

**Preparatory Study for
Situational Analysis of Commercial Sexual
Exploitation of Children in Nepal**

**A Preliminary Report
January 2015**



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List of Abbreviations

CWIN	Child Workers in Nepal Concerned Center
CAC	Community Action Centre (CAC) Nepal
CCWB	Central Child Welfare Board
CSE	Commercial Sexual Exploitation
CSEC	Commercial Sexual Exploitation of Children
CSW	Commercial Sex Worker
ECPAT	End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes
FSW	Female Sex Worker
ILO	International Labour Organization
ILO/IPEC	International Labour Organization/International Programme on the Elimination of Child Labour
INGO	International Non Governmental Organisation
MoWCSW	Ministry of Women, Children and Social Welfare
NDHS	Nepal Demographic and Health Survey
NGO	Non Governmental Organisation
SAARC	South Asian Association for Regional Cooperation
TIP	Trafficking in Persons
UN	United Nations
UNESCO	United Nations Education, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime

FOREWORD

This research is a preliminary step towards a modest attempt to assess the situation of commercial sexual exploitation of children in Nepal. It is, in fact, a study that has allowed us to have a general overview of the situation of CSEC and has provided us with some primary information which can be potentially valuable in terms of defining more detailed research and even programmatic interventions.

As you will read, what has emerged from the findings is the need to appreciate the complexities inherent in CSEC. All manifestations of CSEC are invariably interlinked: child marriage is often a means adopted to traffic young children for prostitution or other forms of sexual exploitation while child trafficking in itself is a mechanism through which children are introduced to sexually exploitative activities. Chapter seven of this report presents other examples of these interlinkages and underscores the importance of an inclusive approach that will not address any form of CSEC in isolation but will take into consideration the complex web in which CSEC occurs.

The study also points out to emerging forms of CSEC, especially among urban youth, whereby such youth engage in sex work to supplement their income to meet the financial pressures of urban life. It also exposes relatively new but potentially dangerous forms of CSEC where all children with access to internet and mobile phones are highly vulnerable to online sexual exploitation. This study has noted in particular the extreme vulnerability of children engaged in street sex work and those working in the entertainment sector to this form of sexual exploitation.

One significant observation that the research makes is the strength and resilience that children have demonstrated in their difficult lives. Despite the hardships they have encountered and lived with and despite the violation of their most fundamental rights, they have also shown that they are capable of making choices while being aware of the impact that these choices will have on their lives. As mentioned later in the report, their stories are thus stories of both 'agency' and 'vulnerabilities'.

We hope this report will provide some useful insight to all of us working to combat the commercial sexual exploitation of children.

ECPAT Luxembourg

Thomas Kauffmann, Executive Director

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Executive Summary

This report documents the key findings of the 'Preparatory Study for Situational Analysis of Commercial Sexual Exploitation of Children in Nepal'. This study aims to provide a preliminary insight on the current situation of CSEC in Nepal so as to provide the basis for the national-level research on 'Situational Analysis of Commercial Sexual Exploitation of Children in Nepal'. The study was conducted from November 2013 to February 2014.

This report is organized into nine chapters. Chapter one sets the context for the current research. It presents the prevalence and policy context of CSEC in Nepal. In Chapter two, report highlights some of the conceptual issues around Commercial Sexual Exploitation of Children (CSEC). Chapter three and four discusses the methodology for the research and various challenges during the research process. Chapter five traces the journey of children to CSEC. In Chapter six, the report discusses 10 different manifestations of research. Chapter seven attempts to trace linkages between various manifestations of CSEC. In Chapter eight, the report presents the main themes emerging from the research. The final chapter lists some of the main stakeholders for action against CSEC in Nepal.

This study followed multiple methods of data collection to understand the complex issue of CSEC. A comprehensive literature review was followed by semi-structured interviews, key informant interviews and focus group discussion with children. 22 children from various backgrounds were interviewed in Kathmandu, Pokhara and Nepalgunj. 22 key informant interviews were conducted with people working in I/NGOs, Government offices, Police, Tourism sector and private sectors like hotels, cyber café, restaurants etc. Data collection was completed between November-December 2013.

The research revealed several interesting trends in CSEC in Nepal. While the issues of child trafficking, children in commercial sex work, sexual exploitation of migrant child workers continue to be important forms of commercial sexual exploitation of children, there are many new forms that are emerging. With the recent developments in information technology, the use of mobile phones, social media and internet-based technologies is increasing in making first contacts with children. The research also highlights 'internal trafficking' of girls for the night entertainment industries in major urban areas. This study also highlights incidences of 'pocket money sex', where children engage in sexual activities to finance their city-based life. Promise of better jobs, exploring the new world, pressures to engage with monetized economy also present themselves as the reasons to engage in transactional sexual activity.

This research thus makes an enquiry into ten different manifestations of Commercial Sexual Exploitation of Children (CSEC) in Nepal. These categories have been highlighted mainly for conceptual clarity; to understand the different mechanisms involved in each one and to enable designing appropriate programmes to combat it. However, in practice, they overlap to a large extent and may not occur separately from one another.

- Research Team

Research Background

ECPAT Luxemburg and Child Workers in Nepal Concerned Centre (CWIN) conducted a 'Preparatory Study on the Situational Analysis of Commercial Sexual Exploitation of Children (CSEC) in Nepal. This study aims to provide a preliminary insight on the current situation of CSEC in Nepal that provide the basis for the national-level research on 'Situational Analysis of Commercial exploitation in Nepal'.

Rationale of Study

There is general consensus among organizations working against CSEC that a full picture of the situation of commercial sexual exploitation of children in Nepal is difficult to ascertain today. Studies have been conducted, reports are accessible and data available but most of these are either old or limited in scope, treating only certain forms of CSEC (trafficking of children or child prostitution or child marriage for example).

A comprehensive study, covering in depth the current situation of CSEC in Nepal is required. Reports, studies and testimonies of experts working in the sector increasingly underline the suspicion that Nepal could be developing as a new destination for child sex tourism or that online sexual exploitation of children could be a potential threat in the future. Such trends have not been fully researched to explore the real threats that such developments could present to children in particular and to the Nepalese society as a whole. Also, embedded in the problematic of trafficking, are that of migration and networks of traffickers fully exploiting porous borders with neighboring countries. But also, trafficking destinations are changing and young Nepali girls and women are found to be working in dance bars in countries as far as Tanzania.

In light of this situation, ECPAT Luxembourg planned to conduct a comprehensive research study whose goal will be to provide an in-depth situational analysis of CSEC in Nepal. However, before actually bringing this research to ground, ECPAT Luxembourg with CWIN has conducted a preparatory field study whose findings should provide insight on the current situation of CSEC in Nepal. As such, the purpose of this preparatory study is to provide primary information to the national research mentioned above. To that end, this preparatory study focuses on: (i) an extensive review of literature on CSEC and (ii) identification of some of the most widespread forms of CSEC in Nepal

Organisational Framework of study

1. Organisation commissioning the study: ECPAT Luxembourg

ECPAT Luxembourg is a non-profit association founded in 1995 and recognized by the Luxembourg Ministry of Foreign Affairs as a non-governmental organization for development.

It is a member of the global ECPAT network (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) working to end the commercial sexual exploitation of children (CSEC).

ECPAT Luxembourg supports countries in the South with prevention, rehabilitation and reintegration projects for children who are vulnerable to and/or victims of sexual exploitation. These projects are carried out by partner NGOs and include informational and prevention efforts among at-risk children and communities as well as managing the cases of child victims. In the Grand Duchy of Luxembourg, ECPAT Luxembourg carries out awareness-raising and information communication among the general public and actors concerned with the problem of commercial sexual exploitation of children. ECPAT Luxembourg also supports research-action projects intended to improve our understanding of the latest evolutions in the sexual and commercial exploitation of children and the new geographic areas affected.

ECPAT Luxembourg’s development partnership in Nepal started in 2008. We work to reduce the risks of sexual abuse and exploitation among vulnerable and at-risk children. Our interventions focus on the key areas of prevention, rescue, recovery, reintegration and capacity building of partner organizations.

2. Research Organisation: CWIN

Established in 1987, Child Workers in Nepal Concerned Centre (CWIN) is a pioneer organisation in Nepal for the rights of the child and against child labour exploitation. CWIN is an advocate organisation for the child's rights with focus on children living and working under the most difficult circumstances. CWIN's main areas of concern are child labour, street children, child marriage, bonded labour, trafficking of children, children in conflict with laws and commercial-sexual exploitation of children.

As a watchdog in the field of child rights in the country, CWIN acts as a voice of children through lobbying, campaign and pressure to the government to protect and promote children's rights in the country, and to end all kinds of exploitation, abuse and discrimination against children. As a concerned organisation to the children at risk, CWIN has been also undertaking a number of socialisation, support and rehabilitation programme through its various programmes.

Research Team		
Role	Name	Main Responsibility
Research Advisors	Sumnima Tuladhar	Advise the research team on conceptualisation of research, finalisation of research instruments, provide guidance on the report writing process and finalisation of the report.
	Rupa Dhital	
	Dr. Deepa Dhital	

Lead Researcher	Uma Pradhan	Lead and coordinate the entire research process, draw up research design and instruments for data collection, provide training to research team, coordinate and supervise field work, prepare the final report
Researchers	Lachhindra Maharjan	Assist the lead researcher in the entire research process including literature review, designing research instruments, compilation of data, coordination with the research team and preparation of the report.
	Manu Krishan	
Field coordination	Bishnu Paudel	Coordinate field research including identifying survey areas and contacting local people.

In addition to the research team members, we have drawn extensively from experience and expertise of CWIN staff members and CWIN database.

Chapter 1

Commercial Sexual Exploitation of Children (CSEC) in Nepal

Commercial Sexual Exploitation of Children (CSEC) is a fundamental violation of human rights and children's rights. The Declaration of the First World Congress against Commercial Sexual Exploitation of Children defines it as "sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children and amounts to forced labour and a contemporary form of slavery." It is sexual abuse of a child in exchange for some sort of payment, either money or favours (food, shelter or access to education). It consists of criminal practices that demean, degrade and threaten the physical and psychosocial integrity of children. CSEC includes the prostitution of children, child pornography, child sex tourism and other forms of transactional sex where a child engages in sexual activities to have key needs fulfilled, such as food, shelter or access to education. It includes forms of transactional sex where the sexual abuse of children is not stopped or reported by household members, due to benefits derived by the household from the perpetrator.

Prevalence of CSEC in Nepal

Various studies in the past show alarmingly high number of children affected by CSEC in Nepal. According to ILO, around 12,000 Nepalese children, mainly girls, are trafficked for sexual commercial exploitation each year (ILO, 2001: 5). However, due to the clandestine nature of the practice, lack of concrete evidence and other situational factors, it is virtually impossible to estimate how many other children are victims of commercial sexual exploitation. Estimations are that 30-40 percent of the commercial sex workers in Kathmandu are under the age of 18 (MoWCSW 2008:26) and as many as one in ten is between the ages of 12 to 15 years (Frederick et. al. 2010). The studies also highlight that CSEC in Nepal exists in various forms.

Child Trafficking: Nepal continues to be one of the countries with high prevalence in child trafficking, though lack of reliable data makes it difficult to measure the depth of its prevalence. ILO (2001, 2003) estimates that approximately 12,000 children are trafficked every year from Nepal. The recent studies report a higher number estimating between 7-15,000 each year (USD TIP, 2009). Similarly, the National Human Right Commission of Nepal (NHRC, 2011) estimates that 11,500 persons were trafficked or at least almost trafficked in 2011, up from 5,500 in 2010.

Children make up a high proportion of people trafficked from Nepal. The UNODC Global Report in Trafficking (2012: 69) notes that children constitute 36% of all Nepalese trafficking victims, with girls constituting 33% and boys making up 3%. The report shows that female victims make up 86% of the total number of trafficking victims from Nepal. According to Terre des Hommes (2005), most of the brothel-based Nepalese prostitutes in India were trafficked when they were under

the age of 18. The girls enter into slavery or debt bondage on average of 14-16 years of age and the length of time spent in these conditions range from two to ten years. Similar study by Asha-Nepal, TDH and Shakti Samuha (2012: 26) show that 53.6% of the girls in their research were trafficked between the ages of 11 to 16 years. According to this report, Nuwakot and Sindhupalchowk are the main origin points of trafficked children. Other places include Bara, Bardia, Chitwan, *Dailekh*, Dhading, Gorkha, Gorkha, Jhapa, Kavre, Kaski, Khotang, Makawanpur, Morang, Okhaldhunga, Palpa, Rautahat, Salyan, Sankhwashabha, Udayapur, Sindhuli, and Kathmandu.

The studies also point towards an alarmingly high rates of young people moving from the rural areas of Nepal to more urban cities, mainly Kathmandu. Asha-Nepal (2006: 32) notes that virtually all the girls working in the cabin bars/restaurants and dance bars have arrived from out of town on the promise of work in carpet factories, domestic labour or legitimate restaurants. Amnesty International quotes a study that identified the Terai region as producing the largest proportion of people who migrated abroad in search of work with Dhanusa, Jhapa, Siraha and Morang as the top four districts (Amnesty International, 2011: 14).

Children in Entertainment Sector: Entertainment sectors such as dance restaurants, cabin restaurants and massage parlours are proving to be one of the popular venues for many underage girls who are trafficked from various villages. These venues are spread throughout the Kathmandu valley, as well as other urban areas, local tourist destinations and transportation routes. According to TDH study by Frederick et. al. (2010: 23) there are an approximately 11,000 to 13,000 girls and women working in, what is often called, 'night entertainment industry' in Kathmandu.

According to Action Aid and Shakti Samuha (2008) study, the number children between 12-15 years old in Kathmandu Sex Industry has steadily increased from 11% in 2008 to 20% in 2012. Other studies estimate that 16% (NHRC, 2006) to 33% (Shakti Samuha, 2008) of all the workers in night entertainment are under the age of 18. The 47% of the entertainment workers, according to NHRC (2006), enter the entertainment industry before the age of 18 (also cited in Fredrick et. al, 2010: 46). NHRC (2006) also estimates that 47% of the females entering the entertainment sector were sexually exploited in one form or the other. According to Shakti Samuha (2008), although not all of the girls were hired for sexual services, 73% of the respondents claimed that they had 'additional duties'.

Street Sex Work: Street prostitution is increasingly becoming a common form of commercial sexual exploitation of children in Nepal (Asha-Nepal, 2006: 14). According to CAC-Nepal (2002: 26) approximately 39% of the respondents involved in prostitution to entered when they were less than 17 years of age, 31% between 15 and 8% below 15 years of age. A research by CREHPA (2001) identified that street-based sex workers in Kathmandu are attached to tea stalls and local alcohol shops (commonly called *bhatti pasals* in Nepali) to solicit clients. They also have fixed locations for soliciting clients such as overhead pedestrian bridges, public toilets, near telecommunication office, temples etc. They get in touch with clients directly and sometimes through their friends who are involved in the same

profession. This research also shows that compared to the brothel-based sex workers, street-based sex workers were more vulnerable to sexually transmitted infections, rape and physical abuse.

According to a series of studies conducted by CWIN-Nepal (2008a, 2011), in urban areas of Nepal, especially in the streets of Kathmandu, the commercial sex work of boys has become particularly visible. Among boys who work as commercial sex workers, children living and working in the streets are found to be especially vulnerable. They are vulnerable to sexual exploitation by Nepali nationals and foreigners, as well as other older street children (CWIN, 2011). The study also found that many of these children are exposed to unsafe sexual behaviours and are also used as pimps by other sex workers.

Child Sex Tourism: Various studies have also documented many incidences of tourists exploiting children. According to CWIN (2003: 20-21), 21% of the children interviewed who were interviewed responded that they had been physically close to the tourists. The activities included kissing, touching and taking pictures. The children also reported being lured by the promise of money and gifts from tourists. In another research by CWIN (2011), the children shared that the tourists make offers of gifts largely comprised of money (approximately 100 to 200 Nepali rupees), food (meat, and dal bhat) and glue (31.8%). Only 10.7% of all violators were reported to be of foreign descent. On the similar lines, Frederick et. al. (2010) point out that there are strong indications that Nepal is developing as a sex tourism destination for India. In his informal observation in 2008, he noted that young men flying to Kathmandu from Delhi for holidays of gambling and bar hopping.

Pocket Money Sex: A number of studies have indicated the possibility of Pocket Money Sex in Nepal. Asha-Nepal (2006: 32) states that there has been a worrying growth in schoolgirls working as prostitutes both freely and under coercion. In Kathmandu, schoolgirls, usually from +2 grades (i.e. approximately 16 year old), are pretending to go to school but working in cabin restaurants as call girls. Similarly, ECPAT (2008: 10) also point out that highlight that adolescents are increasingly engaging in various forms of prostitution, in order to earn cash that will enable them to access the products and life styles of global youth culture.

Child Sexual Abusive Images: A number of studies have indicated the prevalence of child sexual abuse images in Nepal. These studies have mainly focused on child sexual abuse images taken by sex tourists. CPCS-VOC (2008: 62) research shows that 15-40% of children have reported level 2 abuse; which includes foreigners taking naked picture of children. Similarly, a study by ILO (2002: iii) records that 11 in 100 street children reported that their nude photographs had been taken. Both foreigners and local people were reported to be the photographers. The report also shows that two thirds of the total respondents had watched pornographic movies, with other street children and/or foreigners. Similarly, ECPAT Global Monitoring Report (2006: 12) reiterates that many children in urban areas are exposed to pornographic materials, harassment and blackmail in internet chat rooms. Citing the video interview conducted in 2006 by FIT Nepal, it reports that young children interviewed shared incidences of their friends being blackmailed through chatrooms, being asked to expose themselves through

webcams, or being subjected to exhibitionism by the perpetrator. A recent study by CWIN (2008b) shows that 5.4% of children admitted to exposing themselves through the webcam.

The Policy Context of CSEC in Nepal

Nepal has been consistently formulating progressive legislation to address the issue of CSEC. The Interim Constitution of Nepal 2007 addresses all forms of trafficking against human beings by its broad prohibition of trafficking in Article 29. This has been reinforced in Trafficking in Person and Transportation (Control) Act, 2007. This act has evolved over the years to ensure the much-needed protection to the girls and women. Unique features have been built into the enactment to make it more gender sensitive. Section 9 of the act has shifted the burden of proof from the prosecution to the accused, presumably when a prima facie case is made out. Section 6 of this act states that once the trafficked person has authenticated her statement in court, it may be admitted by the court as evidence even if she does not appear before the court again. The victim can also give in camera trials. Such evidence is admissible and will go a long way in preventing witnesses turning hostile and also shorten trials. The offender is also required to compulsorily compensate the trafficked person (section 17). Similarly, section 12, 13 and 14 makes it a duty of the government to rescue victims of cross border trafficking, rehabilitate the victims of trafficking and establish the rehabilitation fund.

Country Code (Muliki Ain) strictly prohibits the sexual exploitation of the girl child. A person may not have sexual intercourse with a girl below 16 years, regardless of her consent. Laws in Nepal clearly prohibit the intercourse with a child under 16 is considered as rape irrespective of consent. Chapter on Indecent Assault of the Country Code, 1963 incorporate certain aspects of physical sexual abuse against women within and outside the domestic sphere. It prohibits touching any organ from head to foot of a woman above the age of 11 years except one's own wife with the intention to have sexual intercourse and prescribes a punishment with a fine up to five hundred rupees or imprisonment of up to one year. However, this law is not proved to be useful as not a single case has yet been filed using the same provision. The Country Code also has provision on incest and sexual abuse within the family. However, there is lack of specific legal provisions that define and prohibit child prostitution or punishes the act of procuring and providing a child for prostitution. The law only prohibits prostitution or the act of procuring a woman for prostitution. The act of prostitution itself is not illegal. The Supreme Court has held that sex work is like any other profession, and that no discrimination could be made on the basis of sex work (Sapana Pradhan Malla for FWLD v. GoN writ no 56/2058)

Section 4 (3) Amendment to the Marriage Registration Act, 2023 (*Muluki Ain*) repealed a discriminatory provision, which established different minimum marriage ages for boys and girls. Currently both men and women must have completed twenty years of age to have their marriage registered, without the consent of their guardians. However, the minimum age of marriage is 18 years if there is consent of guardians. It also considers any sexual activity under the age of 16 as rape and punishable under law. Although the government has legislation

against the system of child marriage there is no legal enforcement mechanism to stop it. Due to this and the social acceptability of the practice, child marriage is still highly prevalent in Nepalese society.

In Nepal, there is no provision that includes criminalizing the activities of sex tour operators, hotels, and travel agents involved in procuring children for sex tourists.¹ The Tourism Act 1978, section 7.7A includes some of the basis on which the license of the travel agency can be cancelled and suspended but these have not been successfully implemented. Nepal also lacks extradition treaty beyond India. The Extradition Act, 1988, Section 2 mentions that “Offence” means offence as stipulated in the Extradition Treaty concluded with any foreign country for extraditing the accused or offender. The Protocol on the Sale of Children clarifies vague obligations under the CRC to require member states to enact extraterritorial legislation (ET legislation) to prosecute child sex tourist (Svenson, 2006). There is also a lack of extra territorial legislation to punish travelling offenders with regards to Nepali nationals committing an offence abroad.

It is widely recommended that to protect children from commercial sexual exploitation, more should be done in the part of prosecution in destination countries (Svenson, 2006). Generally child sex tourists are rarely prosecuted in destination countries. However, Nepal being a destination country can replicate domestic laws of other destination countries who are strengthening their laws to fight against sex tourism.

The Children’s Act of Nepal has prohibited any child sexual abuse images (child pornography). According to this (1) no photograph of a child shall be taken or allowed to be taken, nor shall such photograph be distributed or exhibited for the purpose of engaging a child in immoral profession, (2) no publication, exhibition or distribution of photograph or personal events or descriptions of a child tarnishing the character of the child shall be made, (3) no child shall be involved in the sale or distribution of, and trafficking in alcoholic drinks, narcotic drugs or any other drugs. Besides these provisions, a separate act against trafficking named “An Act to control trafficking and harm on human body, 1987” also exists in Nepal to control all kinds of sexual exploitation.

Child pornography is not specifically addressed in any laws including the Electronic Transaction Act 2008. There is no comprehensive definition of child pornography in Children’s Act itself. However, Children’s Act 2048, Section 16(2) (3) does state that photograph of a child shall not be taken or allowed to be taken nor shall be distributed or exhibited for the purpose of engaging a child in immoral profession. It also prohibits publication, exhibition or distribution of photographs or personnel events or descriptions of a child tarnishing the character of the child. Online sexual exploitation and online grooming is not incorporated in any laws of Nepal yet.

¹ For example, Australia's Crimes (Child Sex Tourism) Amendment Act 1994 provides that a person who acts with the intent of benefiting from or encouraging conduct that would constitute a violation of the Act is subject to imprisonment of up to 17 years. Similarly, New Zealand's Crimes Amendment Act 1961 prohibits conduct that facilitates others in the commission of acts of child sex tourism, such as making travel arrangements or printing or publishing information intended to promote child sex tours (Svensson, 2006).

Legal action can be taken under the Electronic Transaction Act (Bidhyut Karovar Ain, 2063). No specific provisions are made specifically for children.

In addition to these national legislations, Nepal has ratified a number of International Conventions. The following table lists some the international conventions and its ratification dates.

Convention	Ratification Status with ref to Nepal
ILO Forced Labour Convention No. 29 (1930)	Ratified 3rd January 2002
UN Convention on the Rights of the Child (1989)	Signed 26th January 1990 Ratified 14th September 1990
UN Convention on the Elimination of All Forms of Discrimination against Women (1979)	Signed 5th February 1991 Ratified 22nd April 1991
ILO Convention No. 138 on Minimum Age (1973)	Ratified 30th May 1997
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)	Not signed
ILO Convention No. 182 on the Worst Forms of Child Labour (1999)	Ratified 3rd January 2002
UN Convention against Transnational Organized Crime	Signed 12th December 2002 Ratified 23rd December 2011
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)	Not signed
Protocol against the Smuggling of Migrants by Land, Sea and Air (2000)	Not signed
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000)	Signed 8th September 2000 Ratified 26th January 2006
SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002)	Signed 5th January 2002

**Fact Sheet
CSEC in Nepal**

Around 12,000 Nepali girls were being trafficked annually to India for prostitution (ILO, 2001; TDH, 2005).

9 in 10 trafficking survivors registered in the Nepal Police data are females; more than one-third are children below 17 years of age (NHRC, 2011)

Most of the brothel-based Nepalese prostitutes in India were trafficked when they were under the age of 18 and sold to brothel owners who keep them in conditions of slavery and debt bondage, according to international definitions. (TDH, 2005)

Nepali girls enter slavery and debt bondage in the brothels of India at an average age of 14 to 16 years (TDH, 2005).

In 2011, there were 118 cases of trafficking recorded with the Nepal Police of which 4 were internal trafficking and 114 were cross- border trafficking victims and all the cases were related to sexual exploitation (NHRC, 2011).

Trafficking cases are reported in all regions of Nepal and although out of the reported trafficking cases 56.6% are of Janjatis (various ethnic groups of Nepal) (NHRC, 2011).

Approximately 32,000 young Nepali women are involved in commercial sex work (cited in World Education, 2009).

Of the thousands of the Nepali women and children in the commercial sexual exploitation in India, only about 200 are rescued each year (MoWCSW, 2008)

The 2012 Global Report on Trafficking in Persons released by UNODC has revealed that 27% of victims of human trafficking between 2007 to 2010 are children, up 7% from the period 2003 to 2006.

Girls from poor families working as domestic child workers are easy targets for sexual abuse and are vulnerable to trafficking for sexual purposes (New Era, 2001)

In 2011, the Nepali Embassy in Saudi Arabia recorded 381 Nepali women migrant workers who came to contact with the Embassy as they were facing abuse and violence from employers, agents and sub-agents in Saudi Arabia (NHRC, 2011)

In Kathmandu alone there are an estimated 11,000 to 13,000 girls and women in the entertainment business. The majority are under 25 years of age and as many as one third are under the age of 18 (Frederick et al, 2010).

The percentage of females under 18 in the entertainment sector is stated at 33 % by Shakti Samuha 2008 study and 16% by the NHRC 2006 study.

Children between 12-15 years old in Kathmandu Sex Industry has increased from 11% in 2008 to 20% in 2012 (Action Aid and Shakti Samuha, 2008)

In 2001, there were 175 cabin restaurants, 61 dance restaurants, 40 massage parlours, and 64 other business places (such as tea stalls, *bhatti pasals*, lodges, etc.) where sex workers were active. (CREHPA, 2001)

In 2010, there were over 25,000 dance and cabin restaurants across Nepal (Maiti Nepal, 2010).

125 massage parlours are located in the Thamel area, over 80% are involved in the sex business. (Maiti Nepal, CWIN and Biswas Nepal, 2010).

Although not all of the victims were hired for sexual services, 73% of the respondents claimed that they had “additional duties” (Shakti Samuha, 2008).

According to the research about 37% of the street children are victimized by paedophiles (ILO/IPEC, 2002)

At least 5% street boys report that they are sexually abused/used by foreign paedophiles operating in Kathmandu (CWIN, 2003)

In the period of 1995-2001 at least 8 paedophiles were arrested (CWIN, 2003)

Chapter 2

Conceptualising Commercial Sexual Exploitation of Children (CSEC)

This section of the report first examines the existing literature on Commercial Sexual Exploitation of Children in Nepal and discusses various important conceptual and analytical issues that characterises the issue of CSEC.

The study of current literature on Commercial Sexual Exploitation Children (CSEC) point to the fact that CSEC is defined very differently in different contexts. As Professor Vitit Muntarbhorn's (General Rapporteur, Second World Congress against Commercial Sexual Exploitation of Children, Yokohoma 2001) noted "there remains disagreement among operational actors concerning definitions behind the phenomenon of the sexual exploitation of children".

While the differences may appear insignificant to the overall extent of the problem, the divergent emphasis seem to impact collective efforts to understand and address the problem. As Jones (2013) reiterates language and definition are key constituents of the way CSEC is conceptualized and are contributory factors in the shaping of policy, legislation and intervention. The Subgroup against the Sexual Exploitation of Children (SASEC, 2005) also points towards 'interchangeable and inappropriate use of concepts' to define the phenomenon of CSEC and emphasise that the 'implication of the confusion are considerable'.

Nonetheless, the definition and understanding of the commercial sexual exploitation of children, and its many forms, have evolved in recent years in accordance with greater analysis and newly acquired knowledge (SASEC, 2005).

Definitions

The Declaration of the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, Paragraph 5, defines it as 'sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children and amounts to forced labour and a contemporary form of slavery.'

ECPAT International, as the main host of the Congress, draws its definition from Stockholm Declaration. ECPAT International states that 'commercial sexual exploitation of children comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. Commercial sexual exploitation constitutes a form of coercion and violence against children and amounts to forced labour and a contemporary form of slavery"

According to UNICEF -Sexual abuse becomes sexual exploitation when a second party benefits – through making a profit or through a quid pro quo – through sexual activity involving a child.

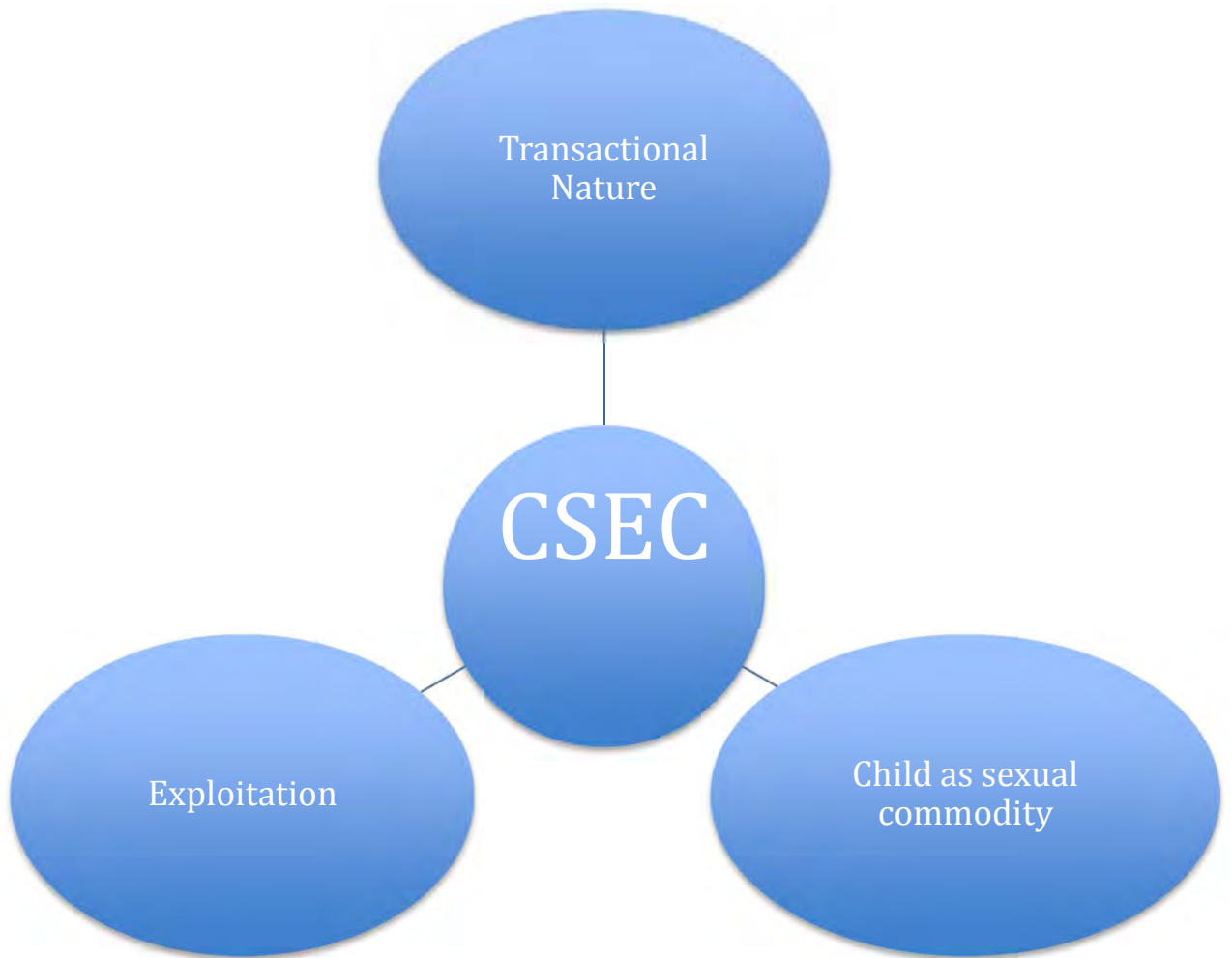
WHO states that commercial or other exploitation of a child refers to use of the child in work or other activities for the benefit of others. This includes, but is not limited to, child labour and child prostitution. These activities are to the detriment of the child's physical or mental health, education, or spiritual, moral or social-emotional development.

As seen in above definitions, commercial sexual exploitation of children (CSEC) is sexual abuse of a child in exchange for some sort of payment, either money or favours i.e. transactional sex. The significance of defining in-kind transactions as commercial in nature should not be underestimated, not only because they are very common, but also because there is a tendency to view some such transactions as entailing consent on the part of a child (SASEC, 2005). In addition, the adult-child power relation makes it even more complex; an adult can easily take an advantage of inequalities of power to avoid cash transactions. CSEC can therefore involve transactional sex where a child engages in sexual activities to have key needs fulfilled, such as food, shelter or access to education.

The key element in understanding CSEC is the exploitative aspect that it entails. According to ECPAT (2008: 8), the idea of exploitation encompasses two related meanings: to make unfair profit and to take advantage of inequalities of power and/or economic status. Thus in CSEC, exploitation can be seen to result from the actions of both customers and intermediaries.

Another very important aspect of CSEC, as recognised by Stockholm Declaration (First World Congress against Commercial Sexual Exploitation of Children) is that the child is treated as a 'sexual object' and as a 'commercial object'. This commodification of child may be indirect as in the case of child pornography or direct as in the case of child sex tourism, child prostitution etc. In all cases, regardless of the nature of transaction and the child is commodified as a sexual object, thus making them vulnerable to exploitation of various degrees.

Diagram 1



2.1 Understanding the complexities in CSEC

As discussed in the previous sections, the issue of CSEC is complex also because of various blurred boundaries that commercial sexual exploitation of children is located in. The link and overlap between these issues are so central that these need to be analysed together. In the following section, we discuss some of these.

Agency of children vs. Vulnerabilities of children

The literature on commercial sexual exploitation of children generally tends to explore the difficulties that the children have gone through and portray them as 'victims'. A very powerful and well-researched documentary on Sexual Trafficking in Nepal and India (2005) - 'the day my god died'- documents the ways traffickers work, brutalising (some as young as seven covered in cigarette burns), starving and raping victims. . This literature also highlights the use of fraud and deception by traffickers and that most children followed their trafficker with the hope of being able to earn a higher income elsewhere (Barry 1995:165).

But the growing body of literature also points towards the need to understand and appreciate that children have 'agency' and are capable of making life choices. Within this discourse, there is a move to understanding trafficking as one form of migration in an 'age of migration' and has been seen by many as an essential move forward (Ausserer, 2008). It urges that we should refrain from exerting 'control in the name of protection' Increasingly, the contemporary analysis of the issue point towards the need to reclaim the degree of 'agency of the children'. Authors like Surtess (2008), while discussing the issue to trafficking, show that children actually choose to move in search of better opportunities. These literature points towards the need to step out of the westernised conception of childhood that centres on the belief that children are inherently vulnerable.

However, there is also an increasing consensus towards the need to understand the conditions under which children practice their agency. As Sanghera (2005) explains, the defining moment that distinguishes 'agency' and 'vulnerability' of children is the point at which the exploitation takes place. This empirical reality of 'exploitation' of children in CSEC compels us to acknowledge the 'vertical constraints' (Howard, 2012) that the children face which practicing their 'agency'. The age-gender-class related power relations play an important role in accentuating the vulnerabilities of children towards the situation that might eventually lead to commercial sexual exploitation.

In-cash transaction vs. In-kind support

Various definitions of commercial sexual exploitation of children point towards a lack of clarity in understanding the nature of commercial transaction; whether in-cash transaction and the presence of third party benefit is an essential element of commercial sexual exploitation of children. According to UNICEF, sexual abuse becomes sexual exploitation when a second party benefits – through making a profit or through a quid pro quo – through sexual activity involving a child. However, However the Stockholm Declaration (1996) and ECPAT International

have unequivocally asserted that 'commercial sexual exploitation of children comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons' The defining component is that fact that the child is treated as a sexual object and as a commercial object.

SASEC (2005) reiterates that the significance of defining in-kind transactions as commercial in nature should not be underestimated, not only because they are very common, but also because there is a tendency to view some such transactions as entailing consent on the part of a child. In addition, the adult-child power relation makes it even more complex; an adult can easily take advantage of inequalities of power to avoid cash transactions. CSEC can therefore involve transactional sex where a child engages in sexual activities to have key needs fulfilled, such as food, shelter or access to education.

It is therefore very important to understand that dynamics of age-gender-class power relations that play a very important role in the nature of transaction. Age is undoubtedly a vulnerability factor in CSEC. 'The power differences that exist between adults and children underlie sexual exploitation. Yet, age hierarchies are rarely examined by policy makers (Baker, 2001: 4). This literature therefore urges us that any analysis of the exploitation of children in prostitution, age-based violence must be taken in to account alongside gender-based violence. Both are expressions of power inequalities, because power is exerted through the ability, or potential, or right to exercise force.

Choice and Force

Some literature also point to the right of children to make choice and voluntarily engage in sexual activities. There is also an increasing recognition that a teenage child is a 'sexual being' and s/he should be free to make a decision on sexual choices. Child development literature point towards the fact that teenage period is a time for experimentation and exploration of ones' sexuality (Janssen, 2002).

Notably, there is also general consensus that no child under the lawful age of sexual consent can willingly enter into prostitution for the reason that any sexual activity between an adult and a minor is considered harmful, coercive and unlawful (and in many instances is legally classed as rape) regardless of the perceived 'willingness' or views of the young person (Save the Children, 2008).

Non-consent and the use of force or coercion have emerged in recent international human rights document as essential, yet controversial, elements of CSEC. Balos (2004:148) discusses that the focus on consent obscures the larger issue of power inequality that underlies and fuels CSEC activities. This concept of 'willingness' is, thus, no longer accepted in international law since the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, opened for signature in December 2000. The Protocol specifically rules out the possibility of 'consent' to trafficking by any person under the age of 18.

The issue of choice is even complicated by the presence of formal or informal networks and role of various individuals have been highlighted as a crucial component in CSEC. These could include employment agencies, entertainment companies, or marriage agencies, which advertise as reputable agencies (Williams, 1999) as well as some well-established criminal networks (Derks, 2000). In Nepal, child trafficking has been often carried out through the collaboration of local officials, community members, border officials and especially family members, who often play a substantial role in the trafficking of children (Asha-Nepal, 2006).

Therefore, there is a need to dismiss the free and force distinction altogether and look at the harms caused by CSEC and focus on the argument that the harms of prostitution are actually caused by moral attitudes and their legal consequences (Murray 1998). The concern has been raised to focus our attention on the context and conditions of CSEC.

Illegal and Immoral activity vs. Human rights perspective

The literature also point towards several and often contrasting approaches to understand the issue of CSEC. These approaches have played an important role not only in providing the framework and tools for analysing the issue but also designing various policies and programmes.

The 1949 UN Convention framed the issue of trafficking as a moral problem with a crucial interface with the law and order approach (ECPAT, 2001). It was basically a tool to legislate on the issue of prostitution seeing in the topic of trafficking in women and girls a support for their appeal to purify society from the immoral vices connected to prostitution. Another of the most common way in which CSEC, especially child trafficking, is understood has been through the lens of crime prevention. For instance, The UN Trafficking Protocol and the UN Convention against Transnational Organized Crime are both grounded in the framework of crime prevention and were finalized under the aegis of the UN Crime Commission. Other major international instruments that take a primarily crime-related approach are: International Convention for the Suppression of White Slave Traffic (1910), International Convention for the Suppression of the Traffic in Women and Children (1921), International Convention for the Suppression of the Traffic in Women in Full Age (1933), Convention on the Suppression of Trafficking and the Exploitation of the Prostitution of Others (1949); (ECPAT, 2001). These instruments rely upon increased participation of law enforcement agencies, stricter border controls and surveillance, greater power to police to seize and prosecute and tightening of legal regimes through promulgation of invariably more stringent and punitive laws (ECPAT, 2001). This views it as a problem of law and order that necessitates 'cleaning up' operations.

Howard and Lalani (2008: 5) claim that this approach has served not only to criminalize and thus demonize individuals who are otherwise survivors of gross human rights violations, but offers the state an opportunity to unduly extend its authority over its citizens, in many cases severely encroaching on civil liberties. The children who are affected by it are surrounded by the 'illegality' of these activities. Everything about the victim of trafficking is covered by a shroud of

illegality - her/his age is often below the legally stipulated age of employment; her/his status within the country of residence is illegal; the conditions of work under which s/he labours are illegal or not up to legal standards; the hotels or brothels in which s/he resides are illegal; and several of her/his partners in business or life are illegal, such as pimps and other sex workers.

This had led to a gradual shift in the approach that views CSEC as a fundamental violation of human/child rights. In particular, CSEC is seen a gross breach of a child's right to protection from all forms of violence, abuse and exploitation as enshrined in the Convention on the Rights of the Child. This shift was evident in the adoption of United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (Resolution 317), in 1949 by the General Assembly of the United Nations. This convention combined and superseded all previous conventions. According to the preamble "prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community." This convention recognised the fact that human/child trafficking is a violation of human rights. States as the protectors of human rights on their territory and of their citizens; are being held accountable for the combat against trafficking. This raised the very important issue of responsibility of states.

2.2 Reasons for CSEC

Many causes have been attributed to the growth CSEC. The literature on CSEC identifies issues such as poverty, lack of livelihood options, structural inequities in society, gender discrimination, the lack of educational and employment opportunities and a lack of protective legislation, services and regulations as responsible factors. Some of these are discussed below.

Economic Deprivation

The literature on CSEC highlights that children suffering economic hardships are more vulnerable to CSEC. Asha-Nepal (2006:28) claims that lack of moneymaking opportunities is not a cause of trafficking but is certainly a key to the ease with which young girls are lured away with the promise of employment and why parents may comply. It is clear that while some families are aware of the possibility of their child being trafficked, they still allow the child to go. Similarly, UNICEF (2006) states that poverty, at a level that leads to difficulties in meeting basic needs in food, clothing and shelter, as well as severely limited access to education and health services make children easy target for CSEC.

Rural population as victims

Many past researches on CSEC have highlighted the vulnerability of rural population in CSEC. A situational analysis by ChildReach International (Stallard, 2014: 9) specifically identified Icchok in Sindhupalchok and Gyangphedi in Nuwakot as two of the main areas for trafficking. The report

also points out that trafficking was on the rise in these two districts in the Bagmati Zone of central region Nepal. ECPAT (2008:15) lists the following circumstances that increases the vulnerability for CSEC: children caught in poverty, from minority groups, dependent on seasonal economies, working children, children living on the street, children abused or neglected in home, AIDS orphans.

Family problems

The studies also indicate that some children are at particular risk of being sexually abused or sexually exploited, or both. The vulnerable groups include children who experience parental neglect and abuse or, children living without their natural parents including those who are informally adopted (UNICEF, 2006).

Lack of education and employment opportunities

One of the most prominent indications in the current literature is that lack of access to education and employment opportunities is an underlying factor contributing to children's vulnerability to sexual abuse and exploitation (UNICEF, 2006). When the options for education and employment are limited in the place of origin, there is a high possibility for children to be affected by CSEC.

Gender

UNICEF (2006) highlights that perpetrators of abuse and exploitation are overwhelmingly males and typically men. Similarly, Murray (1998) states that vulnerability of girls is higher for CSEC. The gendered labour market and cultural values concerning the role of women and certain patriarchal dominant structures are thought to make female victims easy targets of trafficking (Derks, 2000). However, the vulnerability of boys is also being increasingly recognised. In 1921, during a meeting held under the auspices of the League of Nations – later the United Nations – the traffic of boys also became included within the convention (Derks, 2000).

Consumerism

An increased pressure on families to engage in monetized economies is also increasingly found to push children into CSEC (UNICEF, 2006). Derks (2000) reiterates that though poverty is usually seen as an important stimulus leading increasing numbers of people to seek employment in urban areas or even abroad, growing expectations brought about by economic growth and influences of globalization also play an important role. Liechty (2005) discusses the larger cultural trends in the commodification of food and sex in Nepal. In his paper, he highlights recent development in the process whereby food and sex are brought in line with a new logic of social value based in new patterns of market-oriented social relations. These factors have found to make children vulnerable to CSEC.

The study of the current literature reveals a conspicuous gap in this literature to understand the reasons of CSEC other than the structural issues of poverty, economic deprivation, conflict etc. There seems to be very little research done to understand the micro realities of sexuality, an increasingly consumerist culture, inequalities stemming from power-relations and other individual vulnerabilities.

2.3 Forms of CSEC

Recent researches have also begun to appreciate that CSEC takes many different forms and have different patterns. UNICEF (2006) identifies 5 types of commercial sexual exploitations of children – child prostitution, child sex tourism, child pornography, child trafficking (for sexual purposes) and sale of children through improper marriage and adoption. Similarly, ECPAT (2001) lists the following - prostitution of children, child pornography, trafficking in children, child sex tourism and child marriage as different manifestations of CSEC

The Stockholm Declaration of Action, August 1996 has included child prostitution, child pornography, trafficking in children for sexual purposes, child sex tourism and child marriage for the purposes of sexual abuse or sexual exploitation as various forms of commercial sexual exploitation of children. Derks (2000) claims that with the spread of AIDS renewed interest was placed in child prostitution and sex tourism. SASEC (2005) discusses 14 different forms of as selective examples of a much wider problem of CSEC - Child prostitution, Child Sex Tourism, Child Marriage, Child Pornography, Trafficking in Children, Child Sexual Abuse, Paedophilia, Commercial Sexual exploitation of Children, Child, Worst Forms of Child Labour, Forced Marriage, Incest, Adoption, Female Genital Mutilation.

2.4 Researching on Commercial Sexual Exploitation of Children (CESC)

The above discussion clearly shows that commercial sexual exploitation of children is a complex subject matter to research. It is challenging also because both the children involved and those who exploit them are 'hidden populations' making CSEC a very clandestine practice (Jones, 2013; ECPAT, 2008). UNICEF (2006) reiterates that research on child trafficking and sexual exploitation is challenging because of the complex, clandestine, sensitive and changing nature of the practice itself. Largely absent from current analysis are the issues of children's agency, their negotiation with various power relations and holistic discourse focusing on the exploitation of children in prostitution has failed to develop. ECPAT (2008) suggests that if this analysis is combined with understanding of other inequalities, the result is a theoretical framework that allows explanations to focus on various systemic causes.

In the context of Nepal, there is an impressive body of work, mainly completed by various I/NGOs and activist organizations that have researched on the prevalence of commercial sexual exploitation in Nepal (as already discussed in Chapter 1). These researches have provided a very valuable insight on various aspects of CSEC in Nepal. The table below lists some of the major studies accessed and consulted for

this research. This research aims to build on the insights provided by these researches to understand various manifestations of CSEC and its interlinkages.

Issue	Study Reports
Child Trafficking	World Education (2009), Frederick et. al. (2010), ECPAT International (2006), Asha-Nepal (2006), Asha-Nepal, TDH and Shakti Samuha (2012), ILO (2002), Stellard (2013), TDH (2005), NHRC (2011)
Child Migrant Workers and their sexual exploitation	ILO (2001, 2002, 2003), Amnesty International (2011), CREHPA (2001)
Child Prostitution (Child Commercial Sex Work)	Fredrick (2010b), ECPAT International (2006)
Children in Entertainment Sector	World Education (2009), CREHPA (2001), Leichty (2005), Action Aid Nepal and Shakti Samuha (2008), NHRC (2006)
Street Sex Work	CAC-Nepal and ILO (2002), CREHPA (2001), CWIN (2008a, 2010), CPCS-VOC (2012)
Child Sex Tourism	CWIN (2003), Fredrick (2010b),
Child Sexual Abusive Images (Child Pornography)	ECPAT International (2006)
Online Sexual Exploitation	CWIN (2008b)
Child Marriage	Save the Children and World Vision (2012), Plan (2011)

Chapter 3

Methodology

This chapter briefly outlines the methodology followed for this research. As discussed in the earlier section, this study aims to provide a preliminary insight on the current situation of CSEC in Nepal that will serve as the basis for a national-level research on 'Situational Analysis of Commercial exploitation in Nepal'. The main focus of the current research is on (i) an extensive review of literature on CSEC and (ii) identification of some of the most widespread forms of CSEC in Nepal.

Specific Objectives

The specific objectives of the study are as follows:

- Explore the current situation of CSEC in Nepal.
- Map various manifestations of CSEC.
- Explore possible linkages of various manifestations of CSEC.

This research report thus aims to make a preliminary mapping of some of the widespread forms of commercial sexual exploitation of children in Nepal. However, it does not claim to be an exhaustive document that records all forms of CSEC.

Definition

Following operational definitions have been used for the purpose of this study.

Commercial Sexual Exploitation of Children (CSEC): Commercial Sexual Exploitation of Children is 'sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object' from The Declaration of the First World Congress against Commercial Sexual Exploitation of Children, 1996.

Manifestation of CSEC: Any activity that consists of sexual abuse of a child in exchange for some sort of payment, either money or favours (food, shelter or access to education). It also includes forms of transactional sex where the sexual abuse of children is not stopped or reported, due to benefits derived by third party (including the household) from the perpetrator.

This research primarily looked at three aspects to understand the manifestation of CSEC – i) transaction: exchange of cash or kind to the child or a third person or persons, ii) sexual exploitation and iii) commodification of children.

Time Frame

The study was completed between November 2013 and February 2014. Data collection was done in the month of December and January.

Study Sites

The study was conducted in three cities of Nepal – Kathmandu, Pokhara and Nepalgunj. All these cities are economic hubs with high migration from nearby areas. Kathmandu and Pokhara are also tourist destinations. Recently, these two cities have seen a proliferation of restaurants and hotels catering to tourists. Nepalgunj is close to the Indian border. This makes the area susceptible to child trafficking.

Selection of field researchers

The team of field researchers were chosen for their diverse background, skills and experiences they brought to the research. Many of the team members already had experience of both working with the children in vulnerable circumstances and conducting research with them. Most of the team members had several years of experience of conducting social research and hold degrees in the Social Sciences.

In addition, a one-day training session was conducted for the orientation of team members. The session focussed on providing the research overview and on building skills on data collection. Two of the team members conducted interviews with children and three other members conducted the key stakeholder interviews.

Team members were actively involved in building relationships with the participants since the start of the research. The team also took help from local organizations to get connected with the participants. This has been dealt with in detail in chapter four. One of the team members has extensive work experience with children living in the street. This helped the team to build rapport with the children. Another team member has worked extensively on the issue of substance abuse. This helped us to reach out to hard-to-reach population like sex workers. One of the team members was Indian in origin and was therefore seen as a 'foreigner'. This helped us to reach out to the private sector like pub owners, hostel managers, dance bar waiters etc.

Data Collection

This research followed a qualitative methodology. Since the primary purpose of this research is to conduct a preparatory study, it made use of multiple methods of data collection to bring together qualitative information on CSEC in Nepal. Field notes were also taken during the research process. Throughout this process, the research team collaborated with other organizations working on CSEC.

A review of literature was conducted on various research studies and reports on the issue. Since this review is not intended to be an exhaustive one of all existing literature but representative of significant ones, the research team included representative samples of different international and national reports. The review was limited to the studies published after the year 2000. During visits to organisations for key stakeholder interviews, the team also requested these organisations to share their latest reports, if any. (Confer bibliography for the list of publications consulted)

In the literature review, the team mainly focused on the following aspects.

- Definition /conceptual aspects of CSEC
- Prevalence
- Any linkages with different forms of CSEC

Sampling

The research followed a purposive sampling method. Participants were selected purposively mainly on the basis of their CSEC life experiences. The study used snowballing technique in order to approach hard-to-reach populations, including female sex workers, girls in dance bars and Kamalaris. The data were collected in different settings, including roadsides, restaurant, clinic, local organizations and community hub.

The following were the main methods for primary data collection.

Individual Interviews	22 girls under 18 years 4 young adult 19-25 years
Focus group discussions	8 FGDs (Total of 102 children)
Key Stakeholder Interviews	22 organisations 8 people from entertainment/tourism industry 3 key stakeholder meetings

i) Individual Interviews

22 face-to-face interviews were conducted with girls less than 18 years of age. The participants for the interviews were selected purposively mainly on the basis on prior possible engagement with sex work. The research team members approached children from different backgrounds for the purpose of the research. In most of the cases, they declined their engagement in sex-work but shared experiences of their friends. In other cases, they would say that these activities do not take place in the restaurants/ dance bars/ hotels where they work. In the cases where they confided that they are engaged in sex work, they did not want to discuss the details. Only some children agreed to participate in the research. The discussion on various mechanisms through which the research team 'reached out to the respondents' has been presented in detail in chapter four.

The team explained the research objective to all the children before conducting individual interviews. The interviews were 45 minutes to 1 hour long and were audio recorded with the consent of children. The interview, though semi-structured, was open-ended and could flow into areas that the participant wanted included in her or his narrative. (See Appendix I for interview guideline). The interviewer asked about experiences with leaving home and running away followed by questions about experiences with trading sex for money, goods or a place to stay. At the end of the interview, the researcher debriefed the participants and information about referral services were given.

Most of these interviews were conducted face-to-face by the researcher without a third party presence. In around 10 interviews, ECPAT representatives were present. No repeat interviews were carried out.

In-depth interviews were conducted with the following children.

- 4 Kamalari girls
- 2 survivors of child trafficking
- 4 female sex workers
- 7 girls working in hotels, lodges and clothes shops
- 2 girls working in dance restaurants,
- 2 girls rescued from dance restaurants
- 1 girl living in a squatter area

In addition to this, the research team also conducted in-depth interviews with 4 young adults (19-25 years) working in entertainment sector. The young adults interviewed had started their engagement with sex work since a few years and were under-18. Moreover, the researchers who conducted interviews with them also noted that they looked much younger than the age reported by them. They were initially approached for child interview. After the initial rapport building conversation, the respondents reported that they were more than 18 years old. Nonetheless, the researchers conducted the interviews as planned and their life stories revealed rich narratives around CSEC. These interviews have thus been included in our analysis to trace the trajectories of children into CSEC. As discussed in detail in the later chapters of this report, children engaged in sex work tend to report that they are older than they actually are. The age recorded for the purpose of the report is the age reported by the respondents.

In our research, we have mainly interviewed girls. The inability to get into greater details on this very important issue is one of the main limitations of the current research. This has been discussed in chapter four.

ii) Focus Group Discussions

Eight focus group discussions were conducted with children from different backgrounds. The FGD were approximately 1 hour long. The research team spoke to a total of 102 children (see the table below for the details). The main objective of the FGD was to explore the experiences of CSEC in children's life. Since this is a sensitive topic and a personal one, the research team did not ask any personal or direct questions. The discussion focused around experiences they had had or heard

of on CSEC, without sharing personal stories. All the discussions were audio recorded.

Since the topic was a sensitive one and had potential to raise various questions, the research team also staged a play and an interactive session for question/answers so that they could clarify issues. Due to logistical constraints, the play could be staged only in Kathmandu. For this purpose, Youth Safe is a theatre team of young people who use ‘theatre for development’ was requested to perform. The group enacted a short story (10 minutes) that depicted incidences of CSEC. The audience was then invited to question or comment on it. (See Appendix III for a brief script outline)

The following table shows the details of the FGDs conducted

12 girls living in squatter areas (13-18 years)
5 girls and 8 boys living in the streets (15-20 years)
8 girls in schools (13-18 years)
8 girls working in the entertainment sector (15-18 years)
14 boys of adolescent groups “Kishor Samuha” (9-18 years)
16 girls of adolescent group “Kishori Samuha” (9-18 years)
8 boys rescued from trafficking (9-14 years)
11 girls freed from bonded labour “mukta kamalaris” (10-18 years)

iii) Key Stakeholder Interviews

In the initial phase, the research team identified important stakeholders in this process. The organization/individuals for key stakeholder interviews were selected on the basis of 3 criteria – i) working on the area of CSEC, ii) working at least since 5 years on this issue and iii) geographically located in Pokhara, Kathmandu or Nepalgunj

We conducted 30 semi-structured interviews. 22 interviews were with organisations and frontline workers to understand the existence, prevalence and nature of commercial and sexual exploitation of children. This included staff in NGOs working with at-risk children, Police, people in tourism sector, Ministry of Women, Children and Social Welfare etc.

In addition to these organisations, we also conducted 8 interviews with people working in restaurant, hotels and taxi drivers.

- 1 travel guide
- 1 hostel manager
- 1 dance bar waiter
- 1 Indian tourist
- 1 pub owner
- 1 taxi driver
- Group of 5 tourists

- 1 local youth

Key stakeholder meetings - In addition to the interviews, the team conducted 1 key stakeholder meeting in Nepalgunj and Pokhara each. In these meetings, representatives of different organisations were consulted on the issue of CSEC and they shared their experiences. Similarly in Kathmandu, the team conducted a consultation programme with major stakeholders where the preliminary findings of the research were shared and role of stakeholders were discussed.

Data Analysis

All the interviews were audio recorded. Only in cases where the respondents did not want to be recorded, the researcher/s took detailed field notes. The total of 19 individual interviews with children were transcribed verbatim. Since transcription of interviews took a long time, detailed notes were taken for the remaining 3 interviews. Similarly, 4 FGDs were transcribed verbatim from the audio recordings and detailed notes were prepared for the remaining 4. All 4 interviews with young adults were transcribed.

The transcribed documents were then coded thematically based on the themes highlighted in the interview guide (Appendix 1) and research objectives. This helped us to understand the analytical threads. The coding was done manually without the help of any software. The major themes were organised in excel sheet.

Key findings were then culled out based on the common themes that emerged from the interviews and focus group discussions. The first phase of the analysis was conducted by the lead researcher with support from the researcher involved in conducting interviews. This was followed by a broader analysis by the research advisors and inputs from the ECPAT Luxembourg team. The findings presented here come from qualitative analysis of the transcribed interviews and feedback from research advisors and ECPAT Luxembourg team members.

Ethical Considerations

The research team abided by the ethical considerations of informed consent, no deception, right to withdraw, debriefing and confidentiality. The main criteria for choosing the research participants were their vulnerability vis-à-vis CSEC. For all the research participants above 18 years, the research team explained the background and research objectives in detail at the start. The team then sought verbal consent from them to engage them for the purpose of the research. Once consent was given, the team introduced the research to all the children in a simple language. It was clearly explained that they could withdraw from the research at any point.

Names were not recorded, only age-groups, sex and locations were used to identify respondents for quotes. Respondents were asked not to name the names of perpetrators or victims of abuse. It was recognized as essential to protect respondents.

All members of the research team had experience working with children in difficult circumstances and were familiar with the issues they have to deal with in their lives. Many of them thus enriched the research process with their combined years of experience. As far as possible, children were interviewed in groups to mitigate exposure to risks. Where individual interviews had to be taken, they were held in official spaces.

Report Preparation

Though this research follows a multi-method approach, the wealth of information emerged from interviews and FGDs with children. The team has thus attempted to retain the 'voice' of the children by using direct quotes from their interviews. Their quotes are unedited. The analysis of the finding is grounded in the life experiences of the children. In the preparation of the report, the team has focused on two major themes – children's pathways to CSEC and various manifestations of CSEC along these pathways.

Study Limitations

This study had several limitations. CSEC is a complex and sensitive research topic. In the limited time frame of 4 months, the research could explore only a portion of this multifaceted issue. The mandate of the current research was to identify the most common manifestation of CSEC and trace the possible linkages. In the limited time frame, this research has been able to identify some of the most prominent manifestations, but has not been able to probe them in greater detail. In-depth research on each of these would be required to understand it better.

As discussed in the literature review in the previous section, the 'hidden' nature of CSEC activities also posed as a challenge. It was not easy to identify children affected by CSEC. In most of the cases, the research team approached the respondents through NGOs working with them. However, in several instances, the research team members visited informal 'red light' zones and spoke to children who were willing to participate in the research. At other times, they visited the night restaurants and bars to talk to our respondents. While this methodology has enriched the quality of data collected, the research has also been constrained by interviews conducted on the roadside, abrupt terminations of interviews as clients drop in and, in some cases, by identified respondents' refusal to talk.

Children were informed about the research and were explained that they could refuse to continue the interview at any point. No child was forced to give interviews. The interviews were conducted in venues that the children felt most comfortable in – in many cases these were roadside locations, restaurants and organisation offices. These ethical considerations did limit our access to children to some extent. In some cases, it would have been easier to access children, if the researcher posed as a customer for sex. However, we refrained from these techniques of access and followed the research ethics as proposed in our research design.

Since the topic of this research was very sensitive and personal, chances of children not opening up with the interviewer were very high. Though the researchers had experience working with children in vulnerable situations, chances that strong rapport might not be built during the 45 minutes to 1 hour-long interview sessions were high. This was particularly true during the focus group discussion where children could possibly have felt constrained to discuss certain issues in detail in front of several other people. This could have limited the scope of the research findings.

During the process of this research, the team collected very rich narratives of life stories shared by the children and young adults. This has been the strength of this research. However, logistically it lengthened the time required for transcribing the audio records, coding the interviews and analysing them thematically. The significant amount of time required for transcriptions, not planned earlier in the research time frame, made this even more difficult. These logistical and time constraints could have affected the analytical depth of the research.

In this research, the team tried to capture various manifestations of CSEC. For this it interviewed children from various background and key informants working on various issues related to CSEC. While this methodology was successful in capturing the 'breadth' of the issue, the research could not go deeper to understand the extent of each manifestation. In addition, it also posed as a challenge in terms of logistics. The team had to build rapport and coordinate with different groups of individuals in multiple locations. This increased the time and effort required for the coordination of the research.

Acknowledging these limitations, this report claims only to provide an overview of CSEC as opposed to presenting a complete picture of CSEC in Nepal.

Chapter 4

Reaching out to the Respondents

This chapter lays out the detailed profiles of our respondents – children, young people and key stakeholders. This chapter will firstly discuss the general demographic profile of the respondents and then share the research team’s experience in approaching and working with children in CSEC.

4.1 Profile of Children

We approached children from diverse background for this research. Since this research aimed to understand how CSEC has affected different groups of children, we spoke to children both in ‘vulnerable’ groups and those leading ‘normal’ lives. The groups of children we spoke to included - children in school, children working in hotels/restaurants/dance bars, child domestic workers, children in the street, children living in squatter areas, children working as sex workers and survivors of trafficking.

The age group of children ranged from 9 to 18 years, during the time of the interview. We must note that the age of children is the age reported by children themselves. The research team has not verified the validity of the reported age, as there is hardly any mechanism to check the age and seek for documentary proof. In addition, the children working in the entertainment sector and sex work are usually asked to lie their age by the owners, as there is a risk of the owners being arrested under TIP (Trafficking in Person). Moreover, our research team observed that the girls looked much younger than the age that they reported during the interview/focus group discussions. However, for the purpose of this research, we have recorded the age that the children have reported.

Children were living/working in the cities of Kathmandu, Pokhara and Nepalgunj during the time of the interview. Some of the children were working in various establishments like dance restaurants and hotels whereas some were living in different organisations working on children’s issues. The ways in which the research team reached out to these various groups have been discussed in detailed the later sections of this chapter.

In our research, we have mainly interviewed girls. The research team members visited dance bars, restaurants and hotels during the course of this research. We observed highly gendered-nature of work division. Girls mainly worked as dancers, waitresses and singers. In the Baglung bus park area, girls stood around wearing short dresses. Our focus group discussion with the girls in the entertainment sector also confirmed the presence of higher number of girls. While we are aware of the involvement of boys in sex work (as revealed by many CWIN studies in the past), this study has focused more on girls affected by CSEC. While the clearly higher number of girls evidences the visibility and vulnerability of girls being affected by CSEC, it also highlights the hidden nature of boys affected by CSEC. The inability to get into greater details on this very important issue of boys in CSEC is one of the main limitations of the current research.

The selection of the participants for this research was mainly purposive in nature. Since we wanted to understand the manifestation of CSEC, we sought to meet children who had possibly been affected by CSEC. To identify children for the research, we took help from various organisations working on this issue, visited places like dance bars/ restaurants, went to the squatter area and street to interact with the children. In a later section of this chapter, we have discussed the research team's experience in approaching and working with children in CSEC. Face-to-face interviews (approx. 45 minutes to 1 hour) were taken with all the participants.

4.2 Profile of Young Adult

The research team also interviewed 4 young adults of the age group 19-25 years. They had been working as commercial sex workers for a few years and had entered this work while they were still under-18. They were initially approached for child interview. After the initial rapport building conversation, the respondents reported that they were more than 18 years old. Nonetheless, the researchers conducted the interviews as planned and their life stories revealed rich narratives around CSEC. As mentioned in the earlier section, the research team noted that they looked much younger than the age they actually reported. There is a high possibility that they reported higher age than so that they could be within the legal age of work.

Their life stories provided us very rich insight on the ways CSEC operates and its impact on children's life as an adult. The research team felt that this was a very important group to interact with firstly because they shared very important insights of their journey as a child into CSW and growing up as an adult while continuing in this profession. Secondly, they were very important influence for their siblings and other children around them, who were equally vulnerable to making an entry into the profession.

4.3 Profile of Key Informants

In addition to children, the research team also interviewed key people in different organisations. Three main criteria were used to choose the organisations for the purpose of this research. First, the organisation was working on the issue of children, with some focus on CSEC. Second, the organisation was working since at least 5 years on this issue. Third, the organisation or its branch office had CSEC programmes in Pokhara, Kathmandu and/or Nepalgunj.

We purposefully chose to interview programme coordinators/managers and/or counsellors in the organisation. In our interaction with programme coordinators/managers we sought to understand the objectives of the organisation and the ways in which the organisation understands the issue of CSEC. With the counsellors, we focussed more on understanding their experiences working directly with the children and listening to the main issues affecting them. We aimed to see if we could map new manifestations of CSEC or get more details on any of its manifestation.

Please see Appendix IV for a list of organisations interviewed for this research.

4.4 Approaching and Working with Children in CSEC

Approaching the children for the purpose of this research was one of the most enriching experiences of this research. Since we interacted with diverse group of people, we used different ways to reach out to them. In the following section, we will discuss it in detail.

- **Kamalaris, Nepalgunj:** Kamalaris are bonded domestic workers who help in domestic chores in a landlord's house in exchange of some cash/kind loan to their parents. In order to conduct the case studies and a focus group discussion of freed Kamalaris, Nepalgunj-based Mukta Kamalari Bikash Manch helped the Research team. The freed Kamalaris were staying at the shelter home of the organization where they participate in various entrepreneurial or vocational training. The girls were informed about the research and the case studies and focus group discussions conducted with their informed consent. Four Kamalari girls were interviewed in total.
- **Survivors of Trafficking, Nepalgunj:** Nepalgunj is the city hub for people from the Mid-Western Region. The staffs at the organizations working on girl trafficking stated that many girls are taken to India via the Nepal-Rupediha border. However, none of the organizations were ready to connect the Research team with the survivors of trafficking. It is understandable that the girls are highly protected due to security reasons as well as legal issues. In addition, the staffs of the organizations argued that this kind of research does not give direct benefits to the respondents. In addition, they mentioned that some research organizations, in the past, never come back with any action-oriented programs for the survivors or for preventing girl trafficking. Finally, the regional office of Saathi, an NGO working on violence against women, helped the team to approach 2 survivors of trafficking staying. The staff understood the significance of the research and agreed to assist the research team. The researcher also explained the ethical considerations. This helped the staff member and the research participant to connect with the research team member better. Two survivors of trafficking were interviewed for the research.
- **Female Sex Workers, Nepalgunj:** It was difficult to identify and contact female sex workers in Nepalgunj. Even the organizations were hesitant to link them up with the team member. Some of the staffs stated that meeting FSWs would be only possible if the research team member disguised himself as a customer to approach the girls. The researcher consulted the other team members and decided not to adopt this 'unethical' approach for access to respondents.

The organization working with female sex workers, which was contacted initially, couldn't connect the researcher with the female sex workers due to a complicated bureaucratic procedure. One of the constraints was the lengthy process in getting a written permission from a funding agency based in Kathmandu.

The team member then contacted Recovering Nepal's regional office in Nepalgunj as it works with drug users and commercial sex workers as well. The respondents were given compensation for their time, transportation and snacks. With the help of the staffs at Recovering Nepal, 4 female sex workers were contacted and were interviewed with their informed consent. The researcher conducted interview in the place convenient to the respondent; which was most of the time at the side of the road.

Girls in hotel, lodge and clothes shops, Pokhara: Seven girls working in hotels, lodges and clothes shops were interviewed. The research team member contacted several organizations to connect the study team with girls in entertainment sectors. The organizations couldn't find any girls in entertainment sectors that were willing to provide their information to the researcher. Such as in Nepalgunj, the research team member was suggested to disguise himself as a customer to meet the girls. This approach was not adopted.

Finally, the research team member then contacted Recovering Nepal's regional office in Pokhara as it works with drug users and commercial sex workers as well. The Regional Director of Recovering Nepal directed the team member to contact Community Support Group, a local organization. The staff of Community Support Group helped the study team to visit the Baglung Bus Park. The staff informed the research team member that the respondents would have to be compensated for their time, transportation and snacks.

The hotel and lodge owners were not always pleased by our visit. However, the staff of Community Support Group convinced the owners and ensured them that they would not be trapped into any problems as such. On the other hand, while entering the Baglung Bus Park area, some police officers patrolling the area enquired about the study team as they suspected the team members to be new customers.

With all the hassles, the team members finally got a chance to meet the girls working in the hotels and restaurants. They were informed properly about the purpose of the research. The goodwill of the staffs of the Community Support Group and their past interventions in helping the girls were instrumental in convincing the girls to participate in the research.

A similar approach was needed to interview the girls working in restaurants and bars of Srijana Chowk. After several meetings and phone calls to different organizations, the Program Director of Children Working in Entertainment Section (CWES) finally got us in touch with two girls that were willing to be interviewed.

- **Girls in Dance Restaurants, Pokhara:** The research team approached two girls in the dance restaurant with the help of a local youth. With his help, the team member went inside one of the dance bars during off-hour. The

team member left the bar in few minutes, and one of the girls ran behind the team member and his friend as soon as they left the bar. The girl was informed about the purpose of our visit. Though she looked surprised, she agreed to talk to the team member for a few minutes. However, she did not agree for a voice recording.

- **Children living in squatter area FGD, Kathmandu:** The research team conducted an FGD with the children living in a squatter area, through a newly formed adolescent girls group. One of the active members of the previous group helped the team member to get in touch with her friends. Once we made initial contact with the girls, we invited them to one of the schools in the locality. The focus group discussion was conducted in one of the classrooms. 12 girls of the age group 13-18 years participated in this FGD.
- **Children in the street FGD, Kathmandu:** One of the research team members was CWIN field officer who had a very rich experience of working with children in the street. Along with him, other team members visited Thamel and Basantapur (tourist) areas 3-5 times and interacted with them informally. Later, once they were familiar with the research team, they were invited to a restaurant – which had a big hall for interaction. Arrangements were made for songs and dances for icebreaking, followed by the focus group discussion once the children were comfortable with the venue and the research team. 5 girls and 8 boys of age group 15-20 years, living in Jhyapbari, Thamel participated in this FGD.
- **Children in school FGD, Kathmandu:** CWIN has been working with various schools in Kathmandu to raise awareness on child-friendly schools. The CWIN team has been working in close connection with teachers and students of schools. The CWIN team officially informed the principal of the school about the research and sought permission. The children were informed about the research and interested participants were chosen. The focus group discussion was conducted in one of the empty classrooms in the school. 8 girls studying in class 8 (age 13-15 years) participated in the FGD.
- **Children/women in Entertainment sector FGD, Kathmandu:** The research team contacted an organisation working with girls/women in the entertainment sector. The organisation was briefed about the research and we requested them for a FGD with children in the entertainment sector. Girls/women visiting their drop-in center were informed about the research. The interested participants were asked to stay back for a focus group discussion. 8 participants (3 girls of 15-18 years age group and 5 girls of 18-25 age group) working in traditional Nepali singing (*dohori*) and dance restaurants in Kathmandu participated in the FGD.
- **Adolescents Group FGD, Nepalgunj:** The regional office of Shakti Samuha has been working in Banke District to empower marginalized children, including the children of survivors of trafficking. Shakti Samuha has formed adolescent groups. The Regional Coordinator of Shakti Samuha has a good

professional relationship with CWIN. She helped the research team to reach out to the adolescent group. However, to follow the official procedure, the Executive Director of Shakti Samuha in Kathmandu was contacted for a written permission. With her permission, the focus group discussion was conducted. In addition, before starting the session, the participants of the focus group discussion were informed about the research in detail.

- **Children rescued from trafficking FGD:** During the field visit to Nepalgunj, the Research team member met 8 children staying at CWIN children's home. These children, who were suspected to be trafficked to India, were about to cross the Nepalgunj-Rupediha border, and were rescued from the border by an organization named Gyan Nepal. The children were sheltered at CWIN, and the staff were making an arrangement to reintegrate them with their respective families. The Regional Coordinator at CWIN informed them about the purpose of the research, and the children agreed to participate.
- **Key Stakeholders:** The Research team members had a series of meetings with the staffs of CWIN in Nepalgunj, Pokhara and Kathmandu. The staff provided necessary preliminary information before the field visit. On the very first day of the field visit, the research team member referred to CWIN's database of organizations working in the areas of CSEC and inter-related issues, including child sexual abuse, girl trafficking, female sex workers, etc. The team member also used his personal contacts to identify more organizations. The representatives of identified organizations were contacted, and were informed about the research and its purpose. Since many of the contacted organizations have good professional relationship with CWIN, the representatives were positive about providing necessary support for data collection. The staffs working on CSEC or related issues gave their time when requested, and provided necessary information for the study. Some of the staffs also helped to identify some more organizations that are working on the related issues.

In Nepalgunj, a total of 10 Key Informants Interviews were conducted. In addition, an NGO meeting of 15 stakeholders was also conducted. In Pokhara, 8 Interviews with staffs of NGOs were conducted. In addition, 3 government officers of Banke District Police Office and 3 staff of Pokhara Metropolitan City were interviewed. In Kathmandu, a total of 8 interviews were conducted. We also conducted a consultation programme with participants from law enforcement agencies, government officials and the hotel association.

- **Other stakeholders:** During the process of the research, the team members also built good rapport with some tourists, hotel managers, taxi drivers and local youth. Individual interviews were conducted with each of these stakeholders.

Chapter 5

Tracing the Trajectories to CSEC

This chapter follows life stories shared in the in-depth interviews with children. Based on the narratives shared by the children, we will attempt to trace the trajectories of children to CSEC. In the later part of this chapter, we will also identify some of the main forms of CSEC that emerged from this research.

a. Leaving Home: Motivations and Mechanisms

There were various reasons for children to leave home. They left home to explore new places and 'see the city', seek new job opportunities, go to good schools/colleges, visit a friend in Pokhara and pursue their interest areas like dancing. Some children also left home because they fought with the mother and wanted to prove themselves, some were no longer interested in studies and dropped out from school, some just followed their friends and some had enough of step-mother's 'torture'. The reasons were very diverse – both positive (to seek good future) and not so positive (to get away from unpleasant conditions at home).

In all situations, children showed high levels of decision-making and desire to change the course of their life. This possibility to do something different in their life took them closer to – 'maiju'², 'dai'³, 'uncle'⁴ and friends. One of the children told us: "She called me niece (*bhanji*). She was not my real aunt, but she called me niece. And I felt closer to her". While they were acquaintances that they met along the way and not their family members, they built strong trust in them. Children trusted these people as they assured that they would connect them to better opportunities elsewhere (Kathmandu, Pokhara, Nepalgunj and sometimes in India). One of the girls said: "There is no point in studying. But if you work, you will earn and your future will be bright". For the Kamalari (bonded labour in a landlord's house) girls, the parents sent them to the landlord's place. "The landlord told my parents that he would send their daughter to school. He would give good clothes to wear and good food to eat. The girl would get to study well, and be a successful person". It was these hopes for good future that the children pursued when they left home.

None of the options promised in the cases involved 'sex work'. Even in the cases where children left on their own, where no one else was involved, 'sex work' never featured as a choice of work. None of the children we interviewed or spoke to in focus group discussions told us that they came to the city for 'sex work'. When they left home, they aspired to do something that would change their lives. In many cases, once they entered the 'sex work', they could not just leave it and go away. "I did not know earlier. I came here because of friends and entered this (profession). Now I will go home and will not come back."

² Maiju is a Nepali word for aunt – maternal uncle's wife.

³ Dai is a Nepali word for elder brother.

⁴ Uncle is a word used to address a male who is older to you, but not necessarily a relative. These are also a common cultural way of addressing someone older than oneself. In this research, children used these words to address the acquaintances who were older than them.

Mechanisms followed were also diverse. Some were trafficked – using deception, false promises and fake marriage. This was especially true when children were trafficked to India. One child narrated her story of false promises of a good job by a 'mai ju' and introduction to an 'uncle'. There was breach of trust by these adults. She told us: "I never thought that the aunt had this plan in her mind. I trusted her and went with the uncle. But he exploited me. The uncle took her to India and locked her in a room, where different men came to sexually exploit her. Similarly, children in a FGD shared that two children of their friends were married by their families and had gone to 'India' and the friends had never heard from them. Another girl met with a lady from Dang. She brought her to Baglung Bus Park, where she worked as a sex worker.

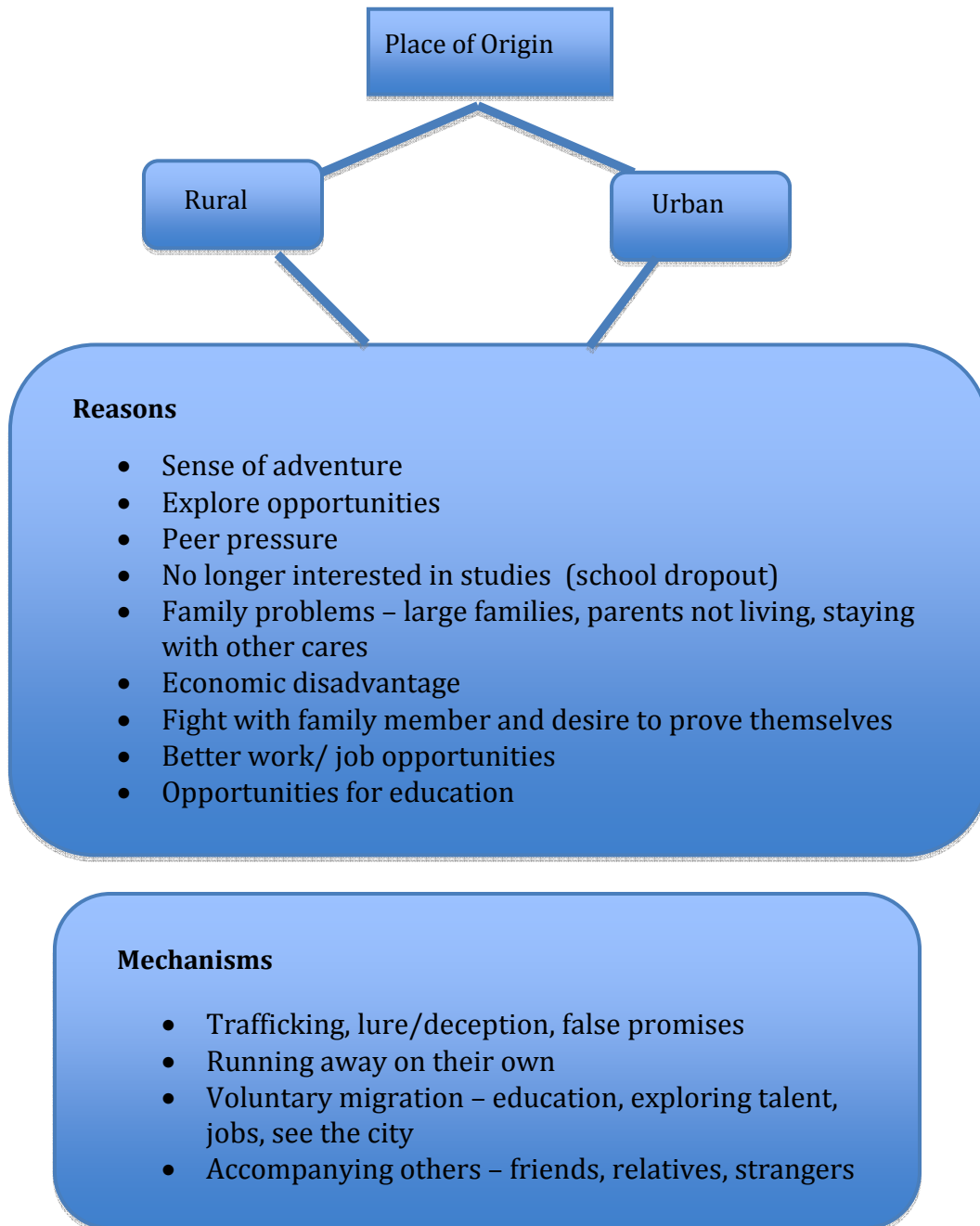
In other cases, children ran away from home on their own. They had a fight with their mother or the stepmother was not nice. Some children migrated voluntarily - they bought their own ticket to Kathmandu from Itahari or accompanied the friends or called up a friend in Pokhara and left to visit her or came to Nepalgunj to study in a school/college. One of the girls told us that she got married at the age of 15 and did not like her husband. So she stole 2000 rupees and left home for Kathmandu. Another girl followed her sister and they ran away to Pokhara together: "I followed my sister."

Friends also played a critical role. Friends were the first set of people who gave them information about the various possibilities in other places. A girl in Dharan got in touch with friends in Pokhara who claimed to be working in a clothes shop, and came to see the place. She says: "I asked them about their work. They said that they worked in a clothes shop. So I came to visit them". Similarly, another 17-year-old girl told us: "I changed clothes in my friends place and went where they took me. I did not know about anything, they asked me to come and I went." However, there are also cases where children have chosen sex work to earn money. One of the girls also followed her sister to sex work. Though she returned home in the beginning, she came back to it later. She said: "I came with her. But I went back as I did not want to do this kind of work. But later, I came back on my own".

As discussed above, leaving home followed various motivations and mechanisms. Diagram 2 (below) presents some of these motivations and mechanisms.

Diagram 2

Leaving Home



b. Transition Period - Vulnerabilities

Most of the children who were interviewed did not start 'sex work' immediately after their arrival in the city. They first worked as domestic help, Kamalari, waitress, singer, dancer, receptionist, cleaner, student or just stayed with friends or

relatives in the initial part of their stay in the city. One of the girls stated: “I did not do this earlier. In the beginning, I worked as a cook. I know how to cook, I learnt it with my aunt. Later, I became a waiter.” It is during this period that they were exposed to several vulnerabilities that lead them eventually to CSEC.

These vulnerabilities included various experiences of breach of trust, financial pressure, leading a child-headed household, peer pressure, drug use, initiations to sex during intoxication and dealing with the sex service infrastructure on a regular basis. The girl who visited her friend in Pokhara found out that her friend did not work in a clothes shop but as a sex worker, after she had already run away from home. Another 15 year old faced difficulty to live in Nepalgunj with her brother and pay their school fees without additional income. Her ‘boyfriend’ provided her money to buy things she needed. He also introduced her to other boys who ‘helped’ her. Another girl was tracked by a ‘*didi*’ while she stayed in a lodge. The ‘*didi*’ later persuaded her to move in with her and start sex work.

It is during these vulnerable times that children made a slow entry into sex work. In most of the interviews with children they said that they made the decision themselves, nobody forced them and they could still reject clients that they did not like. However, while acknowledging their claim of control over their life, we also need to recognize the complexities created by the vulnerabilities in their life at the point of decision-making. One of the girls who ran away to Kathmandu found that her friends were working as sex workers. Initially she worked as a waitress in a restaurant, but it was difficult financially; gradually she was introduced to sex work. Similarly, a 17-year-old from Kathmandu also mentioned the influence of friends, including older friends. The companionship and comfort offered by friends were the main reason behind following them, as one of the girls confided: “I used to drink with my friends. I could open up to them more than with my parents”.

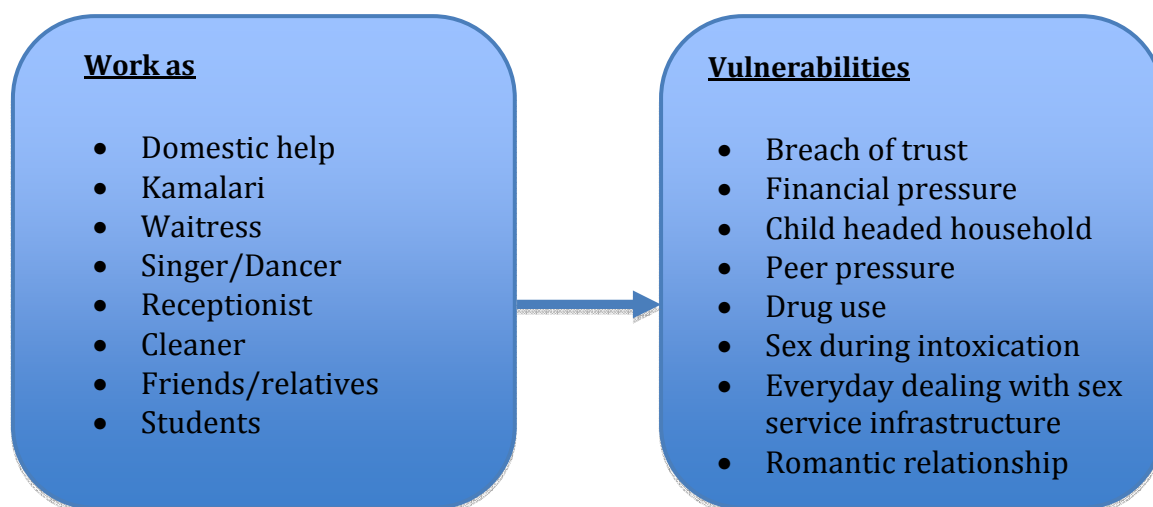
Drug addiction was one of important reasons that increased children’s vulnerability towards CSEC. As one girl working as a sex worker explained: “Some of them bring drugs with them. They ask to use it at home. Everyone feels like having it. Once I have drugs, I go with them anywhere”. There were also girls involved in sex work to earn money for drugs. One of the girls said that she met her husband through her drug addiction. Both of them earned money and supported each other.

For Kamalari girls, transition into sexual activities involved a gradual shift from domestic work to having to accommodate subtle overtures of the landlord or his relatives. In this case, sexual activity was never remunerated. Since the Kamalaris stayed in the landlord’s house in lieu of food, shelter and schooling, sexual activity was considered an inherent part of their bondage. Nonetheless, children were commodified and objectified. They not only had to serve landlords but also their guests and relatives. One of the girls working as domestic help also told us that they are threatened, if they do not comply: “If you do not agree, they threaten to burn you alive.” In some cases, they were also initiated into sex after being intoxicated. One of the girls told us: “I had gone to a club with a ‘*dai*’. I got drunk. Then he sent me with a guest for the night. I was not aware of anything. I was too drunk. After that ‘*dai*’ told me to continue sex work. I felt awkward to say no, so I continued.”

One of the girls confessed that she was scared in the beginning. She said: “I was scared in the beginning. I used to be startled if someone came closer to me. I used to wonder what that person might do. Later I stopped being scared.” In this transition period, the girls also faced various levels of violence from intimate partners. One of the girls in Nepalgunj stated that her husband loved her a lot, but also hit her occasionally: “My husband loves me a lot. But when he is angry he also hits me. I don't hear properly with this ear because of the beatings I have received.”

The following diagram illustrates some of the vulnerabilities faced by the children.

Diagram 3
Transition to Sex Work



c. Into Commercial Sex Work: Motivations and Reality

As the children understand that their job as a waitress/ dancer/ receptionist could include ‘extra duties’ for additional income, they slowly are initiated into commercial sex work. A 17-year-old girl who fought with her uncle/aunt and left Butwal to meet her friend in Pokhara worked in a restaurant as a receptionist. She slowly came to know about the ‘other work’. She said: “We are told about one job but we actually have to do another one”.

Motivation to enter sex work differs from one girl to another. For many it was attraction towards an assured income. The same girl told us: “We get salary every month, plus tips. If we give good service to the guests, they give us money. That's why I got into this on my own.” For others, it was because of the money needed for drugs or because a sibling was already into this. A 16-year-old girl in Pokhara told us: “First my sister got into this and then I got in.”

We also noted a high level of apparent agency and control over their life-decision. One girl told us: “I decided to get into this work on my own”. Many claimed that they do not go with the customers they do not like: “I say NO. It is my life, my wish. It is my body, why should I sleep with them as and when they want me to?” Though

some girls asserted a sense of agency in choosing the customers, they could not always negotiate rates fixed by the owners. Even so, the girls asserted some level of choice from which they derived satisfaction by refusing to have sex with a person they did not like.

One of the motivations for them to stay on was definitely their income. One of the girls said (about a friend): “She earned Rs 2000 as a tip just sometime back”. The girls claimed to earn an average of Rs 20-30,000 per month. However, some of the girls who worked in the lodges split their income with the owners of the hotel (*sahuji/sahunis*). Some of them also gave the money to the *sahuji/sahunis* for saving. Another girl told us that the owners negotiated the rates, so they did not usually know about the payment made by the customers: “The customers talk to the owners and they fix the rates.”

Most of the girls did not inform their families about their work. A 15 year old girl who was arrested in a police raid from a night restaurant in Kathmandu and was awaiting repatriation with her family told us she would never tell her parents about her work: “I will tell them that I went to visit Kathmandu. I will not tell them about the work in the restaurant. They will kill me”. Even in cases where they sent money back home, they had not told their family members about their real work.

Age emerged as a very significant factor. Since the hotels, restaurants and dance bars needed fresh faces to keep their business going, they always looked for new girls. One of the dance bar waiters in Thamel, Kathmandu told us: “There is an age limit. Yes, after 26-27 it is hard to find a job”. The same observation was shared by a counsellor in an organization working in the entertainment sector: “By the time the girls turn 30, they are out of business.”

In their life in the city, they were also exposed to multiple layers of exploitation. Since working in the restaurant is not recognised as a ‘good profession’, most of the girls have to keep it a secret. One of NGO personnel, who was also a restaurant worker earlier informed us that as a single girl working in a restaurant they find it very difficult to rent a room. Because of this they usually have to pretend that they are married to someone. They share a room with this ‘husband’, who in turn exploits them. In addition to sexual favours, the ‘husband’ would take all the girls’ earnings.

They also had to sleep with multiple customers a day; the number ranged from 3-15. One of the girls said: “Of course it is difficult. Sometimes there are 10 customers, sometimes more”. Negotiating and sleeping with multiple customers a day was one of the main challenges that the girls faced. However, they also had days when they did not have any customers. This made it very difficult to have a stable income.

Sometimes, the girls did not know how many of the customers had used condoms during sexual contacts.

Drinking alcohol with the customers is considered a regular part of their job. One of the girls said: “The owners ask us to service the customers and we drink during that time. Sometimes they were drunk the whole night. Around 8 o’clock at night,

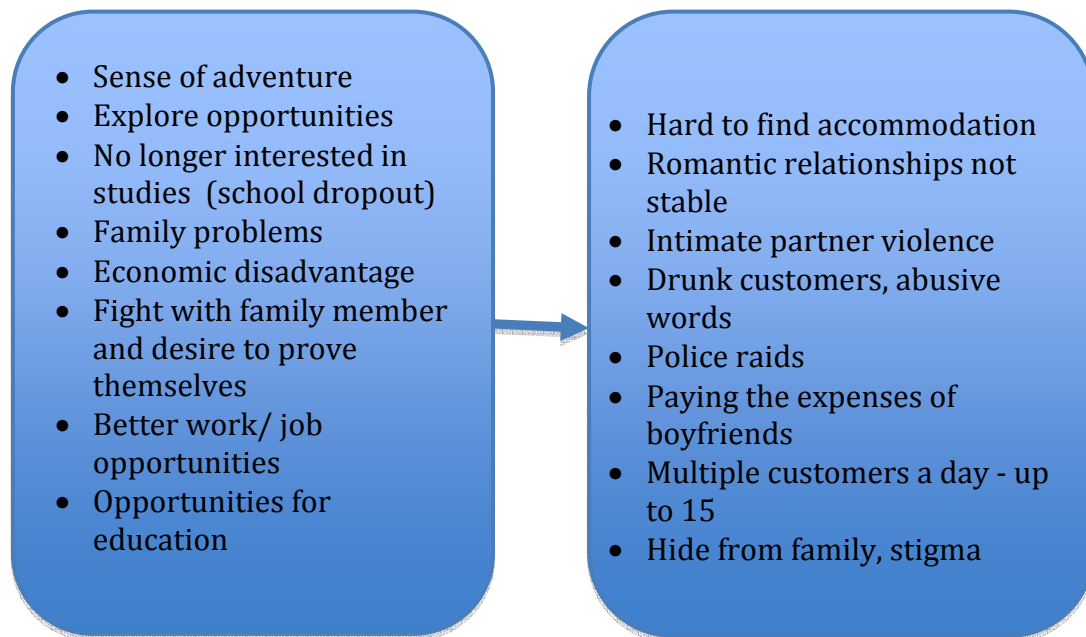
we started drinking. I said no in the beginning but he insisted, so we drank Khukuri rum with warm water.”

There were incidences where customers tried to take photographs. The girls informed that they allowed the customers to take photos if they insisted too much: “Yes, one customer took my photo. I let him do it, he was insisting too much. Another girl also confirmed: “They take photographs, make us pose in different ways. Once he took photos when I was naked. I was under a duvet, he took that off and took photos. I was drunk, I did not know anything.”

The girls also admitted that they would not like to continue for a long time. However, their future plans were vague. One girl mentioned: “I have not yet thought about the future”. However, they also articulated the inability to get out of it once they start sex work: “We have already started sex work, we are already stuck in this. If we refuse, the owners will get angry.” This was further complicated by the fear that if someone approached them with job alternatives, they might be sold elsewhere. Due to prior experiences of breach of trust, children took time to trust someone else and promises made by these persons.

The following diagram summarizes the motivations that push girls into sex work and the realities of this work

Diagram 4
Motivation and Reality



Multiple Pathways

As discussed in the above section, the research did not find any single straightforward pathway to CSEC. The life experiences shared by the children showed that each followed a unique route, influenced by their social context, family-friendly background and other circumstances that increased their

vulnerabilities to CSEC. Once in the city, children did not get into the 'sex work' directly. In most circumstances, they faced multiple vulnerabilities in the form of - breach of trust, financial pressure, leading a child headed household, peer pressure, drug use, initiation to sex during intoxication and dealing with sex service infrastructure on a regular basis. In some of the cases, unstable romantic relationships also aggravated their vulnerabilities to CSEC.

In the following cases, we try to trace some of the pathways to CSEC that emerged from the present research.

A 17-year-old girl fought with the family and left home. While at home she helped in an aunt's teashop where she made some male friends. The neighbours started talking about her. She dropped out from school and came to Pokhara to meet her friend. She worked as cook and a waiter. But the salary was low. She started sex work in the same restaurant.

Home - family problems - school dropout - friend influence - waiter/cook - employed sex work

An 18-year-old-girl from a Dalit family in Nepalgunj gets into drug addiction. She needs money to buy drugs and gets into sex work. She meets her partner in this process and gets married. She still freelances if someone contacts her.

Home - drug addiction - sex work - marriage - occasional street sex work.

A 16-year-old girl studies in class 8. She lives in Nepalgunj with her brother. The brother studies in class 5. She does not have enough money to support their life in the city. While in the city, she meets a 'boyfriend' who helps her to buy things she needs. She also sleeps with other boys

Home - city for education - financial difficulty - meets boyfriend and other boys - freelance sex work

A 16-year-old girl from Kathmandu followed her sister to Pokhara. She saw that she worked as a sex worker. First, she did not want to get into it. She went back. But there was financial difficulty at home and her father was an alcoholic. She came back and joined her sister. She has never gone to school. Customers take pictures sometimes.

Home - never schooled - sister in sex work - father alcoholic - employed sex work - sexual abuse images by customers

Each of these individual pathways shows multiple points where children's rights have been violated. It is in these points of vulnerability that children enter into CSEC; most of the time by her own 'choice'. The findings of this research thus highlight the need to appreciate the complexities inherent in CSEC. While it is very obvious that the children are making their life choices to come to city or to enter a

certain profession, it is important to understand the circumstances under which those decisions have been taken.

Chapter 6

Various Manifestations of Commercial Sexual Exploitation of Children (CSEC)

This chapter presents the research findings by mapping various manifestations of CSEC. In this chapter, we have analysed life stories shared individual interviews, issues discussed in the focus group discussions and the insights that emerged from key stakeholder interviews. For the purpose of this research, we have followed the definition adopted in the Declaration of the First World Congress against Commercial Sexual Exploitation of Children, 1996. Commercial Sexual Exploitation of Children is ‘sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object’. Manifestation of CSEC is any activity that consists of sexual abuse of a child in exchange for some sort of payment, either money or favours (food, shelter or access to education). It also includes forms of transactional sex where the sexual abuse of children is not stopped or reported, due to benefits derived by third party (including the household) from the perpetrator. ECPAT International also endorses this definition. Through an analysis of children’s journeys into sex work and the narratives shared by key stakeholders, we have mapped the following ten manifestations of CSEC.

Manifestations of Commercial Sexual Exploitation of Children (CSEC)			
A. Transfer of children	1. Child Trafficking	Third Party engagement	
	2. Child Marriage – Fake Marriage		
B. Hidden CSEC	3. Child Migrant Workers – Domestic workers, Kamalari		
	4. Children in Entertainment Sector– <i>dance bar, cabin restaurants, massage parlour, dohori</i>		
	5. Children in formal/informal establishments – <i>hotels, lodge, hostels, tuition centres</i>		
C. CSEC	6. Street Sex Work		Third party (may or may not be present)
	7. Pocket Money Sex		
D. Various Media	8. Child Sexual Abuse Images		Third party presence – with or without child’s knowledge
	9. Online Sexual exploitation – online streaming, online grooming		
E. International dimension	10. Child Sex Tourism		Overlaps with all the above

1 Trafficking of Children (for sexual exploitation)

Trafficking of children (for sexual exploitation) continues to remain one of the most common manifestations of CSEC in Nepal. In addition to trafficking of children to India, what emerged in our research were also the incidences of internal trafficking within the borders of Nepal.

According to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime (2000), “Trafficking in persons” means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the 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 the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

For this section of the report, we have conducted detailed analysis of two in-depth interviews with survivors of trafficking and one focus group discussion with 8 children who were being trafficked to India and rescued from the Nepalgunj-Rupediha border. In addition to these interactions with children with direct experience of trafficking, many incidences of trafficking emerged in our interviews with other children. In the following section, we will discuss in detail the main themes that have emerged on this manifestation.

Case No. 1

(Based on an interview with a survivor of girl trafficking)

Case focus: Trafficking

I was born and raised in Nepalgunj. I was good at studies but I failed in SLC⁵ exam. My parents were not very supportive as they would only favour my brothers. After failing the exam, I started assisting my mother at her grocery store. She would always accuse me of stealing money from the store. I never felt good to be in my parents' circle. There was a new lady in our neighbourhood who used to come to our house. She wanted me to call her *Maiju* (a Nepali word for aunt). I became close to her, as she was very caring. She knew that I was not happy with my parents. One day, she asked me if I wanted to go abroad for job opportunities. In course of time, she convinced me to go abroad via India. When my parents had gone to Dolpa, I left my home with a person called *Uncle*, introduced to me by my *Maiju*. He took me to an Indian city in Uttar Pradesh. I was made to stay in a room by myself. Later, I found out that I was locked up inside. *Uncle* would visit sometimes to tell me that the process to go abroad was ongoing. He had given the key of the room to a lady living next door who was assigned to give me food. After a week, some guys visited me and they abused me sexually. I am not sure if Uncle sent them. This happened

⁵ School Leaving Certificate (SLC) exam is taken at the end of 10th year of schooling.

several times during the month I was there. After a month, I managed to escape and return to Nepalgunj. When I came back, I found *Maiju* preparing another girl for trafficking to India. I was angry with her and I filed a case against her. *Maiju* and her husband threatened my family as well. They also lured my parents with good amount of money to influence me to dismiss the case. I am determined to punish the culprit. For my own safety, I am here at this organization at the moment. I live here and I have started a vocational training on sewing. I am also planning to take the SLC exam.

General profile of the trafficked children

Most of the children interviewed were from an economically disadvantaged family. The eight 'rescued' boys, that we interviewed, told us that it is very common for children of their village to go to India for work; the process is called '*Kalipare*'. Another, 17-year-old 'rescued girl' had a difficult family context. She was good in studies. Her parents always said that she was not helping her brother. She met '*maiju*' when her parents were away. Another 15-year-old was from Rukum. Her stepmother used to treat her badly and burn her schoolbooks. She wanted to get away from her current situation. Financial difficulty at home emerged as one of the main reasons for children to leave home. According to the children, they are compelled to leave their village because of lack of opportunities there. In the destination area, they work very hard and earn some money for their living and for supporting their family.

Leaving home

The children who were trafficked to India were accompanied by a third person – 'uncle', 'and '*maiju*' mate' (the person who takes children to India). These people lead their way to India, and in all cases children were not aware of the exact locations where they would be taken. They had handed over their money and documents to these adults. Eight rescued boys said that they were with a '*mate*' and the brother of one of the boys. Another survivor of trafficking told us: "When my parents were away, '*maiju*' came to me and told me that she would send me to a foreign country. She assured that it would be a nice place with good salary. I believed her and went with the person introduced by her. But he sexually exploited me and used to send other men too".

Among our key informants, a NGO worker working on violence against women shared a case of three girls from Kathmandu who were crossing the border to go to Agra (India). All three were educated girls who had passed +2 (higher secondary level). When they stopped the girls at the border and asked them about their destination, the girls did not have any idea where they were going. The person who accompanied them did not cross the border with them but had kept all their money. Many NGOs working at the Nepal-India border informed us that this is a common pattern followed by traffickers while crossing the border. They usually do not cross the borders with the girls. The girls cross the border separately and meet the traffickers on the other side.

Three teenage girls (18/19 years) from Kathmandu were about to cross the Nepalgunj-Rupediha border. The girls did not know the name nor had any other information on the person who was leading their tour to Taj Mahal, Agra. The person had already crossed the border to wait for the girls at a place that was a few minutes away from the border. The staff got several clues that made her suspicious about the person. She did not let the girls cross the border and made them call their parents, and they were sent back to their homes.

- A case shared in an NGO meeting for research

The porous border shared with India has been one of the challenges to check the cross border trafficking. As several of our respondents mentioned many children cross the Indian border every day? There is a check post at the border where regular surveillance takes place. However, it is not practically possible to stop everyone unless there is strong evidence on trafficking – i.e. someone registers a complaint or children come back and report about it. In most circumstances, it is very difficult to differentiate cases of child trafficking with that of migration.

Case No. 2

(Based on an interview with a survivor of trafficking)

Case focus: Trafficking

I am 15 years old from Rukum. I studied till class 5. I used to live with my aunty (*Phoopu*) and stayed with her till class 3. My father brought me home and I started living with my father and my stepmother. My stepmother treated me very badly. I had to drop out from school because of her. My father works in a clothes shop. I didn't have friends as such. I never shared my problems with anyone. I used to do the household chores. I wanted to go to India as I didn't want to stay home anymore. Therefore, I asked my *Phoopu* if she could help me to migrate to India for work. My *Phoopu* and her husband (*Phoopaju*) gave me permission to go with a person, who was known to them. I also got the permission from my own uncle. I came to Nepalgunj with that person, *Phoopaju* and some friends. At the border, some organizations stopped us and asked many questions. I went with the staffs of an NGO, Saathi (who were also part of the rescue team). At Saathi, the staff gave me information about trafficking. After understanding this, I decided not to go India and stayed back and got involved in a sewing training. I am planning to start a tailor shop after completing the training.

Internal trafficking

Our research also highlighted incidences of internal trafficking within the borders of Nepal. Though the nature of internal trafficking varied from case to case, it was one of the most common forms. Many children that we interviewed came to cities like Kathmandu and Kohalpur from nearby places. For example, a 16-year-old Kamalari girl in Nepalgunj told us: "When I was small, I used to take our goats to graze. I met this person who knew people in Baasghari. He asked me if I would like to go and work in Kathmandu." Similarly, another 17-year girl came to Kohalpur

from her village for medical treatment. She was staying in a nearby motel at Kohalpur as she had to visit the hospital regularly for follow-up. She met a friendly woman there who convinced her to shift with her to a small hotel at Kohalpur Bus Park. She also helped her financially for her medical treatment. In return, the woman asked her to work at the hotel. Initially, she was given housekeeping job. Later, she was asked to get involved in sex work. She worked there for a few months and was transferred to a lodge at the bus park. Currently, she works as a female sex worker in a lodge.

Not always coerced

The mechanism to motivate children to move to the city was not always force, coercion or abduction. Children followed their aspirations for a better future and voluntarily followed traffickers. As the emerging literature on migration point out, this could easily have been the case of child migration had the children not been subjected to exploitative situations nor sexually commodified at destination points. For example, when the girls at Kamalari Bikash Manch, Nepalgunj were interviewed, they shared that most of the girls of the Chaudhari community are expected to leave their homes to start working for landlords on *Maghi* (1st day of the Nepali month of Magh and an important festival of the Tharu community). Generally, parents send the girls to work to pay their debts or to get an opportunity for informal lease of the landlords' land for cultivation. Many girls are also sent with hopes of better lives, including promises of education.

Exposure to sexually abusive images

The children rescued from trafficking shared that all eight of them had bought cell phones. Though some of them were as young as 9, all of them had watched adult videos on their cell phones. The children also explained to the research team the ways they download movies in their cell phones, as illustrated in this excerpt from a group discussion: "We work from early morning to late night. I always have a busy schedule. However, Saturdays are holidays. Since we don't have TV in our room, our main source of entertainment is to listen to songs and watch videos in our cell phone. I can copy a 4-minute-long adult video in a memory card of my phone for Rs 10. I exchange such videos with my friends as well."

Linkages with other manifestations

We found an obvious linkage of child trafficking with other manifestations of CSEC. Since child trafficking is the mechanism through which children are introduced to sexually exploitative activity, children could be engaged in any form of sex work once in the destination place. The children we interviewed found themselves in many work situations such as a domestic help or assistant in a clothes shop. Initial engagement was usually in 'safer' tasks such as these. Once children start engaging in sex work, they have been found to easily move to other forms like street sex work.

2 Child Marriage

According to UNICEF, child marriage is the marriage of children and young people under the age of 18. In this research we did not find enough evidence to establish the practice of child marriage as a form of commercial sexual exploitation of children⁶. While our key stakeholders agreed that child marriage is definitely a gender based violence there is a lack of evidence that girls are being married for commercial sexual exploitation and that parents are benefitting from it. However, child marriage or fake marriage did emerge as a factor that increases vulnerability to other forms of CSEC.

Case No. 3

(Based on an interview with a sex worker in Kohalpur, Banke District)

Case focus: Child Marriage, Sex Work, Internal Trafficking

I am 17 years old and I have been working in a lodge at Kohalpur Bus Park, Banke. My mother is in the Middle East and my father lives with my stepmother. The situation at my home is very chaotic. When I was 12 years old, I was living with my mother and her husband (my step father). I didn't want to live with them. I eloped with a guy and I got married with him at the age of 12. He used to be very abusive. I went through a lot problem. I got sick as well. I came to a hospital at Kohalpur for medical check-up. I had some gold ornaments and I sold them for some money. A lady (*Budi*) saw me wandering near the hospital, and she offered me a place to stay and a job at a lodge. One day, I was forced to drink a lot, and when I was unconscious, I was made to have sex with a customer. Eventually, it became my *daily* routine. I also found out that the lady (*Budi*) would go to Dang, and bring more girls to work as sex workers in lodges and restaurants at the bus park. After working in that lodge for a few months, I left the place, and I met *Aunty* (owner of current lodge), who offered me a place to stay and work for her. I am treated very well here. I am not forced to do anything. However, I have continued working as a sex worker. I don't want to continue this work forever. I have plans to go with my mother to the Middle East to work there. I want to make my life better. I would never want anyone to get involved in this kind of work.

Child marriage as a way to traffic girls

Child marriage has remained a prevalent method of child trafficking. Many of our stakeholders informed us that they had encountered several instances of traffickers carrying fake marriage certificates to cross the border. The NGO personnel working at Nepalgunj Border mentioned that people usually use Nepalgunj as a transit point to go to India for jobs, medical treatment, meet relatives, etc. They further mentioned that traffickers use different techniques for trafficking girls, including marriage. As one of the NGO staff informed us: "Traffickers generally get married with girls in a temple in Nepalgunj and they convince their newly married wives to

⁶ According to ECPAT International, child marriage or early marriage can be considered a form of commercial sexual exploitation when a child is received and used for sexual purposes in exchange for goods or payment in cash or kind. Typically in such cases, parents or a family marry off a child in order to gain benefit or to support the family.

go to India for their honeymoon.” Similarly, fake marriages were used as a very common strategy to take girls across the border.

Linkage between child marriage and manifestations of CSEC

The study traced some strong linkage between child marriage and other manifestations of CSEC. Some of the girls who were into commercial sex work pointed out child marriage combined with domestic violence as one of the reasons for their involvement in commercial sex work. Many such cases were found during the study, as illustrated by this excerpt from a 17-year-old girl in Srijanachowk: “I was married at the age of 15 by my parents. I found out that my husband was already in a relationship. He didn’t like me and he continued his relationship with his girlfriend. I left him and started living at my parents’ house. Since my parents are really poor, I had to earn money to support them and my younger siblings. I moved to Pokhara and worked in a bar at Srijanachowk, and I eventually worked as a sex worker.” A similar case was shared by adolescent group members in Nepalgunj: “There are cases of child marriage in our village. Our own friend of 13 years was about to get married with a man of 19. As members of the local youth club, we felt that it was our responsibility to stop this marriage. Unfortunately, the parents were not convinced. Our friend now lives with her husband in India. We don’t know anything about her now”.

3. Child Migrant Workers (and their sexual exploitation)

Most of our respondents in this research are child migrant workers. They had come from various parts of Nepal to live and work in Kathmandu, Pokhara and Nepalgunj. Some had worked as domestic child workers and bonded female child worker (called *Kamalaris* in Nepali). Others had worked in restaurants, shops, hotels and dance bars. For the purpose of this section, we have focused mainly on the in-depth interviews with the girls who had worked as bonded female workers who were later assisted by NGOs to leave this work. We have also drawn from other cases where children have shared their experience of migration and work.

Case No. 4

(Based on an interaction with a Kamalari)

Case focus: Child Migrant worker, non-transactional sex

I am from Bardiya. I belong to the Chaudhary ethnic group. I have one brother and 4 sisters. I always wanted to go to school but my parents couldn’t afford to pay for my education. A landlord from Dhangadi approached my parents as they needed a girl to work for them as a “Kamalari”. They also promised to send me to school. That’s why I agreed to go with them. Though the landlord was highly educated (he was a doctor and his wife was a teacher), they never sent me to school. I lived with them as a Kamalari for 3 years and I never got a chance to meet my parents during that time. As a Kamalari, I had to do all the household chores. I was never abused and I was lucky not to be asked for sexual favours by anyone in the family. However, I know some of my friends who were asked for sexual favours while they were working as Kamalaris. A friend of mine had to escape from her owner to save herself. There were some friends who were made pregnant by their own landlords.

They couldn't take any action against the landlords. Such incidences happen a lot in our society.

General profile of child migrant workers

The life stories shared by Kamalari girls in Nepalgunj show that the children came from families with financial difficulties. Their parents were usually unable to pay debts to the *jamindars* (landlords). One of the main attractions for almost all the girls was the promise of education. In these situations, children do not get remunerated for the work they do. The shelter, food and clothes provided by the owner are considered as compensation for their labour. Occasionally, children get to visit their parents. Parents accept sending their children in exchange for education and life with a 'good' family.

Non-transactional sex

In these circumstances, 'non-transactional' sexual exploitation of child workers was found to be very common. In the case of Kamalaris and child domestic workers, since there is no practice of remuneration for any service they provide there is no in-cash transaction even when there is sexual exploitation. According to the counsellor working with domestic workers in Kathmandu, this practice is very common. The children frequently report being exploited by the landlords and their visiting relatives. Since they live in the houses of their employers they are considered to be easily available for sex. Many Kamalaris also narrated similar instances of being (sexually) abused by their landlords, their sons and relatives. As a 17-year-old Kamalari girl told us: "When relatives visit the family, our landlords tell us to make the guests happy. Sometimes, we have to sleep with them just to make them happy." In a key stakeholders meeting, NGO workers mentioned instances of girls being traded as sexual objects by landlords for money. For example, hotel owners contact the landlords to send the Kamalaris to sleep with hotel guests. Such guests could be Indian citizens as well who cross the border just for spending nights with Nepalese girls, including Kamalaris.

Use of threat for sexual exploitation

In our interviews with children, we also found that use of threat for sexual exploitation was very common. The threats were of different kinds – threat to kill or stigma attached to sexual activities. Since the girls stay in their houses and are dependent, employers often use their vulnerability to exploit them sexually. A 16-year-old Kamalari girl told us: "We have heard that other girls have been burnt alive if we not agree." Similarly, another girl mentioned that the threat of shame and stigma were reasons for continuing to remain in the same situation. She said: "I knew that it was something to be ashamed about. I knew that I should not share it with anyone. I did not know what would happen thereafter."

Possibility of being a sex worker

The participants of the focus group discussion underscored the high possibility of Kamalaris ending up as sex workers as illustrated in this excerpt: “The Kamalaris have to work all day and night. They are basically bonded labour who never get a chance to go to school or learn skills. Many of them are forced to sleep with the landlords, their sons or their relatives. When the time comes to leave the place, they move to cities, like Nepalgunj where they work in lodges, motels, etc. initially as waitresses and later as sex workers.” (FGD with girls, Nepalgunj)

4. Children in Entertainment Sector– dance bar, cabin restaurants, massage parlour, dohori restaurants

The entertainment sector constitutes establishments such as dance bars, cabin restaurants, dohori restaurants and massage parlours. During the course of this research, we interviewed 11 girls working in the entertainment sector in all three cities and conducted 1 focus group discussion with a group of 8 girls in Kathmandu. In addition, we also interviewed two staff of an organization working with girls/women in the entertainment sector. In the following section, we discuss some of the key insights emerging from the analysis of narratives from the interviews.

Case No. 5

*(Based on an interview with a girl at a Dance Bar at Lakeside, Pokhara)
Case focus: Entertainment Sector, Sex Tourism*

I like to dance and my job is to make my customers happy. This is a profession and there is no problem in working as a dancer. I enjoy my work. I belong to a poor family, and I have been able to support my family with this job. My dress-up is normal and there is no problem in wearing short dresses. I dance for our guests, I drink with them and I let them touch my body if they want. I work every day from 7:00 pm to 11:00 pm. This bar is closed after 11:00 pm. I also give my cell number to my guests and I go with them to have fun. Sometimes, those guests take me for shopping and I also spend nights with them in hotels if they wish. I get Rs 3000 to Rs 6000 for spending nights with them. I give half of my earning to the bar owner. However, I keep the tip. A lot of Indian customers come to this bar and they pay more than Nepali customers. I have never spent nights with foreigners.

General profile of children in the entertainment sector

Age was one of the critical factors in the employment of girls in the entertainment sector. Since the hotels, restaurants and dance bars need fresh faces to keep their businesses running, they look for new and young girls. Our interviewees told us that the younger the girl, the higher the demand. According to a social worker in an NGO: “By the time the girls turn 30, they are out of business.” Similarly, a male dance bar waiter that we interviewed told us: “There is an age limit. Yes, after 26-

27, it is hard to find a job”. This was also evident in the fact that girls we interviewed during this research were between 15-18 years. In most cases, our research team also observed that the girls looked much younger than the age they reported during the interview/focus group discussions. When we conferred with the key stakeholders working in this sector, they informed us that most of the girls are actually 18 or below. An NGO staff working directly with the girls mentioned that the girls usually report a higher age because there is a risk of the owners being arrested under TIP (Trafficking in Person). In addition, the research team also noted the gendered nature of the restaurant work. The girls/women usually worked as dancer/singer/waiter whereas the boys/men worked in the bar and as bouncers.

In Pokhara Lakeside, there are several dance restaurants. They are open till 11:00 pm. The dance bars have names like Rangeela Dance Bar, Tequila Dance Bar, Bollywood Dance Bar, etc. They are dimly lit. This makes it difficult to recognize other customers. The front stage has a light and sound system. The girls dancing on the stage generally wear short dresses and have heavy make-up. While some girls dance on the stage other girls sit with customers and drink along with them. Some girls sit with the customers and offer them drinks. Some customers also touch or kiss them.

Field observation, Pokhara Lakeside (December 2013)

Doing a ‘good city job’

The research team also noted that girls kept their work in the entertainment sector a secret. Their parents, husbands and other family members did not know about their work in the restaurant or dance bar. Their family members think that they are doing ‘good city job’. One of the NGO personnel that we interviewed, who was previously a restaurant worker, mentioned that whenever her parents/ relatives visit her, she stayed at home, because the late working hours could raise questions. Similarly, a 15 year old girl who was arrested in a police raid from a night restaurant in Kathmandu and was awaiting repatriation with the family told us she would never tell her parents about her work in the restaurant. The girls working in Pokhara and Nepalgunj shared similar experiences. For example, a 17-year-old girl from Sindhupalchowk who works in Srijanachowk in Pokhara said she had come to Pokhara in search of a job as she was not happy living with her stepmother. Her father was in India and she often talked to him on the phone. He did not know about her work. She told him that she had been working in a restaurant. Another girl working in Srijanachowk had a similar story. She was the breadwinner of the family as her parents were disabled. She also took care of her younger sister. Her younger sister knew she was involved in sex work but she had not told her parents or her brother about her profession. She sent money to her parents every month.

Earning money: salary, tips and commission

There were different sources of income – salary, tips and commission. The salary depends on whether they are appointed as a waiter, dancer or singer. The girls in focus group discussions told us that a novice with no experience in restaurant work gets less money but as she gets some experience the salary is increased. The monthly salary ranged from Rs 1200-3500.

The girls claimed that the main attraction to the profession was the tips they earned. They could keep all the tips that they got for the service they provided. For the waiters, tables are assigned. They could keep the tips given by the customer on the table assigned to them. For the dancers, tips were thrown on the stage, if the customers liked their dance. The amount of tip given depended on how happy the customers were. One of the girls who danced in a restaurant in Kathmandu reported she could earn around Rs 5-6000 in tips on a good day.

They also earned money through commissions. If they increased the bills raised by the customer, the owner gave them a certain pre-agreed commission to the total bill. The girls were, therefore, encouraged to sit with the customer, order food/drinks on their behalf and sometimes eat with them. One of the girls, who waited for repatriation with the family, told us: “We get Rs 500 for drinking wine and Rs 100 for drinking Redbull”

Initiation into sex work

We also noted that the girls did not join sex work immediately. Children are first asked to do other jobs like cleaning dishes, cooking or waitressing and are only later introduced to sex work, mainly through friends. A 16 year-old restaurant worker in Pokhara told us: “I used to clean dishes in the beginning. Other friends used to do ‘that job’. I was not asked to do it for a month. Later, I joined my friends on my own wish.” An 18-year-old female sex worker in Srijanachowk, Pokhara, shared a similar experience: “I was working as a waitress. I had to send money to my parents and had to take care of my son and my younger sister. I learned that other workers in the restaurant were involved in sex work. I decided to sleep with some of the customers without any force or coercion from the owners.”

Case No. 6

(Based on an interview with a 17-year-old restaurant worker)

(Case focus: entertainment sector)

I am 17 years old. My hometown is Kathmandu. I am from a middle class Thakuri family. I had a small fight with my mother at home and warned her I'd leave home if she nagged me further. I wanted to earn money so I came with a friend to Pokhara in search of a job. I was told that I'd have to wait tables and make customers happy. I was unaware that making costumers happy involved having physical relationships with them. I was uncomfortable for a couple weeks but then I got used to it. I had to see 6-10 customers per day. I got pregnant and have aborted twice. It's painful. But I get paid around Rs. 20-30,000 monthly for my

work. I send some of that money home but my family doesn't know what I do to earn it.

Profile of customers

The profile of the customers varied. Establishments like dance bars and restaurants were frequented to a larger degree by Indians. A male dance bar waiter in Thamel told us that customers are "mostly older people with good earnings. Yes, mostly Indian... from Bihar. Mostly Indian, then Nepalese and Chinese. Mostly Americans and Europeans don't like dance bars". But they also had foreigners as their customers. As a girl we interviewed in Baglung Bus Park, Pokhara mentioned: "I slept with 4 foreigners this morning. They seemed to be Japanese. They paid me a lot more than Indians or Nepalese."

Case No. 7

(Based on an informal interaction with a local youth)

Case focus: entertainment sector, customer profile

I go to dance bars and restaurants generally during weekends. It is fun to be there for a few hours as one gets to see beautiful girls dancing in short dresses. A dance bar is for drinking and watching dances. Girls of dance bars come to sit with my friends and me. They drink with us. I often touch their body. That's what you are expected to do. If you don't do that there must be something wrong with you. Kissing the girls is very common in dance bars. The bars are very expensive though as most of the drinks are double the regular price. Most of the customers are Nepalese and Indians. Youth can't afford to go there regularly. That's why you mostly see individuals in their 40s or 50s enjoying themselves with girls. I have got phone numbers of some girls and I have spent nights with some of them. My friends also do the same. I generally go with my friends and you are expected by your friends and the girls to be manly.

In guise of a 'relationship'

We also noted the presence of steady partners or 'boyfriends' in the girls' lives. One of the NGO staff working with girls in the entertainment sector mentioned that girls think that they are in a relationship. They are happy that they get to go shopping and to restaurants. But after a few days the 'boyfriend' leaves them. When these 'boyfriends' take sexual favours from them, the girls do not see it as 'sex work'. They see it as a relationship between a girl and a boy. But these do not materialize into long-term plans. In some cases, even long term relationships seem to include a commercial nature to it as mentioned by a girl who worked in a restaurant as a dancer: "husbands make their wives work there."

Multiple layers of exploitation

The research clearly points towards multiple layers of exploitation that the girls face in their career as restaurant workers. One of the NGO personnel talked of several cases that indicated the difficulty that these young girls faced in finding a room to rent. Since they are single and work in restaurants at night people are not willing to rent their houses. Because of this they usually have to pretend that they are married with someone. They share a room with this 'husband', who in turn exploits them. There were also indications of violence by intimate partners. A female psycho-social counsellor in an NGO working with girls in the entertainment sector told us about a case of a girl who was badly beaten up by her own partner. She was hurt very badly as her partner had inserted a stick in her vagina.

If guests ask a girl to come with them they can touch them, anywhere. They can touch them because they have money, money for drinks and to offer drinks to her ...that's why guests come to dance bars, call the girls, offer drinks. You know if girls get drunk, it's easy to get laid right? Then they give lots of money, that's why when girls work in dance bars, it's a happy place for them, they can get easy money, tips, commission. Salary is also good for them.

Excerpt of an interview with a male dance bar waiter, Thamel Kathmandu.

Gradual shift to commercial sex work

We also noted that the girls working in restaurants and dance bars gradually shifted to other forms of commercial sex work, especially street sex work. A 17-year old girl, Baglung Bus Park, shared her story: "I was working in a dance bar at the Lakeside. I found out about the places in Baglung Bus Park where I would be able to earn more money by getting involved in sex work. I also convinced my sister to join me as she was not earning enough money at a restaurant at the Lakeside."

Perception about the job

There were mixed perceptions about the job the young girls held. Some wished to continue. The main attraction was the money they earned as this interview excerpt illustrates: "I don't want to give this up. I earn an average of Rs 60,000 per month but I have to give half of it to my owner. If I were doing something else, I would never earn so much. I will continue to do this, and I do not need any vocational training." (17-year old girl, Baglung Bus Park). Another girl in Pokhara had a similar opinion: "This was my choice, to get involved in this. I have seen other girls working. I think this is also a kind of work to earn money." (17-year-old girl in Srijanachowk Pokhara). However, some girls also wanted to leave. A 16-year old girl, Baglung Bus Park, says: "I am here just because of some circumstances. I don't want anyone to get involved in this kind of work." Many did not want their friends or sisters to get involved in this. For example this 18-year old girl, Baglung Bus Park said: "I would never want my sister or friends to be involved in this as I think it's bad."

5. Children in Formal/Informal Establishments

The research team also noted various forms of CSEC, based in formal and informal establishments like hotels, lodges, clothes shops, hostels and tuition centres. For the purpose of this research, we have also drawn from our interactions with stakeholders like taxi drivers, hostel managers, a social researcher and girls involved in sex work in these establishments.

Case No. 8

*(Based on an informal interaction with a taxi driver)
Case focus: commercial sex work, third party involvement*

Involvement of girls in commercial sex work is very common in many parts of Pokhara, including Lakeside, Baglung Bus Park, Srijana Chowk and in slum areas of Pokhara. I have enough information about such areas. Many people find it easy to ask taxi drivers about such places. I drive during night-time as well and I see many girls, dressed-up in modern ways go around with guys to spend nights with them. Sometimes, those girls give me their phone numbers with hope that I would help them to bring more customers. Today, I dropped off 4 Indians at Baglung Buspark Chowk who were asking about girls. Such passengers pay more than regular taxi fare.

General profile of children in formal/informal establishments

The research team noted that some children worked either exclusively in these establishments or in addition to their work in restaurants and dance bars. Some girls who contacted their customers in the street also came to these places with the customers. Some hotels and lodges also functioned as a base for sex work for girls who otherwise worked in different places. The owners of these establishments managed the children who worked exclusively in these places. The owners usually dealt with the customers. The girls were informed once the rates were fixed. In our key stakeholder interview, a social researcher shared her research experience with urban youth for which she visited a tuition center catering to +2 and A level students. This tuition center also facilitated sex work.

Different venues

During our research field visit, the team noticed that small hotels, guest houses, and dance bars in Baglung Buspark, Srijana Chowk and Lakeside were hubs for sex work. The local people in the area told us that Baglung Buspark was popularly known as the unofficial red light area of Pokhara. The researcher also noticed girls in short dresses standing outside small hotels to attract customers. According to one of the taxi drivers in Pokhara: "Each small hotel of Baglung Bus Park is a haven for customers searching for commercial sex workers". A hotel manager in Pokhara observed: "Hotels in Lakeside are also used by people to bring sex workers. I manage this hotel and I have seen guys bringing sex workers. I have banned this thing in this hotel. However, I can't stop it from happening in other hotels." An NGO

personnel working with sex workers mentioned: “Baglung Bus Park is a very popular unofficial red light area in Pokhara. There are about 250 small hotels that are mainly opened for commercial sex work. There are about 1200 girls working as sex workers only in Baglung Buspark.”

Profile of customers

The profile of customers was diverse. As one of the girls we interviewed in Pokhara mentioned: “Sir, we cannot be sure in this sector. Sometime people like you could come. Sometimes police, sometimes other people.” However, girls also reported that there were more local Nepalis and Indians. One of the girls working in a hotel told us: “Usually Nepalis come, and then Indians. Foreigners have not come yet”. Foreigners were fewer in number and identified mainly as Americans, Chinese and Japanese. There weren’t any indication of special preference for children though they did not object to a young sex worker either. In terms of payment, girls claim that the foreigners paid more than Indians and Nepalis.

Income share (50/50)

The most significant element part of sex work in these establishments was the arrangement for income share. The total income was shared 50-50 between the girls and owners (*sahu/sahuni*). In most cases, the girls did not negotiate deals directly with customers. They were contacted only after the owners finalized the rates of payment. One of the girls explained the process in detail for us: “Sir, it is like this. If the hotel owner arranges the deal at Rs 5000, they will keep Rs 2500 and the girl gets Rs 2500. He also gets money for the room rent, drinks and food. It is very profitable for him.” Another girl working in a hotel told the research team: “I take Rs 1000 for one time with a customer. I keep Rs 500. We share 50-50. But I keep all the tips.”

Multiple customers in a day

There was no fixed number of customers per day. It depended on the number of customers who contacted them or were sent by the owners. The number could go up to 15 if they did not also have to go to other places, but could be smaller if they had to accompany customers to other venues. One of the girls told us: “I have done with a lot, seven customers (per night). Not more than that. Not possible, because we have to go out as well. We have to go outside the hotel.”

Girl also preferred to find customers independently. They felt that they could have more control over their work and their income. They gave their contact numbers to customers and taxi drivers so that they could contact them directly.

6. Street Sex Work

Street sex work was one of the more complex manifestations of CSEC. This was seen as independent sex work where the girls contacted the customers directly. However, the street was also used as a way of getting into restaurants, hotels or lodges. For the purpose of this research, we have focused mainly on the interviews

of girls who mentioned contacting clients on the street. In addition, we have also analysed our field observation and focus group discussion with children living on the streets.

Case No 9

*Bases on an interview with a girl with drug addiction
(Case focus: Street sex work, drug use)*

I live with my husband in a rented room in Nepalgunj. My husband is a rickshaw puller and he works almost every day from morning to evening. Since I am all by myself at home, I often go to the market to kill time. In the market, there are guys who approach me for sex. Though I have stopped sex work after marriage, I can't say no to those guys when they offer me good payment. My husband has full confidence on me and thus he doesn't suspect me being involved in sex work. Actually, I met my husband as a client a few years ago. We fell in love and we got married a few months ago. Talking about my past, I got involved in sex work as I was addicted to drugs. My boyfriend (now husband) was also a drug user. Money from sex work was the only option to buy drugs for us. In course of time, we decided to get drug treatment and we wanted to make our lives better by getting married. We are both in a clean period now. My husband earns a good amount of money. I really don't need to do sex work for money. But I do it sometimes.

General profile of children in street sex work

Children's journey to street sex work followed multiple routes. Some children first worked in hotels and then moved to streets for some extra income. Others were involved only in street sex work, mainly for drugs. During our field visits in Thamel, we interacted with a group of 5 girls who lived in the street. They lived in the same open area where a group of around 15 boys were also living. While they did not provide information on their experience of sexual relationships with the boys, the probability that this occurs is very high. They mentioned that they were staying with the boys for protection: "We are like a family". They talked of other girls who 'went with men' but maintained that they themselves were not involved in it.

Specific public spaces

We noted that specific public places were known for street sex work. In Kathmandu, the most common ones were Ratna Park, New Road, Thamel and several bus parks. Srijana Chowk was more popular in Pokhara and bus parks in Nepalgunj. In our interaction with stakeholders in the private sector, they specifically mentioned some of these places. A male dance bar waiter informed the researcher: "If you want to get something exotic then you go to the bus park area." A restaurant owner in Thamel expressed similar views: "Yes, well... I have seen because I grew up around Thamel, it's the main center of child sex exploitation whether with tourists or locals". Though street sex work is unorganized and independent, existence of these specific spaces have made it appear a bit more organized albeit informally.

Street as contact point

The street was the preferred contact point to find customers. Girls we spoke to mentioned that they would get in touch with potential customers while walking on their specific 'routes'. In Nepalgunj, these were the streets near bus parks or main markets. They would wait for the customers at specific spots that were known to potential customers. A 17-year-old girl told us: "We stand on the street; people come and ask us." Another respondent mentioned: "I meet people when I am walking on the street. If I stand somewhere, people come to me. I had a place with a 'didi' on the roadside. But I kept on changing after that. Besides, the police also made it 'tight'. Now, I find someone while walking, if not I don't have anyone".

Multiple locations for sex work

Once contact was made in the street, the girls then moved to other locations like hotels or rented rooms. Though there is no specific place that they go to every time, it is usually a place known to the girl or the client. One of the girls mentioned: "If they need to take me somewhere, it is usually a hotel. But one never knows, they could take us anywhere".

Sex for drugs

Drug addiction was found to be one of the important driving factors for street sex work. At times, girls needed drugs for themselves. But at other times, they also needed it for their partners/boyfriends. One of the stakeholders in Nepalgunj mentioned in our interview that sex work and drug use is an interlinked issue. If the girls are into drugs, the likelihood that they will get involved in sex work is very high. Our interviews with girls in Baglung Buspark also showed that many girls were into substance abuse. A 17-year-old girl told us: "I started using marijuana with my friends when I was 12 years. Later, I started using other drugs as well. I needed money to use drugs". Similarly, another girl shared: "I used to take drugs earlier. That's when I learnt. When you run short of money, you have no option but to do 'business'. That's how I go into this."

Third party: taxi drivers

Taxi drivers were seen as very important people who brought customers to the girls. The girls gave their contact numbers to taxi drivers so that they could bring potential customers. A 17-year-old girl in Srijanachowk told us: "I have given my contact information to taxi drivers or potential customers. When I get calls from taxi drivers I meet the potential customers on the street and we negotiate and go to a safer place."

Perception about the work

We noticed mixed opinions that the young girls had about their work. Parents, husbands or family members were generally not aware of the work that they were doing. An 18-year-old girl told us that when her father visited her in Pokhara she did not go for work for many days: "I did not want him to know". A 17-year-old girl

we interviewed in Pokhara told us: “When the police arrested me and my story was published in a newspaper, my family members were shocked”. Some of them also expressed a sense of hopelessness. A 17-year-old girl told us: “Nobody will take care of me later. Not even a dog!” Another girl thought even if she wanted to go back to the village, they might not think nicely of a girl who had stayed away on their own. So she thinks that she might be better off going to a foreign country than back to her village. These feelings of loss of social support increase the vulnerability of children.

7. Pocket Money Sex

In our research, we found some indication of pocket money sex. For the purpose of this research, we have extracted sections of different individual interviews where children have narrated their need for money to maintain a certain level of comfort related to an urban lifestyle. In addition, we have also drawn from an interview with a social researcher who encountered young girls involved in sex work in a tuition center. Due to time and logistical constraints, we have been able to present only an overview on this issue.

Case No 10

*Based on an interview with a school-going girl in Nepalgunj
Case focus: city life, child-headed household*

I live with my younger brother in Kohalpur in a rented room. My parents and my younger sister live in Bardiya. My brother and I are here for our studies. I am in grade 8 and my brother is in grade 5. I do the household chores after my school and also take care of my brother. My parents send us some money time and again but it is not enough for us to live in a city. I have been seeing a guy who has been helping me to fulfil my basic needs, including food, rent, expenses for recreational activities, cell phone and recharge cards. He often travels as for his work. When he comes to this city he brings me gifts and gives me money for my needs. I sleep with him. I have to do this to make him happy. Indeed, it is necessary for my living and for helping my brother. My parents and brother have no idea about this. A few months ago, I used to sleep with some other guys as well. They also used to give me money in return. However, as I am now aware of STDs and HIV/AIDS, I have stopped having sexual relationships with others. Now, I have sex only with my boyfriend. I also know that he doesn't consider me as his girlfriend. He comes to me just for sex. I am sure he will never marry me. No matter what, I have to continue having a sexual relationship with him for money.

General profile of the children

In this research, we encountered instances of urban school going girls engaging in sexual activities for food, gifts, recharge cards and sometimes money. The girls studied in school/colleges in urban areas. Some stayed in the city away from their parents. Some had the responsibility of taking care of younger siblings. A fieldworker of an NGO in Nepalgunj told us that she had worked with many girls who are in school and are involved in sex work: “I have counselled them to have

safer sex and have sexual relationships with only one person. I inform them about STDs, safer sex and HIV/AIDS”

Financial pressures of city life

The high living expenses in urban areas have pushed some girls into sex work. In the case presented above, the 15 year old girl in Kohalpur mentioned that she was in a sexual relation with her ‘boyfriend’ so that she could get help to pay for food, rent, recreational activities and cell phone recharge cards. In a key stakeholder interview, a social researcher sharing her research experience with urban youth, mentioned the case of a girl who was in college and whose parents had not given her money for a college excursion. So her friends telling her to not worry if her parents did not understand her and that there would be people who would understand these things, introduced her to a hotel owner where she started sex work.

Extra income

A case of a girl who came from a well to do family in Kathmandu presented by the same researcher further illustrates this point. The girl’s parents worked in an American project and travelled around the world. Her living expenses were all taken care of. In addition, the parents also sent pocket money to her and her brother. But she felt constrained that she had to show accounts of the money they received from the parents. She then decided to engage in sex work for ‘pocket’ money. All the earning she makes from sex work is hers. She has already bought a mobile phone and a scooter.

8. Child Sexual Abuse Images (Child Pornography)

The Optional Protocol to the Convention on the Rights of the Child states that child pornography is “any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for sexual purposes” (OPSC, Article 2c). It can include photographs, negatives, slides, magazines, books, drawings, movies, videotapes and computer disks or files. Generally speaking there are two categories of pornography: soft core which is not sexually explicit but involves naked and seductive images of children and hard core which relates to images of children engaged in sexual activity and use of children in the production of pornography is sexual exploitation (ECPAT International).

Case No 11

*Based on an interview with a 16-year old girl in Pokhara
(Case focus: child sexual abuse images)*

I am 16 year old. I am from Kathmandu and followed by sister to Pokhara. My sister also does sex work. I have had customers who want to take my picture. Most of the time, I say no. But one customer has taken my picture. He kept on insisting. I did not agree in the beginning but since he was insisting, I agreed.

Customers take pictures

In our interviews, girls mentioned cases of customers trying to take pictures. Two of the girls we interviewed said that their customers insisted on taking their pictures. Initially, the girls had protested. But one of them mentioned that she finally allowed the customer to take her picture. She said: “I let him take the picture. He was insisting on it.”

No case registered yet

From our interview with the Cyber Crime Department of the Nepal Police we learnt that there has been no case reported regarding online crimes against children under 18. There was a case where an adult had opened a Facebook account in the name of a five year-old child. He would then post photos and comment through that account. The police got the account deleted. The police records also have cases where photographs of women have been morphed and their faces pasted on nude bodies. But there has been no incidence in their knowledge where children under 18 have been used for such purposes

9. Online Sexual Exploitation

(Including online streaming and online grooming)

In this research, we noted that children had high access to mobiles and internet facilities. Children used these facilities to make new friends and chat with them. For the purpose of this section, we have drawn from interviews and focus group discussions with girls in schools, children living in squatter areas and children rescued from trafficking.

Case No 12

(based on an interview with a 16 year old girl in Kathmandu)

Case focus: online sexual exploitation

I am 16 years old and live in a Balaju squatter area. I go to school during the day. My parents pay my school fees. I do not work. I use my mobile (phone) to connect with my friends and for Facebook etc. Some of my friends also use WeChat. Unlike Facebook, you don't have to accept 'friends' to send messages to each other. One of my friends was saying that there was one Korean guy who started sending her messages. After a few days, they started to talk. And one day, he sent her a nude photograph and asked her to share one as well. I think she blocked his ID after that. He was a middle-aged man and she was just 15-16 year old.

First contact through internet/mobile

In our focus group discussion with children in schools and squatter areas, we noted the practice of making first contact with 'new friends' through mobile phones and internet. The girls in the focus group discussion mentioned that most had Facebook accounts through which they accept 'new friend' requests: "Sometimes we make new friends and chat with them". In an individual interview, a girl mentioned an incident with her friend. This friend had met a middle-aged man on WeChat. After a few chats, he sent her a nude picture.

Fake Facebook account

Many children in the focus group discussion in school and squatter areas mentioned that most of them had fake Facebook accounts. They use fake names and use wallpapers as profile photos. They use this account to chat, make new friends and load up pictures.

Possibility of online streaming very high

The cases mentioned above indicate a high vulnerability of children to sexual exploitation through online streaming. Though in the current research, we have not been able to collect evidence of online exploitation, we have noted that most of the children had mobile phones and access to internet. They are actively in touch with 'new friends' through these technologies.

10. Child Sex Tourism

ECPAT International (2001b) defines child sex tourism as the commercial sexual exploitation of children by people who travel from one location to another and there engage in sexual acts with minors. In our research, we noted a regular presence of foreigners in the customer profile. For the purpose of this research, we have drawn from in-depth interviews where children have talked about customers from different countries.

Profile of customers: Nepali, Indians and foreigners

Our interviews with the children in all three cities highlighted that Indians were the most common customers. Customers also included Nepalese residing in India. Though some girls also mentioned people from Japan, they mentioned Indians as their key customers. Indians also paid better money compared to Nepali customers. A girl we interviewed in Nepalgunj told us: "Of course, they come from India as well. If they like them they take girls with them too. They give Rs 3000-4000. We negotiate whether it is Nepalese or Indian currency. Usually, Nepalese living in India from the hills also come. Usually rickshaw pullers bring them."

Taken across the border

Indian tourists were also found to take girls across the border if they liked them. One of the girls said that they would take them for 1-2 days. In the stakeholder

interview in Nepalgunj, participants mentioned that it is very easy for Indian citizens to cross the border and contact the hotel owners for finding girls. In some cases, Indian tourists take girls to neighbouring Rupediha, India, as mentioned by a NGO personnel in Nepalgunj: “The hotel owners have the contact numbers of the girls. When Indian tourists come, they contact the girls. If the tourists like the girls, they are taken to Rupediha as well.”

Chapter 7

Linkages between Manifestations of CSEC

In this chapter, we will discuss the linkages between different manifestations of CSEC. Though, in the preceding chapter, we presented different manifestations of CSEC as separate categories, children's life stories have shown that these are intricately linked with each other. While it is very important to understand each of these categories separately for conceptual clarity and recognize different mechanisms involved in each one, in practice they may or may not occur separately from each other. On the basis of the findings of this research, we reiterate the need to understand CSEC as a complex web of its various manifestations. Focusing on one manifestation while ignoring the other would undermine the complexities inherent in CSEC.

In the following section, we will attempt to briefly trace some of the inter-linkages that emerged from our research.

Child Trafficking

Since child trafficking is the mechanism through which children are taken from one place to the other, they could be engaged in any manifestation of CSEC once in the destination place. In our research, we found evidences of children taken to different establishments for sexual exploitation. The 17-year-old girl who was rescued from trafficking found herself in a locked room where different men visited in turns. She never got any money for this, but thinks that the 'uncle' must have sent these men for money. Another 17-year girl who came to Kohalpur from her village for a medical treatment, was approached by a woman. This woman convinced her to stay with her at a small hotel at Kohalpur Bus Park, where she first did housekeeping job. But later she was asked to engage in sex work. A 16-year-old Kamalari girl in Nepalgunj was taken to Kathmandu for housework. The son of the owner frequently made sexual overtures to her. Though she did not share any incidences of sexual exploitation, it is evident that she was highly vulnerable to it.

In addition to these direct involvements in sexual exploitation, we also noted exposure to sexual abuse images. All 8 boys (9-13 year old) who were rescued from trafficking had watched adult videos in their mobile. They mentioned that this was the source of entertainment for them.

Child Marriage

In our research, child marriage or fake marriage emerged as a factor that increases vulnerabilities to CSEC, especially child trafficking. In our FDC, key stakeholders reported the use of fake marriages as a common strategy for child trafficking. Many of our stakeholders had encountered incidences of traffickers carrying fake marriage certificates to cross the border and convince their newly 'married' wives to go to India for their honeymoon.

Child marriage was also found to be one of the common life events for some of the girls we met for in-depth interviews. To take the case of the 17-year-old girl from Kohalpur mentioned in the above section: she was married at the age of 13. She left home after a few years of abusive relationship. When she came to Nepalgunj, she was spotted by a woman who took her to a hotel for sex work. Similarly, another 17-year-old girl from Pokhara was married at the age of 15. When she found out that her husband had an affair with another woman, she left home. Later, she moved to Pokhara, worked in a bar and later as a sex worker.

Child Migrant Worker (and their sexual exploitation)

Being a child migrant worker was one of the common life experiences of most of the children we interviewed in the process of this research. Most of the girls came to Pokhara, Kathmandu, Nepalgunj or India for better work opportunities. In the initial period of their lives in the city they worked as domestic help, Kamalaris, waiters, dancers, shop assistants or receptionists. It is only later that they were exposed to CSEC. We have noted that their vulnerabilities to CSEC increases due to various factors like breach of trust, sex under intoxication, romantic relationship, influence of friends and exposure to sex service infrastructure. These life experiences later lead the girls into CSEC in the entertainment industry, in various formal and informal establishments and eventually street sex work. In the case of domestic workers and Kamalaris, we found indication of non-transactional sex (without exchange of money). Key stakeholders mentioned that they have encountered incidences where girls are being sexually exploited and traded as sexual objects by landlords.

Children in Entertainment Sector

During the course of this research, we noticed that the 'night entertainment sector' is one of the important routes to CSEC, later leading to street sex work and sex tourism. Age was one of the critical factors. Most of the girls we interviewed for this research were between 15-18 years. Other key stakeholders in the sector – like dance bar waiters, restaurant owners and NGO workers – unequivocally confirmed that the younger the girl, the higher the demand.

Girls mentioned that they did not join restaurants and dance bars for sex work. Initially they worked as a cleaner, waiter, cook or dancer, before being pulled into 'other work'. The girls danced in short dresses, drank wine with the customers, ate with them to increase their total bill and allowed the customers to touch them. And in many cases, after a period of time, they also engaged in sex work. We also found that the girls working in the restaurants and bars had close connections with hotels and lodges, a fact that affirms the interlinkage between children in entertainment sector and children in in/formal establishments.

Restaurant and dance bars were also a preferred place of entertainment especially for Indians, though local Nepalis also visited these places. Such places have thus become a hub for child sex tourism. We also noted that girls working in restaurants and dance bars gradually shifted to other forms of commercial sex work, especially

street sex work. A 17-year-old girl shared that she was working in a dance bar, but later shifted to a hotel and eventually street sex work.

Children in Formal and Informal Establishments

In this research, we came across several instances of CSEC in formal and informal establishments like hotels, lodges and clothes shops. This practice was closely linked with work in restaurants/bars and street sex work. We also traced some possibilities of CSEC in hostels and tuition centers. The most significant feature of sex work in these establishments was the arrangement for income share. The total income was shared equally between the girls and the owners.

We also noted that due to this arrangement for income share, girls preferred to work independently. Many girls had shared their mobile numbers with taxi drivers and contacted customers directly on the street. Thus CSEC in these formal and informal establishments gradually shifted to street sex work.

Two of the girls we interviewed also reported that customers wanted to take their photos. One of them resisted, but the other allowed the customers to take her photo. Though we could not get into details into the motives behind these images nor how they were used, this can be considered a strong indication of production of pornographic materials using these children.

Street Sex Work

Routes to street sex work varied. Some children came directly to the street while others continued to work in restaurants and hotels. As discussed in the previous section, girls in restaurants and hotels felt that street sex work gave them freedom and control over the income and choice of clients. In all circumstances, street sex work appeared to be the most common option chosen by children at times of greatest vulnerability. Once on the street, customers recognize them as sex workers. The protection of anonymity that the restaurants, dance bars and hotels provided was absent in street sex work. Many girls narrated incidences of customers following them even after they had 'given up' this work.

Pocket Money Sex

Pocket money sex was found to be most clandestine in nature. The financial pressure of an urban life, leading a child-headed household and peer pressure were some of the reasons for children to engage in pocket money sex. While two girls working in dance restaurants mentioned that they were paying for their education through their work, we did not find apparent linkage of pocket money sex with other forms of CSEC. The children engaged on this independently and negotiated with the customers, 'boyfriends' and other boys themselves.

Sexual Abuse Images and Online Sexual Exploitation of Children

In our research, we found indications of both sexual abuse images and possibilities of online sexual exploitation of children – linked with street sex work, CSEC in

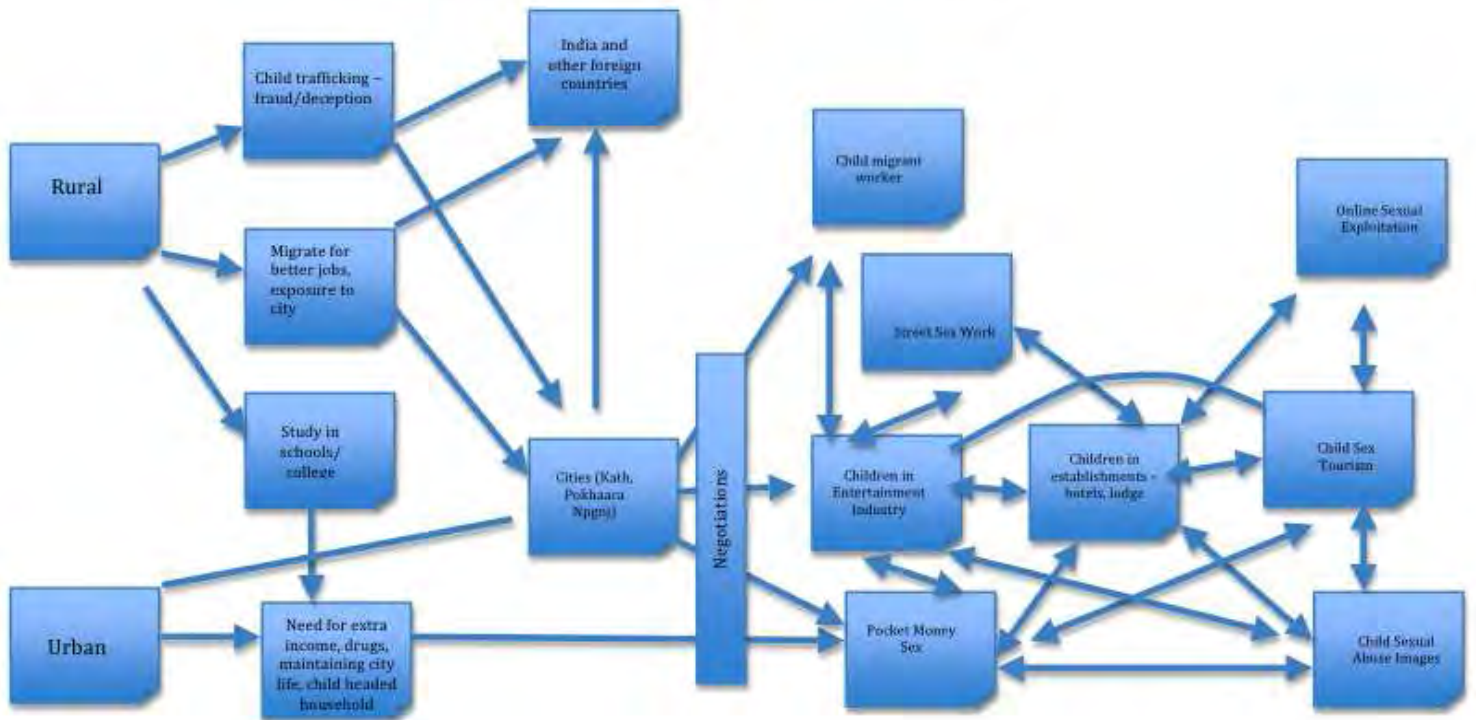
various establishments and child sex tourism. In our FGDs children mentioned very frequent use of mobile phones and internet to make 'new friends' on Facebook and to chat with them. The incidence of a middle-aged man sending a nude picture through online account could be a strong indicator of possible online sexual exploitation of children. A young girl in a FGD also mentioned how one of her friends was approached by many boys once she had made a 'new friend' on Facebook. This could very easily expose and lead children to other forms of CSEC. As discussed above, young boys who were rescued from child trafficking were also exposed to adult videos on their mobiles.

With regard to children working in restaurants and hotels, one of the girls also mentioned customers taking photographs. While we could not probe into this incident in detail, it indicates the high possibility of customers producing sexually abusive images of children. Children are not aware of where and how these images are used.

Child Sex Tourism

In our interviews with children, we also noted an international dimension in their client profile. Children in the entertainment sector, children in in/formal establishments and children in the street – all mentioned the presence of foreigners as customers. The key stakeholder meeting also confirmed Indians as typical customers who took the girls across the border to India.

Inter-linkages between various manifestations of CSEC



Chapter 8

Discussion on Main Findings

In this research we have investigated various manifestations of commercial sexual exploitation of children. We have attempted to convey the strength and resilience that children demonstrated while sharing their life stories. But we have also highlighted the hardships and difficulties that they experienced in the course of their lives. This report therefore presents their journey as a story of 'agency' and 'vulnerabilities', where they expressed high level of control in their life decisions but also faced circumstances where their child/human rights were violated. Based on the findings of the research, in this section, we analyse some of the main themes that have emerged from the current research.

Age

Age emerged as one very important dimension in the CSEC. All the children we interviewed in the process of this research were under 18 and almost all of them narrated their life-experience of CSEC. This was also true in the focus group discussion with children of different backgrounds. This evidences the prevalence and practice of sexual exploitation of minors in the context where it is a legally punishable offence.

Moreover, our interviews with key stakeholders such as dance bar waiters, restaurant owners and NGO staff underlined age as being a key factor, especially in restaurants and dance bars. The hotels, restaurants and dance bars always looked for new and younger girls. We were told that it was difficult to find jobs after 26-27. This definitely increases the vulnerability of the young children to be pushed into CSEC.

During the process of this research, we also noted that the girls we interviewed looked much younger than the age actually reported by them. This was more evident among girls working in the entertainment sector. In our interviews and focus group discussions with I/NGO staff, they reported that there was always a disparity in the reported age and the actual age. An NGO staff working directly with the girls also mentioned that they lied their age because there is a risk of the owners being arrested under TIP. This dimension indicates the possibility of an alarmingly high number of children affected by CSEC. Since there are no mechanisms to verify the age of children, apart from self-reported age, it would be very difficult to estimate the real number of children affected.

We also saw the presence of '*mai ju*', '*dai*', '*didi*' and 'uncle' in the lives of children. These people played a very significant role in introducing children to various forms of CSEC. While they were acquaintances whom children met along the way and not their family members, they built strong trust in them. In most cases, they were their 'trusted' adults and children followed them to pursue their hope for a better future. The children also kept their earnings with the owners of hotels and lodges for saving. Breach of trust by these adults in their lives emerged one of the push factors towards CSEC.

Gender

In our research, we have mainly interviewed girls. The research team members visited dance bars, restaurants and hotels during the course of this research. We observed a highly gendered-nature of work. Girls mainly worked as dancers, waitresses and singers. Boys/men were bouncers and waiters. While this evidences the higher vulnerability and visibility of girls being affected by CSEC, it also highlights the hidden nature of boys affected by CSEC. CWIN researches in the past (2003, 2008) have demonstrated involvement of boys in various forms of sexual activities like peer-based sexual exploitation, survival sex, child sex tourism and sex work in the entertainment sector. Probing in detail into involvement of boys in CSEC required a separate research design. The inability to get into greater details on this very important issue is one of the main limitations of the current research.

Defining the 'commercial' in CSEC

What also emerged very strongly in our research is the need to expand our understanding of 'commercial' in CSEC. Our interviews/discussions with children who have been sexually exploited show evidences of transactional sex; where sexual exploitation is perpetuated by the people who provide them with shelter/food but not always money. The case of Kamalari and domestic workers, shelter, food and clothes provided by the owner are considered as compensation for their labour. In such cases, sexual exploitation, as and when it occurs, is never compensated with cash. 'Sleeping with the guests' was part of their job to make the guests happy. During our field visits in the streets of Thamel, we also interacted with a group of girls who lived with a group of boys in the same open space. They said that they felt the boys 'protected' them. While they maintained that they had not been sexually exploited, the possibility is very high. The findings of our research underline that the significance of defining in-kind transactions as being commercial in nature should not be underestimated.

While there was significant presence of a 'third party' who commercially benefitted from the involvement of children in CSEC, it was not always the case in the CSEC manifestations our research revealed. Third party presence was evident in restaurants, dance bars, hotels and lodges, where owners played an important part in finalizing the deals. In these establishments, owners shared the income. However, in the case of street sex work or pocket money sex, where children negotiated directly with the clients, direct involvement of third party was not always necessary. Nonetheless, these cases involve sexual objectification of children and its commercialization, with or without the presence of third party. Through the evidences presented in previous chapters, this current research reiterates that CSEC is characterized by sexual objectification of children, with or without third party and with or without in-cash transactions.

Understanding 'agency' and 'vulnerabilities' of children

A common thread that came out through most of our in-depth interviews was that children demonstrated high levels of control in their life decisions. They claimed

that it was their decision to move to Kathmandu or Pokhara, they did not go with customers they did not like and they pretended to sleep if the owner asked them to 'work' when they did not want to. They almost always claimed that it was 'their decision' to join sex work. They 'allowed' their customers to take a photograph or they screamed at them to stop them. The boys paid small amounts of money to download adult movies into their mobile phones. They fought with the mother/relatives/step-mother and walked out of the house. They gave their phone numbers to taxi drivers so that they could bring them clients. Children almost always demonstrated a sense of agency and control over their lives.

At the same time, they were not very happy with the work they were engaged in. Most of them had kept their work a secret from their parents/husbands/relatives/family members. They did not wish their sisters to join sex work. They would rather go abroad than return to their village. Their life stories had evidences of breach of trust by persons they had placed faith in, sex during intoxication, financial pressure, influence of friends and lack of options to pursue their talent such as dancing – which eventually lead them to CSEC.

These life stories of children in CSEC call for the need to appreciate the complex reality of their lives – both of their control over their life decisions and their vulnerabilities to exploitation. Intervention programmes focussed on CSEC need to understand the moments of vulnerabilities where their child/human rights have been violated. As discussed in the earlier chapters, it is in these points of vulnerabilities that children enter into CSEC; most of the time by their own 'choice'. Due to these complex circumstances that children live in, it important to understand the subtle vulnerabilities that the children face, even while appreciating their agency.

Different manifestations of CSEC are interlinked

The findings of this research show an inextricable linkage between various manifestations of CSEC. While it is important to understand each of these manifestations separately for motivations, mechanisms and specific dynamics around them, our research also points towards the inevitable overlap between various manifestations. A girl who was trafficked finds herself in a 'locked room' where she is sexually exploited by various men. A girl who came to Pokhara to meet her friends starts working in a restaurant and later moves to lodge for sex work. Boys who were rescued from trafficking mention watching adult movies on their mobile phones. Customers of girls in sex work insist on clicking photos. As these life-stories show, manifestations of CSEC may or may not occur separately from each other in practice.

These inter-linkages between various manifestations of CSEC reiterate the fact that focusing on one manifestation while ignoring the other would undermine the complexities of CSEC. In order to understand CSEC in its entirety, it needs to be understood as a complex web of various manifestations. In the center of all these forms is the sexual objectification and commercialization of children. Actions and programs designed to address CSEC need to appreciate this interlinked characteristic of CSEC.

CSEC as violation of human/child rights

The life-stories shared by children show that their life course is interrupted by various incidences where their human/child rights have been violated. A 15-year-old girl from Rukum leaves home after she had to dropout from school due to her stepmother. She then accompanies a stranger to India. An 18-year-old girl from Bardiya agrees to become a Kamalari for promises of school education. She never gets to go to school. A 17 year old works at a dance bar in Pokhara to support her family. She dances, drinks with the customers and lets them touch her body if they want. A 16-year-old girl leaves home after a year of her marriage. She works as a helper in a restaurant. She finds out that her friends work in a lodge. She joins them. Another girl in Pokhara goes to a bar with a 'dai' where she has sex under intoxication. She starts to work as a sex worker thereafter.

While we were not able to probe in detail on extreme human rights violation of torture, physical violence or slavery like conditions, we definitely noted restrictions of movement – 'locked room', denial of educational opportunities and breach of trust by adults of importance in their lives. Though the law prohibits sexual relations with a minor as a punishable offence, the participants of our research have engaged in sexual activities at a very young age. Some of them have reported sleeping with up to 10-15 customers a day. Though child marriage is prohibited, some were married when they were minors. Responsible adults in their lives have been the source of emotional and physical difficulty. A school going girl also has to take care of her younger brother and run a child-headed household. Her opportunity for education and growth is interrupted by her need to engage in sex work for money to cover some basic needs.

The findings this research show that CSEC occurs not only in situations where children's rights have been violated but also that CSEC in itself is a violation of human/child rights. The children we have met have faced gross violations of their basic human rights to protection and development. The findings of this research underline the need to understand and approach CSEC from a human/child rights perspective.

Chapter 9

Main Stakeholders for Action

In this final chapter of the report, we have listed some of the main stakeholders for action against CSEC. We have also largely based this chapter on issues discussed in the consultation meeting with key stakeholders and have drawn from the various interviews and FGDs.

Law Enforcement Agencies

CSEC is a criminal act. However, this status also increases the vulnerability of children. Usually, children in CSEC are negatively affected by this criminal status of CSEC: their age is often below the age of employment and sexual consent, the conditions of work are often illegal, the hotels/lodges/restaurants where they work are often illegally set up establishments. This reality increases the vulnerability of children who are forced to either work under cover or lie about most of the realities of their lives. This situation demands law enforcement agencies to be more sensitive to this issue.

Policy Makers

We also noted a gap in laws related to CSEC especially with regard to sexual abuse of boys, online exploitation of children and protection of street children. Legal provisions related to child sexual abuse are mainly focused on the girl child. For instance the Country Code, Chapter of Rape, has protection provisions for a girl child below 16 years. However, there is lack of laws for protection of boys from any forms of sexual abuse. Similarly, there is a lack of legal measures to protect groups of children who live in highly vulnerable situations such as children in the street.

There is no provision that includes criminalizing the activities of sex tour operators, hotels and travel agents involved in procuring children for sex tourists. The Tourism Act 1978 needs to include these as a basis on which the license of the travel agency can be cancelled or suspended if found guilty of such offenses.

There is a lack of specific legal provisions that define and prohibit child prostitution or punish the act of procuring and providing a child for prostitution. The law only prohibits prostitution or the act of procuring a woman for prostitution.

Child pornography is not specifically addressed in any laws including the Electronic Transaction Act 2008. Although the Children's Act though tries to incorporate the issue of child pornography, it fails to provide a comprehensive definition and punishment for the offenders. Online sexual exploitation and online grooming is not incorporated in any laws of Nepal.

NGOs and grassroots organisations

NGOs and grassroots organisations could play a very important role in the prevention of CSEC. Many participants in the consultation highlighted that punitive approach to CSEC including border patrolling and raids is not enough to address this issue. An awareness and preventive approach at the grassroots level is equally important. Programmes like Helplines could play a very important role in the investigation of cases, identification of victims, linking victims up with necessary support services and taking perpetrators to court for legal action.

International Organisations

The role of International Non-Governmental organisations in strategically addressing the issue is very critical. INGOs are better placed to bring international insights on the table. However careful emphasis needs to be placed on contextualising the issue based on local realities. They could play a very important role in bringing out critical insights on the issue and in facilitating cross-cultural learning.

Child Welfare Board

The Child Welfare Board plays a very important role in designing strategic policy interventions. There is a need for basic standards and guidelines for international and local volunteers working with children. The Board can specifically influence policy formulation to address the issues of child sex tourism and online sexual exploitation.

The Board also has a crucial role in extending help to rescue children at risk as well as to monitor activities of organisations working for children's welfare. The Board and its member organisations could actively work to expedite the process of rescuing children and taking action for their appropriate rehabilitation.

Private Sector Associations

Private sector associations such as the Transportation Trade Union, Travel Association of Nepal, Hotel Association of Nepal etc. also are important partners in this issue. The associations need to emphasise on the strict implementation of the code of conduct for child protection. These bodies could display messages on combating CSEC in their websites. They could develop stronger child protection mechanisms and grievance mechanisms within their member networks.

International Airport Authorities

The immigration unit and international airport could also play an important role in dealing with child sex tourism. They could actively participate in raising awareness about laws against child sex tourism in Nepal.

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Appendix I
Interview Guidelines

Topic focus	Core questions	Prompts
Family	Tell me about yourself	Age Sex Surname Ethnicity Where do you live? Where do you live now?
Leaving Home	How/When did you come to this place?	When did you come? Was it for the first time? Who did you come with? What were your plans? Why did you come to this place? How did you come? Where did you get the money?
Daily Routine	What do you usually spend your time?	Would you tell me how do you spend a typical day? What do you do in your free time? What do you like doing the most? When do you usually do it?
Earning money	How do you earn your money?	Where do you get money to spend? What do you do when you have money? How do you spend it? Do you work? How do you earn your money? How much do you get? What do you do to get more money? Do you share it with anyone? Where do you keep your money?
Work	How did you start work?	How did you first start this work? How did you know about it? Who told you?
Social life	Who do you spend your time with?	What do you do in your free time with? Who do you usually hang out with? Friends, boyfriends? Where do you meet your friends? Tell me about your friends? How are they? Do you have friends older than you?
Life experience	Tell me something about the people you work/live with?	Who do you usually deal with at work? Nepali, Indians, Foreigners. How do you usually make friends with them? What are they like? Are they nice? How do they treat you? Do they click photos or try to take videos? Or do they try to show photos/videos? Have you watched any movies with them? Do they ask you to be with them even when you don't like it? Can you tell me about an interesting incident or an

		<p>unhappy incident with them?</p> <p>Do you get any kind of gift or money from them?</p> <p>What do other tell you about these friends?</p> <p>Would you like to be friends with foreigners if they approach you?</p>
Support system	Who do you go to when you have problems?	<p>What are the different problems that you have faced?</p> <p>Who do you go to when you have problems – NGOs, friends, relatives</p> <p>Financial problems, health problems, fights, about sex</p> <p>Would you like anyone to help you? What would you like them to do?</p>
Family	Are you in touch with your family?	<p>Are you in touch with your family? Who are you close with in your family? How often do you meet/talk to them?</p> <p>Do you send them money?</p> <p>Do your family members about your work?</p>
Future Plans	What would you like to in future?	<p>Do you plan to continue this for a long time?</p> <p>What else would you like to do, if you had a chance?</p>

Debrief

- We have been talking for a while now; do you want to ask me anything?
- What is your plan for rest of the day?
- Thank you very much for spending time with us. If you would like talk more or ask any question, you can always contact CWIN or call 1098.
- If you want to ask any question about this research, you can contact me in CWIN.
- If you want to talk about child sexual exploitation or CSEC, you can always call 1098 for free.

(End with some informal conversation)

Appendix II

Focus Group Discussion Pointers

Start with some icebreaking games.

Dos and Don'ts

- Inform the participants about the objective of the research, confidentiality and the use of pseudonyms.
- Always start with light icebreaking session. This could include games.
- Ask 'what' and 'how' questions in the beginning.
- Keep 'why' questions for later, if needed.
- Do not probe into personal questions in FGD.
- If any participant starts sharing personal stories, stop the participant. Conduct individual interview with him/her later if needed.

Cue Questions

1. Introduction

- Tell me something about yourself. Do you all know each other?
- Where do you live? Who do you stay with? Do you all live in the same locality
- You stay with this NGO/ study in this school, how do you like it here? Tell me something about fun things you do here.

2. Everyday routine

- What do you spend your day? What do you like doing? What do you not like doing?
- What do you do in your free time? What are some of the fun things that you do? Can you share some of it?
- Have there been some not-so-fun experiences?

3. Friends

- Tell me about your friends. Who do you usually spend time with?
- Where do you like hanging out with friends?

4. Money

- What do you like to do when you have money?
- Where do you usually get your money? Does anyone give you money? Do you work? What do you usually do?
- Do you like watching movies? What kind of films? Who do you go with?
- What do you do when you do not have any money?
- What are other things you do to with friends?
- Do you or your friends have friends older than you? Tell me about them

If children talk about sexual experience do not probe personal information any further. Once the FGD is over, make arrangements to talk to them personally. Probe more information on – exact occupation/ type of work they are engaged in, usual sexual partners, usual places, kind of sexual activities, kind of benefit or reward, reasons for engaging in sexual activities, who decides and how? What do they think about the people involved? What are their future plans?

5. Support System:

- Who do you go to when you have problems – financial, health problems, fights with friends, about sex.

Debrief

- We have been talking for a while now; do you want to ask me anything?
- What is your plan for rest of the day?
- Thank you very much for spending time with us. If you would like talk more or ask any question, you can always contact CWIN or call 1098.
- If you want to ask any question about this research, you can contact me in CWIN.
- If you want to talk about child sexual exploitation or CSEC, you can always call 1098 for free.

(End with some informal conversation)

Appendix III

Script Outline for Youth Theatre

The following 5 short vignettes were shown to facilitate group discussion

Scene 1: A school going teenage girl wants to talk to her mother about money. But the mother is busy in household and managing an alcoholic father (actors pause on the stage).

Scene 2: In school, a teacher approaches the girl and tells her that he could give her free tuition if she is 'nice' to him (actors pause on the stage).

Scene 3: A friend approaches the girl and tells them about boys who can give her money. And shows her some 'pictures' that could get her money (actors pause on the stage).

Scene 4: A tourist asks a boy to get her a nice girl. He then approaches a girl in the street and tells her that he can get her a job with good money (actors pause on the stage). He sends the girl to the tourist.

Scene 5: The girl in the school is taken somewhere by the teacher (actors pause on the stage). All the actors are on the stage. One of the actor asks question to the audience and opens up an interactive session. Due to logistical constraints, the play was staged only in Kathmandu.

Appendix IV

List of Organisations for Key Stakeholder Interview

- AAWAJ Nepal
- Advocacy Forum
- Alliance against Trafficking in Women & Children in Nepal (AATWIN)
- Biswas Nepal
- Center for Awareness Promotion Nepal (CAP-Nepal)
- Change Nepal
- Child and Women Empowerment Society *Nepal* (CWES)
- Child Protection Centers and Services (CPCS)
- Children-Women In Social Service and Human Rights (CWISH)
- Community Action Centre Nepal (CAC Nepal)
- Community Support Group
- Girls not Brides
- Goreto Nepal
- KI Nepal
- Maiti Nepal
- *Nepal* STD & AIDS Research Center (NSARC)
- Online Crime Investigation Department, HanumanDhoka
- Pokhara Metropolitan Office
- Saathi
- Shakti Samuha
- WAFS Nepal
- Women and Children Cell – Nepalgunj and Pokhara

Appendix V
Interview Guideline for Organisations working on CSEC Issues

Name of the organisation/Sanstha ko naam

Location/City:

When was it established? _____

What is the aim of the organisation? _____

Position in the organisation

When did you start working here?

What is the target group of your organisations? Do you work with children?

Does your organisation work on CSEC?

What do you understand by CSEC?

What are the various CSEC issues that your organisation is dealing with?

Can you share some of the successful or memorable cases or enjoyable cases?
Which one was the most difficult case?

What has been the most helpful programmes/interventions? And least helpful interventions, what are the programmes that need changes?