



HUMAN TRAFFICKING NEXUS

From Nepal to Africa



BEFORE WE START...

**Why do you think we
have this agenda in this
meeting?**



AND THE ANSWER IS.....

**Obvious.... Because
this problem is
rapidly increasing.**

INTRODUCTION



Definition

The *Trafficking Protocol* defines human trafficking as..... the recruitment, transportation, transfer, harboring or receipt of persons, by means of 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.

INTRODUCTION....CONTINUED



Types of human trafficking

- **Impressment**
- **Peonage**
- **Penal Labor**
- **Sexual Slavery**
- **Wage Slavery**

Etc....

INTRODUCTION....CONTINUED



Types of human trafficking

➤ **Impressment**

- * Taking men into navy forcibly/without notice.
- * Practiced during 18th & 19th century by Edward I of England.

➤ **Peonage**

- * Involuntary servitude of laborers having little control over their employment conditions.
- * Practiced during colonial period by American & Spanish.

➤ **Penal Labor**

- * Imprisonment with hard labor
- * Practiced during 18th Century in British Empire, France, China, North Korea, Japan, US, Netherland, and Soviet union.

➤ **Sexual Slavery**

- * Slavery for the propose of sexual exploitation
- * Still in practice in countries like Ghana, Togo, Benin etc

➤ **Wage Slavery**

- * Quasi-voluntary slavery
- * Practiced in ancient Rome, medieval Russia.

FACTS & FIGURES



Human Trafficking Worldwide

- 27 million - Number of people in modern-day slavery across the world.
- 12.3 million - Number of adults and children in forced labor around the world
 - 9.8 million – Number of these that are exploited by private agents for labor or commercial sex purposes
 - 2.5 million – Number of these that are forced to work by the State or rebel military groups
- 49,105 - Number of human trafficking victims around the world who have been identified
 - 4,166 - Number of successful trafficking prosecutions in 2009
 - 335 - Number of successful prosecutions related to forced labor
- 1.8 per 1,000 inhabitants - Prevalence of trafficking victims in the world.⁸
- 1:9 - Ratio of sex trafficking victims to labor trafficking victims, globally.⁹
- 800,000 – Number of people trafficked across international borders every year, as of 2007

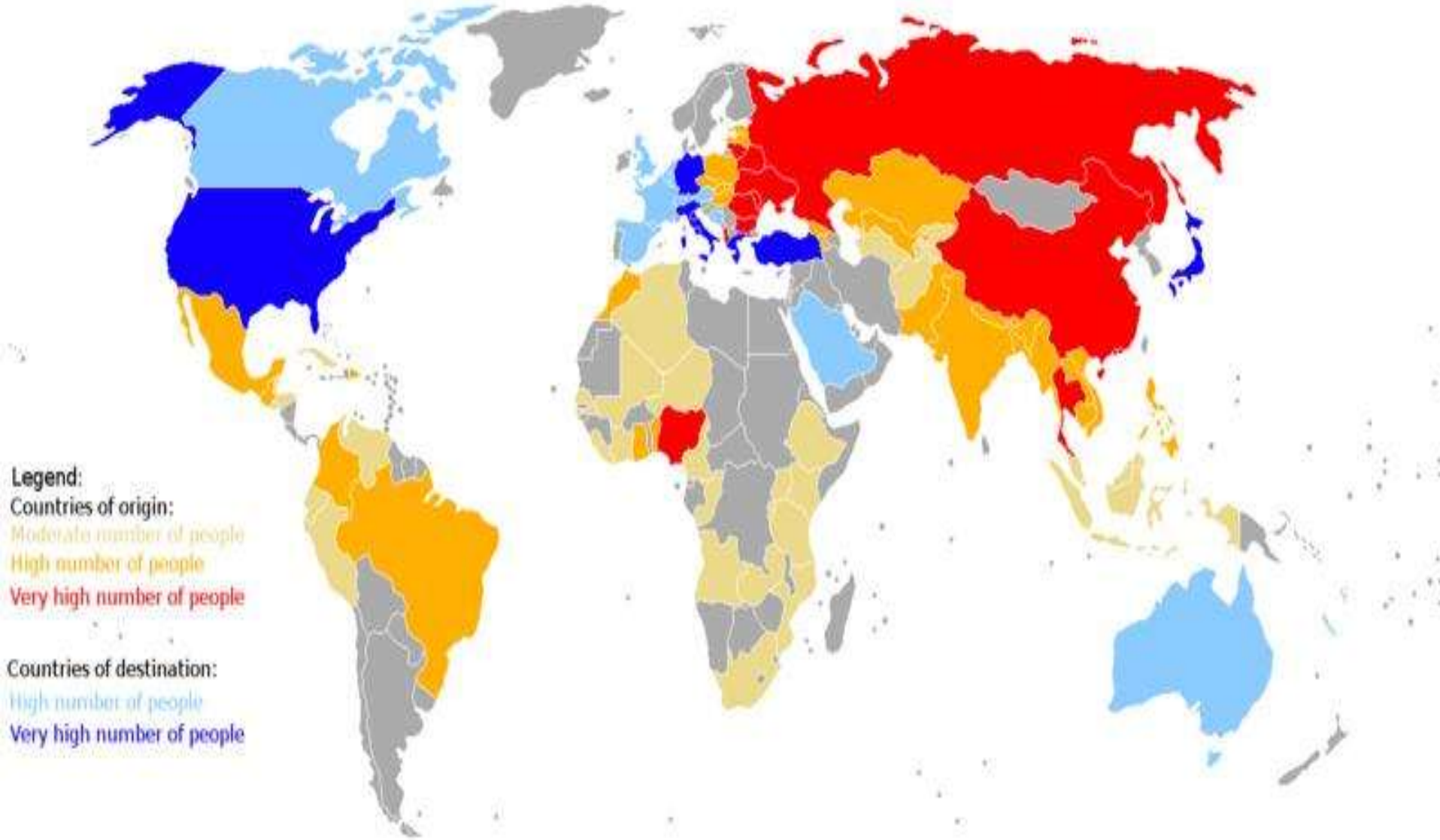
FACTS & FIGURES... CONTINUED



Human Trafficking Worldwide

- 2 million – Number of children exploited by the global commercial sex trade.¹¹
- 1.2 million – Number of children trafficked globally in 2000.¹²
- 80% – Percent of transnational victims who are women and girls.¹³
- 50% – Percent of transnational victims who are minors.¹⁴
- At least 56% - Percent of trafficking victims globally who are women.¹⁵
- 161 – Countries identified as affected by human trafficking:¹⁶
 - 127 countries of origin; 98 transit countries; 137 destination countries.
- 116 - Countries that have enacted legislation to prohibit all forms of [human] trafficking.¹⁷
- 104 - Countries without laws, policies, or regulations to prevent victims' deportations.¹⁸
- 62 - Countries that have yet to convict a trafficker under laws in compliance with the Palermo Protocol.¹⁹
- \$32 billion – Total yearly profits, in U.S. dollars, generated by the human trafficking industry.²⁰
 - \$15.5 billion, half of the total, is made in industrialized countries.
 - \$9.7 billion, one third of the total, is made in Asia.
 - \$13,000 per year, on average, generated by each trafficked laborer. This comes to \$1,100 per month

HUMAN TRAFFICKING MAP



TRAFFICKERS



Who are they?

A network of politicians, officials, the police, customs, overseas recruiters/agents, adoption agencies etc, extending from village to working places to the destination.

According to Dr. Gilly Mckenzie's (UN Organized crime office) report in 2011, they originates from the same place or localities of victims, are both men & women... even victim's relatives.

Why do they do so?

Obvious... for money

How possible despite the act is illegal internationally?

Loop holes in legal provisions, political protection and corruption.



VICTIMS

Who are they?

Men, Women, Children.... Could be anyone irrespective of caste, religion and gender.

How do they get trafficked?

Lack of awareness, education, jobs and frustration.

Why believe in agent despite being aware of many incidents?

Lured by agents for well paying jobs, settlement in developed countries, frustration in the country, misconception and the desperate search of opportunity.

CONSEQUENCES

- **Physical, physiological and sexual abuse.**
- **Deprivation and torture**
- **Forced use of substances, manipulations, economic exploitation and abusive working conditions.**
- **Transfer of STDs like HIV/AIDS**
- **And after rescue – Suicidal**
- **Relentless anxiety, insecurity, fear & physical pain.**
- **Symptoms of physiological trauma**
- **Depression**
- **Hopelessness about future.**

EXAMPLES & NRN'S EFFORTS



Examples

Tanka Prasad, a group of 5, brought by agent promising them to take to Europe, kept more than 3 months in Nairobi & agent disappeared.

- Subash Gurung, a group 3, brought by agent promising them to take to Europe, kept more than 3 months in Nairobi & agent disappeared. They were arrested by police, presented to court, court fined Kes.200k/ 2 yrs in jail.

- Laxman Basnet, a group of 7, brought by agent promising a well paying job in Mombasa, kept in Nairobi/mombasa for more than 3 months. Jobs were given to 2 and not paid. Hotel found out to be illegal and agent abandoned all of them.

- Basudev Timilsina, a group of 6, brought by agent promising jobs in UN security in Sirya/Libya. First brought to Kenya, then taken to Daar es Salaam and were arrested by immigration in Tanzania.

- Bisnu Bhusal, a group of 5, brought by agent promising UN security jobs in Sudan, kept in Nairobi for more than 3 months & abandoned by agent.

- Sapan Bhogati, reported to have given physical torture in Mujura

- 40-50 mujura girls.

EXAMPLES & NRN'S EFFORTS... CONTINUED



NRN's Efforts

- Tanka Prasad case – Rescued to Nepal. Financial, physiological & other supports.
- Subash Gurung case – Bail out and rescued to Nepal. Financial, moral & other supports.
- Laxman Basnet – Rescued to Nepal. Financial & other supports.
- Basudev Timilsina – Bail out and rescued to Nepal. Financial & other supports.
- Bisnu Bhusal – Rescued 4 to Nepal and found job for 1 in Kenya.
- Sapan Bhogati – Inspection, talked with Mujura owner, pressurised the owner to send her back to Nepal ASAP & she was sent to Nepal.
- 40-50 mujura girls – Inspection, investigation and a back up support.
- Reporting of such cases to Nepalese media
- Giving the information for those who seek for from Nepal
- etc

LEGAL PROVISIONS



In Nepal

❖ Interim Constitution of Nepal, 2007

Art 29 – explicitly deals with notion of trafficking which says “No one shall be trafficked in nor shall one be held in slavery or in servitude” and “No one shall be required to perform forced labour”

❖ Human Trafficking and Transportation (Control) Act, 2007

Defines human trafficking and criminalize the act.

❖ Others

- Children Act 1991

- Foreign Employment Act, 1998

LEGAL PROVISIONS...CONTINUED



International

□ Specific Conventions and Protocols:

1) UN Convention against Transnational Organized Crime

1) UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children

3) UN Protocol against the Smuggling of Migrants by Land, Sea, and Air, which entered into force in 2003-2004

4) UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949),

□ General Human Rights Documents:

1) Universal Declaration of Human Rights (1948), (Regarded as the father and mother of all human rights instruments)

2) The International Covenants on Civil and Political Rights (1966),

3) The Convention on the Elimination of all Forms of Discrimination against Women (1979)
Convention against torture

WHY COULDN'T WE STOP IT?



1. **Involvement of politicians & govt. officials**
2. **Corruption**
3. **Lack of legal instruments & enforcement**
4. **Open border between Nepal & India**
5. **Political Instability**
6. **Lack of priority of anti-trafficking activities in Government agendas**
7. **Rumors**
8. **Unemployment & frustration**
9. **Victims being brain washed**



CONCLUSION

- **Human trafficking from Nepal to Africa in increasing trend**
- **Fear of being like in middle east**
- **Lack of legal instrument & enforcement in Nepal**
- **Involvement of huge network of traffickers**
- **Lack of awareness programmes in Nepal**
- **Rescuing is not a solution**
- **Government proper involvement & dedication is inevitable to stop the trafficking**
- **Immediate action should be taken**

RECOMMENDATION



✓ Government should take step

- **Adopt Palermo Protocol on Trafficking**
- **Massive awareness programs**
- **Introduce authorized agent system**
- **A proper regulatory body to regulate manpower agencies (rewards & punishment)**
- **Proper legal instrument & enforcement**
- **Create employment opportunities**
- **Take immediate action against trafficking**
- **Post rescue support programs to victims**
- **Legal action against reported traffickers and protection of plaintiff.**

RECOMMENDATION... CONTINUED



✓ NRNA Information Desk

- The huge and increasing network of NRNA could immensely help to bring down the trafficking significantly. I recommend NRNA to have one NRNA desk in NRNA's head office and if possible in TIA. NRNA could collect the information on the legal provisions for jobs, the social life & the challenges in different countries from respective NCCs. Furthermore, NRNA can mobilise the respective NCCs to verify the companies & vacancy status for those who asked for.



THANK YOU