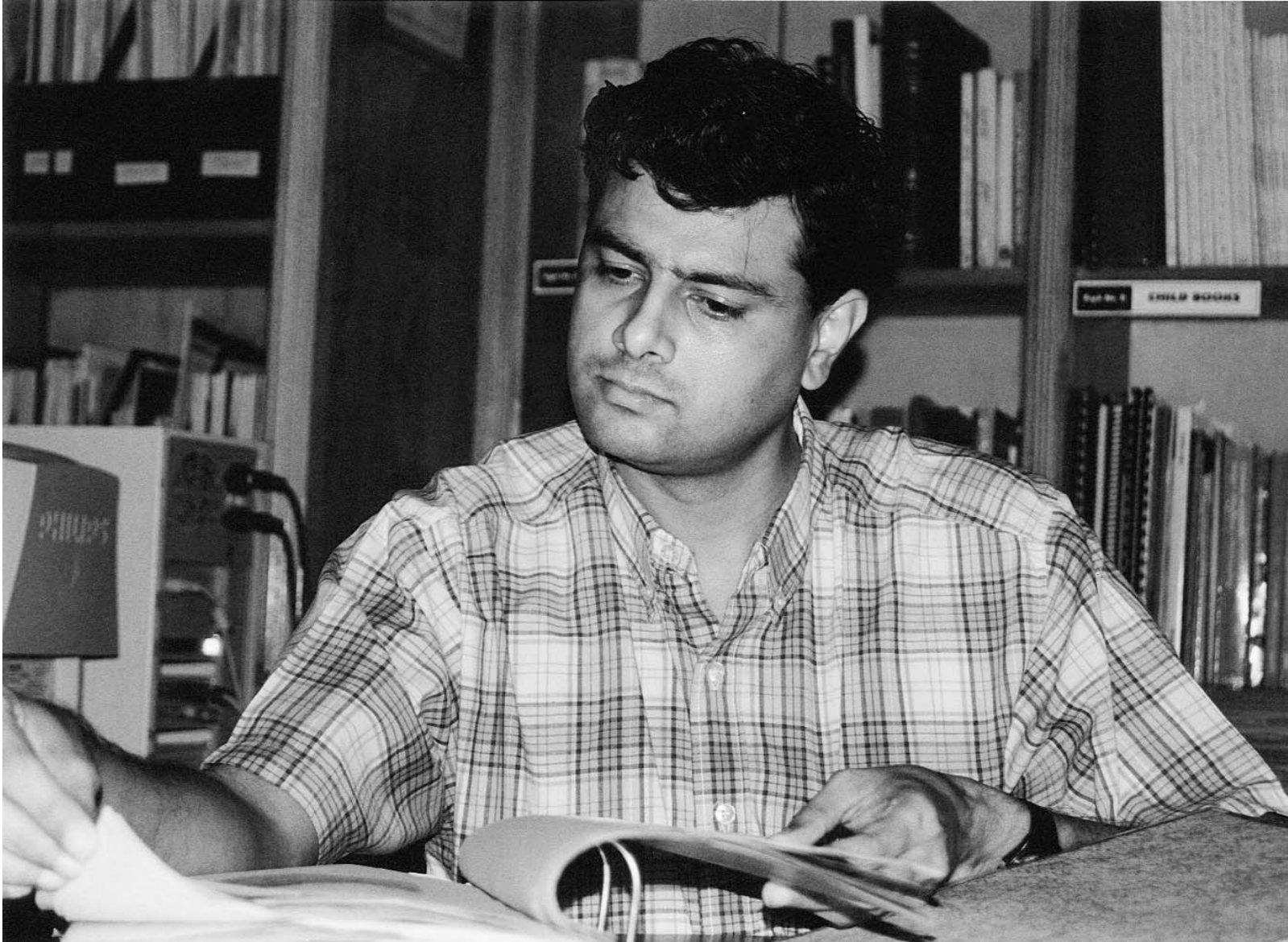
Media Advocacy. The opportunity came in 1991: that year, Awan went to Nepal, and on the way back, he stopped over at Dhaka. The lawyers' group had put together a report on trafficking, and had also assisted the BBC in making a documentary on the subject. Awan used the stopover at Dhaka to publicise both. The booklet was released at a press conference at the Dhaka Press Club and distributed to NGOs in Bangladesh.

The press meet achieved the intended results: it got wide coverage in the Bangladeshi media, and several newspapers wrote editorials spotlighting the issue. Awan also met members of the Bangladesh National Women Lawyers' Association (BNWLA), one of the main NGOs working on women and children's issues in Bangladesh. Awan says the press meet and the resultant media glare on the trafficking of Bangladeshi girls and women contributed towards a larger public debate about the issue in the country.

Soon after, Awan and a few others started taking part in television talkshows in Pakistan. The continuous contact with the media taught the lawyers some nuances about crafting press statements: the importance of keeping the message simple and direct, and of tailoring the language to suit the media's needs.

Today, LHRLA works with several national and international agencies on the issues of trafficking and HIV/AIDS; the initiatives taken by the organisation have had an impact at the policy-level within the country and in the region. Last year, with assistance from CIDA, the Canadian Aid Agency, it published a national research study on Trafficking in Women and Children in Pakistan and South Asia. It has worked extensively with UNDP on developing powerful advocacy strategies on trafficking and related vulnerabilities to HIV/AIDS, while addressing complex issues of stigma and denial of human rights.

The promulgation of the Prevention and Control of Human Trafficking Ordinance in Pakistan last year was the result of LHRLA's intense advocacy. Before finalising the draft of the ordinance, the Government contacted LHRLA and sought its feedback. LHRLA's recommendations were incorporated into the Ordinance. LHRLA's sustained advocacy with authorities at the highest level in Pakistan is also one of the factors behind the country ratifying several international instruments and conventions related to trafficking. In 2001, Pakistan



Salik Majeed, Staff Reporter of the Karachi-based daily, Nawa-i-Waqt, one of the frequent visitors to the LHRLA office, says that the organisation database has helped him file reports on trafficking

The Feedback

Mohammed Hassan Mangi, Director, National Commission for Child Welfare and Development, Pakistan

We tap LHRLA's expertise in legal matters. For instance, if the Government has decided to amend an existing law, we approach LHRLA for their views.

Nadira Ahmed, member of the Citizen-Police Liaison Committee (CPLC), central district, Karachi

LHRLA gets in touch with us when they hear of a woman in distress or in captivity. We approach the police and with the help of the police, we facilitate raids and rescue of such women and girls. We also offer counselling services and help arrange for shelter and medical assistance. Most ordinary citizens do not want to go to the police directly, so they come to us. Senior members of the CPLC have the status of 'Justice of the Peace' and can immediately get in touch with any police officer. We help people lodge FIRs and if we need further legal assistance, we approach LHRLA.

The CPLC came up nearly 14 years ago when crime was at its peak in this megacity. It was originally intended to be a network of local neighbourhood watch committees. Over the years, the CPLC has evolved into an independent statutory institution with a mandate endorsed by federal and provincial leaders. It runs the entire computerised anti-crime database for the city of Karachi and is expanding it to the province of Sindh.

Guinevere David, Health Reporter, The Nation, an English daily published from Karachi

I'm a little sceptical about NGOs – because many of them exist only on paper. But LHRLA is among the few that are doing really good work. It is one of the very few to provide reliable data on trafficking. In Pakistan, there is very little official data on issues like trafficking of 'camel kids', women in prisons, trafficked women and so on. It is difficult to get statistics out of the Federal Investigation Agency (FIA). So we turn to LHRLA, which meticulously collates such information. The data is reliable and it saves us a lot of time. LHRLA also has well-trained staff who are quick to respond to queries—a bonus when you are chasing tight deadlines. LHRLA has had a significant role in raising awareness about trafficking in Pakistan and within the region. Thanks to the greater awareness following media reports, these issues are being taken up at the Sindh Assembly. But we still need to do a lot more on the implementation front.

Hussain Asghar, Assistant General of Police, Sindh Province

I came into contact with Zia Ahmed Awan and the LHRLA a few years ago during my previous posting in the immigration department. The issue of Pakistani children being used as camel jockeys in West Asia had then come up. We found these children in airports - or at bus-stops.

signed and ratified the ILO Convention 182 on the Worst Forms of Child Labour, including trafficking; it also signed the Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution and child pornography.

Over the past decade, LHRLA has also made substantive contributions to Pakistan's National Policy and Plan of Action against Commercial Sexual Exploitation of Children (CSEC). The Plan was drawn up in consultation with government agencies, NGOs and child rights activists; LHRLA was part of the core group that assisted the National Commission of Child Welfare and Development in the implementation of activities envisaged by the NPA. More recently, it became a member of the provincial commission for child welfare and development established by the Sindh Government. The commission has identified trafficking of children as a cause of serious concern.

The organisation has come a long way since the time it was grappling with the mechanics of drawing public attention to neglected issues.

The success of LHRLA's media advocacy can be gauged from the

fact that journalists in Karachi and elsewhere in Pakistan view LHRLA as the most authoritative source for information related to trafficking. LHRLA's office in Karachi makes available enormous amounts of data, from the database that LHRLA has developed by putting together material from newspapers and magazines in all languages from across Pakistan. Much of this information is collated and processed into crisp reports and sent out as e-mail alerts to over 3,500 people around the world at regular intervals. Among those on the electronic mailing list are representatives of the media, policy makers in Pakistan, local NGOs, regional networks, international NGOs, UN personnel and representative of donor agencies.

LHRLA members are sought by TV talkshow hosts and newspaper journalists who require information on topical issues such as the 'camel jockey kids' – Pakistani children who are trafficked to West Asia for use as camel jockeys. Reports on cases taken up by LHRLA figure regularly in the English and Urdu media in Pakistan.

Awan believes that one of the reasons why LHRLA enjoys high credibility among the media is its work at the grassroots-level. "If I say I

We did not have any idea how to deal with this new phenomenon. As police officers, we are not trained to handle small children who are being trafficked. LHRLA has access to a wide network of individuals and institutions and it helped us by facilitating the interrogation of these children, arranging shelter for them and eventually facilitating their repatriation by tracking down their parents. The police were not equipped to do these things. Most police stations did not have facilities to keep women in custody and we really appreciated LHRLA's assistance in helping us with arranging for shelter, in the investigation and in repatriation.

Salik Majeed, Staff Reporter, Nawa-i-Waqt, an Urdu daily published from Karachi

For journalists, one way of getting information on issues such as trafficking is by visiting police stations, hospitals and the Dar-ul-aman (shelters). But often this is the more difficult route because staff in these agencies do not want to talk and if they talk, they do not give any details. In such situations, we call LHRLA or drop into their office. I know that if I drop into the LHRLA office, I may even get to meet a trafficked survivor. There is a constant stream of such people at their office. Second, they have data—which is invaluable. Over the years that I have been reporting on cases of trafficking, I have developed a good relationship with the staff at LHRLA. I am on their e-mail list and get regular e-mail alerts, faxes and press releases. These also serve as good leads.

seek to empower survivors of trafficking, I should be able to prove it. Our work at the grassroots-level speaks for itself. We have secured the release of several women and children who were languishing in jails and we have arranged safe refuges for them through our wide network of contacts.”

LHRLA's bonds with the media are particularly strong because as an organisation, it does not discriminate with sections of the media. “We do not distinguish between broadsheets and tabloids, right-wing press or progressive press. Everyone is important to us and everyone is given the same attention,” says Awan.

Sensitisation Training. LHRLA's more recent foray into sensitisation training arises from its belief that the problem of trafficking must be fought on several platforms. While media advocacy is a key tool to raise public awareness and secure public recognition of the work it is doing, it realises the urgency of sensitising those who will be eventually implementing policies. One of the outcomes of the trainings is frequent interaction between LHRLA and the government agencies such as the Federal Investigating Agency (FIA). Awan speaks of the need to

sensitise the new emerging city governments. Pakistan now has a law to deal with trafficking, but the rules still have to be drawn up. This means every tier of government has to be sensitised about the emerging trends in trafficking, including human rights-based responses in the context of HIV/AIDS and the possible ways forward.

Partnerships and Alliances. LHRLA has built a network with 150 partner organisations, whose help it takes to provide shelter, counselling and legal aid services. It has links with the police and with the jail machinery. “Sometimes we have people from the FIA coming over to us and asking us where they can leave children or women who are thrust on them. We guide the women and children to shelters and provide them with counselling as well as legal assistance. It is these partnerships that help us carry out our grassroots-level work and win us support among all sections of the media.”

LHRLA's webs of partners are integral to what it calls “meta-legal tactics”: methods beyond the immediate scope of law. For example, LHRLA often gets in direct touch with the Director-General of Police, the Home Secretary, a provincial governor and other officials in law enforcement agencies and points out excesses committed by the local police. LHRLA also coordinates with NGOs such as the Citizen Police Liaison Committees, and women's groups such as the Aurat Foundation.

Challenges Faced, Lessons Learned. LHRLA's modest start was made with local resources, principally assistance by the Edhi Trust in Karachi. The LHRLA leadership believes that the organisation succeeded in realising its vision because it was not donor-driven from the beginning. It had its own agenda and it had committed people who worked tirelessly even when the going was tough. Funds, and national and international recognition, followed.

The organisation has successfully overcome the obstacle of trying to highlight issues such as trafficking within the existing political and legal framework. The trick was to fine-tune its approach to media advocacy. That meant accepting that it would have to dovetail its ‘causes’ with the media's frame of reference.

Trying to influence all sections of society, including those whose views were often at variance with LHRLA's, has been a learning experience for the organisation. Awan believes that effective advocacy has some ground rules: one has to tailor one's terminology according to the constituency one is targeting. So, while the human rights language may work with some groups such as the media, tactically, it is wiser to tone it down with others.

Another innovative approach adopted by LHRLA is to involve the media in a deeper sense in its work. Part of its policy is to invite journalists not only to report on LHRLA's programmes and projects but also to be an integral part of them. Journalists are invited as issue

experts and as speakers in functions that LHRLA organises. Mediapersons are also invited for capacity development workshops meant for LHRLA staff. The journalists' role in such events is to explain their needs and perspectives more clearly. Such processes also help civil societies in assessing the impact of media responses.

LHRLA has many plans for the future, including the establishment

of a Regional Centre on Trafficking, Migration and HIV/AIDS, which will help the organisation to focus on these interconnected issues in an integrated manner. But in whatever it does, the media will be a key ally: Awan and his team are clear about using the media in navigating the journey from the frontline to the frontpage.

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UNDP and LHRLA have collaborated on several regional-level research initiatives that primarily address the dearth of data on the extent and nature of trafficking within South Asia. As part of this partnership, several programmes aimed at developing guidelines and training manuals on trafficking, migration and HIV/AIDS issues for both the media and social activists have been undertaken.

Recovery, Repatriation and Reintegration: The Multiple Dynamics

STOP (Trafficking, Oppression and Sexual exploitation of Children and Women), Delhi

STOP began as a movement to challenge the complex mechanisms related to trafficking and sexual exploitation that remain hidden from public view: the plight of young girls and women who are trafficked into different locations and situations. Through a strong and cohesive network of partners ranging from civil society, sex workers' organisations, government, law enforcement and the judiciary, the organisation has succeeded in recovering and empowering innumerable survivors of trafficking, many of whom are HIV-positive.

Genesis. STOP was launched in Delhi in 1997 by academics, professionals and community-based workers who were keen to combat trafficking and empower women and children. STOP's experiences in recovery, repatriation and reintegration of trafficked women and children illustrate the importance of using innovative approaches while facing challenging assignments.

It was the "apathetic attitude" of some officials that pushed Roma Debabrata, a professor at Delhi University, to join forces with like-minded persons and found STOP, which operates today under the Ramola Bhar Charitable Trust. Says Debabrata: "We decided to work in every field related to women and children but to specialise on challenging trafficking."

STOP's activities are overseen from an office in Delhi, but the organization's influence extends far beyond India's capital city. STOP has initiated direct action on the 3 'R's—recovery, restoration/repatriation



STOP's community workers in a leadership development session

(if applicable) and reintegration. Since its inception, it has recovered 475 trafficked persons, initiated legal proceedings against 150 criminals (of whom 14 have been convicted), repatriated 306 survivors of trafficking and reintegrated about 250 persons.¹

Evolution. Although STOP was formally launched as a movement in 1997, it had been operating as a loose network focussing on issues such as trafficking since the early 1990s. Much of STOP's activities today and the strategies it adopts in carrying out recovery, repatriation and reintegration can be traced back to the shocking case of Hamida, a 10-year-old Bangladeshi girl, who was brought to India in 1993 and brutally raped by the man who brought her here and by some of his friends who were Delhi policemen. She then spent four years in a chil-

¹ STOP Presentation on Community Action, Rescue and Rehabilitation at the 3rd Regional consultation of South Asian forum Against Human Trafficking (27th-28th May 2003, Kathmandu).

Community sensitisation through interactive meetings in a village community outside Delhi



dren's home in Delhi while her case played out in the various courts. STOP followed up the Hamida case from the lower courts to the Supreme Court, India's apex judicial body. Debabrata initially offered translation services for the child who only spoke Bengali; later, she became actively involved in ensuring a safe return for Hamida and accompanied her on her trip back to Bangladesh.

In the past six years, STOP has developed partnerships and alliances with official and non-governmental agencies—within the country and outside—and leverages this. STOP's work on community outreach and advocacy has opened up new frontiers and new contacts which impact its work on recovery, repatriation and reintegration.

Currently, its community outreach programme includes two educational centres at Yamuna Pushta, Delhi, for children between the ages of four and ten. A panel of four doctors visit this neighbourhood regularly to provide specialised health care services—from ophthalmological to gynaecological. This is a very vulnerable area with large sections of migrant communities and internally displaced persons, who are often prime targets for traffickers. STOP is spreading its activities to other 'source areas' as well, such as the states of Rajasthan, Bihar and Uttar Pradesh, which also share boundaries with the neighbouring countries of Pakistan and Nepal.

STOP's advocacy work involves conducting sensitisation programmes on trafficking and HIV/AIDS issues for the police, judiciary, media and civil society at large. Workshops and seminars help to raise

awareness about the ground reality of trafficking in the region and the underlying factors; these have not only contributed towards a greater public recognition of the problem but the personal relationships built during the process have come in very handy in times when STOP needs to act to recover or repatriate a trafficked woman or child (*See Box: Problems without Passports*).

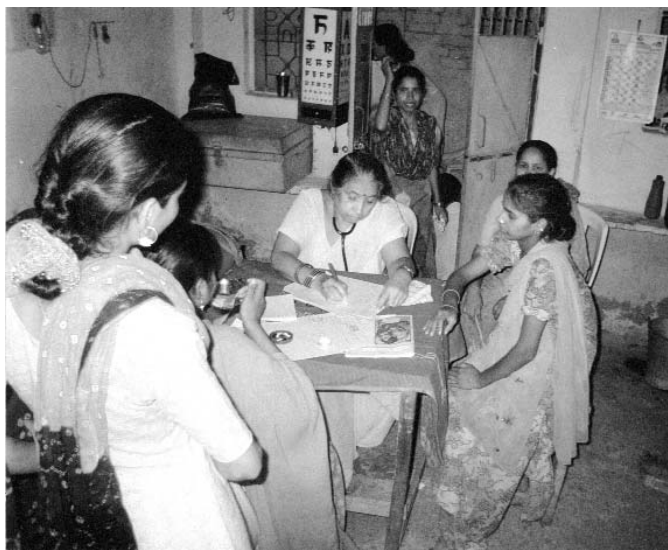
One outcome of these interlinked activities has been the establishment of a shelter home in the outskirts of Delhi, which provides refuge for vulnerable children as well as young adults recovered from red-light districts in Delhi, many of whom are HIV-positive. The residents are provided quality education and vocational training.

Recovery, Repatriation and Reintegration. A key factor behind STOP's success in recovering minors is the fact that it employs survivors of trafficking themselves in recovery operations conducted by the police. Another key reason why STOP has been able to extend its reach to the innards of a red-light district such as Delhi's G.B. Road is its partnership with Savera, an NGO, half of whose members are sex workers themselves. Recalls Debabrata: "I met Anand Sharma, the General Secretary of Savera, a sex workers' organisation in Delhi, at a turbulent meeting of sex workers in a railway godown."

Savera was established in 1999. Its roots go back to a landmark meeting that Anand Sharma attended. Sharma's participation in the National Sex Workers Convention organised by the Durbar Mahila Samanwaya Committee in Kolkata in 1997 marked a defining moment in his life. Sharma, a trade unionist, had been working on HIV/AIDS prevention and counselling, but his interactions with sex workers from across India and their harrowing tales convinced him of the need to set up an institution to empower the residents of Delhi's red-light districts. Today, Savera is STOP's partner in G.B. Road. The collaboration between the two has resulted in the recovery of many minors trafficked into the red-light area. "In the last two years, 35 'madams' (brothel keepers/owners) from the G.B. Road area have been sent to judicial custody and there have been 19 convictions," says Sharma. The vigilance mounted in the area and the punishment given out to the brothel madams have curbed trafficking of minors in this red-light district. "For the past eight months, there has been no 'rescue work' in G.B. Road. The focus is shifting from here," says Debabrata.

Sharma says that trafficking in northern India is taking new forms. "The ruse is marriage. Old men in parts of Haryana (where a declining sex ratio means there are fewer women), and criminal gangs in Uttar Pradesh and Madhya Pradesh lure girls on false promises of marriage. Once women are captive, they are used for home-based commercial sexual exploitation. This makes our job tougher."

Debabrata says that although STOP has successfully recovered many minors, organisationally, it is undergoing a process of introspection on



Health checkup for marginalised women at an outreach office

A young trafficked
survivor being
reunited with her
family



Problems Without Passports

Safe Repatriation through Bilateral Action and Networking

In a region where a majority of the population does not get enough food or proper medical care, passports are undoubtedly a luxury. Yet, for survivors of trafficking who happen to have crossed international borders but have no passports, it means instant deportation. Unless an NGO takes up their case, they are physically pushed back by the 'host country'. More often than not, in the absence of documentation, the country of origin refuses to acknowledge a trafficking survivor as its own and s/he is pushed back. In the process, many fall into traffickers' nets over and over again, and the nightmare begins afresh.

"We have strong reservations about such deportations, but this is the ground reality," says STOP's Roma Debabrata.

So, how do you get around this problem if you are an Indian NGO engaged in recovering trafficked girls from brothels, and many of those recovered are from across the border, but have no travel documents? Debabrata says that in absence of a better mechanism, her organisation relies increasingly on trans-border NGO networks to ensure safe repatriation of women and children whom STOP helps recover and who are willing to return to their communities.

"Repatriation is a tricky business when a girl does not have any papers to prove her identity and her home country is reluctant to accept her. This is an administrative problem and should be sorted out by governments, not NGOs. But when you are face-to-face with a practical problem, you have to come up with a practical solution, even if it is not the ideal one."

STOP leverages its links with NGOs in Nepal (Maiti) and Bangladesh (BNWLA) to facilitate repatriation of trafficked women and children. Many of the children who are recovered from Indian brothels originate from these two neighbouring countries, and the network between NGOs working to combat trafficking in the region is increasingly being acknowledged as a critical factor in the successful repatriation of survivors.

The case of Fatima Khatoon, a 14-year-old Bangladeshi girl trafficked to a Mumbai brothel and recovered early this year, illustrates the impor-

tance of practical solutions to practical problems faced by activists like Debabrata. Khatoon did not have any travel documents or a passport but STOP ensure, through some high-level lobbying in India and its long-standing relationship with the BNWLA, that she was not deported. Khatoon was recovered by the Mumbai police after she lodged a complaint against the brothel-keeper and her husband who had trapped her. While her case was being processed, she was put up at an observation home for girls in Mumbai. But the Metropolitan Magistrate, Juvenile Court, Mumbai, issued an order that she be sent back to her parents in Bangladesh.

Recalls Debabrata: "I got a call from one of our partner NGOs in Mumbai, who alerted us that the Mumbai Police had taken custody of Fatima and that she had already boarded a train for Kolkata. That meant that within 36 hours she would reach the city and was likely to be pushed back across the border to Bangladesh. We knew what would happen if no one intervened. Bangladesh border security forces would not accept her since she did not have any papers and they would push her back again into India. There was a great danger that she would be re-trafficked in the process."

STOP immediately got in touch with the National Human Rights Commission and the Border Security Force. Simultaneously, it alerted Sanlaap, a Kolkata-based NGO and shot off frantic messages to the BNWLA stating that Khatoon, a migrant from Bangladesh who had been trafficked to a Mumbai brothel, had been recovered but risked being deported.

Owing to the direct intervention of NHRC, the Indian Border Security Force handed Fatima over to Sanlaap temporarily. While the girl stayed in Sanlaap's shelter, BNWLA was busy locating Khatoon's parents. The story has a happy ending: BNWLA managed to track down her family, verify her contact details, and pass on the information to the Bangladeshi authorities. Khatoon was escorted to the India-Bangladesh border at Haridaspur checkpoint and handed over to a team of the Bangladesh Rifles and BNWLA, who took her to her home-town Jessore.

the merits of such 'raids' to recover trafficked persons. "The goal is recovery and empowerment, not raids. Even in our work with law enforcement agencies we believe that raids do not solve the problem," she feels. The root causes of gender discrimination, socio-economic insecurities and deep-rooted societal beliefs that fuel stigma and other oppressive norms need to be addressed simultaneously. The long-term solution appears to be a self-regulatory mechanism managed by those in the frontline, such as sex workers themselves, she points out.

Ultimately, only community monitoring and awareness can curb trafficking and address the vulnerabilities related to HIV/AIDS. Savera and STOP are, therefore, working at mobilising G.B. Road's sex workers to set up a self-regulatory board in the area, which would comprise of both sex workers and civil society stakeholders.

Following the process of recovery, the longer and more difficult journey towards reintegration commences. STOP's approach to reintegration is two-pronged. Those who have a supportive family atmos-

where they are reunited with their families. Others who may not want to return home for a variety of reasons such as stigma and abusive home environments, especially in the case of HIV-positive trafficked survivors, are given opportunities to be a part of civil society initiatives such as those of STOP and directly participate in recovery, counselling and reintegration activities. Sheela, a survivor of trafficking who works with STOP, says those like her are uniquely positioned to help in recovery operations because they know the territory and can also counsel girls who are being recovered and reintegrated. Having gone through a traumatic experience, they are also sensitive to the nuances of the plight of other survivors of trafficking. Sheela speaks of the need to sensitise the staff of state-run homes. “They keep reminding the girls over and over again of their past. That is systematic humiliation. Alongside the lack of basic facilities, these create serious obstacles to reintegration.”

Partnerships and Alliances. STOP has developed a wide network of allies ranging from Central and State Governments, judicial authorities, human rights bodies, HIV/AIDS care-homes, NGOs, international agencies and the media. Over the years, while carrying out recovery, repatriation and reintegration work, STOP has networked with nodal ministries and departments in India such as the Ministry of Social Welfare, Department of Women and Child Development and the National Institute of Social Defence.

STOP uses its alliances with the judiciary, law enforcement agencies, Department of Social Welfare, Juvenile Board and so on to sensitise the staff of these institutions on key issues related to trafficking and vulnerabilities to HIV/AIDS. Sometimes this means raising issues that have not occurred to the government staff. For instance, during one informal discussion with the police, judiciary, department of social welfare, juvenile board, Nari Niketan and the Observation Home for Children, STOP raised a pertinent point about repatriation of trafficked girls. ‘If a girl does not want to go back to her place of origin for a particular reason, should she be forced to do so?’ Such questions raise fundamental concerns about the human rights of trafficked survivors and help in sensitising policymakers. Informal cross-sectoral meetings organised by STOP in the past have thrown up many such key issues related to repatriation and reintegration.

Central to STOP’s work are partnerships with NGOs across the border such as Maiti in Nepal and the Bangladesh National Women Lawyers Association (BNWLA). STOP’s ability to safely repatriate and reintegrate those whom it helps recover from red-light areas is greatly enhanced by its links with these two agencies. The relationship between the NGOs working to check trafficking is mutually beneficial: each taps the resources and contacts of the others. Till date, STOP has successfully repatriated 91 girls to Maiti Nepal. It has repatriated 25

STOP’S PROACTIVE ROLE HAS PRODUCED ENCOURAGING RESULTS

RECENTLY, Justice Usha Mehra and Justice C.K. Mahajan’s Joint Bench in the Delhi High Court initiated suo motu action based on a long-drawn case of trafficking: a client at a brothel had filed a habeas corpus petition on behalf of a minor girl being held in the brothel. The case was reopened after years, and its scope was widened. Based upon lessons learnt from this case, Justice Mehra suggested a plan of action for the reintegration of trafficked persons recovered from Delhi’s G.B. Road and other red-light areas and vulnerable pockets in Delhi.

The plan of action includes the following measures:

- The police and identified NGOs will monitor the conditions in short-stay homes and government-run shelters
- Authorities in government-run shelter homes and identified NGOs will provide trauma counselling, medical assistance, education, skill training and other facilities to survivors of trafficking.
- The High Court will give the release order of the girls to NGOs with proven experience in anti-trafficking work, who will then restore/repatriate them to their place of origin, should they be willing to return, with the help of civil society partners in Nepal and Bangladesh (in cases of trans-border trafficking) and local NGOs in different parts of India (in the case of intra-state trafficking), with the direct involvement of the local government, Department of Women and Child Development and the Department of Social Welfare.
- Close monitoring of the process of reintegration will be undertaken, with regular updates to the High Court.

girls to Bangladesh with the assistance of partners such as BNWLA.

For the care and support (both psychosocial and physical) provided to trafficked survivors, especially those who are HIV-positive and wish to remain in Delhi, preferring not to return to their home environments where they fear societal stigma, STOP facilitates a wide range of services. It works in close collaboration with leading institutes such as Michael’s Care Home, Sahara Home and NIMHANS, specialising in counselling and care for HIV-positive trafficked survivors. One such HIV-positive trafficked survivor who now works with STOP as a caregiver had at one point faced a series of infections, including TB, but has now recovered and is enthusiastic in her endeavours to teach various craft-skills to the young residents of the STOP Home.

Challenges Faced, Lessons Learned. Although STOP’s success in recovery and repatriation are widely acknowledged, the tasks have been fraught with challenges. Problems faced by STOP during a recovery operation include leaks in information that often lead to the trafficked girls being shifted from one brothel to another, thereby mak-



Young children from vulnerable communities attending an informal school and recreational centre, run by STOP's outreach workers

ing the tracking process very difficult. On many occasions, the brothel madams have also been able to hide minor girls within false ceilings and walls when the police arrive. Often a Catch-22 arises because although the recovery team have information and well-founded suspicion about the presence of minors in a brothel, it cannot afford to stay on in the brothel for a prolonged period. STOP staff say, minor girls are stuffed into small, confined spaces during a raid. A prolonged search could thus cause suffocation deaths.

These are some of the factors that have led STOP to review its attitude to raids and reorient itself to the idea of self-regulatory boards in the red-light areas.

A key hurdle encountered while trying to repatriate a trafficked person is delayed judicial procedures. It takes a long time to bring the perpetrators to book, and it takes a long time to determine the identity and nationality of a recovered person. All this delays the paperwork. Meanwhile, the survivors of trafficking, who are traumatised beyond measure, keep waiting endlessly in crowded state-run shelters. The gross neglect of the survivors at state-run homes compounds the task of empowering them.

Another key problem faced by STOP is the reluctance, in many instances, of the trafficked girls' families to accept them. Says a STOP

staff member: "Sometimes we have found that the families' acceptance of the girl is prompted by greed since all the girls who opt to return home are given some seed money to start their own business linked to the vocational training they received during the reintegration process. This means we have to monitor the actions of the girls' families over a period to ensure that she is not re-trafficked or duped out of her money."

Through experience, STOP has learnt that regular follow-ups and close monitoring of survivors can only be done by networking with other NGOs and community-based organisations in the 'source' area, transit points as well as end-destinations. STOP, therefore, networks with Sanlaap in West Bengal, Odanadi Sewa Samastha in Karnataka, Save our Sisters in Mumbai, Maiti in Nepal and BNWLA in Bangladesh. It also keeps a record of all the girls who have been restored in different states within the country through compliance reports received by District Magistrates. Another key lesson is that no matter what the failings of the government machinery are, tasks such as recovery and repatriation necessarily involve cultivating a cooperative relationship with government agencies at the Centre, State and district levels.

STOP started as an informal network but as the movement gathers momentum, members say there are no full-stops for STOP.

UNDP and STOP have spearheaded several programmes aimed at raising public awareness on issues of trafficking through the empowerment of marginalised communities such as migrants workers, and developed community-led mechanisms that address women and children's multiple vulnerabilities to being trafficked. Currently, UNDP supports an innovative collaboration between STOP and a sex workers' organisation called Savera, based in Delhi's G.B. Road brothel area, to develop the capacities of sex workers in challenging trafficking. Its initiative also challenges several socially sanctioned forms of violence within communities that 'traditionally' sanction commercial sexual exploitation of girl children.

Self-Regulatory Boards: Kolkata's Sex Workers Show the Way

Durbar Mahila Samanwaya Committee (DMSC), Kolkata

Durbar Mahila Samanwaya Committee's (DMSC) policy and practice have revolutionised existing approaches to curbing trafficking and containing HIV/AIDS in the South Asian context. The active involvement and empowerment of sex workers in generating sustainable responses through the formation of 'Self-Regulatory Boards' has proven to be an invaluable best practice that is now being replicated globally, from Brazil to Thailand.



A member of the central committee of the DMSC Self-Regulatory Boards

Genesis. In a region where sex remains a sensitive, taboo subject and sex trade is an issue that is conveniently swept under the carpet, one of the most dynamic developments is the formation of the Durbar Mahila Samanwaya Committee (Durbar Committee for Co-ordination of Women), a grassroots sex workers' collective, headquartered in a squalid, congested pocket of Kolkata, the capital of India's West Bengal state.

DMSC was established in July 1995 in Sonagachi district, the oldest and largest red-light area in this bustling city, which has been around since British colonial days. It was intended to provide an exclusive forum for sex workers (both brothel-based and mobile) and their children to share their experiences and strategies in their struggle against material deprivation and social stigma. This was the first time in India that a group of sex workers had rallied together and spoken out about the rights and wrongs of their profession at a public forum. This was also the first attempt by Indian sex workers to establish a conscious identity for themselves as sex workers in the public sphere.

The founding members of DMSC came together through their active involvement as peer educators in an STD/HIV prevention programme, known as SHIP (STD/HIV Intervention Project) or the

Sonagachi Project, launched by the World Health Organisation in 1992 in collaboration with the All-India Institute of Hygiene and Public Health.

When the Sonagachi Project was started, a large number of the region's sex workers were minors from income-poor households who had been trafficked into the profession under false pretences, including promises of marriage. They came from the hinterland's poverty-stricken villages or from neighbouring Bangladesh and Nepal, and were sold to the 'madams' by touts.

The project set up an STD clinic for sex workers in Sonagachi to combat sexually transmitted diseases and promote the use of condoms, in line with the then-popular approach of targeting HIV prevention efforts at particular groups deemed to be at high risk. However, gradually, the project's focus expanded beyond disease control, to include key structural issues related to gender, class and sexuality.

A key aspect of the project was to target the community by involving sex workers themselves: all the outreach workers in the programme were sex workers. This gave the women a new identity and was crucial to their sense of empowerment.

Says DMSC director Mrinal Kanti Dutta: "One of the most dramatic achievements of the STD/HIV prevention project was the rise in con-

dom use in Sonagachi: from 2.7 per cent in 1992, when the project began, it shot up to more than 60 per cent by 1994.” The sex workers’ collective has also been successful in curbing trafficking to a great extent in the pockets it has its branches in.

Evolution. DMSC represented an agenda for change—the sex workers’ desire for a better life, confronting conditions that aggravate their deprivation, such as a hostile working environment, poverty, harassment, coercion and stigma. But members realised fairly early that change was possible only through partnerships.

Through astute coalition-building, DMSC has gradually trans-

formed the surroundings of Sonagachi and become an institution whose legitimacy today is recognised by local authorities and progressive sections of civil society. Two years ago, when DMSC organised the Millennium Milan Mila, a gathering of sex workers from different parts of Asia, Kolkata’s Sheriff, Suchitra Mitra, a renowned Bengali singer, came forward to inaugurate the event.

Today, DMSC’s reach extends to almost all the towns and cities in West Bengal: it has nearly 70 branches in the state and close to 60,000 members.

Recalls Dutta: “DMSC evolved out of a perceived need among sex

An informal meeting of the members of the Self-Regulatory Board, Domjur, West Bengal



workers. They realised that in order to secure their rights, they would have to unite. Police raids were a routine occurrence, and using the pretext of rescuing minor girls, policemen would harass everyone involved in the sex trade. The raids also made sex workers more vulnerable to HIV: the raids would drive away customers, and when the poverty-induced desperation for customers increased, sex workers came under greater pressure to yield to unsafe sex. By 1995, awareness among sex workers had grown enormously in the Sonagachi area. The idea of Self-Regulatory Boards started crystallising around 1996.”

DMSC sees sex work as a contractual service negotiated between consenting adults and is committed to a decriminalised legal status for sex workers and their children.

Today, combating trafficking and HIV is central to DMSC’s charter of activities. Members say they are determined to combat trafficking of women and minors into sex work because, by definition, trafficking implies coercion, and as an organised group of sex workers they are uniquely equipped to confront the phenomenon. This is because they have direct access to settings where trafficked girls are kept and are often well networked with brothel owners.

Self-Regulatory Board. DMSC’s success in checking trafficking and the entry of minors in select red-light areas has been a gradual process. In the beginning, DMSC focussed on health and education of sex workers, education for the sex workers’ children and vocational training for older sex workers and those who were no longer willing to be part of the trade. But a conceptual shift took place soon after it realised that until sex workers constituted a self-regulatory board that could control the exploitative practices within the trade, prevent the entry of minors, regulate the rules and practices and institute social justice measures for sex workers and their children, their dream of comprehensive development for themselves and their children would remain unrealised.

The concept of a regulatory body that gives sex workers more control over their trade got a further boost in 1997 at the first National Conference of Sex Workers at Kolkata’s Salt Lake Stadium. The event, attended by Indrajit Gupta, the then Union Home Minister, was covered widely by the national as well as the international media.

The first few Self-Regulatory Boards came up in the late 1990s and they were meant to be ‘borders within the red-light areas’. Says Dutta: “Border policing obviously was not fully effective, and we found that unless we created a ‘border’ within the red-light area, controlling trafficking was impossible. The Self-Regulatory Board’s job was to ensure that entry into the sex trade was regulated. There were two non-negotiable terms—the girl must be aged 18 or above, and her entry into the trade should not be by force. The Board is also the principal arbitrator in cases of violation of sex workers’ rights within the trade.”

The Board’s objectives include:

- Mitigating violence against sex workers by brothel keepers, room owners, pimps, local hooligans or the police
- Establishing channels of information within red light areas, through which board members can monitor whether any minor is being trafficked into sex work or whether any one is being made to work against her will
- Identifying those who have been trafficked, and encouraging them to seek the Board’s help
- Trauma counselling for those recovered, and provision of health services, if required
- Repatriating those who are recovered
- Establishing ways of keeping in touch with those who are repatriated to ensure that they are not stigmatised or re-trafficked

The idea of the Self-Regulatory Board has gained wide acceptance among DMSC members. Currently, of the 62 red-light areas in West Bengal where DMSC is active, 22 have Self-Regulatory Boards. More boards are being set up in the border areas prone to trafficking.

Kamala Singh, a DMSC member on the Self-Regulatory Board in the Rambagan red-light area, elaborates how the board operates. She says: “Rambagan has around 420 sex workers. We set up a Self-Regulatory Board in 1999. It has 10 members—six of them are sex workers and four from other sections of society. We have divided the red-light area here into four main lanes, and each sex worker on the board is tasked with monitoring specific pockets. All new entrants into the trade must appear before the Board before they are allowed to engage in commercial sex work. Board members interview the girl

MEN AS ALLIES

You can call us the ‘secret service’ of the Self-Regulatory Board. We provide crucial information. We are familiar with the area, we hang out in all sorts of places, and we can spot a minor person or someone who is being trafficked. Whenever such a thing happens, we alert the Board members instantly. We move around in groups and trawl the streets. We are in touch with ‘flying sex-workers’¹ and their clients. Part of our outreach work is also to persuade these people to visit clinics. As men, we can persuade other men to get themselves checked if they have any doubts...We also do follow-ups to check if flying sex-workers and their clients are in touch with the clinics.

— Dipak Bhattacharya, a member of the ‘Saathi Sangathan, Rambagan’, a network of babus (regular companions/clients of sex workers)

¹ Those who are not permanent inmates of brothels but rent rooms by the hour for commercial sex.

Voices from the Frontline

Sumitra Chattopadhyaya, Municipal Counsellor, Ward 26, representing Sethbagan & Rambagan (Kolkata), and member of the Self-Regulatory Board set up by DMSC

I have been representing this ward for the past three years and I am in regular touch with DMSC. I am a member of the Self-Regulatory Board set up by DMSC members in this area, and I attend their monthly meetings. Whenever there is a dispute, they get in touch with me—it could be a question of where to keep a ‘trafficked girl’ after she is rescued, whether to send her to a shelter or put her in a private home. The Board also provides a platform for sex workers to take up issues of harassment. It intervenes in cases where a girl complains of exploitation by the maalkin (brothel in-charge) or extortion by local hoodlums. In such cases, I instantly call up the local police and ask them to intervene.

In my opinion, one of the major advantages of having an institution like the Self-Regulatory Boards is social development. The local youth clubs in touch with the Boards have set up schools in this area. I have myself helped set up a night school for sex workers’ children. It holds classes between 6 p.m. and 10 p.m., when the mothers are busy. Importantly, as part of the admission procedure here, school authorities are not allowed to ask children their fathers’ names.

I think the Self-Regulatory Board is a key factor in effectively checking trafficking in this area. Word has got around that trafficked girls and minors

will not be allowed to work. The system works on a huge network of informers. I also use my own party network to gather information. Thanks to a platform like this, we also ensure that sex workers’ children do not enter this trade. We also promote awareness on safe sex and I have conducted numerous street-corner meetings on this issue and on HIV/AIDS.

I would say that the Self-Regulatory Board has successfully regulated the work of 400-450 sex workers in this area. But we have to tackle a new phenomenon now: flying sex workers who don’t belong to this area. They rent rooms for a few hours from older sex workers who may not be earning very much. I think one way of dealing with this is to have the Board focus more on income-generating schemes for older sex workers so that renting out a room is not their only option.

Masoom Mirdah, Advocate, Howrah Judges Court, and member of the Self-Regulatory Board set up by DMSC members at Domjur

The Self-Regulatory Board has checked trafficking of minors in this area. In the last two years, we came across only one instance of trafficking of a minor girl. Brought here from Murshidabad by her aunt, the minor was intercepted when she was put up in one of the ‘line houses’ where sex work is carried out. When it was brought to the Board’s notice, a meeting was immediately convened and the minor’s aunt summoned. She argued that the minor had come on her own volition. We medically examined the

to establish her age and whether she is being coerced into the trade. We have doctors on the Board who can assess a person’s age.”

Singh says the Board makes a sincere effort to find out if a girl is being coerced into the sex trade—either physically or otherwise (like abduction, deception, fake marriage and so on). In case the Board suspects that the girls have been trafficked, it makes further efforts to trace the chain of procurement of girls and check the trafficking.

Every week, Singh and other sex workers who are Board members do the rounds of each house in the colony. Says Singh: “We check every room. We also get help from our network of informers who alert us if there is a ‘new face’. If the brothel-in-charge says the girl is not at home, the house is kept under watch. Sooner or later, we get to meet the girl personally. Our interrogation procedure is rigorous and we can ascertain if someone is lying. I visit four or five houses every day. When the Board was set up in 1999, every month we used to catch four to five girls who had been trafficked. But now word has gone around and traffickers dare not operate in this area.”

Singh cites the instance of a 14-year-old girl who was intercepted while trying to enter a house in the Rambagan area. The Board got to know of her through the network of local youth clubs. After interrogation by Board members, the girl gave her address. “She was under-aged, and we sent her back to her home,” says Singh.

Every case is carefully documented: transcripts of interviews with sex workers, along with their pictures, are kept on record, in strict confidence. Singh says that trafficking has lessened dramatically in Rambagan since word got around that the Self-Regulatory Boards are active in the area. “But the change did not happen overnight. Initially there was tremendous resistance from the ‘madams’ in charge of the brothels; but after a few of them went to jail, the rest realised they have to follow the code set by the Board,” says Singh.

Partnerships and Alliances. Central to the operational success of the Self-Regulatory Boards are partnerships forged by DMSC. These include alliances with other groups in the red-light areas as well as key sections of civil society and local politicians.

girl, and found her to be a minor. We managed to contact the girl's parents and gave the aunt two choices—either pay a fine or else we would initiate legal proceedings against her and book her under relevant sections of the law relating to kidnap of a minor. After much negotiation, the penalty came down from Rs 20,000 to Rs 10,000. A member of the Panchayat committee gave an undertaking that the money would be collected. It was eventually collected and spent on the girl's marriage.

Srikant Das, doctor, member of the Self-Regulatory Board set up by DMSC members at Kalna

The Self-Regulatory Board at Kalna meets every week. Every 'newcomer' is presented before the Board and interrogated thoroughly before she is allowed to work. Part of my job is to medically examine her to assess her age—the development of teeth, the joints and X-rays are some ways to gauge a person's age. I also do a general health check-up. Recently, the board had to deal with the case of an under-aged girl (below 18), but she insisted she was in it of her own volition. She produced a certificate claiming she was 18, but we had our suspicions. After investigations, we realised that the certificate was fake. The board decided that she would not be allowed to work. In my view, the Self-Regulatory Board's impact has been very positive. Women in this profession now feel more empowered because they know they have access to a platform where they can voice their concerns. There are other day-to-day problems like interference and interventions by influential people in our work. Sometimes, such people themselves are part of the trafficking racket.

Members of DMSC keep a vigil in the red-light districts through a group of volunteers including 'babus' (regular male companions of sex-workers) who intercept any new entrants into the area, make enquiries about their origin, their links with the people accompanying them, if any, and examine the role of the brothel madams and landlords/landladies in the process of recruiting the girls.

In the early years, brothel madams refused to co-operate; but now, says Sudeepta Biswas, a member of the central committee of the DMSC Self-Regulatory Boards, "most of them are our allies". Biswas says this happened after concerted efforts by Board members to sensitise the madams about the dangers of using minors. She says it also helps that the local Municipal Councillor is on the Board. "Sometimes we have to tackle tricky situations. Traffickers are hand-in-glove with local hoodlums who get a share of the profits. In such cases, we need someone like the Councillor to intervene."

Purnima, who prefers not to give her last name, has been engaged in sex trade in the Rambagan red-light area for the past 25 years. Six years

ago, she became a 'madam'. Purnima feels that having the Board works to the benefit of brothel madams as well. "I don't want to get into trouble and I don't always know if someone coming to me is underaged or not. It is good to have an independent body to judge this."

Parbati, a sex worker and an inmate of Purnima's brothel, says the Self-Regulatory Board offers ordinary sex workers like her a platform to voice their grievances against working conditions in brothels. She was unhappy in the previous brothel she was in, and asked the Board to step in. The Board also helped her, she says, in procuring a ration card.

Anshuman Ash, a member of the Domjur wing of the Communist Party of India (Marxist) and a member of the Self-Regulatory Board in Domjur, says: "The Self-Regulatory Board set up by DMSC members is a useful platform. As a local politician, I get to know of new schemes being implemented by the panchayat, and by alerting Board members to these schemes, we help sex workers avail of these benefits. Whenever there is a problem with local hoodlums, I ask my party cadre to intervene. Once, local hoodlums tried to prevent sex workers from coming to a clinic. Our party members sorted out the matter."

Sex workers in Domjur say that the existence of the Self-Regulatory Board in the red-light area and the links between Board members and the local Panchayat (local government council) have not only curbed trafficking but also brought them other benefits—like piped water and sanitation facilities.

Challenges Faced, Lessons Learned. Ishika Bose is a programme co-ordinator with DMSC and works with the United Nations Development Programme on a project to strengthen the outreach of self-regulatory boards in curbing trafficking and HIV/AIDS. She maintains that the key lesson from the organisation's experience in setting up self-regulatory boards is the need for constant advocacy with local policy makers, media, municipal authorities, politicians, clients, babus and youth clubs. "You don't know when you will need whom," says Bose. One of the key challenges, she says, is to sort out difficult cases without involving law-enforcement agencies— whose first instinct is to send 'rescued' girls to remand homes, most of which are in deplorable conditions. "Whenever we involve a councillor, s/he tries to involve the police. We have to convince the councillor not to let the police send these girls to remand homes."

Municipal authorities say that regulation of the sex trade has effectively checked trafficking in pockets where there are DMSC affiliates and Self-Regulatory Boards. In the process, the influence of the local mafia has been undermined. This means that Self-Regulatory Boards often have to work amidst much tension, in a potentially volatile atmosphere.

Bose cites an instance when a minor girl was found in the house of a local youth club member: "It was a very difficult situation. We had to



Children of sex-workers and those not involved in the sex trade being trained to make toys and jewellery out of beads at the DMSC vocational training centre.

take the help of the Councillor, the saathi network and other members of the youth club. Finally, we managed to register a case.”

These factors only underline the need to constantly lobby with senior police officials and every level of political leadership to ensure that the boards are allowed to function, Bose says. “Whenever someone at the lower levels of administration creates problems, we contact people at higher levels. We have to invest time and human resources in cultivating relationships so that such people are accessible to us at all times.”

The other key lesson is the need for rigorous documentation of all evidence and all incidents that impact the functioning of the boards. Bose says there are attempts to stop sex workers from mobilising themselves and to stall the formation of a Self-Regulatory Board in Bishnupur (West Bengal). When local goons attacked sex workers in Bishnupur, DMSC despatched outreach workers armed with handycams to photo-document the wounds on the sex workers and the damage to the clinic run by DMSC. The evidence was sent to the media and the State Human Rights Commission, the Women’s Commission as well as NGOs and the Health Minister. DMSC’s advocacy in this case resulted in the arrest of the hooligans.

Part of DMSC’s success also lies in its alliances with intellectuals, poets, journalists, artists, bureaucrats and trade unions across the political divide. This has led to high visibility and a growing national and international profile, which DMSC is leveraging in its advocacy work. “We have reached out to all political parties. On the Self-Regulatory Boards, we have Municipal Councillors from the ruling party as well as the opposition,” says Bose.

DMSC members admit that while they may have checked trafficking in pockets of West Bengal, the unsafe migration of women and children from across the border as well as the hinterland has not stopped. Traffickers are using other routes and the challenge is to keep pace with them.



DMSC members rehearsing for a dance performance

The repatriation of rescued women and girls poses several challenges. Many of those who are trafficked from across the border do not have passports and it is a legal stumbling block to send them back to their homes. The inadequacy of shelters to provide refuge to such girls while the case is being investigated compounds the problem.

The experience of the Self-Regulatory Boards show that this unique approach can indeed open up new ways of designing and implementing anti-trafficking and HIV prevention programmes and can reframe the development discourse and practice on this issue regionally and globally. However, a key pre-requisite for this is mobilisation and awareness among sex workers. This was possible in Sonagachi and elsewhere in the state because DMSC was born out of a process that helped give sex workers a sense of self-worth and identity. DMSC members who have travelled to other red-light areas in the country agree that until community mobilisation takes place, a regulatory framework is a challenge.

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UNDP has facilitated the formation of DMSC-led ‘Self-Regulatory Boards’. It is currently working with DMSC in developing an effective human rights-based model to combat the trafficking of girls and women into the sex trade and their vulnerabilities to HIV/AIDS. The core elements of the project include strengthening networks and partnerships among sex workers’ organisations, and between the state and non-governmental organisations. The vulnerabilities faced by the children of sex workers are also being addressed through this partnership.

Handicrafts made by survivors
of trafficking at the Maiti
Shelter Home.



Care, Support and Reintegration: Surviving Trafficking and HIV/AIDS

Maiti, Kathmandu, Nepal

Maiti Nepal's name is synonymous with care and support. It has done exemplary work in providing sustained and transformative care and support services to both the survivors of trafficking, including those who are HIV-positive, and to the communities where rescued girls are reintegrated. In the sprawling shelter home that Maiti runs, every woman and child in distress finds a place she can call her own. The organisation has reached out to those most marginalised and has shaped public consciousness on trafficking and HIV/AIDS issues.

Genesis. Maiti Nepal was set up in 1993 by a group of socially committed professionals to combat trafficking in women and children. The issue emerged as one of the most pressing concerns of the country, as reports of a growing number of Nepali girls in Indian brothels began to appear in the media, and many of them were repatriated to Nepal. Maiti was born in response to the growing disquiet among the socially aware in Kathmandu. Its mission to curb trafficking has led it to put a human face to the multi-million dollar trade and give a powerful voice to those most affected—the exploited and those emerging as survivors.

The Maiti movement started in a small rented house in Nepal's capital city: the spirit behind it was Anuradha Koirala, a teacher. Koirala was a regular visitor to the Pashupatinath Temple, and during these visits, she came across many women and children in very difficult circumstances. When she asked the women why they did not

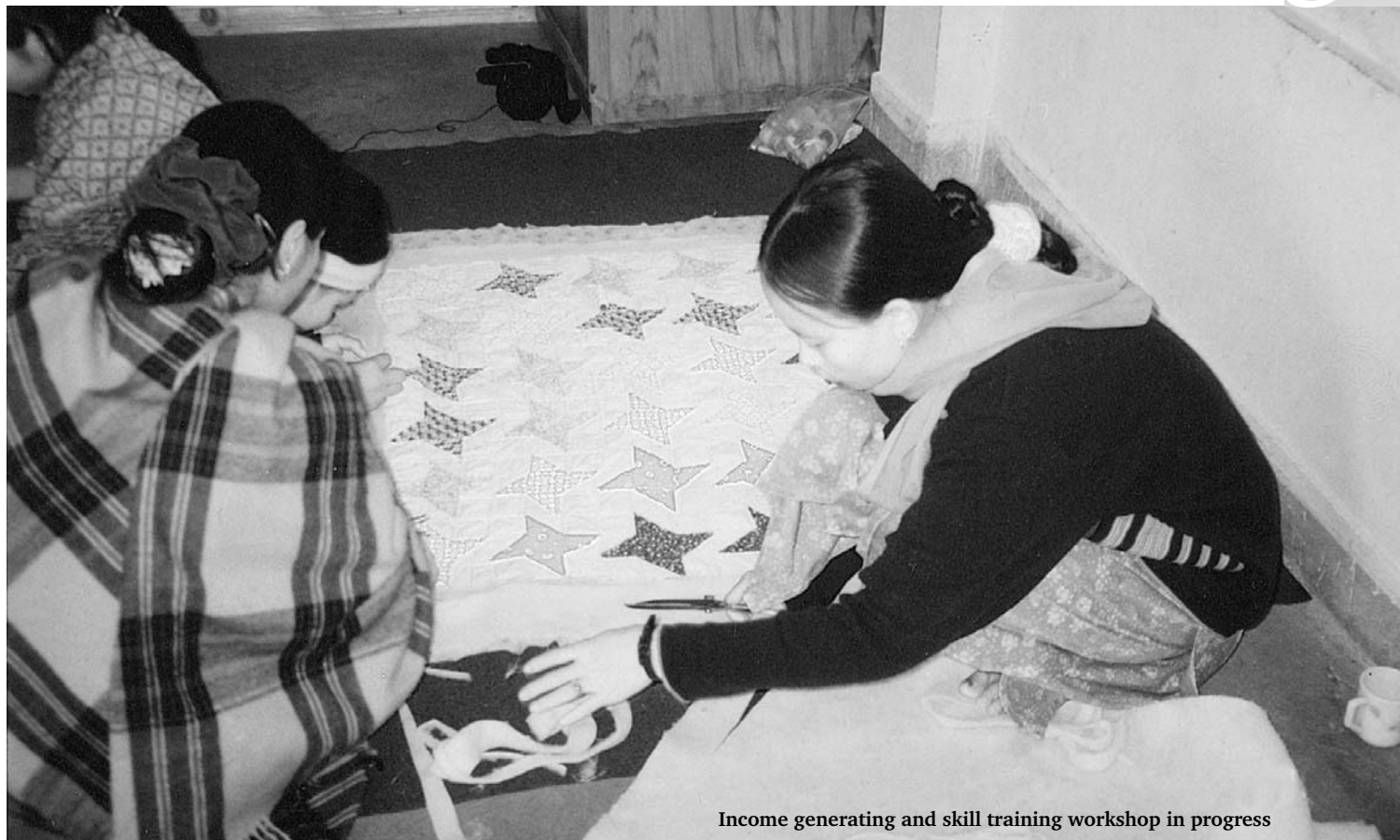
work for a living, they countered: "Who will look after our children if we go to work?"

These interactions spurred the teacher into active social service. She began by taking the children who were roaming around the streets to her rented house at Gaushala and supporting the women in starting small enterprises. Once she was immersed in social work, Koirala felt ready to deal with other emerging issues in the country. One such pressing concern was trafficking of Nepali girls. Maiti Nepal took the lead in repatriating Nepali girls who had been trafficked to brothels in Mumbai and in rehabilitating them.

Maiti in Nepali means "Mother's Home". In the beginning, it served as a shelter home to protect and rehabilitate rescued trafficked girls and orphans. The shelter provided awareness training, informal education, skill training as well as voluntary medical check-ups and psychological counselling for survivors of trafficking. Today Maiti still operates out of Gaushala in Kathmandu, but the influence and scale of



Reintegration and re-socialisation of trafficked survivors through vocational training programmes



Income generating and skill training workshop in progress

its operations is far wider than when Koirala founded it.

Evolution. Maiti began in a small way, but in 1994, as trafficking of women and children from Nepal gathered momentum, it realised the need to push ahead with mass advocacy alongside its care and support work. It launched public awareness programmes about this social problem, drawing attention to the nexus of vulnerability between trafficking and HIV/AIDS. The work started from remote villages in Nepal. Maiti, in collaboration with the Nepal Police, journalists, lawyers, doctors, nurses and students started awareness campaigns all over the country. Sometimes, there were door-to-door campaigns and street plays to get across the anti-trafficking message. Conducting awareness programmes in villages was, however, risky during the early stages. The poor recognition of the rights of women in that social

milieu has, over time, led to aberrations. Their devalued existence often exposes them to various exploitative practices, be it sexual abuse or gender-based discrimination and neglect. This is also manifested in legal lacunae: women are not entitled to inherit property, and, until recently, the law did not acknowledge marital rape. Such gender inequality makes Nepali women and girls particularly vulnerable to both trafficking and HIV/AIDS.

With growing awareness on HIV/AIDS issues, around 1994, doctors and nurses were enlisted to speak about HIV/AIDS as many of the survivors of trafficking were diagnosed with HIV. There was a good deal of media focus on the problem of trafficking in Nepal when the Indian government repatriated nearly 200 Nepali women and girls from brothels in Mumbai in 1996. The issue gained public recognition;

Survivors Speak

It is late morning. Meena (not her real name) looks at her watch, reminds you that she is on the afternoon shift, and rushes towards the bus stop. It is an hour's bus ride to Thankot, the police checkpoint at the edge of the Kathmandu valley. This is Meena's workplace. The 21-year-old is a 'surveillance monitor' at Thankot, a job for which she is uniquely suited.

On an average day, more than 700 buses pass via the Thankot checkpoint to and from Kathmandu. It is in this crowded hub that Maiti Nepal has set up an interception centre to check the trafficking of women and children on the Indo-Nepal border.

Meena is one among six surveillance monitors employed by Maiti Nepal to counsel, motivate and assist the police in identifying traffickers at border checkpoints. This means checking all incoming and outgoing buses for traffickers and for human cargo.

The monitors work in teams. There are two shifts: one, from 5 a.m. to 2 p.m., and the second from 12 noon to 6 p.m.

"My job is to hop into buses and check if there are any suspicious-looking passengers—young couples looking nervous and shifty-eyed, a young girl sitting alone, groups of young girls looking lost, or young girls with older women. Anyone looking suspicious is questioned," says Meena, a survivor of trafficking herself, and currently a resident of Maiti Nepal's Rehabilitation and Crisis Centre at Kathmandu.

Every year, traffickers and their agents lure innumerable women and children from villages and towns in Nepal with false promises of jobs, mar-

riage or riches. Many who leave their homes clandestinely are eventually sold to brothel owners in India's metropolitan cities.

"Traffickers are very cunning, and resort to blatant lies. But I know how to catch them, because I went through this myself," says Meena. Her eyes light up as she recalls one of her recent 'successes'. "I intercepted a teenaged girl," she says. The girl looked around 16 or 17 years was sitting with two men—who claimed they were her husband and her brother, recalls Meena. "There was something odd about them, and after questioning them, my suspicions became stronger. Their answers were not tallying. I asked the three to step out of the bus. At that point, there was a commotion, and the 'brother' melted away in the crowd. I instantly alerted the police. They tracked him down and arrested him."

Meena and her teammates brought the couple to the Maiti office. The 'marriage' turned out to be a piece of fiction. "We got the other man arrested too, and we traced the girl's family. She was from Sindhupalchowk."

Meena admits that only a minority among those who are 'trafficked' to India are eventually 'rescued', repatriated to Nepal to the safety of their homes or housed in Maiti Nepal's Rehabilitation and Crisis Centre. But she has a sense of achievement about being part of the effort to prevent girls from being trafficked.

Surveillance monitors like Meena are central to Maiti's philosophy of care, support and reintegration of survivors of trafficking. The young girls

as one of the seven NGOs that helped to negotiate the repatriation and assist survivors after their return home, Maiti was in the forefront of the anti-trafficking work in the country.

In 1997, Maiti started nine transit homes at the Nepal-India border points at Kakarvitta, Pashupati Nagar, Biratnagar, Janakpur, Bhairahawa, among others, to intercept women and children who were being trafficked to India by pimps and their agents. It also runs a hospice called Sneha Griha at Sattighatta in Jhapa district in East Nepal to rehabilitate trafficked girls who have been repatriated and who are living with HIV/AIDS. The hospice has its own clinic and can accommodate up to 60 persons. There are six recuperation rooms for the residents. Maiti has also acquired an additional 8.15 acres of land next to the hospice; the residents grow vegetables in this plot.

In 1998, Maiti set up a school, the Teresa Academy, to provide education to the children living in its shelter in Kathmandu. Recently, Maiti constructed a 1.25-acre complex in Pingalasthan in Gaushala;

the new complex consists of administrative offices, Women's Rehabilitation and Crisis Centre, Child Protection Centre, Health Care Centre and a School.

Care, Support and Reintegration. Maiti's uniqueness lies in its approach to care, support and reintegration of survivors of trafficking and HIV-positive women and children. The organization ensures that the survivors are not only physically taken care of, but are also emotionally assisted to start a new life. This is done not through the traditional 'welfare' approach but by involving them in tasks that give them a sense of self-worth. It is this sense of empowerment that has led many inmates of the Maiti Shelter Home to explore new destinies—be it starting a business, embracing family life, or opting for a job. The goal is self-reliance—both economic and emotional.

At the core of the care and support structure is a safe shelter where women and children who have been severely traumatised by the experience of being trafficked can seek refuge. But as they recover and

who participate directly in projects and programmes to combat trafficking in women and children are transformed into agents of change. The confidence they gain in the process helps restore their sense of self-worth, which is the first step towards self-reliance.

Maiti's Rehabilitation and Crisis Centre at Kathmandu is home to 80 women and girls between ages 16 and 25; the majority of them had been trafficked to India. Many of the inmates were diagnosed with HIV after a medical check-up on their arrival in Kathmandu, and are being treated at the health care centre at Maiti's premises.

The key activities of the Centre include :

- Providing safe shelter to its residents.
- Facilitating medical check-ups, hospital visits and treatment
- Conducting regular non-formal education classes
- Providing formal education to children
- Imparting vocational training in a range of activities: knitting woollen caps, making bead jewellery, sewing, stitching, weaving Dhaka (a traditional Nepali cloth used to make caps and blouses), knitting sweaters, socks and skirts.
- Offering counselling services and psychotherapy sessions to children and women suffering from physical and mental trauma
- Identifying traffickers, filing cases against them, identifying and tracing parents of trafficked girls and women
- Encouraging girls to set up their own enterprises and be self-reliant.

The Centre is, above all else, a haven for those who need immediate shelter, and those who have been physically and/or psychologically abused.

move towards normalcy, they are offered access to many other mechanisms, which contribute towards reintegration. Maiti's care and support programme includes medical care, psychological counselling, health and hygiene education along with awareness about HIV/AIDS, vocational training, non-formal education, assistance in finding jobs, and support for eventual reintegration with families. The underlying philosophy is to restore the confidence of those who have been physically and emotionally battered so that they can put their past behind them, erase their sense of shame and guilt, and build a new future with an empowered identity.

The element of choice is integral to the care and support structures in Maiti. Survivors of trafficking who have been at the Rehabilitation Centre for several years and have gained confidence and economic self-reliance are inspiring examples to newcomers. "When a girl comes in, I leave her alone. I allow her to mix with the other girls for some days before speaking with her or asking her any questions," says

It also has a child protection home that serves as a refuge for 150 children, some as young as six months, who are either born to survivors of trafficking or are destitute.

While the women receive training in vocational skills, counselling and assistance to find remunerative work, the children are nursed by caretakers—who too are survivors of trafficking. It is through mechanisms such as these that the survivors of trafficking learn to help each other and cope. There is also a school inside the compound, the Teresa Academy, which caters to older children.

Meena's job as a surveillance monitor has opened up a new life for her. But seven years after she was rescued from a brothel in Mumbai and brought to the shelter, she is ready to explore other choices. "I would like to start a beauty parlour and stay on my own. I know I will need some cash to get things going. I have started setting apart Nepali Rs 1,000 (about \$14) a month from out of my salary from Maiti. I plan to get trained as a beautician."

However, not everyone in the shelter is ready to be 'independent'. Nor can they find jobs that pay enough to make such a choice practicable, with all the attendant challenges and opportunities. Says Armina Lama, Maiti programme officer, who is in charge of the shelter: "There can be no deadlines in this work: these girls have lived through difficult circumstances, so you cannot push them out into the streets. They are survivors, they have learnt to be strong, but some need more time than others to reintegrate fully. Not everyone recovers at the same pace. And imparting skills does not always lead to jobs. Managing this complexity is our greatest challenge."

Armina Lama, who is in charge of the shelter home.

Many survivors of trafficking are People Living with HIV/AIDS, and Maiti's care and support system specifically addresses their needs. Every six months, there is voluntary blood testing, and detailed medical records are maintained. Bandana Sangrola, a nurse at the Sonja Jeevan Kendra, the health care centre in Maiti's Rehabilitation Centre, says the confidential medical records of each resident are updated daily. A chart on the wall at the health centre lists the number of people living with HIV/AIDS, pulmonary TB, and those who may just have fever or be under observation on a given day. Nearly a dozen of the current residents are HIV-positive, and they are given nutritional counselling and special diets. "If a HIV-positive person becomes very sick, we take her to a major hospital. TB patients in a serious condition are isolated," says Sangrola.

Many trafficked girls are pregnant when they arrive in Maiti, so there even exists a 'delivery room' within the premises.

One participatory and innovative approach that Maiti follows is to hire survivors of trafficking themselves in a variety of jobs to help them regain self-confidence and dignity. Nearly 100 girls and women who are survivors of trafficking have found work with Maiti.

At Maiti's Women's Rehabilitation Home, Vandana Gurung (not her real name), 23, is a role model for many survivors of trafficking. Vandana, who was herself trafficked, now works as a counsellor to other survivors of trafficking staying at Maiti's Rehabilitation Centre. Vandana's parents live in Kathmandu, but she prefers to live independently, paying her rent and bills herself.

The most important element in a care and support programme for survivors of trafficking, says Vandana, is to realise that at the beginning many girls would like to be left alone. "When someone is very depressed, we do not pressure her to talk. We let them be by them-

selves or do something relaxing like drawing or writing a letter to an imaginary friend. There are other relaxation techniques like asking them to imagine that they are in a beautiful garden... That relaxes them. Sometimes I do a bit of 'role play'. We have to remember that these girls have been betrayed and broken, and therefore confidentiality and communication skills are very important while dealing with them."

Training and Capacity Development. Vocational training is a key component of the care and support system because it is the passport to economic self-reliance. Yashoda Lama, a mathematics teacher who gave up her job to join Maiti as a vocational trainer nine years ago, is proud of the artifacts produced by the girls living in the Rehabilitation Centre: exquisite friendship bands made out of beads, decorative boxes, woollens, paper lamps, candles, jewellery, caps, and

Rehabilitation and reintegration activities for trafficked survivors at Maiti



bags. All of them bear the tag “Produced by survivors”. Most of the products are sold abroad through individuals and networks that support Maiti.

But skills training is a gradual process, and survivors have to be initiated into it slowly. Says Lama: “When the girls first come to Maiti, many do not want to interact with anyone. We let them mingle with other girls and get their bearings. After a week or even a month, they are ready for the trainer. We ask the girls what they want to do. Quite often, we are faced with women and young girls who are so traumatised that they have learning difficulties. We have to convince them that they have to forget their past and their sense of shame, and get on with their lives. They learn sewing, knitting, jewellery-making.” The girls are paid for the work they do. The first time a girl sells a piece that she has made, she is typically overjoyed, recall inmates. For the skills trainer, the surge in confidence is a breakthrough, and it is easier going from then onwards.

A new course that has been introduced in the vocational training programme is electronics. Five girls staying at the Maiti’s Rehabilitation Centre are currently learning how to repair tape recorders and radio sets. Lama hopes that many more girls will opt for this new course, which has commercial potential.

Maiti’s work on care, support and reintegration has convinced it of the need to focus more on ‘source areas’ from where girls are being trafficked. It has established Prevention Homes in problem-affected and high-risk areas. These include Hetauda in Makwanpur district, Chisapani in Nuwakot, and Bardhaghat in Nawalparasi. These Prevention Homes conduct awareness programmes on how women can protect themselves against trafficking, and train the girls in income-generating skills. After the training, the girls are provided micro-credit by Maiti to set up their own business units.

Partnerships and Alliances. Maiti has successfully networked with a vast range of stakeholders to build partnerships and strategic alliances that are key to its success. “Maiti Nepal’s campaign would not have progressed so effectively if we had not received support from all sectors,” says Koirala, who counts the Nepal Police and the media as very special allies. Maiti’s friends and supporters include celebrities and citizens from countries around the world. Among the international agencies and NGOs that support Maiti’s programmes and projects are the UNDP, UNICEF, UNIFEM, Save the Children, UK, Terre des Hommes, Save the Children Norway, The Asia Foundation and ILO. Maiti’s new building complex was constructed with financial assistance of Rs 120 million from the Sonja Kill Foundation in Germany.

Maiti has entered into partnerships with South Asian NGOs such as STOP (Delhi, India), SANLAAP (Kolkata, India), Childline, Varanasi, and Maiti, Mumbai, for better coordination of its efforts to rescue and



Vocational training programme in session

repatriate trafficked women and children.

To facilitate its work on border surveillance, Maiti has begun to reach out to transport workers. For instance, in October 2002, it held a two-day orientation programme for bus drivers and their helpers and cleaners. The emphasis was on the involving them in curbing human trafficking.

A potential new ally is the private sector. Recently, one of Kathmandu’s leading five-star hotels approached Maiti with an offer to train 12 survivors of trafficking in cooking and housekeeping. The hotel had a few conditions—the girls had to be literate, smart, and most importantly committed to completing the six-month training programme. The best among the group could expect to be absorbed by the hotel at the end of the training. It is just the beginning, but Maiti’s staff is excited at the prospect of such linkages because everyone realises that jobs for the girls hold the key to their empowerment and a sustainable rehabilitation programme.

Challenges Faced, Lessons Learned. In its ten years of existence, Maiti has faced many challenges. The key issue is “reintegration”. The term has different connotations for different people, admits Koirala. But she is particular that ‘reintegration’ of survivors of trafficking and HIV positive women and girls must be interpreted from the ‘rights’ perspective.

Says Koirala: “For Maiti, reintegration does not necessarily mean sending trafficked girls to their homes. For us, reintegration means empowerment. That means survivors of trafficking stay here as long as necessary—till they are economically independent. If we send them back to their families before they reach this stage, we are not reintegrating them and we are putting them in danger of being re-trafficked and/or abused. However, we do send them back to their

families if that is what they want and if they feel they can sustain themselves.”

Maiti's founder cites examples of different cases of 'reintegration' to make the point that there is no one formula. Anita, a survivor of trafficking and a PLWHA who was at the Maiti shelter, got married a few months ago. The marriage proposal came her way from a HIV-positive man in Nepal's Jhapa district who had heard that Maiti provided shelter to survivors of trafficking, including those who were HIV-positive. The girl is now happily settled and lives a normal life, says Koirala.

Some shelter residents have found jobs outside and moved out. Many are employed by Maiti, and are economically independent but prefer to stay inside the shelter. One survivor of trafficking who worked earlier as a surveillance monitor with Maiti has opened a provision store close to the Maiti shelter. Another former resident now lives outside the shelter and runs a tea-stall.

One of the key lessons that Maiti learnt in the last ten years is that it is not enough to offer “care and support” targeted solely at the survivors of trafficking. Organisationally, it is convinced that if care and support is only for the girls, it will not work because in Nepali society, as in most parts of South Asia, there are deep-rooted societal norms. These have to be addressed. Care and support, therefore, has to extend to the whole family, sometimes even the community, combined with efforts to sensitise local law enforcement agencies. Says Koirala: “There have been cases of policeman going to the village of a trafficked girl to track her parents and showing lack of sensitivity in protecting her confidentiality. The whole village knew the girl was in Mumbai and was sent back from India. There is a strong stigma attached to trafficked girls and those who are HIV-positive, and so the family is ostracised. Unless we provide counselling and support to the parents, there is no chance of real reintegration within the family.”

Other key lessons include the need to step up advocacy among pol-

icy makers so that they understand the ground realities of rehabilitation. NGOs such as Maiti cannot provide jobs to all survivors of trafficking, points out Koirala, but those organisations that can, need to be flexible and non-bureaucratic in their approach.

Another key challenge is to make rehabilitation sustainable. Rehabilitation cannot end with providing income-generating skills. The skills must translate into work or jobs. Lama speaks of the need to develop “local markets” for the products made by survivors of trafficking. Currently, there is a demand abroad for the products made by those rehabilitated, but within the country the stigma associated with trafficked girls and HIV hampers local sales of these products, says Lama. In the future, Maiti must focus more of its energy in tapping local markets and developing linkages with local companies.

There is great concern about what can be done for those who have low capacity. Programme Officers in Maiti say that the best among the group and the most confident do find outlets, but those who are not literate face questions of economic self-sufficiency. Quite often, they do find greater stability and a sense of security within the shelter, but their skills are not good enough to let them earn enough to make a life for themselves outside of Maiti.

Lama says another key challenge for Maiti is to introduce a daily routine for the survivors of trafficking. “In the brothels, they were used to a different rhythm. Here, we help them develop new habits and healthy lifestyles. They have to learn to be clean and to make their own beds. The girls cook their own food. There is a roster of duties every week and people have to adopt it. Every room has a ‘captain’ and every girl knows that if the captain has assigned her a duty, she has to do it.”

At Maiti's 10th anniversary celebrations recently, Director Bishwo Ram Khadka observed: “The past 10 years have been a learning process. During these 10 years, we learned that to bring about change, what you need, primarily, are the right sentiment and determination. Finance and plans are secondary.”

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UNDP and Maiti Nepal have collaborated extensively to provide care and support services to the survivors of trafficking, including those who are HIV-positive. UNDP currently supports Maiti's initiatives are aimed at transforming discriminatory socio-cultural norms and practices within rural communities which perpetuate the vulnerability of women and girls to being trafficked, and which stigmatise and further marginalise people living with HIV/AIDS.

Influencing Policy: A Perspective from the Grassroots

Bangladesh National Women Lawyers' Association (BNWLA), Dhaka

'Bangladesh National Women Lawyers' Association' (BNWLA) has been at the forefront of campaigns for women's rights in Bangladesh. It has contributed in critical ways—from advocating for the rights of women and girls in jails, recovering trafficked persons from captivity, facilitating repatriation of survivors of trafficking from Indian brothels, and re-integrating them into society. BNWLA makes extensive use of its multiple networks and platforms with civil society organisations and government departments within the country and outside; it is now leveraging these for policy advocacy at the highest levels. One of its key focus areas today is to establish the nexus between trafficking and HIV within the public realm.

Genesis. The Bangladesh National Women Lawyers' Association (BNWLA) was formed in 1979 by a group of prominent women lawyers and registered as a legal body in 1981. Today, it is one of the best-known NGOs in Bangladesh; one of its most critical contributions has been to raise the issue of trafficking of Bangladeshi women and children on to the national agenda, and bring about a perceptible change in the official mindset towards this politically sensitive issue.

BNWLA started off as a professional body working to improve the socio-economic status of women lawyers in Bangladesh and upgrading their professional skills. Soon, however, its mission widened to include all women. Today, its mission is to organise women to improve their domestic, social, legal, economic and political status; provide justice for all and eradicate violence against women; create

equal opportunities and rights for women in Bangladesh; and establish linkages with law-enforcing authorities, local people, NGOs, the administration and elected leaders concerned about status of women and children.

Says advocate Salma Ali, BNWLA's Executive Director and its most visible face: "Women, especially in our region, lack awareness on issues relating to their rights. To remedy this, we started off a series of legal awareness programmes: paralegal training, focussed on family and labour laws. We prepared booklets, but since most of our target groups was not literate, we had to use the folk medium and impart the message through cassettes, using popular songs."

Ali joined the association in the mid-1980s, soon after she started practice. In 1989, on a routine visit to a jail, she was exposed to minor girls in prison. Most of them had been remanded to 'safe custody'—



Regional conference on HIV/AIDS and trafficking in Dhaka

although there were no laws that provided for such ‘safe custody’. Typically, the police picked up—without a warrant—anyone they regarded as suspicious. A large number of those in prison were, in fact, young women who had come to Dhaka in search of a job but had got lost. Ali became the first lawyer in Bangladesh to secure the release of one such runaway.

Evolution. Gradually, BNWLA started working as a team of professionals aiming to establish social justice in the country and ensuring that deprived and disadvantaged women had access to the justice system. Underlying this activism was the firm belief that women’s rights were inseparable from human rights, and that its scope ranged from the family to the social and economic domains.

As BNWLA worked to release women held in the name of ‘safe custody’, it came across several trafficked women and girls, and felt the need to intervene. Its mission to fight commercial sexual exploitation and sexual abuse led to a stronger emphasis on anti-trafficking work. The lawyers found that many Bangladeshi women and children were lured into the commercial sex trade on false promises and forced into sexual slavery abroad. Sometimes, the traffickers or their agents were caught en route and the women and children were dumped into ‘safe custody’.

Says Ali: “We identified trafficking as a major cause of violations of a woman’s dignity, rights and, in fact, her very survival. During our visits to neighbouring countries, we found many Bangladeshi women and children trapped in brothels and jails and forced into sexual slavery. To rescue the distressed women and children, we identified trafficking as a core issue that we needed to address.” Since the 1990s, BNWLA has been working on issues related to trafficking.

Today, the association has more than 200 members and is one of the most prominent NGOs in Bangladesh working to end the trafficking of women and children. It provides trafficked women and children support as well as prosecution-related services. It also assists survivors of trafficking with legal aid, rehabilitation, and repatriation support services. In addition, it provides assistance to the government of Bangladesh to prosecute traffickers.

BNWLA has not only facilitated the rescue of hundreds of children from traffickers, many of whom had been taken to India, it has also expanded its ambit to include many activities which impact the community at large. The association operates 24 legal aid clinics exclusively for women across the country. Ten of these are in Dhaka. It also runs Proshanti, a 50-bed shelter home in Dhaka, which serves as the first stop for women and children rescued from traffickers. BNWLA also conducts training programmes for vulnerable groups in border villages to caution them about the risks of unsafe and uninformed migration, and to facilitate greater flow of migration-related information, especially for women.

BNWLA’s involvement in HIV/AIDS issues came about as a result of its rescue-related work. While rescuing victims from brothels and other captive situations, and in the course of facilitating the repatriation of trafficked women and children from abroad, BNWLA realised that many of those who had been trafficked were diagnosed with sexually transmitted diseases, including HIV. Consequently, BNWLA was convinced of the close links between trafficking and sexually transmitted diseases like HIV/AIDS and felt it necessary to incorporate wide-scale advocacy on trafficking and HIV/AIDS under its charter of activities.

Policy Advocacy. BNWLA is known for many pioneering interventions to combat trafficking, but its real success lies in policy advocacy. The organisation’s phenomenal success in the area can be gauged by the fact that less than a decade ago, Bangladesh barely acknowledged that women from the country were being trapped by traffickers and coerced into the flesh trade in India, Pakistan and West Asia. BNWLA’s persistent and highly effective advocacy with every level of the government has brought the issue centre-stage and resulted in an attitudinal shift among Bangladesh’s officials.

BNWLA came into policy advocacy through its work at the grass-roots-level. Its field-level operations and research have thrown up data and insights that provide substance to its advocacy initiatives. According to a BNWLA study in 250 villages in different parts of Bangladesh in 1998, around 7,000 women and children fall prey to trans-border trafficking every year. BNWLA believes that the real number could be much more. According to other studies by BNWLA, over 30,000 women and girls were trafficked from Bangladesh to India

Working with the System

PROBLEMS such as trafficking in women and children can never be tackled without the involvement of the Government. But how do you bring attitudinal changes at different levels of the administration? Changemaker BNWLA's recipe for policy advocacy has a few vital ingredients.

First, accept that there is no 'formula' and that different tactics will work at different times. Policy advocacy, BNWLA's Salma Ali believes, cannot have just one target. "To bring about change, you must lobby not only with Ministers and Heads of the States, but also at lower levels. I have taken Ministers to visit the shelter we run: it is often their first exposure to a trafficked woman or child and makes a deep impression. Simultaneously, we also conduct sensitisation training for policemen and the border security forces."

Second, recognise that in anti-trafficking work, adopting an adversarial stance towards the official machinery does not work. So, pressure must be applied subtly. Initially, BNWLA pushed the government to acknowledge the problem of trafficking in the country through Public Interest Litigation. But, over the years, the media became an ally in getting government agencies to see BNWLA's point of view. "When stories appear in the front pages about the plight of a trafficked girl, and headlines flash in the electronic media, it makes a difference. We reached out not only to

the national media but also the international media. Fortunately for us, stories on trafficking were considered 'hot'," says Ali.

"Till five years ago, officials from government agencies like the Police Staff College, the CID Training School, BDR (border security force) and so on were 'invitees' at events organised by us. Today, BNWLA is invited as a 'resource person' at government functions. For instance, we were resource persons at training programmes that the Bangladesh Rifles conducts for its staff. We deal with sessions on trafficking," says Ali. BNWLA also provides technical inputs to the Bangladesh Government on almost every policy matter or document related to trafficking. The change came about through sustained sensitisation of law enforcement agencies.

Lastly, realise that policy advocacy works best alongside community advocacy and grassroots-level work. "You have to be rooted. We do a lot of preventive work. We conduct community-level campaigns to alert people against trafficking. We also initiate local-level legal action against traffickers," says Ali.

Feedback from the field feeds into documents published within and outside the country. These are effective tools for advocating with governments and international agencies and in showcasing the urgent need bring about radical transformation in the nature of government responses.

between 1990 and 2000. Most of these girls have been forced into the sex trade.¹

BNWLA's understanding of the trafficking situation in Bangladesh as a regional concern is one of the key reasons behind its concerted efforts to advocate policy measures at a regional level. One of its most significant contributions to policy advocacy on trafficking is its role in preparing a draft bilateral agreement between the governments of Bangladesh and India.

The agreement envisaged the smooth repatriation and rehabilitation of survivors of trafficking in both the countries. BNWLA's experience in the field also threw up data that establishes developmental linkages between the socio-economic conditions and consequences surrounding the trafficking of persons and the prevalence of the HIV virus. "Therefore, the draft bilateral agreement also incorporates the issue of HIV/AIDS," notes Ali.

The draft agreement was discussed at a workshop attended by representatives of the appropriate Ministries and Departments in both

countries; BNWLA is also in touch with its Indian partner organisations to advocate at the policy level in India.

Trafficking and HIV are problems without borders, and Ali is convinced of the need to network regionally to impact policy. As part of its advocacy work, BNWLA recently organised an international conference on 'Inter-relation between Trafficking in Women and HIV/AIDS: South Asian Perspective'. The meet provided a platform for official delegates from India, Pakistan, Sudan, representatives from non-governmental organisations like CARE Bangladesh and the UN staff based in Bangladesh to exchange views on a subject that has not received adequate public recognition.

As successful policy advocates, BNWLA is also a member of a task force on the National Plan of Action against Sexual Exploitation of Children including Trafficking. BNWLA has been designated one of the key agencies to implement a number of components mentioned in the work plan. It was also one of the major NGOs approached by the Bangladesh Government to provide inputs to a draft that eventually took the shape of the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002

¹ Trafficking in Globalised Situation: A South Asian Perspective by Fawzia Karim, Adviser to BNWLA

Partnerships and Alliances. BNWLA believes that partnerships with a wide variety of stakeholders are key to the drawing up of legislation on various aspects of trafficking and for providing support for smooth repatriation, legal action, and rehabilitation in the case of trans-border trafficking. Ali points out that although the HIV challenge is officially well-recognised, the vulnerabilities that result from the linkages between trafficking and HIV/AIDS do not get the attention of policy makers in Bangladesh. “The HIV programmes of the government do not acknowledge trafficking and unsafe mobility as one of the key factors behind HIV prevalence in Bangladesh. BNWLA was the first organisation to spread awareness about the nexus between the two and we shared out insights through workshops attended by stakeholders in the Ministries and Departments concerned,” says Ali. More such dialogues with the government machinery are on the cards.

Central to BNWLA’s efforts is networking within the country and across the border. BNWLA is one of the key partners in the Action against Trafficking and Sexual Exploitation of Children (ATSEC). This is a coalition of national and international NGOs working to check trafficking and sexual exploitation of women and children. ATSEC has developed a comprehensive database format (called the Trafficking Information System) to collect a range of information from those who have been trafficked from Bangladesh. The idea of developing this database was to collate primary information from those who have been trafficked to get a better understanding of the complex dynamics of the process.

BNWLA has added a module to this database that allows it to track legal responses in each of the cases it takes up. This helps it monitor ongoing prosecution cases on a daily basis. All those who carry out the interviews for this database are trained in counselling. This is to ensure that if a trafficked survivor “breaks down”, s/he will be assisted in working through their feelings. In addition, the names of the trafficked persons are included in a separate confidential database. This format provides BNWLA with a number code to ensure the confidentiality of each person whose details are fed into the system. To ensure that the data is accurate, a procedure has been developed to review each questionnaire several times over.

With the help of this database, ATSEC is now able to come up with statistics that allow it to better understand trends in this sector. For example, this information provides insights into where persons are being trafficked, the most common approach used, the identify of the traffickers, what happens once they reach their final destination, and so on. “One of the advantages of forging such partnerships is that it creates powerful pressure-groups around issues we want to lobby on,” says Ali. BNWLA intends to leverage its alliances with



Consultative dialogue on women’s voices in democratisation

Indian NGOs to advocate for regional mechanisms to deal with trafficking.

Challenges Faced, Lessons Learned. Eight to ten years ago, BNWLA had initiated Public Interest Litigation (PIL) against the Home Ministry and the Foreign Affairs Ministry in Bangladesh to get the government to acknowledge the need for repatriation of Bangladeshi girls and women trafficked to Indian brothels. Today, government agencies invite the BNWLA representatives as core resource persons at programmes, and seek the association’s advice and technical assistance while drafting legislation.

While working at the grassroots-level and creating awareness about the pitfalls of unsafe and uninformed migration, BNWLA targeted different tiers of the government set-up. Says Ali: “We used four techniques to get the government to publicly recognise trafficking as an issue: personal meetings, policy dialogues, pressure-group activities and active lobbying at all public fora.”

Today, there is a greater sensitivity among Bangladeshi policymakers to the plight of trafficked women and children. Yet, the new challenge is to get decision-makers to accept the nexus of vulnerability between trafficking and HIV. One welcome development in this direction, notes Ali, is a recent report released by the Ministry of Women and Children’s Affairs in Bangladesh in collaboration with the World Food Programme and the European Commission. The report, which incorporates feedback from the grassroots-level work provided by BNWLA and other agencies, tracks the connection between food security at the local level, trafficking and heightened vulnerability to HIV. “This is the first time the Bangladesh Government has recognised the links between these issues,” says Ali.

❖ Challenges to Opportunities ❖

The growth of anti-trafficking networks in Bangladesh and within the region is a welcome development, but Ali sounds a note of caution about the need to be alert to duplication of activities resulting in a

wastage of resources and ‘turf issues’ overshadowing innovative approaches and outcomes.



UNDP has collaborated with BNWLA for, among other things, the development of a draft bilateral agreement on repatriation and rehabilitation protocols between the governments of Bangladesh and India. Concerted preparatory work has gone into consulting with a large cross-section of civil society, government officials, judicial members, lawyers and law enforcement agencies from both countries. BNWLA is currently working with UNDP to facilitate the human rights-based re-integration and empowerment of several trafficked survivors residing at BNWLA’s shelter home in Dhaka.

Conclusion

In a region as populous, diverse and complex as South Asia, responses to the dual challenges of trafficking and HIV/AIDS cannot fit into a single mould. It is difficult to deduce what is adequate or necessary for each context. Even within countries, varying socio-economic conditions and politico-cultural factors determine how such complex issues are viewed and addressed.

Amid the myriad changes sweeping the region, however, there is one common dynamic. For millions in South Asia, who are desperately seeking to eke out a living, mobility has become a key survival strategy in the present socio-economic climate, and the situation is unlikely to change in the near future.

A direct offshoot of this mass and often 'distressed' migration—from villages to towns, from one region to another within a country, as well as across international borders - is the increased vulnerability of women and children to trafficking and to HIV/AIDS. The lack of safe and secure channels of migration compounded by a lack of choices and control, including over their sexual circumstances, are driving many, especially women and children, into the net of traffickers. The complete powerlessness of trafficked persons and their resultant vulnerabilities to HIV, poses a key development challenge to South Asian societies and economies.

The six initiatives from the region profiled in the book offer a glimpse of the diverse range of responses to the daunting task of challenging this disempowerment, which is further fuelling the HIV epidemic and sustaining the flow of trafficked persons. The hurdles encountered, the methods used to overcome barriers and the different breakthroughs that these regional initiatives showcase, aim to illustrate some of the innovative ways in which seemingly insurmountable challenges posed by trafficking and HIV have been transformed into powerful opportunities for action.

A little over a decade ago, trafficking was not on the national agenda of any of the countries in the region. Countries were reluctant even to acknowledge the phenomenon, and lack of concern characterised the attitude in many of the destination countries in South Asia.

Today, there is a significant attitudinal shift among governments and others, even though much remains to be done on the ground. In

Pakistan, there is a new law on trafficking, largely due to heightened awareness about the subject and the continuous media glare on the plight of survivors. This has been possible, as LHRLA demonstrates, through striking partnerships with different sections of the media to leverage greater visibility for the issues.

In almost all countries in the region, governments realise the importance of seeking inputs from civil society while drafting or modifying policy. Bangladesh's BNWLA has played a crucial role in shaping a policy atmosphere that allows for trafficking to not only be discussed and analysed, but also for the government to take the lead in developing bilateral and regional mechanisms to challenge the process.

In Nepal, a crucial 'source country', initiatives to step up advocacy at community levels have resulted in information booths being set up at railway stations to inform and empower persons vulnerable to trafficking. The mechanism is sought to be replicated by WOREC in other parts of the country as well.

One significant sign of progress has been the involvement of survivors of trafficking themselves in tasks to challenge trafficking, as Nepal's Maiti and India's STOP demonstrate. The learning from innovative partnerships forged with a variety of civil society partners such as sex workers' organisations, government and law enforcement agencies offer valuable insights into the complex dynamics and factors related to rights-based recovery and reintegration of survivors, both within source communities and at destination sites.

In Kolkata (India), DMSC's pioneering role in community monitoring of trafficking through Self-Regulatory Boards, spearheaded by sex workers themselves, is now a regional model with several organisations working to replicate it globally.

The six initiatives focus on some of the key emerging focus areas in curbing trafficking and HIV in South Asia, though they are by no means the only activities undertaken by the respective organisations, nor do they represent the only critical issues relevant to the interlinked vulnerabilities of trafficking and HIV/AIDS.

These initiatives have contributed to powerful social movements that have extensive regional impact. The multiple challenges con-

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fronting the movements are giving birth to multi-layered partnerships across South Asia. These are now being successfully leveraged to achieve new goals and targets.

Irrespective of the primary focus of the organisations featured in this book, they have certain commonalities: they are all firmly grounded within communities. It is this contact with the grassroots that provides credibility and powers advocacy and lobbying at the highest levels. Outreach work among the communities also throws up data that

makes it easier to situate the conceptual and development linkages between trafficking and HIV.

Whatever the route and the strategies they follow, all of the initiatives discussed in this publication also share a common doctrine and overall vision: a human rights-based approach that seeks to widen the choices available to women, men and children and which aims to make migration a safer, though not the only proposition for South Asia's teeming millions.



UNDP is the UN's global development network, advocating for change and connecting countries, knowledge, experience and resources to help people build a better life. HIV/AIDS is one of its top organisational priorities, integrating it into its broader efforts to support effective governance and poverty reduction. UNDP has been one of the most outspoken advocates for a multi-sectoral response to HIV/AIDS since the late 1980s.

UNDP Regional HIV and Development Programme covers 13 countries in South and North East Asia. The programme addresses the development and trans-border challenges of HIV/AIDS in the region and supports integrated and rights based responses that promote gender equality, sustainable livelihoods and community participation. Focus areas of work include: Policy Advocacy and Outreach, Mobility and HIV/AIDS, Capacity Development and Greater Involvement of People Living with HIV/AIDS and Human Rights.

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The HIV/AIDS Portal for Asia Pacific



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