

## Nepali Female Migration and Trafficking

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**ABSTRACT** Trafficking, the selling of women and children for monetary profit, most often leading to bonded prostitution has been the burning issue in South East Asia. It is very difficult to explain with reliable data that trafficking of women and children takes place along the path of undocumented migration. This paper is devoted to highlight on the documented and undocumented Nepali female migration to West Bengal. It is revealed that though documented female Nepali migration shows a declining trend undocumented migration for sex work is gradually increasing. Poverty, historical oppression, organised net work, profit accrued to traffickers, demand for fair skinned, delicate featured girls and open border between India and Nepal contributed to trafficking and illegal female Nepali migration to West Bengal. Anti-trafficking programmes at the macro level should be linked with intensive anti-poverty programmes at the local/national level. The elimination of trafficking and illegal migration along the path of open border require a strong social movement and a fight against exploitation, injustice and crime created in the under world net work and drive against misuse of Indo-Nepal open border which has been passport to hell.

### INTRODUCTION

Trafficking, the selling of women and children for monetary profit, most often leading to bonded prostitution has been the burning issue in South East Asia. It is very difficult to explain with reliable data that trafficking of women and children takes place along the path of undocumented migration. Exact numbers of women and children of Nepal who are trafficked to India are not known. Reports indicate that Nepalese girls and women have been found in brothels in Mumbai, India ; Bangkok, Thailand; Singapore; Hongkong and the middle East (Women and Autonomy, 1994)

Trafficking in women is connected on one hand to illegal immigration, and on the other to the general supply of commercial sexual services. The basic problem in researching trafficking in women or even prostitution is the shortage of systematic sources.

Trafficking means actions leading to recruitment or transportation of a woman, within or across national borders, for work or services, by means of violence or threat of violence, debt bondage, deception or other coercion. Women may be trafficked for a no of reasons in addition to forced prostitution, exploitative domestic services, indentured slavery etc. This leaves illegal migrant women everywhere vulnerable to material, physical, psychological and sexual exploitation. The root cause of illegal migration

and trafficking in women is ever increasing poverty. Poverty, unemployment and labor policies in the Asia Pacific region that encourage exporting female labor can lead to trafficking in women and subsequent exploitation and human rights violations of these women. Factors that fuel the trafficking and prostitution of Nepalese women and children include an open border, economic destitution, and sex discrimination.

In this paper we would like to highlight on the documented and undocumented Nepali female migration to West Bengal. In the section 1 volume, sex ratio, spatial distribution by district for Nepali female migrants in West Bengal will be described. And in the section 2 trafficking and illegal migration will be taken into account. This paper reveals that though documented Female Nepali migration shows a declining trend undocumented migration for sex work is gradually increasing.

### SECTION 1

#### 1.01 Volume

Table 1 represents volume of documented female Nepali migrants for the census years 1951, 1961, 1971, 1981 and 1991, respectively. The documented migration information shows gradual declining trend with rural bias.

The migrants are mainly engaged in tea

**Table 1: Volume of female Nepali migration to West Bengal by place of birth 1951 - 1991**

Year	Rural	Urban	Total
1951	Not Available	Not Available	27432
1961	31647	9042	40689
1971	32630	6275	38905
1981	17734	6235	23969
1991	13390	5988	19378

Sources: Census Reports 1951,1961, 1971, 1981, 1991.

gardens, primary sector as agricultural labourer. Though census records show declining trend, recent literature highlights increasing illegal female migration along the path of open border and trafficking (The Weekly Telegraph, 2001). They may not be reported in the census.

“In recent years hundreds of thousands of women and girls have been trafficked across the Indo-Nepal borders. Every year about 5000-7000 Nepali girls are sold to Indian brothels and more than 200000 Nepali girls are currently involved in Indian sex trade” (Padam, 2002).

### 1.02 Spatial Distribution of Migrants Across Districts

Female Nepali migrants in West Bengal tends to cluster in some specific districts of West Bengal. The spatial variation and concentration

of these migrants are shown in Table 2 Census data for 1981-91 reveal that Nepalese in West Bengal are settled mainly in Darjeeling, Jalpaiguri, Calcutta and urban areas of 24 Parganas. Darjeeling experiences the presence of largest number of Nepali Women both in rural and urban areas compared to other districts of West Bengal. Most of the migrants settled in the adjacent districts Darjeeling, Jalpaiguri and mostly in rural areas. Volume of Nepali migration to other districts is insignificant. The existence of large volume of female Nepalese, mainly in Darjeeling and Jalpaiguri districts, may be explained in the following way:

Cost of migration is less compared to migration to other remote areas. The distance represents psychological, financial and non-financial costs for the Nepali migrants. Therefore it is very economical for Nepalese to migrate to Darjeeling and also to Jalpaiguri.

Potential migrants base their decision to migrate on information of neighbouring places. Nepali women get easy information regarding the existence of large tea gardens in Darjeeling where they can derive their livelihood easily. They rely heavily on their relatives and friends living in Darjeeling for information about probable employment or other opportunities. This very

**Table 2: Distribution of Nepali female migrants across the districts of West Bengal by residence: 1981 and 1991 (place of birth: Nepal)**

Places of enumeration (WB/Districts)	Nepali female migrant					
	Total		Rural		Urban	
	1981	1991	1981	1991	1981	1991
West Bengal	100.00 23969	100.00 (19378)	100.00 (17734)	100.00 (13390)	100.00 (6235)	100.00 (5988)
Cooch Bihar	0.38	0.82	0.25	0.75	0.74	1.00
Jalpaiguri	35.75	27.97	45.86	34.88	7.01	12.52
Darjiling	43.66	48.50	48.60	57.88	29.59	27.52
West Dinajpur	1.56	2.12	1.50	2.38	1.74	1.50
Malda	0.55	0.98	0.60	1.27	0.42	0.33
Murshidabad	0.14	0.31	0.06	0.07	0.39	0.84
Nadia	0.51	0.46	0.22	0.31	1.31	0.84
24-Parganas (North)	3.87	3.72	0.57	0.15	13.25	11.69
24-Parganas (South)	-	0.93	-	0.15	-	2.67
Calcutta	5.14	5.47	-	-	19.79	17.71
Haora	2.24	1.75	-	0.07	8.60	5.52
Hugli	0.90	0.88	0.36	0.15	2.44	2.50
Medinipur	1.45	1.14	0.86	0.90	3.14	1.67
Bankura	0.16	0.26	0.08	0.07	0.38	0.67
Purulia	0.23	0.26	0.04	0.15	0.78	0.50
Barddhaman	3.29	4.28	0.92	0.75	10.01	12.19
Birbhum	0.17	0.15	0.08	0.07	0.41	0.33

Sources: Various Census Reports, 1981-91.

fact attracts female Nepalese to Darjeeling. Conversely it is also true that they are unlikely to move to places that they know very little. Because of these reasons, we find very negligible proportion of Nepalese in other districts of West Bengal except Calcutta.

In spite of being remote area from Nepal, Calcutta urban absorbs about 20% and 18% female Nepalese in 1981 and 1991, respectively. The main reasons are:

- Calcutta is the administrative, commercial and cultural center of the region. Economic opportunity in terms of job opportunity had worked as pull factor for Nepali migration. Expert opinion suggest that a greater number of Nepali women are employed in the sectors including construction, transport, domestic service etc.
- Besides, improvement in communication facilities with Calcutta, the cost of migration has been reduced and the deterrent effect of distance has also become weak. These factors attract Nepalese to migrate to Calcutta.
- The mass media may also be responsible for large Nepali migration to Calcutta.
- The existence of large informal sector in Calcutta provides job opportunities for less educated female Nepalese to work in hotel, restaurants.
- The most distressing fact is that, Nepali women are working in the sex industry of Calcutta. They are found in the red-light area

of Calcutta. About 12000 sex workers are living in Sonagachhi (A red light area in Calcutta) (The weekly Telegraph, 2001).

“Many young Nepali women and girls are sent into sex work by their families because they earn relatively high wages that can be remitted back home to support families in impoverished villages” (Padam, 2002).

### 1.03 Sex Ratio of Migrants

Sex ratio as defined by number of females per 1,000 males may indicate the extent of sex selectivity in the migration process. In general more males than females had migrated to West Bengal from Nepal. However, the proportions of female migrants have increased over the years. Thus, 709 and 867 female migrants per thousand male migrants moved to West Bengal as per, 1981 and 1991 census respectively (Table 3 ). Rural-urban break up of sex ratio reveals that about 1039 and 631 females per thousand male Nepalese moved to rural and urban West Bengal respectively, as per 1991 census. An examination of sex ratio of Nepali migrants by districts reveals the settlement pattern of males and females. While males, though in small proportions, had migrated to different districts, the distribution of females is very low indeed in such areas. As mentioned earlier, females have distinct rural bias.

Though globalisation coupled with displace-

**Table 3: Sex ratio of Nepali migrants in West Bengal: 1981 and 1991 (Place of birth: Nepal)**

State/District	1981			1991		
	Total	Rural	Urban	Total	Rural	Urban
West Bengal	709	862	472	867	1039	631
Cooch Bihar	782	818	766	1192	1000	1500
Jalpaiguri	876	877	863	1026	1017	1090
Darjiling	871	925	685	1144	1409	1023
West Dinajpur	1182	1209	1135	1205	1523	692
Malda	*	*	*	*	*	250
Murshidabad	618	400	800	600	250	833
Nadia	402	428	383	250	222	277
24-Parganas (North)	337	348	336	510	143	551
24-Parganas (South)	-	-	-	-	111	457
Calcutta	343	-	343	358	-	358
Haora	500	-	515	723	500	733
Hugli	372	528	338	377	133	500
Medinipur	455	390	525	611	480	909
Bankura	256	441	203	*	*	*
Purulia	305	88	444	384	500	333
Bardhaman	449	348	485	624	434	663
Birbhum	160	125	193	272	142	500

Source: Various Census Reports 1981,1991, migration volumes

\*Few data. Sex Ratio: (F/M)\*1000

ment and increasing poverty has caused a massive increase and influx in the numbers of women and girls migrating and often trafficked across the borders of Bangladesh and Nepal into India, it is worthwhile to mention that there are also some cultural, historical and societal factors which exacerbates the situation leading to the exploitation of vulnerable women and girls and which therefore cannot be ignored while exploring this issue (Banerjee, 2002).

Among the Nepali migrants in rural areas of West Bengal, the share of females is quite significant in both the Census 1981, 1991. The existence of large volume of Nepali women to rural areas can be attributed to (a) marriage migration, (b) involvement in commercial sex work having its origin mostly from rural areas.

A Nepalese non governmental organization (NGO) service provider says that more than 5,000 Nepalese girls ages 10 to 20, mostly from poor rural families, are trafficked out of the country annually for purposes of prostitution (Constable, 2001). Age old custom and patriarchal structure of society responsible for provoking this profession. In the city of India Nepali girls are found in brothels, hotels, guest houses. Because of being rootless and migrant they are doubly vulnerable.

#### 1.04 Push-Pull Factors

It appears that economic opportunities in terms of job availabilities in primary, secondary and tertiary sectors of West Bengal worked as pull factor for the Nepalese. Such a pull factor has been strengthened by push factor also, which arises due to low level of economic development in Nepal, and has possibly caused Nepali migration to India.

**Push Factors:** Lack of economic opportunities in the hilly area of Nepal, scarce arable land and population pressure forced the people of Nepal down from hill and settle in Darjeeling. Socio-economic condition in Nepal is bad and the Nepal Government is unable to provide education and health for its population. The depth of economic depression in the hill and poverty pushed Nepalese to search for new settlement. However, geographical realities forced Nepal to look towards India for transit purposes. Nepal is predominately an agricultural economy. In recent past the performance of agricultural sector has been very poor for several reasons (UN, ESCAP,

1980) The industrial sector is also not well developed. Besides lack of infrastructural facilities, and a modern technology, its development is constrained by limited internal market. These very basic features of underdevelopment of Nepal's economy worked as centrifugal forces and pushed the Nepalese out of their origin and attracted to places of India which were more adjacent to Nepal and offered much more economic opportunities compared to Nepal. Higher fertility, lower literacy and expectation of life at birth, higher density and greater share of state domestic product in the primary sector in Nepal compared to India pinpoint that unfavourable socio-demographic and econo-demographic condition exist in Nepal and centrifugal forces are operating there, though not as strongly as in the past.

**Pull Factors:** English tea planters preferred settlement of Nepali migrants (Datta, 2003) as plantation workers in the tea gardens of the hill subdivisions of Darjeeling. The Nepali migrants were hard working and could adapt themselves to the working condition and climatic condition of the tea gardens which were situated in high attitude of Darjeeling. Besides because of their very poor academic background, these poverty stricken Nepalese could be employed by the British with low remuneration. Rapid growth of tea industry through out the second half of the 19<sup>th</sup> century led to the recruitment of tea plantation workers who mostly came from Nepal.

Easy crossing of border due to geographical contiguity has acted as a pull factor for Nepalese to settle for West Bengal.

## SECTION 2

### 2.01 Trafficking and Illegal Migration

The accelerated pace of globalization with free trade has left far reaching effect in south Asia and impact has been most on women and children who are most vulnerable. Proportion of women who are involved in global migration flows is increasing rapidly. Little is known about the female migration and factors that distinguish from male migration. Lack of employment opportunities and chronic poverty represents the major factors leading to male and female migration. Specific gender related issues become evident when female migrants suffer human abuses because of their dual vulnerability as migrant

as well as woman. Trafficking cannot be separated from globalization and livelihood issue. Illegal migration and trafficking of female have taken place along the path of open border. Traffickers also find protection from corrupt border patrol officials and politicians, thereby escaping any potential prosecution. (Human Rights Watch/Asia, June 1995).

It is extremely difficult to estimate the number of Nepalese women and children who have been trafficked. The difficulties arise partly because of a lack of reliable research in this area, and because of the difficulties described above of defining what trafficking is and at what stage along the migration path it occurs.

Some figures refer only to women and girls trafficked into the sex industry. These include estimates that between 100,000 to 200,000 Nepali women are working in the Indian Sex industry, and that between 5000 and 8000 young women are trafficked for prostitution into India each year (Xinhua News Agency, 2001). Many figures are prone to exaggeration. For example, one report notes that the "majority of the 40,000 prostitutes in Sonagachi (a red light area in Calcutta) are Nepali" (Women and Autonomy Center, 1994). Based on more reliable research, it is now known that there are in fact only a total of 12,000 sex workers living in Sonagachi and that the vast majority are Bengali. This is not to deny that Nepalese women and girls are to be found in many Indian red light areas. However, experts suggest that it is probably the case that a greater number of migrant Nepali women are employed in other sectors – including the industrial, construction, transport, hotel, restaurant and domestic service sectors – both in Nepal and abroad, rather than in commercial sex work (The Weekly Telegraph, 2001).

Female trafficking and migration which works through social network in Nepal and India is a very complex and multicausal phenomenon. Trafficking involves deep rooted process of gender discrimination, lack of female education, ignorance of rural folk, poverty and lack of economic opportunities. Woman's lack of empowerment or lack of information about what may happen if they migrate – these factors can be assumed to increase vulnerability to trafficking. Hence economics of illegal female migration can be linked with economics of trafficking.

The important factors that create an environ-

ment conducive to trafficking in Nepal are the open border between India and Nepal, inadequate political commitment to address trafficking and failure of police and judiciary to enforce existing laws. Nepali, Bangladeshi and Pakistani women are trafficked to India and through India they are trafficked to Saudi Arabia, Europe etc. So, India is both receiving and transit country. Trafficking is cross border issue leading to undocumented migration.

**Table 4: Nepali women and children victims who are working in different parts of India.**

<i>Cities</i>	<i>Nos.</i>
Bombay	45,000
Calcutta	36,000
Gorakhpur	04,000
Pune	03,000
Patna	04,000
Lucknow	02,500
Madras	03,500
Surat	01,500
Others	26,000

*Source:* Informal Estimation, CWIN Nepal, 2002.

Some social traditions have indirectly promoted trafficking and prostitution in Nepal. An example is the deukis system, in which wealthy families buy young girls to offer to temple idols. Forbidden to marry, the girls are often forced into prostitution. In 1992, an estimated 17,000 girls were sold into the deukis system (Coomaraswamy, 1997)

Existence of Kamayani system which is nothing but ritualised form of prostitution is responsible for provoking Nepali female for sex work. Some tribes specially Tamangs provided concubines to Nepalese monarchy. After the end of monarchy in 1950s they were compelled to search alternative source of income. Traffickers used them for their own profit and gradually Nepali girls from other communities were trafficked to India. Hence poverty, historical oppression, organised net work, profit accrued to traffickers, demand for fair skinned, delicate featured girls and open border between India and Nepal contributed to trafficking and illegal migration.

## **2.02 Highlights about Trafficking of Nepali Women and Children in India and open Indo-Nepal border**

(Information based on Pradhan G. *CWIN Nepal*, 2002)

a. *Trafficking and Child Prostitution:* About

- 32,000 in India and about 5,000 children below 16 years within Nepal.
- b. *Children in Debt Bondage*: Most of domestic child workers, carpet workers, restaurant boys are children in debt bondage besides agricultural bonded labour.
  - c. *Migrant Working Children*: Every year thousands of children are migrated from villages to the different cities of Nepal and India. Many of them are working as ragpickers, domestic child workers and carpet workers etc.
  - d. *Magnitude of the Problem*: It is estimated that about 200,000 Nepali women and children who are trafficked and sold into India, over the period of years, are working as forced prostitutes in brothels in different parts of India. It is estimated that there are at least 20% of the children under 16 years who are trafficked and sold into the brothels are as young as 10 years old.
  - e. Most of the women and children who are trafficked into India have come from mountain areas of Nepal and they are cheated and deceived by traffickers using different tricks, fake attractions and fraud marriage. Many research and case studies have revealed that carpet industries in Nepal are used as safest transit place for trafficking by the traffickers.
  - f. There are about 500 miles of open border between Nepal and India, in which there are 30 entry / exit points. Majority of women and girls who are trafficked belong to so called low caste community, poverty stricken family having poor level of social consciousness. The imagination of good job, success, glamour, dreamland make them vulnerable to trafficking.

Indo-Nepal open border under the treaty of 1950, as a mark of friendship between two countries has proved to be the passport to hell. Trafficking of women and children through Indo-Nepal border resulted in commercial sexual exploitation, child labour, bonded child labour. Provision for open border has been misused by both the countries. It happens that illegal migrants from Bangladesh and Nepal enter India through open border. Though census reports shows decline in recorded migration over the years *but it can not be denied that illegal migration and trafficking in women and children is increasing through open border.*

Enforcement of human trafficking (control)

Act 1986 seems to be very poor. Though this is very alarming problem in Indo-Nepal border, both the Govt. of India and Nepal are not so serious to control and prevent the increasing trafficking.

### 2.03 Policies for Anti-Trafficking and Protection of Human Rights

All of the three South Asian countries have signed/ratified international and regional conventions and treaties on trafficking, migration and related policy instruments. e.g

The 1948 Universal Declaration of Human Rights; the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; the 1966 International Covenants on Human rights; the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979; the 1990 UN International Convention on the Protection of Rights of all Migrant Workers and their Families; the 1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights, the 1994 Cairo Declaration and Programme of Action of the World Conference on Population and Development; the 1995 Copenhagen Declaration and Platform for Action of the Fourth World Conference on Women; the (draft) Programme of Action of the UN Commission on Human Rights on the Traffic in Persons and the Exploitation of Prostitution of others. All the three South Asian countries also have their domestic laws to curb trafficking. But, in general, these laws do not protect the interest of the victims.

In Nepal, a framework exists to prevent and suppress prostitution of children and trafficking of women and children. As recently as January 2002, a Bill has been forwarded to amend the existing Child Protection Act to deal with all forms of sexual abuse and trafficking. A National Task Force coordinated by the Ministry of Women and Social Welfare is responsible for implementing a National Plan of Action against trafficking in women and children. Nepal also has the Child Welfare Boards at district levels. However, inconsistencies remain. Human and financial resources of these bodies are limited. Moreover, the open border between Nepal and India by which Indians and Nepalis can move freely between these two countries without necessary travel documents have further exaggerated the problem.

The governments in the SAARC countries must have the political will needed to implement

global, regional and national policies dealing with migration and trafficking. Since negative impact of globalisation can not be avoided it is imperative that these countries should take measures to reduce the vulnerability of women migrant workers.

There is a direct link between trafficking in persons, particularly women and children, with the ongoing insecurity of food and livelihood crises. Hence anti-trafficking programmes at the macro level should be linked with intensive anti-poverty programmes at the local/national level.

Since feminisation of either documented or undocumented migration is gradually increasing, and it has a link with female trafficking for sexual exploitation, it is of urgent need to put to an end to gender discrimination, low status, lack of access and control of women over economic resources.

Public awareness and social mobilisation through citizen/social action groups are necessary in effecting change.

The media can play effective role in highlighting and stopping this evil. In this age of electronic media, there can be no better way to take the message across to the public and come out with effective policy orientation and solutions to combat this evil.

The exploitation of women will diminish in a civil society only under active intervention of government by poverty reduction and targeting to change deep rooted patriarchal societal mores.

The elimination of trafficking and illegal migration along the path of open border require a strong social movement and a fight against exploitation, injustice and crime created in the under world net work and drive against misuse of Indo-Nepal open border which has been passport to hell.

A common approach to controlling trafficking in Nepal is to limit women's migration. While specific anti-trafficking legislation does not mention migration, Nepal's Foreign Employment Act limits the international migration of women. Trafficking-prevention messages disseminated by nongovernmental organizations take a similarly negative position on migration

Anti Trafficking programme

- Awareness raising, advice giving, and social mobilization.
- Improvement of livelihood opportunities through income generation/vocational training.

Interception of potential trafficking victims

at the Indo-Nepal border.

There are no solid data on the magnitude of trafficking in Nepal, the determinants and processes of trafficking

Similarly, interventions such as interception strategies are seldom systematically assessed and, thus, their rate of success is not known. There have been reports, however, of women and girls being prevented from crossing the border despite their vehement protestations that they are traveling of their own free will.

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