
COMBATING TRAFFICKING IN PERSONS (CTIP) PROGRAM

ANNUAL REPORT
October 1, 2012- September 30, 2013

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Submitted by



The Asia Foundation

Nandita Baruah
COP- CTIP, Nepal
Tel: + 977 (1) 441-8345; + 977 (1) 444-3316
Fax +977(1) 4415881
nbaruah@asiafound.org

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Table of Contents

1 Executive Summary 1

2 Implementation 4

2.1 Program Description 4

2.1.1 Geographic Focus 5

2.1.2 Performance Indicators 5

2.2 Approach and Methodology 7

2.3 Past Quarter Activities 8

3 Results Achieved 10

3.1 Progress Per the Performance Management Plan 10

3.2 Progress Per Program Objective 13

3.2.1 Protection 13

3.2.2 Prosecution 25

3.2.3 Prevention 38

3.2.4 Coordination Strategy 50

3.2.5 Cross-Cutting Issues & Synergy 58

3.2.6 Windows of Opportunity 59

3.3 Successful Coordination with Other Programs 59

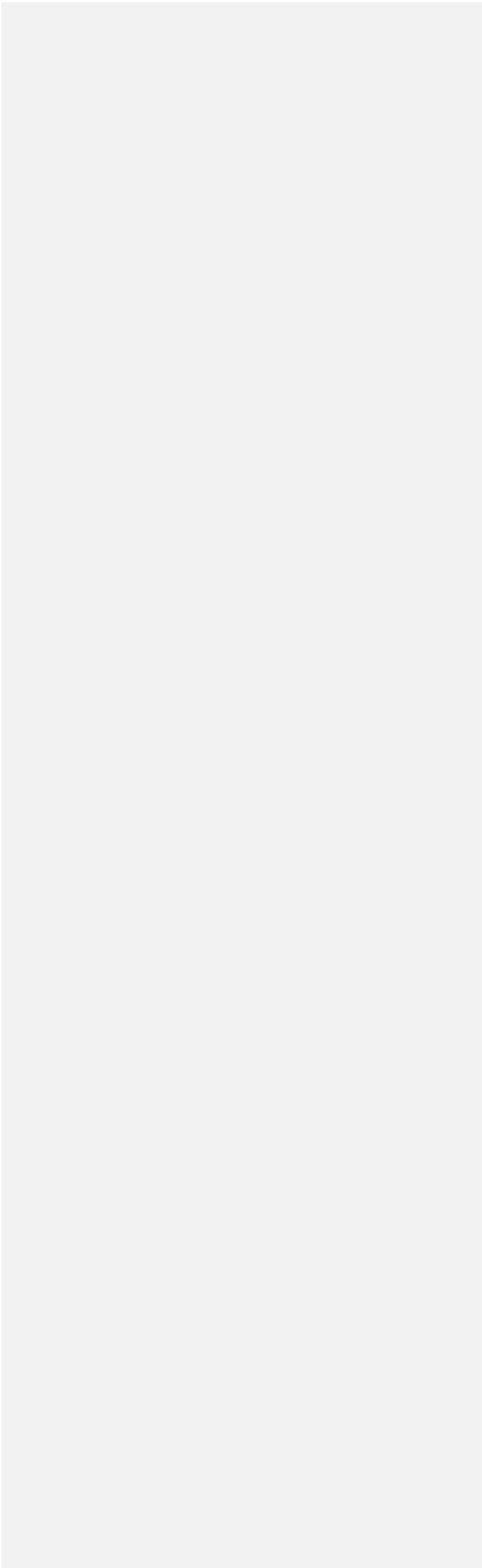
3.4 Success in Promoting USAID Objectives 60

4 Success Stories 60

5 Priority Activities for Next Quarter 62

6 Management Report 63

7 Annex 65



Acronyms

CDO	Chief District Officer
CeLRRd	Center for Legal Research and Resource Development
CSO	Civil society organizations
CTIP	Combating Trafficking in Persons
DCCHT	District Committee for Controlling Human Trafficking
FEPB	Foreign Employment Promotion Board
FEONA	Federation of Nepalese Employment Orientation Agency
FFP	Family Financial Planning
FIR	First Incident Report
FWLD	Forum for Women, Law and Development
GBV	Gender based violence
GMSS	Gramin Mahila Swabhalambhan Sahakari Sansthan
GoN	Government of Nepal
IACG	Inter Agency Coordination Group
IEC	Information, education, and communication
LACC	Legal Aid Consultancy Center
M&E	Monitoring and Evaluation
MoU	Memorandum of Understanding
MoWCSW	Ministry of Women, Children, and Social Welfare
NCCHT	National Committee on Controlling Human Trafficking
NGOs	Non-governmental organizations
NJA	National Judicial Academy
NMS	National Minimum Standards
NNSM	National Network for Safe Migration
NTWG	Nepal Tamang Women Ghedung
OAG	Office of the Attorney General
PMP	Performance Monitoring Plan
PPP	Public-Private Partnership
PPR	Forum for Protection of People's Rights
TIP	Trafficking in persons
TMSG	Technical Mentoring Support Group
TOR	Terms of Reference
ToT	Training of Trainers
TPO	Transcultural Psychosocial Organization
SMN	Safe Migration Networks
SOP	Standard Operating Procedures
USAID	United States Agency for International Development
USG	United States Government
VDC	Village Development Committee
WEI	World Education Inc.

Note: The CTIP program uses the term "survivor" instead of "victim" in-line with the rights-based approach being adopted by The Asia Foundation. The usage of the terminology has been reflected in this quarterly report. The term "victim" has been used in some sections specifically referring to the USAID performance indicators as they are standard indicators termed and defined by USAID.

1 Executive Summary

This report covers activities from October 1, 2012 to September 30, 2013 for the United States Agency for International Development (USAID)-funded Combating Trafficking in Persons (CTIP) program in Nepal (Cooperative Agreement No. AID-367-A-10-00003). The Asia Foundation (TAF) as the primary grantee with World Education Inc. (WEI) as the sub-grantee for the prevention component continued to work with 12 non-governmental organizations (NGO); the Ministry of Women Children and Social Welfare (MoWCSW) and other relevant government line ministries for effective implementation of the project in FY 13.

Enhancing coordination of anti-trafficking efforts through building the capacity of the Ministry of Women, Children and Social Welfare/National Committee on Controlling Human Trafficking: Building on to the efforts of the on-going CTIP program to strengthen the policy frameworks mandated by the Human Trafficking and Transportation (Control) Act 2007 (TIP Act 2007) and the Human Trafficking (Control) Regulation 2008, TAF has been working closely with the Ministry of Women, Children, and Social Welfare (MoWCSW) and the National Committee on Controlling Human Trafficking (NCCHT) to develop and support the Government of Nepal's (GoN) efforts to combat trafficking in persons (TIP) through specific programmatic interventions. During the third year, the CTIP program supported the MoWCSW and the NCCHT to develop and publish a first-ever report on the Government of Nepal's (GoN) efforts to combat human trafficking in Nepal covering the period of April 2012 to March 2013. The report captures different government-led initiatives to counter trafficking, presents the consolidated data on prevention, protection, and prosecution acquired from relevant government agencies and line-ministries.

The CTIP program supported the NCCHT/MoWCSW to hold five regional level workshops in Biratnagar, Hetauda, Pokhara Nepalgunj and Dhangadi covering eastern, central, western, mid-western and far western regions of Nepal. These workshops aimed at disseminating key policy documents developed to combat human trafficking in Nepal which include the National Plan of Action (NPA) against Trafficking in Persons, the National Minimum Standards (NMS) for Victim Care and Protection and the Standard Operating Procedures (SOP) for Rehabilitation Centers. The workshops brought together members of the District Committee on Combating Human Trafficking (DCCHTs) along with representatives from relevant line ministries and non-government stakeholders to explain the operational framework of the policy documents and create awareness to assist in the implementation of the policies. The discussions and deliberations from the workshops will be used to develop the implementation plan of the NPA.

Promoting behavioral aspects of community development: Under the protection component TAF worked with Dr. Achal Bhagat, a leading psychiatrist and a psychotherapist working with survivors of human trafficking and gender-based violence (GBV), to develop and strengthen a person-centered prevention and reintegration process under the CTIP program in Nepal. Dr.

Bhagat along with his colleagues from Saarthak¹ conducted a capacity building training for Transcultural Psychosocial Organization (TPO) and community-level health workers to help them understand and apply the concepts of non-discriminatory access to resources; empathic response; building trust with individuals and community; and responding to group dynamics by understanding power equations within the community. The training also focused on building micro skills related to counseling. TPO in turn trained 152 health professionals and oriented 572 community people covering 10 Village Development Committees (VDCs) on the importance of psychosocial wellbeing for TIP survivors and for those facing other form of gender based violence (GBV). They also provided basic information and skills to the community groups on ways to cope with psychosocial problems, and the role of the community in creating an enabling and protective environment. These efforts will be further scaled up during the fourth year of the CTIP program.

Building capacity of Safe Migration Networks: In the third year, Legal Aid Consultancy Center (LACC) in collaboration with WEI conducted two levels of 18 Training of Trainers (ToTs) for Safe Migration Networks (SMN). The first level of ToTs focused on effective communication and advocacy skills, and proposal writing skills to mobilize local resources while the second level of ToTs focused on the development of various tools and strategies to effectively create awareness and conduct advocacy in the VDC and community levels. LACC and SMN members also rolled-out the first level of ToTs during the VDC level trainings in the three districts. Altogether 785 SMN members from 71 VDCs were trained on conceptual clarity on human trafficking, labor migration and gender along with effective advocacy and communication. Discussions focused on the understanding and addressing vulnerability by looking at issues related to access and control of resources, and the implications of gender, class, caste, and ethnicity. The discussion incorporated gender issues in the context of law and access to justice specially in relation to TIP and GBV. The participants were trained on the importance of advocacy and on planning and using different advocacy strategies, tools, and techniques for effective communication and leadership through practical sessions such as role play and group presentations.

Strengthening legal service provision to survivors of human trafficking: Center for Legal Research and Resource Development (CeLRRd), Forum for Protection of People's Rights (PPR) and Forum for Women, Law and Development (FWLD) continued to provide legal support to survivors of trafficking in persons (TIP) and other forms of gender based violence in the six program districts. While CeLRRd and PPR provided legal counseling and legal aid, FWLD focused on extending legal aid in Appellate Courts and Supreme Court. Legal support was given to 50 survivors of trafficking during this year. As a result of the legal counseling and legal aid provided, the CTIP program facilitates the survivor's access to justice and continues to promote the ability of survivors to exercise their rights to ensure effective protection. In this reporting period, a total of 21 TIP cases have been convicted in the program districts as result of direct support from the CTIP program. Successful convictions, in some instances 'landmark decisions',

¹ Saarthak is a non-profit organization based in India that focuses on the mental health needs of the community. Understanding that mental health is a right and contributes to our quality of life and work, Saarthak aims to create aware and inclusive environments which value all people and treat them with dignity.

on TIP cases have been a consequence of the legal awareness trainings and the legal support provided to the survivors and families of trafficking.

Building capacity of key judicial and law enforcement stakeholders: Starting this year, the CTIP program coordinated with the Office of the Attorney General to conduct three district level trainings in Kavre, Makwanpur and Morang for a total of 81 public prosecutors. The trainings aimed at improving the understanding of the judicial officials on the principles of jurisprudence in relations to prosecution and adjudication of TIP and gender based violence cases. Along with strengthening the implementation of the TIP Act 2007, the trainings placed an emphasis on victim-centric approaches that protect the rights of the victims of TIP through the prosecution process. The training drew on the principals of laid out in the SOP on Prosecution and Adjudication developed under the CTIP program in the first year. The trainings aimed to get the public prosecutors to see how other relevant laws besides the TIP Act can be applied to strengthen prosecution and improve conviction on TIP cases.

CeLRRd held central and district level orientations for a total of 80 Foreign Service and Immigration officers; representatives from the Foreign Employment Tribunal, Department of Foreign Employment, Foreign Employment Promotion Board, various District Administrative Offices (DAOs), labor courts; and VDC Secretaries. The orientations aimed to increase awareness on the different aspects of TIP including the TIP Act 2007, nuanced aspects of TIP and labor migration, and on the rights of the survivors of trafficking as spelled out by national laws and policies in addition to relevant international laws. By bringing representatives from various agencies, the orientations created a space for multi-stakeholder dialogues on the nexus between human trafficking and labor migration, discuss strategies to promote safe labor migration and protection of survivors of trafficking.

Mobilizing local communities to combat TIP: The prevention component implementing partners continued to provide technical and operational support to the Safe Migration Networks (SMNs) to hold monthly meetings, collaborate and engage with other local level stakeholders and community to increase their reach to vulnerable population, create linkages with the prosecution and protection service providers through referrals, and provide direct assistance to the survivors of TIP and GBV at the community level as possible. In order to identify specific needs of the SMNs, World Education Inc. (WEI) completed the assessment of the 250 SMNs formed in the first and second year of program implementation. This assessment specifically looked into identifying key areas of competencies and capacity limitations of the local networks, and will assisted in defining specific strategies to address their current limitations. The assessment based on a set of indicators determined in the study framework, categorizes the SMNs as per their operational skills, knowledge and action in the community. A total of 52 SMNs qualified in the 'strong category', 102 SMN as 'intermediate', and 96 in the 'weak category'. WEI has designed the skills and capacity building trainings for the SMN's based on this assessment.

Reaching school students with career counseling and safe migration education: As part of the prevention component, WEI under the CTIP program has adopted innovative awareness raising interventions in the six program districts of Nepal as a vital preventive strategy. To reach and educate the next generation of potential migrants, the WEI collaborated with the Curriculum Development Centre (CDC) under the Ministry of Education and Sports (MoES) to integrate

information on safe migration and career counseling into the new vocational subject for students in Grades 6 to 12 in all schools across Nepal. The CTIP program has been successful in getting institutional buy-in from the MoES in formalizing the curriculum and rolling-out trainings based on the same. It is expected that the curriculum in the coming year would become a part of the formal school curriculum.

2 Implementation

2.1 Program Description

TIP is a serious and widespread problem in Nepal. Despite a varied range of anti-trafficking initiatives that have been carried out by the GoN, non-governmental organizations (NGOs) and civil society organizations (CSO), increased rates of both transnational and domestic trafficking reported every year indicate that efforts to combat human trafficking remain limited and need to be further escalated.

The Foundation's CTIP Program is thus designed to stimulate a sustainable, comprehensive, and integrated counter-trafficking initiative that will strengthen coordination, collaboration, and technical skills across a diverse group of relevant government and civil society stakeholders. Based on the **'Three P's'** approach comprising of **protection, prosecution and prevention**, along with a strong coordination component, that aims to synergies the efforts of the government and non government stakeholders along all the three components. The Foundation has been working closely with 12 experienced civil society partners in six target districts to combat human trafficking. The Foundation's strategy is to work at the national and local level simultaneously, with an strong emphasis on policy processes and implementation, capacity building, as well as utilizing opportunities to work across the 'Three P's' to leverage gains and optimize impacts.

As the sub-grantee of the CTIP Program, WEI has been responsible for the implementation of the **prevention component** by building capacity of key community and district level stakeholders, conducting community level awareness programs focusing on safe migration, and creating a community level information and support network on TIP and GBV issues. The Foundation, as the primary grantee has taken a lead role in both the **protection and prosecution component**. The protection component supports the institutional care giving facilities (shelter homes/transit centers) run by NGOs and also promotes sytesma nd process which will enable effective community rehabilitation and reintegration. The prosecution component supports direct legal aid services to victims of TIP and supports the development of victim-centered counter-trafficking expertise within law enforcement agencies. In addition, to successfully implement the "Three P's" approach, the Foundation and WEI have also been working together to strengthen the process of coordination and collaboration within and outside the program with government agencies, NGOs and stakeholders working on anti trafficking.

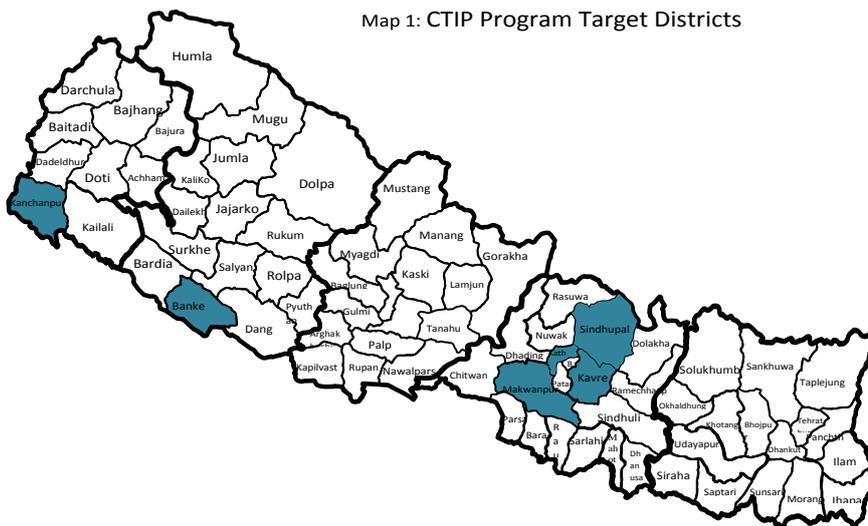
The CTIP program has the following objectives: (a) strengthening policy framework for survivor care, (b) promote the rights of survivors among law enforcement agencies and judicial officials, (c) expanding and improving institutional care and community-based protection services available to survivors, (d) increasing and improving prosecution of traffickers, (e) increasing

community engagement in efforts to prevent trafficking and reintegrate survivors in the six target districts, (f) improving pre-departure labor migration orientation systems and other safe migration strategies, (g) strengthen the capacity of the MoWCSW and the NCCHT to be an effective policy and resource advocate on TIP within the GON and, (h) implement result-driven and rigorously-tested strategies across prevention, protection, and prosecution activities that can be scaled up for nationwide expansion.

2.1.1 Geographic Focus

The CTIP program is being implemented in six districts of Nepal that have been identified by the GON as high risk districts for TIP. The project covers Kavrepalanchowk, Sindhupalchowk and Makwanpur as major source districts for internal, cross-border, and international trafficking survivors, where disadvantaged groups represent the majority of the districts' population. Banke and Kanchanpur are cross-border transit districts, and Kathmandu as a source, destination, and transit district.

Map 1: CTIP Program Target Districts



2.1.2 Performance Indicators

The CTIP program uses the 3-P approach to combat human trafficking: protection, prosecution and prevention. The **protection** component focus on a holistic process in rehabilitation and reintegration of the TIP victims, and with strong focus on policies that will improve Nepal's anti-trafficking in person national guidelines and their implementation. The effective implementation of the recently endorsed document, NPA, NMS and SOP which focuses on victim-care will strengthen the protection and prosecution policy framework. The implementation will promote a

multi sector approach in victim support by engaging multiple stakeholders, such as service providers, shelter homes, counselors, law enforcement officers and the judiciary within the ambit of the NMS and SOP. The immediate results of increased protection for TIP victims and people at risk of trafficking will be indicated through the support provided under the CTIP project to shelter homes, which rehabilitate TIP victims and direct support to the number of TIP victims assisted by the CTIP program. The support to the shelter homes provided under the CTIP program will be reported under two indicators: i) the first one will capture the capacity building support for the shelter homes and the second one will focus on the direct legal and psychosocial services provided to victims within the shelters. Both these indicators are reflective of the Standard Indicator 1.5.3-7 from the USAID master list of TIP and Migrant Smuggling Indicators- number of shelter homes established for TIP victims that are supported by the CTIP program. The second indicator will be reflected in the CTIP Performance Monitoring Plan (PMP) to capture direct services given to victims of trafficking residing in the shelter homes. The CTIP PMP indicator- number of TIP victims assisted by the CTIP program; directly contributes to the Standard Indicator 1.5.3-18 - number of victims of TIP receiving services with United States Government (USG) assistance; from the USAID Master List of TIP and Migrant Smuggling Indicators, Similarly the CTIP PMP indicator; number of anti-TIP policies, laws or international agreements strengthened with USG assistance; directly correlates with the Standard Indicator 1.5.3-16 from the USAID master list of TIP and migrant smuggling indicators. Additionally the PMP has maintained another specific indicator - percentage of victims who receive legal counseling from the program who file cases against their traffickers. This has been added as a PMP indicator to gauge the effectiveness of the legal services provided by the program. Together, these five CTIP PMP indicators reflect the progress of the CTIP program to improve policy framework and procedures to ensure victim care and protection.

The **prosecution** component involves updating curricula addressing policy and operational needs on the new TIP Act; and victim-centered approaches for government, law enforcement and judicial stakeholders involved in TIP prosecution. The performance will be assessed by two CTIP PMP indicators: number of prosecutions/convictions leading from the legal assistance provided to TIP victims under CTIP, and number of host national criminal justice personnel who received USG-funded anti-TIP training under CTIP. The first indicator has been created to address the outcome of the legal services provided under the program, and to make a clear demarcation in reporting the arrests versus prosecution. The indicator on the number of traffickers arrested in the program districts- has been dropped from the USAID master list of TIP and migrant smuggling indicators due to challenges attribution, but the Foundation will continue to track this as a PMP indicator and will be reported based on secondary data collected from the police, and where possible segregated it by project specific interventions leading to arrest.

The **prevention** component attempts to reach a larger section of the vulnerable population as well as build capacity on the existing prevention initiatives and networks. The prevention activities will be tracked using the following three PMP indicators: - number of public awareness campaigns about TIP completed through radio, public service announcements, print media, and information, education, and communication (IEC) materials distributed; number of people trained on safe migration and effective prevention of TIP; and number of people oriented on TIP issues. These three indicators will collectively contribute towards the Standard Indicator 1.5.3-14 in the USAID master list of TIP and Migrant Smuggling Indicator: number of people in targeted

population, including vulnerable populations, law enforcement, health care providers, educators, and others exposed to a USG-funded mass media campaign that provided information about TIP.

The CTIP program also incorporates intensive monitoring and evaluation (M&E) strategies to capture the outcome and impact of the program interventions which are not necessarily reflected through the quantitative reporting of the PMP indicators. As a continuation for the previous year, the Letters of Agreement signed with each of the implementing partners include an extensive operational Terms of Reference (TOR) and M&E TOR. The inclusion of the TOR will ensure a systematic M&E system embedded in the implementing partners' work plan which will expand their roles in capturing the outcomes and impacts, and increase the sense of collective ownership of the program.

2.2 Approach and Methodology

TAF has been working closely with the MoWCSW and the NCCHT to strengthen the Government of Nepal's (GoN) efforts to combat TIP through specific programmatic interventions. The delivery of a holistic anti-trafficking strategy requires strong collaboration with relevant government and non governmental stakeholders and the CTIP program works closely with the MoWCSW and the NCCHT to promote such collaboration and coordination through targeted technical and operational support.

The program has been consistently strengthening shelter and community based rehabilitation and reintegration services available to survivors of trafficking, by promoting a person-centric protection and reintegration framework for service delivery in the program districts. Free legal and psychosocial counseling services are provided by partner NGO's to survivors identified through outreach programs, and referrals made by the SMNs at the community level. NGO partners like FWLD, CeLRRd, and PPR continued to provide free legal aid to the survivors of trafficking and gender-based violence (GBV) through court representation at the District, Appellate and Supreme Court.

The CTIP program continued to engage with the community to prevent trafficking, promote safe labor migration and provide support to the survivors through the SMNs formed in the first two years at the community level. The members of the networks continued to hold monthly meetings, collaborate and engage with other local level stakeholders and community representatives to access vulnerable population with information on safe migration, create linkages with the protection and prosecution service providers through referrals, and provide necessary assistance to survivors of TIP and GBV.

Trainings on family financial planning (FFP) have been an important approach of the CTIP program to increase economic options to reduce economic and social vulnerability that can lead to unsafe labor migration and trafficking. Poor financial planning and management have been identified as a key contributing factor to unsafe labor migration and/or negative economic and social repercussion from labor migration. Labor migrants end up with financial indebtedness due to loans taken on exorbitant interest rates from money lenders to facilitate their migration. Similarly many migrant families end up squandering the remittances due to poor financial management skills leading to a cycle of debt and repeated migration. Trainings on family

financial planning package assist aspiring migrants to effectively plan migration so that future earnings are not jeopardized while putting enough resources aside to finance the migration. Similarly, returnee migrants and households receiving remittances also learn to manage their finances avoiding the cycle of debt and repeated migration. In the reporting period, a total of 1320 households have been trained using the FFP package.

To gauge the effectiveness of the FFP training, the CTIP program has put in place an M&E system that is based on targeted survey of households' to have measurable pre- and post- training tools that would include a baseline, a mid-term, and an endline review. The survey ensured that both qualitative and quantitative results at outcome and output level were adequately captured and reflected. With the completion of the baseline study last year, the core team comprising of TAF, WEI, and an independent consultant conducted the mid-term review. The sample selection size and tools were designed by the core team keeping in mind the monitoring objective. Validity, reliability, precision and integrity of the process were kept in mind for data quality assurance. With the purpose of collecting qualitative and quantitative data, tools such as a survey, focus group discussions (FGD), and key informant interviews were developed and pre-tested in Satungal VDC. The preliminary findings of the mid-term review assisted the program to identify issues related to the progress, lessons learned, and further strategies to be adopted in the fourth year of the program.

The midterm review assessed the strengths and weaknesses of the FFP training including recommendations for way forward. The preliminary results show that 82% of trainees were financial decision makers and 95% trainees were found sharing training content among their family members while 77% of the trainees on an average were making FFP at household levels. Practicing FFP at the household level was found highest among current migrants (81%) while lowest among non-migrants (70%). The mid-term review report is currently in final draft and will be shared with USAID in the next quarter.

2.3 Year Two Achievements

- The GoN officially endorsed the NMS for Victim Care and Protection and the SOP for Rehabilitation Centers in early March 2012. The MoWCSW and the NCCHT played a vital role in facilitating the process. The GoN also approved the National Plan of Action on Trafficking in March 2012, through a cabinet endorsement. The NMS and the SOP were developed by the MoWCSW with the technical support from the CTIP program. The endorsement of these three policy documents will ensure strengthened policy frameworks for victim care and protection across various government agencies, service providers, and communities, and allow for a more integrated approach to anti-trafficking interventions by different stakeholders.
- The CTIP program supports a number of activities to improve prosecution by strengthening the implementation of the Human Trafficking and Transportation (Control) Act of 2007. In the second year of the CTIP program, a total of 207 judicial and law enforcement officials were trained on key aspects of a rights-based conceptual and operational framework required by the judiciary and the law enforcement sectors to effectively investigate, prosecute, and adjudicate TIP cases; and ensure the protection of the victims rights throughout the investigation and prosecution process. The ToT and the district level trainings were conducted on the training manuals based on the GON

endorsed NMS for Victim Care and Protection, the SOP for Adjudication and Prosecution, and the SOP for Investigation. The three policy documents and the training manuals based on the same were developed under the CTIP program as a part of improving policy frameworks and procedures for victim care and protection. Institutionalization of highly-effective training curriculum and capacity building of the law enforcement officials were key programmatic activities being implemented by TAF in the second year of the CTIP program period.

- One of the objectives of the CTIP program is to identify and implement activities that help in promoting public private partnership (PPP). In the second year under the PPP model, an employment linked training program was initiated to serve the economic needs/interest of young people who are prone to unsafe migration, vulnerable to trafficking and exploitation, or those who are survivors of trafficking. TAF initiated a partnership with Yeti business group to provide employment linked training to selected beneficiaries from the above target group. TAF provided targeted training to the identified beneficiaries enabling them to apply for pre-identified jobs in sales and marketing with a chain of convenient stores being set up by the Yeti business house in collaboration with KK Mart. Eighteen beneficiaries completed the training and nine were selected by KK Mart for employment.
- As a preventive strategy, the CTIP program focuses on increasing the programs outreach to vulnerable populations and improving their access to services and support networks in place at the local level. The CTIP program formed 90 SMNs in the VDCs in the six working districts in the second year. SMNs have been formed to mobilize the local communities to effectively prevent trafficking in persons. In addition to acting as local resource in the promotion of safe migration, these VDC level networks have also been vital in identifying victims of trafficking in their respective areas, and facilitating improved service delivery through referral mechanisms. Follow-up meetings were held with SMNs to provide further guidance to them on their roles and responsibilities as the frontline units that work to promote safe migration; facilitate community reintegration through improved service delivery through affective referrals; and work to create awareness and help reduce stigma and discrimination for survivors of trafficking.

2.4 Challenges

The CTIP program for year three had designed a program with the Nepal Police to develop a training curriculum and deliver training to mid and senior level police officers on handling organized crime with a specific focus on TIP. The effective delivery of this program required direct collaboration with both the CIB (Central Investigation Bureau) and Crime Investigation Department (CID) units of the Nepal Police. However in light of the recent reservations by the USG on working with CIB unit, the project faced a situation where the Leahy vetting clearance for many of the CIB officials nominated by the Nepal Police for curriculum development and training was denied. Under the circumstances the Nepal Police have expressed their reservation on going ahead with the proposed activity. The CTIP program is in discussion with the Nepal Police to see if any alternative activities can be taken up which can add value to the anti-trafficking work without the necessary involvement of the CIB.

The situation of survivors of trafficking turning hostile during prosecution has been a major challenge for the CTIP program. The CTIP program implementing partners who provide legal support to survivors of trafficking have come across many TIP cases where initially the survivors seek legal redress; however, with external pressures they become hostile. This has led to a high rate of cases being dropped from the courts. To address this issue, the CTIP program is working closely with the MoWCSW/NCCHT to adopt and implement guidelines needed to protect survivors and witnesses. The program aims to incorporate issues of TIP survivors into the larger Victim Protection and Witness Protection bills being drafted by the National Law Commission.

Many 'silent' GBV cases were observed in all target communities. It was noted that the survivors preferred to remain silent and felt reluctant to seek legal redress. It was observed that most victims did not have any faith in the community members' ability to ensure confidentiality, which is an essential pre-condition for their sense of security and for avoiding social stigma. This led to cases not being reported. It has been seen that women and girls facing gender based violence face a greater vulnerability to being trafficked, as they tend to be more desperate and willing to take higher risk to remove themselves from the violence. It has therefore become important to see how anti-TIP interventions can have a more direct link with other GBV programs and interventions

Survivors of TIP and GBV often need short and medium term shelter support with a well defined strategy and process that allows for reintegration into the community. There is however a lack of appropriate systems and process in most shelter homes that allows and plans for effective community reintegration. To help improve this situation, the CTIP protection component will continue work on expanding the operational skills of transit homes and shelter homes being run by NGOs and supported by the government at the district level to rehabilitate victims. The CTIP program is working closely with the MoWCSW to create a well defined monitoring process that can review the work of shelter support against the government minimum standards.

3 Results Achieved in Year Three

3.1 Progress Per the Performance Management Plan

In close consultation with USAID, the Foundation developed a PMP and M&E system for the CTIP program to measure the effectiveness of the project and ensure that outcome level achievements and impacts are captured along with the output level results. The progress of the activities in achieving the desired target/results is reflected in the PMP reported below.

CITP Performance Indicator

Indicators	FY 2011		FY 2012		FY 2013	
	Target	Achieved	Target	Achieved	Target	Achieved Till Date
No. of shelter homes established for TIP victims that are supported by the CTIP program (capacity building support)	2	2	4	4	6	8
No. of shelter homes established for TIP victims that are supported by the CTIP program (legal and psychosocial services provided to shelter home)	-	8	8	7	8	8
No. of anti-TIP policies, laws or international agreements strengthened with USG assistance	-	3	6	6	6	5
No. of TIP victims assisted by the CTIP program	20	130	150	143	150	127 ²
Percentage of TIP victims who filed cases after receiving legal counseling	20%	16%	20%	22.22%	20%	22.5%
No. of prosecutions/ convictions leading from the legal assistance provided to TIP victims under CTIP	-	5	12	18	15	21
No. of traffickers arrested in the CTIP program working districts	-	85	90	71	-	90
No. of host national criminal justice personnel who received USG-funded anti-TIP training under CTIP	200	20	200	207	300	250
No. of public awareness campaigns about TIP completed	150	122	80	90	50*	49
No. of people trained on safe migration and effective prevention of TIP	1700	2011	800	972	514**	1777 ³
No. of people oriented on TIP issues	-	2746	1500	2262	1211**	1829

Commented [n1]: This target has been affected as the police training could not be carried out due to challenges of working with CIB which is listed in the challenges section

² Of the 127, 40 were supported with immediate counseling and information support by the SMNs formed and mobilized under the CTIP program and thereafter referred to other local government agencies like VDC, DAO, WDO or the District Bar Association. The CTIP program aims to expand the roles of the SMNs by linking them with local government agencies such that their support to the community is not limited to the CTIP program. The remaining 87 were directly supported by the CTIP program partners through out the process.

³ The achieved number in this indicator is higher than the target set for this fiscal year due to the roll-out of the capacity building training of the SMNs. The development and pre-testing of the training manual was carried out faster than anticipated thus resulting in the higher number of SMN trainings.

Note: * This will include SMNs who are conducting sensitization activities in addition to the more focused advocacy activities to be conducted in FY 2013. ** This target will include already trained SMNs in the first two years of the program. Different skill building trainings and orientations will be given to these members.

3.2 Progress Per Program Objective

3.2.1 Protection

Provide operational support to shelter facilities and other rehabilitation services

TPO conducted the 36-session capacity building training on victim-centric psychosocial support in eight shelter homes in Kanchanpur and Kavre districts. In addition, staff of Kavre district Women and Children Development Office have also been participated in the training. Sixteen staff from different shelter homes attended the various sessions, but only 13 participants completed the entire training course. The training aimed to build the skills and capacity of all service providers in the shelter homes to address psychosocial issues related survivors who access services at the shelter homes. Through these sessions, service providers have learned to extend appropriate emotional support to survivors, to identify cases with severe clinical psychosocial problems, to identify and provide appropriate referrals, and to support reintegration of survivors into the community. TPO has also created specific tools and mechanisms, which are provided to the service providers, to enable them to better design and track the quality and outcome of the support given to the survivors.

Table 1: Capacity building training of shelter homes

District	Shelter Home
Kailali	Tiny Hands
Kanchanpur	KI Nepal Tiny Hands
Kavre	District Service Center Khanalthok Safe House Mahadevsthan Safe House Nala Shelter Home Salyachkal Shelter Home

A pre-training assessment was carried out in the shelter homes and amongst the participants to assess their knowledge and awareness about appropriate psychosocial services. Out of the 16 participants, only three people had some basic knowledge on the importance of psychosocial wellbeing. In addition, the participants reported limitations in dealing with survivors who show aggression, in identifying problems of the survivor, and in their ability to listen and appropriately respond to the problems of the survivor during the assessment. The training equipped the participants with specific tools and techniques to address these challenges and will assist in ensuring an effective psychosocial response to the survivors in the shelter homes. The training included sessions on basic psychosocial concepts, communication skills, identification of depression and trauma, peer group support, group development, primary psychological support, confidentiality, information collection, and referral mechanisms. Specific tools such as social mapping, case management and alternative relaxation tools were also given to the trainees to enhance shelter based service provision.

On-going assessments were carried out to gauge the effectiveness of the training and the appropriate usage by the tools by the trainees in their regular work. It has been seen through the assessment that the trainees could identify the clients having psychosocial problems, provide support and refer to another organization as per the clients' needs. After the training, an

improvement in the communication skills of the participants had been seen. It is noted that they pay more attention while listening, are non-judgmental during the communication, and use effective non-verbal communication skills. TAF along with TPO is carrying out an in-depth evaluation of this capacity building training. Since the training ended this quarter, follow-ups are being conducted with the participants regarding the practicality and usage of the concepts and tools given during the training. Currently, interactions are being held with the trainees to gauge the effectiveness of the training. Evaluation of the training and of the implementation of the skills discussed during the training is being carried out. A separate M&E report is being prepared and will be shared with USAID by November 2013.

REFLECTION NOTE:

Through various visits to shelter homes and interactions with the staffs, the CTIP program feels the importance to support shelter homes to create an enabling environment which can protect and ensure the right to dignity of the survivors of human trafficking. Due to the stigma and moral codes found prevalent within the Nepali society, blaming the survivor brings forth a provocation of guilt for not doing what was expected. Thus the CTIP program focuses on developing and strengthening a person-centered prevention and reintegration process for combating human trafficking.

Capacity building on victim protection framework from mental health wellbeing perspective for the CTIP implementing partners

TAF engaged Dr. Achal Bhagat, a leading psychiatrist and a psychotherapist working with survivors of human trafficking and gender based violence in South Asia, to conduct a one and a half day residential workshop on understanding the victim protection framework from a mental health perspective. The workshop was attended by all CTIP implementing partners, representatives from NCHHT and shelter home staff from the six districts.

The workshop focused on adopting mental health interventions to ensure human development as a vital part of inclusive development work. The sessions broke the conventional thinking of psychosocial interventions being limited to individual psychosocial counseling and broadened the thinking into accepting the creation of an enabling environment. Focusing on the journey of the survivors of trafficking; the workshop dealt with aspects of dignity, control, purposefulness, and belongingness of the individuals to incorporate a rights-based approach to our work. The participants were urged to adopt a rights-based approach which acknowledges the rights of the survivors and moving beyond the lens of victimhood to personhood. The workshop was vital for the CTIP program to adopt a holistic approach to victim care and protection, and acknowledgement of programmatic interventions to ensure an inclusive and non-exploitative society.



Trust building exercise conducted during the training

Following up on the workshop, the CTIP program continued to work with Dr. Bhagat to develop and strengthen a person-centered prevention and reintegration process for countering human trafficking in Nepal. Dr. Bhagat started working closely with TPO since the third quarter of this fiscal year to strengthen the course and pedagogy that TPO has been using to build the capacity of key stakeholders. Dr. Bhagat along with his colleagues

from Saarthak conducted a four-phase training for 13 TPO staff, including all CTIP program staff from the six working districts, and community level health workers. The first phase of the training focused on deconstructing what is psychosocial support in the context of providing person-centered interventions at the community level. The training facilitated the participants to understand and apply the concepts of non-discriminatory access to resources; empathic response; building trust with individuals and community; and responding to group dynamics. These concepts and their application were linked to understanding power equations within the community and analyzing risk and associated access to resources. Based on the demand of the participants who came for the above training, a second level of three-day training focusing specifically on strengthening micro-skills of individual counseling was held from 14 to 16 June, 2013. Dr. Bharti Tiwari and Ms. Nidhi Grover from Saarthak facilitated the training which covered both a theoretical overview and role plays of micro-skills, including summarizing, paraphrasing, reflection, and normalizing.

Following the capacity building training, Dr. Bhagat worked closely with TPO to develop a curriculum on the behavioral aspects of psychosocial support at the community level for members of the SMNs. The SMNs are critical to creating a conducive environment for safe migration, reduce vulnerabilities, and ensure equal access to information and resources at the community level. Therefore, TAF and WEI agreed that it was important for SMNs to understand concepts of inclusive development and the role of behavioral psychosocial process that impacts on inclusive development. As part of the process, the team lead by Dr. Bhagat and TPO and supported by TAF and WEI interacted with SMNs in Kathmandu, Kavre and Sindhupalchowk districts to understand their social, political, and economic contexts. The findings from the interactions were incorporated within the capacity building training of SMNs conducted by the prevention component implementing partners with technical support from TPO. The fourth phase of the training focused on advanced concepts and micro-skills of psychosocial counseling. After the training, the participants were able to use the skills in providing more effective psychosocial support to survivors of trafficking and other forms of gender based violence. In addition, TPO has used the learning of the training to further strengthen their trainings to shelter homes and health professionals on behavioral aspects of community development.

REFLECTION NOTE:

The CTIP program views positive psychosocial environment as a basis for human development. Adopting psychosocial interventions to ensure human development is a vital part of inclusive development work. These interventions create a space for discourse on dignity, control, purposefulness, and belongingness of the individuals to incorporate a rights-based approach to our work. Through the field presence, TAF has observed a growing need to initiate a discourse on equity, identity, access, and overall wellbeing.

Multi-stakeholder dialogue on victim-centric approaches to combating TIP



Orientation of HR defenders, journalists, and members of political parties in Sindhupalchowk

Creating an environment that ensures the rights of survivors requires shifting the concept and attitude of advocacy from a needs approach to a rights-based approach. A total of 85 district level human rights defenders, journalists, and members of major political parties in Banke, Kanchanpur, and Sindhupalchowk districts were oriented on victim-centric approaches to combating trafficking with a focus on the importance of accountability in advocacy, through CeLRRd. As key stakeholders in the community who advocate for different forms of human rights violations, the CTIP program aimed to encourage the participants to understand the concept of survivors of

TIP and GBV as rights-holders and focus on their needs, problems, and potentials in their advocacy work to combat TIP.

The discussions revolved around the importance of acknowledging the rights and dignity of survivors. The participants noted the importance of the right to confidentiality as one of the basic rights which cannot be infringed. Putting forth the challenge of political protection provided to the perpetrators of the trafficking and other forms of GBV, the human rights defenders urged the members of the political parties to discourage giving the perpetrators immunity on such grave cases of human rights violations.

During the orientation held in Sindhupalchowk, the members of the major political parties committed to discouraging informal mediation on criminal cases in the local communities and to initiate discussions about human trafficking with their community level political party members. In addition, the representatives have also committed to facilitating coordination between the local SMNs formed under the CTIP program and the community level political party members in the respective Village Development Committees (VDCs). The CTIP program implementing partners working in Sindhupalchowk district will continue to follow-up and coordinate with political parties to implement an integrated approach to combating TIP in the districts. Thus these orientations provided a platform for multi-stakeholder dialogues to prompt discussions and collaboration on key issues of trafficking in persons and the CTIP program aims to hold further dialogues in the fourth year of the program.

Enhance capacity of health professionals

With their on-going capacity building work, TPO conducted two-day trainings for health professionals of Banke, Kanchanpur, Kavre, Makwanpur, and Sindhupalchowk districts. In coordination with the Ministry of Health and Population and the District Public Health Offices, TPO trained 152 health professionals (Health Assistants, Auxiliary Nurse Midwives, Community Medical Assistants, and Female Community Health Volunteers) on basic psychosocial support at the community level and information on effective referrals. Out of the total participants, 136 were female. Developing and strengthening a person-centered prevention and reintegration process for combating human trafficking involves delving into the framework of psychosocial which focuses on behavioral aspects of community development. The capacity building process of local level health professionals aims to evolve a cadre of workers who are person-centered, empathetic and simultaneously have a sense of the risks and resources in the community to ensure non-discriminatory access to resources. Such community workers facilitate an enabling community that is conducive to individual empowerment and community identity.

During the two-day training, the health professionals were urged to think about the concept of self and psychosocial through various brainstorming and role play sessions. The concept of self is a collection of beliefs to include past, present and future selves. Future or possible selves represent individuals' ideas of what they might become, what they would like to become, or what they are afraid of becoming which correspond with one's hopes, fears, standards, goals, and threats for their present selves. Possible selves may function as incentives for future behavior and also



Health professionals training in Makwanpur

provide an evaluative and interpretive context for the current view of self. This is used when one self-evaluates and contributes directly to one's self-esteem and psychosocial wellbeing. By initiating a discourse on this concept in the local level, the CTIP program urges the health professionals to assess the impact of the experiences on the thoughts, feelings and actions of the person. In addition this approach also helps to understand the impact and discover methods of coping with it and mitigating it.

The participants were also trained of effective communication skills and active listening to create a safe and trustworthy environment which will allow survivors to express their feelings without being influenced externally. To provide person-centered support, the health professionals were trained on skills need to understand the person, their problem and their context. While working with survivors of gender based violence and in particular human trafficking, concepts of dignity, control, belonging, and purpose are vital as these violation pose abuse of multiple vulnerabilities that impair and marginalize the individuals. Anti-trafficking processes need to focus on the impact on the mind of the survivors as well. Thus the CTIP program worked with local level health professionals in the program districts to ensure an enabling environment for survivors of GBV and TIP. In the project's fourth year, more intensive five-day training will be provided by focusing on skill development and intervention to 95 selected participants out of the 152 trainees

of this year. The trainings will focus on behavioral aspects of community development, micro skills for psychosocial counseling and mental health support. From the training, the trainees will be able to provide local community support more effectively in their own social setting.

REFLECTION NOTE:

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Strengthen community support for survivors of TIP

During this year, TPO provided basic psychosocial counseling to 38 survivors of trafficking and 40 survivors of other forms of GBV. These cases were referred for psychosocial services by various CTIP program implementing partners, shelter homes providing services to survivors of TIP, district level safe houses, health posts, and community-level health professionals. The CTIP program places importance on follow-up on cases that have been reintegrated into community as the social and cultural nuances and dimensions that lead to exploitation remain unchanged in the community. Thus to provide a continuum to the psychosocial support and ensure smoother reintegration for the survivors, TPO followed-up on on-going cases.

In addition to providing direct psychosocial support, the CTIP program also strives to contribute to the creation of an inclusive and non-exploitative environment. Instead of being limited to individual interventions, the program is working towards creating resilience of the local communities as a strategy to create a protective environment for survivors of trafficking and other forms of GBV and for those vulnerable to exploitation. In this regard, TPO has continued to engage the SMNs formed under the CTIP program and local women's groups through various interaction programs. The interactions have focused on increasing awareness about the importance of psychosocial wellbeing, basic ways to cope with psychosocial problems, and the role of the community in creating an enabling and protective environment. A total of 572 community people from 10 VDCs of the program districts participated in these interactions out of which 75% were female participants. By initiating discussions on psychosocial needs of TIP and GBV survivors, the interactions contribute towards the CTIP program's objective to reducing the social stigma associated with seeking and receiving mental health services as well as facilitating effective reintegration of survivors of trafficking into their communities.

Table 2: Community based orientations

District	VDCs Covered
Banke	Rajhena VDC Samsergusonj VDC
Kavre	Hokse VDC Patleket VDC
Makwanpur	Basamadi VDC Bhaise VDC Bhimphedi VDC

	Nimuwatar VDC Padampokhari VDC
Sindhupalchowk	Sagachowk VDC

The VDCs most affected by various forms of gender based violence were selected in consultation with CTIP program partners and the respective WCO in addition to media coverage. Member of different local organization like: Ama Samuha, Safe Migration Network, Women groups, Cooperative Groups, etc are chosen as the participant of the orientation program, as they play an effective role in the community. Thus the orientations focused on the role of the community in facilitating an enabling and supportive environment for survivors of GBV and in particular human trafficking.

Safe migration counseling center



TAF/CTIP program team visits the counseling center

A counseling center has been established at the District Administration Office (DAO), Kanchanpur to provide information to potential migrants. The DAO's office in the district is the main government administrative office responsible to issue passports and is the first point of formal contact with potential migrants. The DAO is very positive towards the counseling center and has provided space within the office premise in addition to making the counseling mandatory for every passport seeker. The centralized foreign labor migration system has

left a significant gap in terms a large majority of migrants in Nepal having access to information. This reality has resulted in many not being fully informed about their rights as labor migrants, general rules and regulations in the destination countries, working conditions, and potential problems of foreign employment. Thus this counseling center fills the void in terms of providing a range of information in the form of counseling and basic guidance on safe migration in addition to complimenting the CTIP program's intervention to mobilize SMNs in the VDC level to promote safe migration.

Since the establishment of the counseling center at the DAO, CeLRRd has provided counseling to a total of 2275 potential migrants about their rights and various requirements for foreign employment facilitating safe migration and reducing the vulnerability of being trafficked and/or exploited. The effectiveness and value of the counseling center placed by the DAO can also be reflected by the significant increase in the number of potential migrants given counseling over the past reporting quarters. Since the center has been established, the number of people counseled has increased from 520 (reported in the second quarter of this year) to 1232 (reported in the fourth quarter of this year). Out of the total potential migrants counseled, a majority of the beneficiaries were male while only 119 were female. The low female migration numbers is a reflection of the Government of Nepal imposed age bar that restricts women below the age of 30

to migrate to the Gulf States as housemaid. Upon follow-up with the beneficiaries, some have reported on sharing the information received with other people in their communities and have recommended other aspiring labor migrants to contact the counseling center for further information. After receiving counseling, some of the beneficiaries have come back to the desk with their contract documents for further verification while others have identified blacklisted manpower agencies through the information provided.

Dabal Bahadur Malla, 30 years old, is a resident of Bhimdutta Municipality, Kanchanpur. Malla was in the process of going abroad for employment. When his Malaysian work visa arrived, the manpower agency demanded NRs. 1,82,700 from him. Through the legal counseling received from the center, Malla knew that the manpower agency was trying to extract more money from him than what is legally required (NRs. 80,000). Malla reported the manpower agency to the Department of Foreign Employment. With proper information about migration and about his rights as labor migrant given through the counseling center, Malla was able to file a report against the illegal demand for money.

Enhance capacity of SMNs for effective advocacy

The first pilot Training of Trainers (ToT) for SMNs members on effective communication and advocacy skills, and proposal writing skills to mobilize local resources was conducted by Legal Aid Consultancy Center (LACC) in Dhulikhel, Kavre district. The training session was developed by LACC in close consultation with WEI and TAF keeping in mind the specific advocacy skill needs of the SMNs. The three-day training was given to 18 SMN members from different VDCs of Kavre. The objective of the ToT was to further strengthen their skills and capacity to act as frontline information and support units at the VDC level on issues related to TIP and GBV. These SMN members were trained on the importance of advocacy and on planning and using advocacy strategies, tools, and techniques for effective communication and leadership through practical sessions such as role play and group presentations. Dr. Meena Poudel, USAID, also facilitated a discussion on the concepts of access and control of resources and the implications of gender, class, caste, and ethnicity. The discussion incorporated gender issues in the context of law and access to justice.

To compliment the pilot training, the CTIP program engaged the Shilpee Art Group to perform a forum theatre play highlighting the issues around trafficking, gender based violence, and labor migration. The play exposed the participants to using forum theater as a tool for affective community advocacy. Dr. Kiran Rupakhetee, Under-Secretary of the MOWCSW/ NCCHT, along with representatives from the district level government agencies such as the Kavre District Development Committee, Kavre District Court, Kavre Women and Children Development Office (WCDO), Kavre District Health Office and Women's Police Cell along with local media and civil society observed the forum theatre play and participated in the discussion related to trafficking, GBV, and labor migration. The community level orientation also brought to the forefront the broader issues related to gender relations, caste/ethnicity and class identities, and its link with access to power and resources.

The feedbacks/inputs received from the pilot ToT was further used to modify the content of the training program before conducting the remaining eight ToTs. A total of 119 SMN members from 41 SMNs were trained in Kanchanpur, Kavre and Sindhipalchowk districts. The pre- and

post- training assessments carried out during the ToT reflected that few SMN members were aware of the advantaged of advocacy and the different forms and mediums of advocacy. The SMN assessment carried out also indicated that the creativity and effectiveness of the advocacy depends on the exposure and experience of SMNs working in the community. Thus the need to train SMNs specifically on effective communication and advocacy skills was also highlighted from the assessment carried out.

During the ToTs, role plays and group work were used as training techniques. While discussing the conceptual clarity on human trafficking and legal provisions, participants used various IEC materials to practice how they would disseminate the related information in an effective and efficient manner. Similarly, the participants conducted group work to sketch out how they can further expand coordination and collaboration. The table below lists the stakeholders discussed.

Table 3: List of stakeholders that SMNs can coordinate and collaborate with

VDC
Nepal Police
Women and Children Development Office
District Development Committee
Political parties
<i>Amma Samuhas</i> (Mothers' groups)
Local organizations
Paralegal committees
Youth clubs
Schools
Women's groups
<i>Wada Nagarik Manch</i> (Citizen Ward Forums)
<i>Tol Sudhar Samitee</i> (Local area development committee)
<i>Yojana Tarjuma Samitee</i>
Religious leaders
Cooperatives
Private sector – local entrepreneurs
Female Community Health Volunteers

In addition to mapping local stakeholders and resources that can be mobilized by the SMNs, the participants also practiced proposal writing to obtain VDC-level funds allocated. Although the SMNs have been successful to a certain extent in obtaining VDC- level funds, a majority of the participants were still unaware of the formal process including the time-frame and formats for submitting the proposal to the VDC office. Therefore, the ToTs supported the SMNs to further strengthen their roles and responsibilities in local resource mobilization. The trainees of the ToTs were responsible for rolling out the VDC-level trainings to the remaining members of their respective SMNs.

Upon completion of the ToTs, the SMN conducted a total of 27 VDC-level awareness programs in Kanchanpur, Kavre and Sindhupalchowk (nine trainings in each district). In these training altogether 785 SMN members from 71 VDCs were trained on conceptual clarity on human trafficking, labor migration, and gender along with effective advocacy and communication. Discussions on the concepts of access and control of resources and the implications of gender,

class, caste, and ethnicity were held among the SMN members. The discussion incorporated gender issues in the context of law and access to justice.

Despite having conducted various advocacy activities to increase awareness in their respective communities, the term 'advocacy' was not very well understood by the participants. The VDC-level trainings helped the SMN members to relate the use of various advocacy tools to their own work on advocacy and awareness generation. The participants shared that they have been conducting a number of activities like rally; street drama; discussion and consultation with other existing groups such as *aama samhahas* (mothers' groups) and youth club; door-to-door program; cultural program; coordination with other stakeholders; school visits to increase awareness about human trafficking. However they had never thought of these activities as being tools for advocacy. The discussions enabled the SMN members to realize these activities are actually tools of advocacy. Similarly, they emphasized that their activities used to be more ad-hoc as there was much confusion regarding choosing an effective medium relevant for a specific target group. After the training, the SMN members have further realized that specific advocacy and communication tools can be chosen to cater to particular target and the issue. Thus, the trainings facilitated by LACC have been successful in building the basics of advocacy and further building the capacity of the SMNs to fulfill their roles and responsibilities.

A random sampling of the pre and post assessments of the VDC-level trainings held in the three program districts revealed that although the participants have a relatively clear understanding about human trafficking, gaps still exist in the understanding of the legal procedural regarding human trafficking. An average increase of 65.2 percent has been seen in the knowledge of the participants regarding the time limitation to file a complaint on a TIP case. It is very important to realize that in a human trafficking case, there is no time limitation as when a TIP case can be reported unlike other criminal cases which have to be reported within a set time frame (i.e. from when the crime was committed to when the case was reported). Similarly, on average only 27.4 percent of the participants were aware of the legal provision of closed hearing which maintains the confidentiality of the trafficking survivors during the court proceeding as reflected by the pre-orientation assessment. This increased to an average of 79.6 percent of participants being aware about the legal provision to maintain confidentiality. Sound knowledge of legal provisions under the Human Trafficking and Transportation (Control) Act 2007 is vital for advocacy groups



Participants of the ToT practicing effective message delivery

such as SMNs who work in the local communities to ensure protection of the rights of trafficking survivors. Likewise, significant change observed in the level of understanding on advocacy after training. Before the orientation, an average 35.9 percent of the participants had a clear understanding of advocacy while this understanding increased by 38.1 percent after the orientation. Similarly, an average increase of 47.4 percent in the knowledge of various methods and strategies of advocacy has been seen as a direct result of the orientation.

During the last quarter of this fiscal year, LACC conducted the second-phase of capacity building of SMNs. A total of nine two-day ToTs were conducted in Kanchanpur, Kavre and

Sindhupalchowk districts for a total of 125 SMN members who had also taken part in the first-phase three-day ToT mentioned above. The participants were trained on the development of various tools and strategies to effectively create awareness and conduct advocacy in the VDC and community levels. As part of the community mobilization, SMNs conduct various types of advocacy activities in the community such as street dramas, rallies, interaction programs, “infotainment” programs (song and poem competitions), door to door campaigns, and coordination with various governmental and non-governmental agencies. As a value addition to these on-going efforts, the CTIP program aims to encourage the SMNs to develop innovative approaches to address the social dimensions, gender perspectives and specific needs such as caste and class issues of their local communities to make the networks more effective.

The training focused on situation analysis as the first step to identifying areas of action and forming the foundation for any advocacy plan. The participants were trained on identifying the problem that needs to be addressed and discussing strategies to solve the problem which would create a solid evidence base for setting advocacy priorities. The training instructed the participants about stakeholder analysis to provide a sense of which institutions and individuals have a stake in an issue, as well as their interests, support or opposition, influence and importance. SMN members discussed that finding where stakeholders stand on the issue can shield advocacy initiatives from false assumptions. Through the stakeholder analysis, the SMN members learned to identify stakeholders with whom they can develop partnerships and identify target audiences.

The two-day ToT emphasized on the importance of message delivery which involves careful attention to whom and what will convey the message and how the information will be transmitted. The training informed the participants that choices about delivery differ depending on the audience and the local community, and thus multiple information strategies are needed to reach diverse audiences. Training on developing advocacy tools and strategies will help the SMNs to further identify stakeholders and their relative power, target audiences, effective messages, and efficient mediums and processes for delivering messages. The participants of the ToT will be responsible for rolling-out the VDC level orientations to the remaining members of their respective SMNs in the fourth year of the program.

During the training, the participants developed a tentative work plan on advocacy. Below are examples of work plans created by SMNs during the ToTs:

Work Plan on interaction program developed by a SMN in Kanchanpur

Activity	Beneficiaries	Why/Reason	Where	Date	Utilities	Financial support	Responsibility
One day interaction program on reducing gender violence	Teacher-10, Political parties representative-20, and among them; Dalit-3, Indigenous- 5, Disabled- 3, and others	Reduce gender based violence by provide awareness to community people.	VDC hall	2070-7-15	Banner, Register sheet, Tea/Snacks, Communication cost	2000 from VDC, and 1000 from Market Management Committee.	Chair of network for coordination, Treasurer for financial management, and the entire member of network.

Work plan on coordination meeting developed by a SMN in Kavre

Activity	Beneficiaries	Why/Reason	Where	Date	Utilities	Financial	Responsibility
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						support	
Coordinati on meeting	VDC Secretary, health person, women volunteer, school teachers, representative of different organizations and local people.	To discuss how to raise awareness against human trafficking and foreign employment in the local community	Comm unity hall	2070- 7-20	Registration sheet and pen Tea and snakes	1000 from VDC	Chair of network.

REFLECTION NOTE:

The ToTs and the VDC-level training brought to the forefront the broader issues related to gender relations, caste/ethnicity and class identities, and their links with access to power and resources. The CTIP program places an emphasis on initiating a discourse on gender which goes beyond the prevailing understanding of gender limited to men and women. Within the dynamic socio-cultural context of Nepal, TAF-CTIP program feels the need to incorporate issues of class, caste, ethnicity, and age within the gender discourse. Discussions with local communities such as the SMNs have revolved around how gender roles for men and women vary from one context to another. Different roles are assigned based on their sex, class, caste, ethnicity and age. TAF-CTIP program believes that the community and individuals' clear understanding of the inter-sectionality between these complex roles allows for a more nuanced response to the complex problem of human trafficking, GBV and unsafe migration.

Capacity building training to the shelter home staffs based on the SOP for Rehabilitation Center

TPO developed a draft training manual for the service providers in the shelter homes by aligning it to the recently endorsed SOP for Rehabilitation Centers. The training manual includes detailed guidance on the application of the SOP by defining the process of training, use of materials, methodologies, collaboration with government and non-government service providers, and M&E. The manual emphasizes rights-based approach while engaging with the victims/survivors of trafficking.

Based on the manual TPO held a three-day training with representative of shelter homes, safe houses, service centers and District Women and Children Offices of 11 districts to build the capacity of shelter homes to provide more effective shelter-based service provision in line with the NMS of victim care and protection. A total of 23 participants were trained to facilitate and support the effective functioning of the shelter homes supporting victims of trafficking in coordination with the NCCHT. The training focused on the orientation of the SOP and its concept, documents, procedure for the application of the SOP, social/resource mapping, knowledge on psychosocial issues and basic communication skills, documentation system, time management, and shelter home year plan, etc. The pre- post assessments carried out during the

training indicate a lack of understanding in providing standardized institutional care to the victims/survivors of trafficking. The participants were able to correctly identify basic operational services such as the process to close individual case file; but lacked knowledge on border guidelines such as structures, legal establishment, management requirements and responsibilities, and special service provisions outside the shelter homes such as repatriation. Lack of regulation and monitoring of the government allows numerous shelter homes to run according to the organization's own rules and regulation with no uniformity in the services provided at the shelter homes.

3.2.2 Prosecution

Enhance capacity of public prosecutors on effective jurisprudence

Starting from this year, the CTIP program is working in collaboration with the Office of the Attorney General (OAG) to further strengthen the prosecution component of the program. The OAG is one of the key institutions for the promotion of rule of law and has the mandate on prosecution, to supervise investigation, to provide legal opinion for government agencies, and to implement decisions of the Supreme Court. In all cases of human trafficking, the GoN is the plaintiff which invests the power to prosecute human trafficking cases on the public prosecutors. The public prosecutors commence the proceedings by filing a charge sheet against the defendant, i.e. accused perpetrator. Hence, the public prosecutors are the key members in the judicial system for the effective prosecution of the TIP cases.

During the second quarter of the third year, a training curriculum focusing on aspects of TIP and gender based violence was developed by three leading experts from the OAG: lead by Deputy Attorney General Mr. Surya Prasad Koirala, Joint Government Attorney Mr. Mahesh Sharma Poudel, and Joint Government Attorney Mr. Krishna Jibi Ghimire. The curriculum has been developed to train public prosecutors focusing on application of effective jurisprudence through a human rights and a victim-centric lens on TIP and GBV cases. It consists of 12 sessions and includes conceptual clarity on trafficking; gendered social context of TIP and gender based violence; importance of victim protection mechanisms; effective prosecutorial procedures; and applications of the Supreme Court directive that are relevant to victim protection such as the confidentiality and victim/witness protection policies. The training curriculum has been finalized based on feedback from key stakeholders, and is being adopted by the OAG as the official training manual to train public prosecutors.

In order to inform the judicial training process in an ongoing manner and facilitate a more evidence based monitoring and evaluation process and, TAF also initiated dialogue with the OAG to include a brief analysis of the charge sheets compiled by public prosecutors on TIP and other forms of GBV cases. The analysis looked at 18 collected charge sheets - ten human trafficking cases and eight rape cases - to understand how the public prosecutors have interpreted the legal provisions to claim for multiple charges, maintenance of confidentiality, practice of continuous hearing, and compensation. This analysis furthered supported the understanding of the gaps and challenges in the application of the law and the interpretive jurisprudence applied by the public prosecutors. The findings from the analysis informed the programmatic interventions to train the public prosecutors. A similar analysis of the performance of the public prosecutors has been planned for after the training to develop a mechanism to link the trainings to the performance of the officials.

Maintaining the confidentiality of the survivors is an important aspect especially in sensitive cases such as human trafficking and rape cases. Within the sample size of the analysis, it was noted that although the names of survivors were omitted from the charge sheets other information disclosing the identity of the survivors was still present. Similarly, the TIP Act 2007 has a legal provision to seize any fixed assets of the accused so that it can be used to provide the compensation and fine when convicted. However, in none of the eighteen charge sheets any such claim to seize the property was made. In such a case, it would be easy for a perpetrator to transfer the ownership of any asset and thus avoid paying the compensation and fine. The charge sheet analysis also indicated that the practice of claiming continuous hearing for sensitive cases such as TIP and rape is lacking despite the legal provision.

Identifying specific gaps and challenges through the charge sheet analysis, the content for the training to public prosecutors was modified. Emphasis on the importance of survivor protection mechanisms, effective prosecutorial procedures, and applications of the Supreme Court directive that are relevant to survivor protection such as the use of confidentiality and victim/witness protection policies could facilitate the application of engendered and victim-centered application of jurisprudence of TIP cases along with gender-based violence cases.

Based on the developed training manual and the findings of the charge sheet analysis, the OAG together with CeLRRd held a ToT for 21 Appellate level public prosecutors who will be responsible to roll-out the district level trainings in Kathmandu. The ToT focused on application of effective jurisprudence through a human rights and a victim-centric lens on TIP and GBV cases. Facilitating one of the sessions in the ToT, the Deputy Attorney General Surya Prasad Koirala explored the role of the public prosecutors to give directives to the police after receiving the preliminary report and instructions to investigating officers in essential aspects of taking survivor's statements, commencing investigation, and collecting sound evidence. In line of the findings of the charge sheet analysis; Deputy Attorney General Koirala emphasized the importance of including relevant facts, proper disclosure of the identity of the survivors/witnesses, maintaining confidentiality, claim for continuous hearing, claim to a stay order in the assets of the defendant in relation to indictment, preparation and presentation of charge sheets.

Upon completion of the ToT, three district level trainings were conducted in Kavre, Makwanpur and Morang for a total of 81 public prosecutors. Additionally one more district level training was held in Banke for a total of 32 public prosecutors in the month of October as a part of the no-cost extension given to the grant. The trainings aimed at improving the understanding of the judicial officials on the principles of jurisprudence in relations to prosecution and adjudication of TIP and gender based violence cases. Along with strengthening the implementation of the TIP Act 2007, the trainings placed an emphasis on victim-centric approaches to increase protection of the victims of TIP by the judiciary. The training drew upon the lessons laid out in the SOP for Prosecution and Adjudication developed under the CTIP program in the first year. The training aimed to get the public prosecutors to see how other relevant laws besides the TIP Act can be applied to strengthen prosecution and improve conviction on TIP cases.

During the training, the roles of the public prosecutors in facilitating effective jurisprudence were discussed. Since public prosecutors work closely with the police and have the authority to direct the investigation police personnel concerning the investigation, promoting inter-agency coordination between the two stakeholders would strengthen effective prosecution of TIP cases.

The need to strengthen this coordination was discussed and emphasized during the training. The public prosecutors were trained on effective implementation of the various legal provisions under the Human Trafficking and Transportation (Control) Act 2007. For instance, Section 6 of the Act states that if the person reporting a crime under the Human Trafficking Act is the survivor, the police should take the statement of such survivor immediately and shall take the survivor to the nearest court in order to certify the statement. Such certified statement can be taken as evidence by the court hearing the case even if the survivor does not appear before the court in the course of further court proceedings. In light of this provision, the role of the public prosecutor in getting accurate and effective victim testimony was discussed. The trainees were urged to ask proper questions, only in relation to the crime, and its verification should be done from the courts as soon as possible. In addition, the trainings also focused on strengthening preparation of charge sheets in order to make the case stronger. The importance of maintaining confidentiality in the charge sheets, claiming for compensation and usage of multiple charges were discussed among the participants.

Exposure visit to observe the practice of continuous hearing



Makwanpur District Court

The District Court Regulation under Rule 23 has a provision for speedy trial and continuous hearing of cases of TIP, rape, domestic violence, abduction and hostage-taking, arson, cheating and drug peddling. Due to the poor implementation of continuous hearing within the judiciary, the Supreme Court of Nepal issued a special directive in August 2013 to implement continuous hearing however, it still has not been implemented by most courts in Nepal. The concept behind continuous hearing is to ensure continuous hearing of sensitive cases such as trafficking in persons and so that

trial once commenced shall continue efficiently. The court shall, after consultation with the prosecutor and defense counsel, set the case for continuous trial on a weekly or other short-term trial calendar at the earliest possible time to ensure speedy trial.

The practice of continuous hearing has been initiated by the District Court in Makwanpur. Understanding the importance and the practical challenges faced by district courts around Nepal to implement the continuous hearing, an exposure visit of judiciary representatives to Makwanpur was held to promote peer learning of the judicial representatives. At the request from the Acting Rt. Honorable Chief Justice Damodar Prasad Sharma, NJA facilitated the exposure visit for 42 judicial representatives from Bara, Bhaktapur, Chitwan, Dang, Kathmandu, Kavrepalanchok, Lalitpur, Makwanpur, Nawalparasi, Parsa Sindhupalchok, and Tanahu districts. The participants included District Court Judges, District Court Attorneys, Registrars, and lawyers of the District Court Bar units. Challenges to facilitate continuous hearing practice were discussed during the visit. Practices of establishing a help desk and a calendar system within the Makwanpur District Court were shared with the participants. The experience and inputs garnered

during this exposure visit will be shared during the national workshop to be held by NJA on issues related to TIP, and the act and rules related to addressing gender based violence, labor migration, and foreign employment in the upcoming months.

Build capacity of the court staff on different aspects of TIP



Training of court staff, Kanchanpur

NJA conducted two-day trainings on the SOP for Adjudication and Prosecution of TIP Cases for a total of 48 support staff of the various Appellate Courts and District Courts covering 19 districts: Banke, Bara, Bardiya, Chitwan, Dadeldhura, Dang, Dhanding, Dolakaha, Kailali, Kanchanpur, Kathmandu, Kavre, Makwanpur, Nuwakot, Parsa, Rautahat, Rupandehi, Salyan, and Surkhet. The trainings were aimed at improving the understanding of the court officials on the aspects of TIP and the basic principles of

jurisprudence. Along with strengthening the implementation of the TIP Act 2007, the training also placed an emphasis on victim-centric approaches to facilitate sensitive court proceedings.

The training oriented the participants on the conceptual understanding of TIP issues, importance of maintaining confidentiality of survivors of TIP, role of the court in the effective protection of survivors and witnesses on TIP cases, and developing the value of the protection of survivors and witnesses in TIP cases. An emphasis was placed on identifying the challenges within the judicial system in protecting the rights of survivors and witnesses of TIP cases. Based on these challenges, specific roles and interventions that could be taken by the support staff of the courts were discussed. The CTIP program understands that sensitizing court support staff on survivor protection standards to be adopted by the judiciary facilitates the fulfillment of the rights and dignity of the survivors in addition to ensuring effective protection.

Collaborating with the Nepal Police

As integral part of the prosecution component, the CTIP program will work toward increasing the prosecution of traffickers by strengthening the policy and operational needs of Nepali law enforcement agencies. In the first two years of the program implementation, the program focused on the building the conceptual clarity on the nuances of trafficking in persons for the law enforcement agencies. Building on this foundation, the program from this year onwards initiated work towards specifically strengthening the skills to conduct effective investigation and prosecution.

In the beginning of the third year, TAF held a series of meetings with the Nepal Police to identify areas of collaboration and support. The CTIP program aimed to work closely with the Nepal Police specifically the Crime Investigation Department (CID) and the Research and Planning Directorate to create a comprehensive organized crime investigation training program and strengthen the Crime and Criminal Information System to improve intelligence collection and analysis. Based on the manual, trainings to the Nepal Police were planned with a primary focus on specific investigative skills and use of information technologies, including cyber technologies to strengthen the intelligence capabilities of the Nepal Police.

As a result of the discussions with the Nepal Police, the CTIP program received approval from the Nepal Police and the Ministry of Home Affairs to work toward strengthening the operational systems, and building the capacity of the law enforcement officers to effectively tackle organized crime and improve prosecution. TAF finalized the areas of work on which the CTIP program will collaborate and support Nepal Police. The agreed activities included a) creation a comprehensive organized crime investigation training program, b) trainings to a team of police officers to take on the role of trainers for rolling out the training curriculum, c) strengthening the Crime and Criminal Information System to improve intelligence collection and analysis. The planned trainings to the Nepal Police under the CTIP program were primarily focused on specific investigative skills and use of information technologies, including cyber technologies to strengthen the intelligence capabilities of the Nepal Police.

The effective delivery of this program required direct collaboration with both the CIB (Central Investigation Bureau) and CID units of the Nepal Police. However in light of the recent reservations by the USG on working with CIB unit, the project faced a situation where the Leahy vetting clearance for many of the CIB officials nominated by the Nepal Police for curriculum development and training was denied. Under the circumstances the Nepal Police have expressed their reservation on going ahead with the proposed activity. The CTIP program is in discussion with the Nepal Police to see if any alternative activities can be taken up which can add value to the anti- trafficking work without the necessary involvement of the CIB.

Empirical evidence-based report on the effectiveness of existing laws and institutional mechanisms

The CTIP program is developing a knowledge base to understand and analyze the effectiveness of the existing laws and institutional mechanisms to combat TIP in Nepal through FWLD. Apart from the gaps and challenges associated with the adjudication system, the analysis will also examine the effectiveness of other institutional mechanisms such as the law enforcement sector, the national and district level committees on combating TIP, and rehabilitation centers to ensure a rights-based victim-centric approach to strengthening prosecution.

During the second quarter of this year, FWLD conducted a policy dialogue with relevant stakeholders to inform the research framework for this empirical study. The participants included representatives of the MoWCSW, National Women's Commission, National Human Rights Commission, Foreign Employment Board, and various civil society actors. The discussion revolved around the challenges in implementing the legal provisions of the Human Trafficking and Transportation (Control) Act 2007 along with various policies and regulations put in place to combat TIP. Participants voiced that provisions for rehabilitation, compensation, victim/witness protection, continuous hearings, and closed hearings have not been effectively implemented. Specific challenges such as lack of effective investigation and lack of understanding of victim-centric approaches were also discussed. Based on these discussions, FWLD has developed a rigorous research framework to include the analysis of the challenges of coordination between the public prosecutors and law enforcement officials in addition an analysis on the implementation status of legal provisions on confidentiality and victim/witness protection and the factors limiting the implementation of these provisions. Similarly FWLD will also examine how the challenges noted by the participants have contributed towards the failure of some TIP cases.

Building on the inputs received from the policy dialogue held, FWLD continued gathering sound evidence for this empirical study. The process included examining existing literature on human trafficking along with conducting key information interviews shaped both by the literature review and the inputs from the policy dialogue. Key informants that were interviewed included representatives from NGOs such as Maiti Nepal, AATWIN, Shakti Samuha, Asha Nepal; police personnel including the Women and Children Service Directorate (WCSD) of Kalimati and the WCSD of Lalitpur; the Decision Execution Department of Kathmandu District Court and Lalitpur District Court; Government Attorneys; and representatives of the NCCHT and the Kathmandu DCCHT.

The evidence collected from this research indicate that under-reporting of cases of trafficking, inadequate investigation mechanisms, hostile survivors/witnesses, threats from the accused, and political pressure all play a role in disrupting effective prosecution of trafficking cases. Although, the TIP Act 2007 has introduced a very important victim-centric perspective with a substantial rights-based approach, the implementation of the provisions within the law is still lacking and the law has been criticized for not having a mechanism to ensure its implementation.

During the interactions with key research informants, criticisms were raised against the discourse in Nepal on human trafficking and survivors of trafficking. It was indicated that the efforts to address human trafficking are still confined within patriarchal attitudes with the focus on the welfare notion of 'giving' rights to survivors and 'protecting' survivors as opposed to a rights-based approach. Despite these limitations, many key informants also reported some progress over the years such as the improvement in the attitudes of police, government and court officials towards survivors of trafficking.

In addition to desk review and key informant interviews, the research also includes judgment and court monitoring analysis. The former will indicate to what extent the trends of conviction and acquittal have changed after the enactment of the new trafficking law, what kind of decisions the new law has resulted in, and whether there are any positive or negative changes in judgment trends. The latter will shed light primarily upon the behavior of police, government attorneys, other lawyers and judges towards survivors of trafficking, and also on other factors such as whether confidentiality is maintained in trafficking cases, whether TIP cases are being heard through continuous hearings, and whether the decided compensation is being given to the survivor.

The first draft of the research was shared during a consultation workshop held on 25 October, 2013. The participants of the workshop included representatives of the Ministry of Women, Children and Social Welfare, Ministry of Law and Justice, Department of Women and Children, Appellate Court, and District Attorney Office along with representatives from non-governmental organizations such as USAID, DFID, UN Women, The Asia Foundation, Shakti Samuha, Maiti Nepal, AATWIN, and CTIP program implementing partners to name a few. A total of 35 participants attended the consultation to provide their inputs. Recommendations were given by the participants on specific relevant and strategic interventions that can be adopted to improve the current legal framework and institutional mechanisms. The participants discussed that although the law states that it is the responsibility of the GoN to conduct cross-border rescue, the lack of identification of a specific government agency has resulted in civil society organizations conducting cross-border rescue operations in majority of human trafficking cases. The need to effectively implement monitoring of shelter homes by the GoN was also brought up by the participants. The inputs received from the consultative workshop will be used to further refine

and finalize the study by the end of November 2013. The findings of the empirical study will be used to inform advocacy and programmatic interventions of the CTIP program on legal aspects.

Advocacy for effective victim-centric jurisprudence

Although the TIP Act 2007 is considered an exemplary law which included legal provisions to secure the rights and dignity of a survivor of trafficking, Section 15(6) of the Act has been widely contested. Section 6 of the Act states that if the person reporting a crime under the Human Trafficking Act is the survivor, the police should take the statement of such survivor immediately and shall take the survivor to the nearest court in order to certify the statement. Such certified statement can be taken as evidence by the court hearing the case even if the survivor does not appear before the court in the course of further court proceedings. Section 15(6) of the said Act; however, prescribes punishment of imprisonment of three months to one year to any person involved in the reporting of case under the Act who (i) gives contrary statement (or turns hostile), (ii) fails to appear before the court on its notice, or (iii) does not assist the court. This includes prescribed punishments to survivors and witnesses. This provision is extremely problematic in the context of Nepal where many survivors and witnesses do turn hostile or fail to appear in court often due to external threats and coercion or simply because they do not receive information of the court summons. Therefore, such provisions result in situations where survivors of human trafficking are sentenced to time in prison for changing their statement, perhaps refuting that they were even trafficked, after enduring countless threats to their and their family's lives. Keeping this in mind, FWLD had filed a Public Interest Litigation (PIL) to contest the necessity and constitutionality of Section 15(6) of the TIP Act 2007.⁴

The advocacy efforts by CTIP partners against this provision led to the issuance of directive for the amendment of this section of the Act, on May 2, 2013, by the the special bench of Honorable Justice Kalyan Shrestha, Honorable Justice Girish Chandra Lal and Honorable Justice Gyanendra Bahadur Karki of the Supreme Court. The directive stated that a standard punishment must be given to witnesses for providing false information or for not appearing in court. However, any intimidated survivor who turns hostile should not be criminalized, but rather the person who intimidates should be criminalized. The directive also ordered the state to make a provision that would encourage survivors to register cases of trafficking.

The Supreme Court has issued a directive to the OAG to provide all necessary information related to survivors about the status and documents of case during the case proceedings up to the decision. The directive also stated that survivors should be provided with information on the compensation given to them through the decision of the courts, and they must be facilitated in receiving this compensation.

The TIP Act 2007 provides that the survivor compensation should be equal to half of the fine received from the perpetrator. However, in most cases the perpetrator does not have the means to pay this fine, and the survivor is denied the due compensation. Therefore, a directive was issued to establish a separate state fund for cases of TIP to be created for survivor compensation. Although the TIP Act 2007 has a provision to cover expenses incurred by survivors and witnesses, such as travel cost, in relation to the case; the state has not created a separate budget for TIP cases and therefore such expenses are not being covered. Contesting this issue, the PIL

⁴ Reported in the CTIP Program Second Quarterly Report January – March 2012.

filed led to the court ordering that the fund created should also cover survivor/witness expenses, and that the payment of these expenses should be effective within six months.

The CTIP program implementing partners have been continuously advocating for the establishment of a GoN fund to support survivors of trafficking. This would provide an incentive for survivors of trafficking to file a case, and would also ensure their access to justice. Such a fund that covers expenses incurred by witnesses would also make a case stronger as witnesses would be more willing to support the prosecution process leading to increased convictions.

Following this decision, FWLD and other CTIP partners sent a letter to the Ministry of Finance demanding that this year's budget include a separate fund for cases of trafficking. Letters were also sent to the MoWCSW, the Ministry of Home Affairs, and the Office of the Prime Ministry and Council of Ministers to ensure the implementation of the Supreme Court directive.

Orientation on the aspects of trafficking in persons and safe migration

During this fiscal year, CeLRRd held central and district level orientations for a total of 80 Foreign Service and Immigration officers; representatives from the Foreign Employment Tribunal, Department of Foreign Employment, Foreign Employment Promotion Board, various DAOs, labor courts; and VDC Secretaries. The orientations aimed to increase awareness on the different aspects of TIP including the TIP Act 2007, nuanced aspects of TIP and labor migration, and various rights of the survivors of trafficking as spelled out by national laws and policies in addition to relevant international laws. By bringing representatives from various agencies, the orientations created a space for multi-stakeholder dialogues to facilitate the effective protection of survivors of trafficking.

The increasing number of Nepali migrants who are deceived by agents and recruitment agencies, stranded in various destination countries, and physically and sexually exploited along with the alarming the number of deaths is a clear indication that the prevailing policies on foreign employment in Nepal have not been able to prevent illegal/irregular activities and protect the rights of the migrants. Despite the presence of policy measures and government mechanisms to facilitate safe migration, many Nepali migrants find themselves in exploitative situation and at risk of labor trafficking. Thus, the central and district level orientations held in Banke, Kanchanpur and Kathmandu districts brought together all the concerned stakeholders in a common platform to start a discourse on the nexus between labor migration and trafficking.

The interactive sessions covered different aspects of foreign employment ranging from conceptual clarity, legal policy framework, obligation of the government, information dissemination, recruitment practices, irregular migration, government and non government agencies response to safe migration, and enhancing migrant worker's access to justice, etc. Key questions on critical areas of labor migration were asked by the resource person at the beginning of each session. The discussion among the participants highlighted that a broader understanding of trafficking under the purview of labor migration had to be established. In many instances during the orientations, it was clear that the government officials were unaware that unsafe migration can lead to human trafficking. There was an overall gap in understanding that acts of deceit and fraud in the name of foreign employment are illegal acts under the TIP Act 2007. The participants were informed that in such circumstances, the legal remedy can go beyond filing the case in just the Department of Foreign Employment or Foreign Employment Tribunal. In addition, some of the Immigration Officers questioned the relevancy of the orientations to them

as they voiced that issues of human trafficking do not fit within their designated roles and responsibilities. Ironically, both the Immigration Act 1992 and the Foreign Employment Act 2007 have legal provisions requiring Nepali labor migrants to obtain labor permits and visas before leaving the country and prohibiting the use of false information and passports/visas. In such a dearth of knowledge, these orientations were successful in increasing awareness of the participating government officials on the nexus between human trafficking and labor migration.

REFLECTION NOTE:

In the districts, a recommendation letter from the VDC office is needed in the process of applying for a passport in the DAO. The VDC Secretary from Sindhupalchowk district, who attended the above mentioned orientation, informed that women who seek these recommendations are asked to bring their "guardians" for verification. According to the VDC Secretary, they have faced resentment from the local communities when such recommendations have been given to women without the consent of the families. Thus the requirement of obtaining the "guardian's" verification was introduced. This is reflective of the unequal access and limited mobility faced by women in the local communities. Observing these realities, the CTIP program feels the need to initiate local discourses on gender relations, caste/ethnicity and class identities, and their links with access to power and resources.

Strengthen legal service provision to survivors of trafficking

Legal counseling and legal aid contribute towards effective protection of the survivors as well as prosecution of traffickers. The legal services provided to the survivors of trafficking and other forms of GBV facilitate access to justice. Prosecution of traffickers and facilitating survivors' access to justice is a crucial component of the CTIP program. Many survivors might not be able to exercise their right to access the justice system due to social and financial barriers along with lack of knowledge and intimidation by the law and legal institutions. Thus by addressing these barriers, the CTIP program strengthens legal service provision to survivors of trafficking as an important aspect of redressing the human rights violations endured by survivors. During the third year of the program, CeLRRd along with PPR and FWLD provided legal services to 50 survivors of trafficking and 45 survivors of gender-based violence such as rape and domestic violence. These cases were based on referrals made by the CTIP program partners, shelter homes, SMNs, district police offices, district Women and Children Development Offices, and other local community groups. This referral process is a testimony to the effective coordination and systematic mechanism put in place by the program at the community level to help survivors access justice and to strengthen holistic service delivery.

As a result of the legal counseling and legal aid provided, the CTIP program facilitates the survivor's access to justice and continues to promote the ability of survivors to exercise their rights to ensure effective protection. A total of 21 TIP cases have been convicted through the support of the CTIP program. Some of these cases have been proven to be landmark cases in the judicial history of Nepal. Successful convictions, in some instances 'landmark decisions', of TIP cases have been a consequence of the legal support provided to the survivors and families of trafficking. One of landmark decision has been the court decision of a district judge who upheld the victim's right to 'adequate compensation' by interpreting the rules of providing compensation

to include support from the government's victim assistance fund. These judgments have provided the right victim-centered jurisprudence in application of justice.

Expand community outreach of the judiciary

The lack of public trust in the judicial system and the limited understanding of the judicial process by lay public is a major detriment for access to justice. The level of public trust, knowledge and confidence in the formal justice system directly corresponds with the public's willingness and ability to access formal justice systems. An effective justice system relies on public confidence in the courts. Thus in the third year, the CTIP program has expanded its protection efforts to conducting judicial outreach programs. These outreach programs will be conducted in three of the program districts to facilitate dialogues between the judiciary and the local community, which is also a vital component of the Supreme Court's Second Five-Year Strategic Plan 2009/10 – 2013/14.

During this year, the National Judicial Academy (NJA) held three judicial outreach programs in Banke, Kavre and Sindhupalchowk districts. The dialogues during the outreach programs played a pivotal role in promoting greater understanding of court processes, facilitating the confidence of the local communities on the judiciary, and providing the judiciary with the contextual understanding of social dimensions and gender perspectives for better application of jurisprudence. Judicial representatives from the District Courts, Appellate Courts, District Government Attorney Offices, Appellate Government Attorney Offices, District Court Bar Units, and Appellate Court Bar Units were engaged in discussions with the local communities along with representatives from local government agencies, media, and non-government organizations.

While the representatives from the judiciary promoted a greater understanding of court processes and the role of the judiciary, challenges faced by the communities while seeking justice were also put forward. The local participants voiced that socially, culturally, and economically disadvantaged groups face major problems in accessing justice. In addition to the lack of sufficient evidence, challenges such as the court process being cumbersome and lengthy, delays in court proceeding, political influence within the judicial system, and unequal access to justice were pointed out. Making public engagement fundamental to the goal of the judicial outreach programs, the discussions created a forum for a two-way communication creating a continuously changing normative environment. This will act as a vital component to initiate discourses on the existing confines of the local communities' perception and access to justice. The CTIP program will continue to hold such facilitated interactions in the fourth year which will create a space for voices of the affected populations in the process to ensure judiciary measures and responses that address their needs.

REFLECTION NOTE:

The inequity and discrimination found within our social fabric were reflected within the local communities' understanding of the judiciary. The participants in the judicial outreach programs questioned the concept that laws and institutions are inclusive of the voices of the socially, culturally and economically marginalized group. The CTIP program acknowledges that there is unequal access to justice which is influenced by various power dynamics. Thus these outreach programs provide the judiciary with the contextual understanding of the social and cultural dimensions to enhance the ability of the judiciary on effective application of jurisprudence. The CTIP program will continue to facilitate a two-way discourse between local communities and other key stakeholders on issues of access, power and control through various programmatic interventions to create greater community accountability and ownership on all key development issues.

Empirical study on the status of organ trafficking

The illegal selling of human organs for transplantation is a crime in Nepal according to the Human Body Organ Transplantation (Regulation and Prohibition) Act, 1998. Furthermore, the Human Trafficking and Transportation (Control) Act, 2007 clearly states that the extraction of human organs, except otherwise determined by law, is an act of human trafficking and transportation. However a number of cases of illegal kidney transplantation have been reported by the media in the last couple of years. The CTIP program partners working in Kavre district have in the last year and a half encountered and documented many cases related to sale of kidneys for transplantation which indicate a system process of organ trade for commercial purposes. However, it has been a legal and social challenge to determine if these cases qualify as organ trafficking due to the lack of systematic documentation and evidence gathering involving the process of sale. In Nepal, given the legal provision and framework, little research has been done to examine the link and de-link between the cases of exploitation, deception, and trafficking. Anecdotal evidence points out that other than the rarely reported cases of outright deception and trafficking; many donors consented to sell their kidneys upon being lured by the brokers but were cheated on the payment promised to them.

The CTIP program partners have in last two years brought to notice to local administration, police and the community many cases of illegal organ sale in Kavre District. The program partners have been successful in forcing the local administration and the law enforcement agencies to at least register initial complaint in a few cases. However; given the lack proper understanding of the legal provision and framework and no systematic documentation and analysis of the cases, it has been difficult to get the law enforcement to establish a link between exploitation, deception, and trafficking. To address this bottleneck in understanding the problem and positioning it within existing anti-trafficking legal provisions, TAF together with PPR is conducting an empirical research to understand the status of organ trafficking. The study will strive to understand the process, the reasons and the impact of sale of kidney by doing a qualitative case analysis of at least fifty reported cases. It will look into the socio- economic, political and cultural aspects that drive the process and how that be addressed within the exiting legal and administrative framework. The research will analyze if the reported cases of illegal kidney transplantation can be addressed under existing legal provision related to organ trafficking and if so how.

To ensure that the research has wider social and political buy-in, PPR held a series of interactions with key governmental and non-governmental stakeholders in Dhulikhel and Kathmandu to inform the research framework in the second quarter of this reporting year. The Local Development Officer (LDO) of Kavre district, Women Development Officer of Kavre district, police head of the Women's Police Cell, representatives of the District Attorney Office and the District Health Office (DHO) along with various media personnel and civil society organizations working in the district attended the interaction held in Dhulikhel. Discussing on the social and cultural contexts of this emerging form of exploitation, the participants discussed the roles of the state and the civil society in facilitating access to justice and creating an enabling environment. The Kavre district LDO Mr. Govinda Kariki indicated the need to look into the specificities of the rampant organ sale cases and stressed on the importance of the collaborative efforts of the government and the non-government stakeholders to address the causes and consequences of kidney trafficking. LDO Karki further expressed his commitment to work together with other relevant stakeholders to provide substantial support to the survivors of organ trafficking which was also expressed by the representative of the Kavre DHO.



Round table discussion with legal experts

Focusing on the legal framework, a round-table discussion was held in Kathmandu with leading legal experts to understand how the various acts of law on illegal organ transplantation can be brought to bear on the documented case of illegal sale of kidneys. The legal experts indicated that although cases of kidney trafficking have been included within the definition of exploitation, till date it has not

been effectively incorporated within the legal framework. Clearly being a violation of human rights, the experts indicated that the cases of illegal organ trade can also be scrutinized under the ordinance on prevention of organized crime 2069 B.S. issued by the Government of Nepal in February, 2013. The need to expand the legal framework to investigate the crime in relation to creation of false document especially citizenship, birth registration of the victim during the course of commercial organ trade was put forth. In addition, the need of the research to deconstruct the idea of consent was recommended as fraud and deception are clearly in place due to lack of proper information. The discussions held have supported the research team to understand and identify certain underlying the social, cultural, and legal aspects to address organ trafficking which will further inform the research framework.

To initiate the field research, PPR held a two-days training for six data enumerators who will be in charge of conducting the survey from selected VDCs of Kavre district, under the overall research guidance of Associate Professor Bidhan Acharya from the Central Department of Population Studies, Tribhuvan University. As the issue of illegal sale of kidneys is quite sensitive within the community, efforts have been made to involve members from the local community in the process of data collection so that there can be better access to the victims and their families. Among the six enumerators, two are members of the Safe Migration Networks of Hokse and Jymadi formed under the CTIP program. The training focused on going through the survey questionnaire to ensure the collection of reliable evidence. Dr. Meena Poudel, USAID, oriented the participants on some key ethical issues to be considered while conducting the survey. She urged the enumerators to recognize victim's perspective and to understand that kidney trafficking is a major human rights violation.

The collection of information has already been completed and is being analyzed. The analysis will identify reasons, process and results/effects of kidney trafficking. The research will also identify legal measures that can be taken in the past incidents and future incidents of kidney trafficking and give recommendations. The research will be finalized by December 2013. The findings of the research will support the CTIP program to identify specific areas of interventions and specific advocacy steps will be taken with relevant stakeholders identified by the research. In addition, specific programmatic interventions to be conducted in Kavre district to address socio-cultural, economic, political, and legal constraints leading to organ trafficking will be identified and planned. Details of the interventions will be shared with USAID to seek approval.

Court Case Monitoring

Although having a comprehensive and relevant law is the first step, the implementation of the same is vital to ensure due justice. One of the main institutions involved in the implementation of the law is the courts, and court officials and court procedures are contributing factors to the implementation. Thus it is essential to examine how to what extent court procedures are in line with what is stipulated by the law. Continuing from the previous years of the CTIP program implementation, court case monitoring was conducted this year to track the judicial sector progress in implementing the Human Trafficking and Transportation (Control) Act 2007 (TIP Act). FWLD linked with CeLRRd and PPR to collate district level data and analyze the cases to provide information on how jurisprudence gets played out in courts; how effectively are directives of the Supreme Court understood and applied; what are the gaps between investigation and the prosecution; what are some of the positive judicial adjudications under the TIP Act. The analysis also examined whether the court officials and the judiciary as a whole are sensitive towards victims. The monitoring was conducted in the six CTIP program districts to include a total of 46 cases in the District, Appellate and Supreme Courts.

FWLD is in the process of analyzing the data collated and the report will be finalized by November 2013. Preliminary analysis of the cases reflects that similar patterns in the provision of punishment given by the courts. Section 15 of the Act provides varying degrees of punishment depending on the nature of the crime. The maximum punishment is 20 years of imprisonment and a fine of NRs. 200,000 and the minimum is of one year for human transportation. The findings demonstrate similar sentencing trends between 10 and 20 years, and fines of NRs. 100,000 to NRs. 200,000. The practice of multiple charges and multiple provisions of punishment according is not seen. Similarly, the preliminary analysis also shows that although the TIP Act 2007 has legal provisions for necessary victim and witness protection there is a clear lack of implementation. However, the data from the cases monitored also shows that in all cases where security was requested, it was provided. However, only nine percent of the cases requested security. Thus this reflects that the practice of requesting of victim and witness protection is very poor. Upon completion of the analysis, the findings will be shared with relevant stakeholders to receive further inputs and recommendations. Based on the same, the study will be finalized and will act as an advocacy tool to strengthen the justice sector.

Empirical-based research on effective jurisprudence on TIP cases

During the third year of the CTIP program, TAF worked closely with the OAG and NJA to conduct two judgment analysis studies of TIP cases. NJA compiled and analyzed 16 landmark judgments on TIP cases given by the Supreme Court and Appellate Courts. Identifying the factors that lead to effective prosecution, the study identified the gaps and challenges in implementing effective jurisprudence. The judgments were also analyzed to examine the judicial trend in cases of TIP and the study will be a vital resource for practicing lawyers, public prosecutors, and judges in tracing the jurisprudence of TIP related cases. NJA is in the process of receiving inputs and recommendations on the draft report. The study will be finalized in the upcoming months.

Similarly, OAG conducted a review of 86 TIP cases that have been acquitted by the Supreme Court and the Appellate Courts or finalized at the district courts. This study also aims to identify the gaps and challenges in implementing effective jurisprudence. The findings of the research will inform strategies needed to strengthen effective prosecution and adjudication, and to facilitate increased protection of victims of trafficking by the justice sector. OAG with support

from TAF and CeLRRd is in the process of finalizing the report. Preliminary analysis of the judgments indicates the difficulty in arresting the perpetrators in majority of the failed TIP cases. This proves to be a major challenge in regard to investigation and adversely impacts the effective application of justice. Similarly, the limitation of coordination between public prosecutors and police personnel is also reflected in the preliminary analysis. Within the sample size, the study shows that a majority of the public prosecutors were unable to direct the police for further investigation when the later failed to provide timely information on the TIP case. It is also found that in 38 percent of the TIP cases sampled in the study the charge sheet failed to provide sound data and evidence. These are some of the constraining factors identified by the review. The research will be finalized in the upcoming months.

3.2.3 Prevention

Assessment of Safe Migration Network (SMNs) in the program districts

The assessment of the 250 Safe Migration Networks conducted by WEI in consultation with TAF and USAID was critical for the CTIP team to identify and analyze the current capacity of the networks based on various thematic areas that corresponded to their core mandate as community workers. This assessment was a cross-sectional study using both quantitative and qualitative data collection to categorize the networks into three groups- strong, intermediate and weak on the basis of five performance indicators including community mobilization, resource mobilization, referrals, knowledge on SM and TIP and awareness raising activities. The full assessment report has been submitted to USAID.

The findings of the assessment report were used as key reference to develop the core content of the training curriculum for both the strong/ intermediate and weak SMNs which focused on conceptual clarity on trafficking, GBV and its nexus with trafficking, and aspects related to safe migration, documentation, integration of psychosocial support for survivors of trafficking and GBV to create an enabling environment; and roles and responsibility of the networks to act as front line resource pool in the promotion of safe migration and prevention of trafficking.

The trainings as reported below were tailored according to the need identified for the SMNs where the three-day trainings for weak SMNs focused on basic legal concepts based on rights based framework, effective advocacy, referral mechanisms, increased participation of SMNs on anti-trafficking efforts. The two-day trainings for the strong SMNs focused on providing skills to strategically scale up their prevention services through the mobilization of existing resources, reinforcement of strengthened referral mechanism and a broader understanding of gender manifestations of access and control of resources within the framework on TIP and GBV.

The overlapping contents included in both weak and strong/intermediate SMN curriculum are SMN objectives and its roles and responsibilities, restructuring of SMNs, their roles and responsibilities, gender inequalities, trust building, conceptual clarity on TIP, links and de-links with other forms of violence, implementation plan and work plans. In addition, concepts on effective usage of Information, Education and Communication (IEC) materials and referral systems was added to the weaker SMN's manual.

Training of Trainers (ToT) for prevention implementing partners staff on capacity building for Safe Migration Network

After the finalization of the curriculum designs, a five-day ToT was conducted by WEI to the prevention partners including social mobilizers, district supervisors and program coordinators in Bhaktapur and Chitwan. The trainees acted as resource persons and key facilitators for the VDC-level SMN trainings. The ToTs focused on developing a comprehensive understanding of the preventive strategies through the foundation of SMNs to combat trafficking in Nepal. The key focus of the ToT was to reinforce the objectives of SMNs, its core mandate, role and responsibilities of the SMN, importance of systematic coordination and mainstreaming of networks to ensure sustainable and effective preventive systems within the community. The sessions were segregated into conceptual clarity of issues related gender in relation to the power and access to resources, implications of gender within the social dimension of GBV and labor migration, the nexus between labor migration and human trafficking, psychosocial concepts relating to trust, communication skills within the rights-based framework, and effective resource mobilization. The ToTs were effective in bringing together the CTIP team working at the community level to reflect and assess the current community prevention interventions with the SMNs and then develop strategies to strengthen the role and effectiveness of SMNs to act as local leaders and catalyst in the promotion of safe migration and prevention of TIP. Practical sessions were also included to enable the participants to develop a check list of the critical issues to be covered at the SMNs training, implementation plan for the roll out of the trainings, and modality of the training.

SMN training at the community level

After completion of the ToTs, the staff of the prevention implementing partners conducted either two-day trainings to the strong/ intermediate SMNs or three-day training to the weak SMNs at the VDC level in all the CTIP program districts. The trainings were based on the curriculum designed that was reflective of the needs identified in the assessment. In order to further expand the role of the SMNs to cross over to the protection component and be the drivers in creating an



Participants enjoying trust building game in Makwanpur

enabling and protective environment; TPO was brought in as a technical resource organization to the conduct a session on skills to build trust with the direct survivors and other stakeholders in any community interventions while adopting a rights based framework. A total 93 trainings (65 two days and 28 three days) for 149 SMNs was completed in fourth quarter of year 3. Training to remaining 101 SMNs have been planned for early in Year IV

The pre and post assessment conducted with the 1,606 participants of the SMNs trainings illustrated a significant increase on knowledge on

issues related to TIP and safe migration. Prior to the training the SMNs members were not able to correctly identify the impacts of the GBV and its links with human trafficking and the knowledge increased to 82% after the trainings. Similarly, the concept of safe migration and the changing dynamics of trafficking under the garb of labor migration increased by 39% after the trainings. The assessment of the objectives of the SMNs and the roles and responsibilities was also understood in depth by almost all (80%) of the participants after the training. Thus, providing refresher trainings on the specific issues related to TIP and safe migration has been

crucial to reinforce the conceptual clarity and build capacity to further effectively mobilize the SMNs to effectively implementing TIP.

Key findings of the Focus Group Discussions (FGDs) with SMN members⁵

Three FGDs were conducted in different VDCs of CTIP program districts to assess the outcomes of activities carried out by SMNs in the following locations: Bankatwa VDC of Banke, Basamadi VDC of Makwanpur and Mangaltar VDC of Kavrepalanchok. The key findings and observations below are based on the discussions held in the FGDs with the members of the SMNs from the three categories (weak, intermediate, and strong).

The perceived prime roles and responsibilities of the SMNs is seen as a resource pool to disseminate information and create awareness on issues related to TIP and safe migration at the community level. The members also played a critical role in providing the information on the migration process including assistance in acquiring proper documents, referral to government and non-government agencies that provide genuine migration services, and act as network to give information on precautionary measures including risk of unsafe migration associated with using informal individual agents who work through extra-legal channels. For example, SMNs of Basamadi have set up an information desk at the community learning center of the VDC in coordination with ABC Nepal. The information desk provides information on TIP and safe migration issues.

Further, the sensitization activities such as street dramas, video shows, and rallies and song competitions conducted by SMNs with active participation from government line agencies and local stakeholders have been effective in engaging the community on issues related to TIP and safe migration. This strengthened the active role of SMNs within the community that they work in as many people were also informed about the SMNs and its work against human trafficking. For instance, the SMNs of Bankatwa have been taking the opportunity of mass gatherings, like the Teej program, to disseminate messages about TIP and safe migration.

In addition to the SMNs mandate as a resource pool at the community level; the members also perceived their roles as a critical frontline structure present within the community level to identify, address (if possible), and refer the cases of TIP and other forms of violence such as domestic violence, polygamy and forgery and fraud in foreign employment to the service providers. Since the causes and effect of trafficking are closely linked to the other forms of violence which puts the person at risk of trafficking and exploitation; the SMNs were found to address the under lying gender inequity in relation to the power and access to resources, implications of gender within the social dimension of GBV and labor migration within their communities. This broad approach expanded the role of SMNs to reach out to the survivors of both TIP and other forms of GBVs for referrals.

Social stigma and discrimination is one the major impediment for survivors to seek justice or access any other rehabilitation and reintegration services. This means that the cases are usually identified by family members, friends and neighbors; and brought to the notice of the SMNs for intervention. The members of SMN face major challenges in responding to the need to survivors as they are unwilling to discuss the problem or seek help due to the fear of social stigma. The

⁵ The FGD analyses is based on FGDs carried out by WEI's POs and M&E officer, one FGD per field visit, as indicated in the M&E matrix.

CTIP program, under the protection component has been working towards initiating a discourse at the community level to create an enabling environment that is conducive for rehabilitation and reintegration.

While the members of SMNs are mostly empowered women within their community; the social structures, complex gender and social inequalities, as it currently stands, limits the involvement of the women in the network and community interventions. Moreover, the SMNs are also challenged with the gendered stereotype and roles of women within their community. For instance, the SMN of Bankatwa VDC added that since they are all women in the network, most members usually need family permission to remain out of house for longer period and often have to face pressure from different groups and members of the community.

All SMN members expressed the need for exposure visits to enable cross learning and sharing of experiences. They also added that exposure visits and other activities will motivate SMNs to adopt some of the best practices of other VDCs. Most of the SMNs were happy with the support provided by Social Mobilizers and partner NGOs. The regular interactions and technical support by the Social Mobilizers and representatives from partner NGOs were appreciated by the SMNs.

Quarterly review meeting of SMNs

As a continued effort to guide the networks, the prevention implementing partners continued to hold follow-up meetings with all the SMNs in the six program districts. The interactions between the SMNs and implementing partners have been effective in providing technical oversight to the networks and coordinating with the SMNs to ensure comprehensive understanding of TIP and GBV cases in the local socio-political and economic context, follow-up on the referral cases, and assist actively mobilize existing local resources to organize prevention activities. The SMNs were able to generate funds for various awareness-raising programs with the women's and mothers' groups, saving and credit groups, forest users groups and teachers and explore opportunities for collaboration with local stakeholder and generating local resources



SMN meeting in Machhegaun VDC, Kathmandu

SMN shared information about safe migration

Maya Pakrin is a SMN member of Chaimale VDC. Her brother and family used to reside in Kathmandu. One day her sister-in-law shared the information of a particular foreign employment opportunity. A man was providing an opportunity free of cost for twenty people including her. The SMN member suggested her sister-in-law not to believe any person and warned her about high prevalence of perpetrators engaged in girl trafficking under the garb of foreign employment. Further she also provided her some clues for further inquiry. As per the suggestion of Maya, her sister in law investigated about it and finally came to know of the agent's fraudulent practices. She with the help of Maya shared the information with the 20 other women who were waiting to go aboard and further gave information about safe migration practices.

Access to government and non-government funds

Due to strong rapport with the local level stakeholders, the networks have been able to consistently leverage government and non-government resources available at the community and district level. These funds have been utilized by the SMN for various trainings and awareness raising activities related to TIP and GBV which act as a support system for larger anti-trafficking efforts at the community level. In the third year, the total funds accessed by SMNs from government and non-government agencies was NRs. 25,88,895 (US\$26,967.66) to use it for various community activities on anti-human trafficking and safe migration. The ability of the SMNs to access to resources outside of the CTIP program is an indicator of effective linkages between the networks and prevention service providers as well as integrated commitment by various stakeholders to provide support for anti-trafficking efforts. This also indicates positively for the long-term sustainability of the SMNs beyond CTIP funding.

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REFLECTION NOTE:

The CTIP program through the SMNs have made successful attempts to coordinate with various local structures to access the VCD funds allocated for the development women and children at the local level. The series of interactions in accessing the funds have facilitated the gender equity approach in the distribution of resources between the local government officials and community members. The CTIP program feels the need to promote in-depth discourse amongst the local district stakeholders to understand the nuances of how gender equity plays a role in accessing resources and power structures that ultimately translates into gender empowerment.

Case referrals by SMNs

Case Referrals by SMNs

Types of cases	No of cases
Gender based violence	196
Trafficking in person	40
Fraud in foreign employment and labour exploitation	50
Rape	12
Polygamy	12
Child labor	3
Marriage registration	2
Citizenship	3
Accusation of witchcraft	2
Other issues *	13
Total cases referred by SMNs in Year 3	333

During this fiscal year 333⁶ referral cases were documented by the SMNs using the referral logbook which included cases of TIP, other forms of GBV, labor exploitation. The SMNs have been able to effectively initiate and coordinate referral and follow ups to ensure service delivery for survivors of trafficking and other forms of GBV identified at the community level. Due to the strong presence of the networks at the community level and the members' participation in other community networks; the SMNs have formed strong linkages between local and national networks of service providers which have translated in facilitating effective service delivery to the survivors of trafficking and other forms of GBV. The SMNs continue to be front liners and safety groups for vulnerable individuals of TIP and GBV cases,

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where other government or community structures are not present.

*other issues include land acquisition, water dispute, alcohol problems, and mental health issues

⁶ Based on the sample size mentioned in the M&E framework for the prevention component

Sensitization activities by Safe Migration Networks

During this fiscal year, a total of 251 sensitization activities were conducted by SMNs to raise awareness on SM & TIP issues. A total of 37,696 (15,832 male and 21,864 female) community members were given messages on safe migration, trafficking, and role of community in preventing trafficking through various mediums of sensitization activities. Various types of sensitization activities such as rallies, interaction program, street drama, orientation program, door to door message dissemination, documentary shows and debate competition were conducted at the community level. Levering on the outreach of the sensitization activities, the SMNs has been able to actively engage with the people in the community to generate opportunities for prevention interventions. The strengthened linkages at the community enabled the SMNs to conduct follow up to reach out to survivors of TIP and aspiring migrants to ensure referrals for service delivery and information dissemination.

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In order to understand the existing level of knowledge on TIP and safe migration among community members who participated in sensitization activities, the WEI team developed a set of five multiple choice. In most cases, prior to the sensitization activities, people were familiar with the discussed issues but were unclear or had limited understanding of trafficking, its forms, challenges and its nexus to labor migration. The interaction programs helped people realize the linkages of labor migration and trafficking, different forms of vulnerabilities that could result in exploitation and trafficking, community's role and responsibilities to curb trafficking within their own community and the importance of proper documentation in foreign employment. Additionally, community members learned about the legal aspects of SM & TIP as well as legal procedures, and broaden their understanding framework that trafficking is not only limited to exploitation of women for sex work of girls and women. Overall, sensitization programs were eye-opening programs which garnered a lot of attention and resulted in widespread awareness.

SMN exposure visit

Building on the need to facilitate cross learning amongst the weak and strong/ intermediate SMNs to generate a steep learning curve of the best practices to address TIP at the community level and learn through experience sharing; a one day exposure visit organized by prevention implementing partners for 105 SMNs members from 25 weak and intermediate SMNs in all CTIP program district except Banke. The objective of the SMN exposure visits specifically targeted less active and active SMNs to encourage learning through experience sharing. During the exposure visit, SMNs discussed various experiences and pertinent issues such as the importance of inclusiveness and fair representation of members within a SMN, mandate and responsibilities of the SMNs as a community structure to address TIP, importance of documentation, strategic coordination with local stakeholders for effective preventive interventions, challenges, lessons learnt, and future strategies for the SMNs. Some SMNs shared their success in being able to access the existing government funds due to increased coordination with government and non-government agencies out the CTIP program. Thus, the exposure visits was able to increase the capacity as well as motive the SMNs to effectively prevent TIP and enhance coordination amongst the networks across the VDCs in the program districts.

Local level in coordination with VDC offices and WCO and SMNs

43
CTIP Program; AID-:
Annual Report, October 20



SMN Coordination meeting at the local level

A total of 28 coordination meetings between SMNs and local stakeholders at the VDC level were conducted with support from the prevention component partners. The main objective of coordination meeting was to build linkages between SMNs and government to improve access and mobilization of funds for TIP and SM issues at the community level.

Representatives of various VDC offices, political parties, police officials, saving credit cooperatives, women's groups, schools participated in the meeting. The meeting has supported SMNs and helped them gain recognition of their efforts at the community level.

District level coordination meetings with government stakeholders

In order to enhance the effectiveness of program activities and leverage on the CTIP program's overall linkages with the district and local government and non-government stakeholders; the prevention component implementing partners held district coordination meetings in all the CTIP program districts. The coordination with the DCCHT members and other local government and non-government stakeholders was able to enhance the effectiveness of the program activities, and generate a buy-in on key anti-trafficking issues at the district and local level. Throughout the year, the district coordination meetings had a strong representation from the district level administration. Local government officials including the CDO, WDO, representatives from the DAO, DDC, and WDO office, DPHO, Nepal Police, and other civil society stakeholders. The continuous interactions of the prevention partners with the key government and non-governments have not only been effective in bringing forth the issues and challenges of TIP issues but have also generated tangible actions to combat trafficking in some of the CTIP program districts.

Major outcomes:

- District Child Welfare Board (DCWB) coordinated with GMSS to provide scholarships for girl survivors of trafficking in Makwanpur;
- GMSS succeeded in collecting commitments from specific service providers to expedite the referral services by utilizing the network of 22 NGOs in Makwanpur district that work specifically on TIP and SM issues;
- Collaboration with CDO and CeLRRd to provide information and counseling services to potential migrants at the Kiosk Center, CDO office, Kanchanpur; and
- Systematic coordination and institutionalization of the SMNs into the formal government anti- trafficking systems. Effective coordination and engagement with the local government agencies has resulted in converting a significant number of SMNs into VDC Committee for Controlling Human Trafficking (VCCHT) in Banke and Sindhupalchowk

Key outcomes of the FGDs with the members of the DCCHT committee

To capture the outcome of enhanced coordination and collaboration amongst the prevention implementing partners and members of the DCCHT; one FGD was conducted with the participants of the DCCHT in each CTIP program district. The focus on the FGDs was able to effectively gauge the understanding on the following issues:

Establishing linkages amongst the SMNs and DCCHT: In addition the capacity building support provided to the SMNs through the CTIP program, the prevention implementing partners engaged with the district level government stakeholders to build and improve networks between the SMNs and the formal government structures. These efforts by the implementing partners and the

SMNs are expected to result in mainstreaming of the issues of TIP and safe migration in other government programs as well as facilitate the crossover of SMNs into the formal structures of the existing local level government structures. Majority of the members of the DCCHT were aware of the SMNs and its works on anti-trafficking at the community level. While most members appreciated the valuable role of the SMNs in creating awareness at the community level in preventing TIP and promoting safe migration; a need to further expand the role of the SMNs by linking them to the government system for their sustainability was expressed. Some CTIP districts like Banke and Sindhupalchowk have effectively worked with DCCHT to convert the SMNs in the VCCHT. The need of further develop the capacity of SMNs and support from other government and non government stakeholders within the community were expressed to better equip the networks to address the different and changing dimensions of the trafficking and its challenges.

Role of DCCHT in coordinating with other stakeholders for combating TIP and safe migration: A general feedback on the increased and proactive role in coordination was expressed by the participants. The district coordination meetings have been effective in providing a platform for increased collaboration with various stakeholders to discuss the issues of trafficking, labor migrations and its nexus to trafficking and other forms of exploitation. Some of the commitments and decision made by the DCCHT members at the meeting have been seen as a positive step towards addressing trafficking. However, a need to follow up on the commitments and review of the decisions to ensure timely and effective implementation was expressed. In addition, respondents felt the need of drafting an action plan for combating TIP at the district level. The CTIP program is working directly with the NCCHT to build the capacity of the DCCHT in this regard.

Formation of monitoring sub-committee within DCCHT

In the third year, WEI and TAF engaged with NCCHT Secretariat to draft a TOR to operationalize a sub-task group for monitoring under the DCCHT. The sub-monitoring committee to the DCCHT which include certain members of the DCCHT, will function as a part of the committee to fulfill the monitoring mandate as specified in the TIP regulation. The monitoring sub-task group comprises of a few members of the DCCHT and will be formed under the DCCHT. The concept and draft TOR was submitted to NCCHT Secretariat; after which the draft TOR for sub-committee was shared at the two regional meetings in Pokhara and Makwanpur organized by NCCHT with the district level government stakeholders for feedback and inputs. The revised TOR incorporating the inputs received from the districts was shared at the regular NCCHT meeting for its concurrence. The NCCHT has been sharing the draft TOR in different regional forum to generate a buy in from district stakeholders. The NCCHT has created two sub-monitoring committee structures in non- CTIP districts- Nawalparasi and Rupandehi as pilot initiatives. In the fourth year, the CTIP program will work toward facilitating the formation and functioning of the sub-committee under the DCCHT in the CTIP program districts as well as facilitate the monitoring field visits to observe and monitor the community level anti-trafficking interventions

Reaching school students with career counseling and safe migration education

The nexus between human trafficking and labor migration has become more distinct in Nepal with increasing cases of exploitation and violations of human rights of Nepali migrant workers. Low level of awareness on safe migration has resulted in increased vulnerability towards

trafficking in persons. Thus to reach the next generation of potential migrants and the youth of the country, CTIP program has collaborated with the Curriculum Development Centre (CDC) under the Ministry of Education and Sports (MoES) to integrate information on safe migration and career counseling into the new vocational subject for students in Grades 6 to 12 in all schools across Nepal. The materials were developed through rigorous iteration with concerned stakeholders, experts and direct target groups. Various safe migration education materials such as the student activity folders including the guidelines activities such as the singing competitions, street and school drama, debate competitions, case study/success story writing, and reference sheet for teacher to provide technical support while conducting activities linking to SM and TIP in the Social Studies and Environment, Population and Health subject and curriculum were developed.

In the third year, the CTIP program has been successful in getting institutional buy-in from the MoES in formalizing the curriculum and rolling-out trainings based on the same. It is expected that the curriculum in the coming year would become a part of the formal school curriculum.

In facilitating this integration, WEI and the implementing partners coordinated with the CDC and the respective District Education Offices (DEO) to roll-out two-day teacher trainings at the district level. It is expected that 73% of the total public high schools of the six program districts will be reached by the end of the fourth year of the CTIP program. As a first step towards promoting safe migration by linking it with career counseling in the secondary and higher secondary schools in Nepal; a one-day orientation for Department of Education (DOE) Resource Persons (RPs) and School Supervisors was conducted in each of the five program districts. CDC's representative shared the content showing linkages between SM/TIP issues and the content in school textbooks. During the orientation program schools were identified for the program. VDCs having high migration rate and vulnerable populations were prioritized for the initial selection of schools.

Teachers Training on Safe Migration

To further reach out to the target groups, the two-day teachers' trainings were organized by the DEO with support from partner NGOs in five CTIP districts. In total, 82 teachers (male: 67, female: 15) from five program districts were provided training. The training aimed to increase teachers' understanding of TIP and SM issues and further encourage teachers to include TIP and SM in co-curricular activities at school. The training focused on preparing the teachers to provide career counseling and safe migration information to the lower and higher secondary level students. The participants were oriented on the IEC materials (booklets and posters on safe migration, and career planning materials) developed under the CTIP program with CDC. The public school teachers further planned extra-curricular activities for the students which would be used as a supplementary awareness-raising strategy focusing on safe migration and prevention of human trafficking. The implementing partners will follow-up with trained teachers to provide them technical guidance as per the need.

The implementing partners will work closely with the teachers to facilitate the implementation of perform different activities included in the student folder to create awareness on career counseling and safe migration within the schools that they are currently working in. It is expected that the teachers will play a vital role promoting and coordinating the co-curricular activities on career counseling and safe migration and making it a part of the regular extra-curricular activities. For example, teachers from five schools in Banke reported that they have

already started their interaction with the other schools teachers and board to conduct the co-curricular activities included in the activity folder.

Conduct family financial training to the vulnerable populations

In the third year, the FFP package trainings were rolled out at the community level through MTOT and TOT that aimed at helping the beneficiary households to better manage their financial resources and plan by providing them with financial planning and management skills. During this year, the CTIP program reached out to 3,001 households through numerous FFP trainings conducted at the community level in the six CTIP program districts. The pre and post assessment conducted throughout the FFP trainings helped the CTIP program to gauge the effectiveness of the program and ability of the participants to understand the concepts, actively engage in learning, and effective application of their learning into practical financial household planning and record keeping. The assessments illustrated significant increase in the understanding of the economic value for work, difference between current and fixed assets, enhanced understanding of the financial planning, and the process to effectively managing the FFP throughout all the FFP trainings in all the districts. For instance, a significant increase of 64% in the knowledge of correct process of FFP was noted in the FFP trainings of the last quarter. Similarly, almost all the participants (90%) were able to correctly understand the economic value for work in all the quarters. In addition to the pre and post assessment, various other M&E tools were developed and implemented to assess the outcome and impact of the FFP trainings.



FGD with FFP participants in Banke

The focus group discussions were conducted with the selected participants in all the quarters of the third year. In total, 30 FGDs were conducted in the six program districts (five in each district⁷) to gauge the outcome of training amongst the participants. A standardized FGD questionnaire which focused on two major aspects; understanding of FFP and effectiveness and impact of FFP training; was used. The discussion illustrated that only half of the FGD participants were financial decision makers. This is mainly because while the household decision makers are mostly women (80%); major financial decisions are mostly made by men or elders of the family in consent with other family members. A slight variance in the financial decision making process with the district was noted; where many of the participants in Kavrepalanchowk expressed that they had independent financial decisions power, while in Banke, Kanchanpur and Makwanpur, both husband and wife together were responsible for financial decisions.

The main source of household income for most of the participants were through agriculture, while a relatively small proportion of participants depended on remittances, jobs, and small scale business for their household expenses. The few participants receiving remittances across the districts were found to use the money to pay debt to the recruitment agencies, agents or informal money brokers and use the remaining money to manage household expenses. The lack of access of the formal financial institutions usually pushes the potential migrants to take loan at exorbitant rate, sometimes up to 35%, which leaves the migrants and their families in huge

⁷according to M&E matrix

debts. As indicated in other studies, the families of the migrants usually have hefty amounts of debt, and the remaining money is mostly used in consumer goods. Therefore, the CTIP program through the FFP training aims at increasing the practice of book-keeping which allows a self assessment of their financial status, therefore resulting in cutting down unnecessary expenses ; encourage saving habits through involvement in village saving groups, cooperatives and banks; and mobilize in productive sectors. A few participants were found to have adopted the FFP measures in their daily lives and developed saving habits through involvement in village saving groups, cooperatives and banks.

It was observed that overall the trainings have significantly changed the financial management practices of the participants. It has enabled participants to maintain financial transparency among family members by sitting together for family financial planning. Participants also reported about their improved understanding about the importance of record keeping and ability of calculating the ratio between family income and expenditures. It enabled them to make saving by controlling unnecessary expenses. This enabled the families to redirect the financial resources in various other sectors such as children's education, health treatment of family members, as well as purchasing seeds and fertilizer without taking any loans. It was notable that following the trainings, some of the participants have also started small income generating activities such as asillaichi (Cardamom) farming, animal husbandry, vegetable farming, mushroom farming, poultry and pig farming, grocery shop, cosmetics shops and handicrafts through the money saved.

In general, the participants were satisfied with the content of the training; however, some expressed the need for follow-ups and refresher training. A general need to proactively include the male participants in these trainings was expressed as they are the decision making heads in the household along with the female participants. Furthermore, some participants recommended linking such training to entrepreneurship training so holistically develop the economic conditions of the households. Participating in a series of trainings that involved the financial management and income generation programs will give the comprehensive understanding of the financial cycle and gain knowledge that will allow them to not only use the money in productive areas but also assist in setting up business enterprise and establish market linkages for income generation. A small portion of participants felt that training needed to be simplified to match their educational level with basic learning tools.

The findings of the pre and post assessment and the FGDs conducted in the third year were critical for the CTIP program to capture success, lessons learned and way forward for the coming years. The information was also used as a reference in a national level workshop on Financial Literacy hosted by World Education in Godavari in September/October 2013 (outside the CTIP program) to explore different avenues for scale-up through multi-disciplinary approaches and mechanisms such as the microfinance institutions savings and credit group.

Support for entrepreneurial skill training/vocational training and in kind support to vulnerable population

In the third year, the prevention implementing partners went through a rigorous process to identify and upgrade the resource mapping of local entrepreneurship and vocational skills providers outside of the CTIP program. This task focused on expanding the role of implementing partners in providing support to the beneficiaries to secure entrepreneurial training packages from other existing government and non-government programs out the CTIP program to

improve their economic livelihood. A total of 113 people who are vulnerable and at risk of trafficking received entrepreneurship training. The participants were identified and assessed according to a standardized criteria set by WEI. The beneficiaries were given training in marketable areas of business and industry based on their interest and aptitude. The comprehensive integrated entrepreneurship package was geared towards building the skills of the beneficiaries to set up a start up business. The training focused on various areas of 1) enterprise development training; 2) Skill specific training; and 3) Business startup support. In the third year, a multi-disciplinary approach was adopted where a combination of acquiring information through market assessment of the products and management of small businesses, within the specific locality and community was done alongside the regular capacity building trainings. In addition to providing specific technical skills, the training also focused on development of entrepreneurial skills and business skills for micro enterprise start up. Various economic livelihood options such as goat rearing, grocery shops, beauty parlor, poultry, farming, and tailoring were the preferred enterprises. However, the CTIP partners also explored non-conventional areas of job opportunities and provided trainings at the community level on goat rearing, driving, bike workshop, and carpentry courses as appropriate.

In addition, the prevention implementing partners also provided upgrade skills trainings to a total of 102 (93 participants who previously participated in entrepreneurship and 9 new beneficiaries who entered the upgrade skills training directly) beneficiaries in the CTIP program districts. The participants who were given entrepreneurial skills trainings were given advanced training through the upgrade skills training to better enable the participants to start a business. However, nine participants directly enrolled in the upgrade skills training as they had existing basic skills for economic opportunities. The upgrade skills trainings included specific technical skills trainings, capacity building on enterprise development and management, microfinance, access to credit and loan, and management of accounts to enhance their ability to compete in the marketplace. At the completion of the entrepreneurial and upgrade skills trainings package, the beneficiaries were provided with in-kind support to kick start their business. While the in-kind support was a nominal amount, the implementing partners have been working closely with the beneficiaries to refer and provide information for follow up loan support from existing local level financial institutions, savings and cooperative groups, microfinance companies, government agencies to cover the investment cost for setting up the business. In the fourth year, the implementing partners will continue to work with the beneficiaries to provide the necessary support to capitalize on the opportunities in a legitimate and non-exploitative work place and business environment.

REFLECTION NOTE:

Despite efforts from the implementing partners to engage with the beneficiaries to explore job opportunities outside the conventional jobs, the entrepreneurial training and upgrade skills training were largely focused on conventional jobs such as tailoring and beauty parlor. The participants were found to be more comfortable opting for these jobs as the perceived risk, employment prospects, and exposure to economic opportunities were limited. The CTIP program feels the need to link the program interventions of anti-human trafficking and safe migration with other rural development programs and income generation programs to promote jobs that are unconventional and lucrative within a non-exploitative workplace and business environment.

3.2.4 Coordination Strategy

Enhance coordination of anti-trafficking efforts through the capacity of the NCCHT

Building on the efforts of the on-going CTIP program to work at the national level to strengthen the policy frameworks mandated by the TIP Act 2007 and Regulation 2008, TAF has been working closely with the MoWCSW and the NCCHT to develop and support the GoN's efforts to combat trafficking in persons through specific programmatic interventions.

During this year, with the support from the CTIP program the NCCHT/MoWCSW organized five NCCHT steering committee meetings and total three meetings of protection, prosecution and prevention sub-committees. The NCCHT also held a meeting with the members of the sub-committee which was formed to review the guidelines for Victim/Witness Protection specific for TIP cases developed under the CTIP program. The meeting was organized with an objective to

follow-up on the status of the Victim Protection and Witness Protection bills being drafted by the National Law Commission and to explore the possibility of integrating important aspects regarding the effective protection of TIP survivors and witness into the larger bills. Through the support of the CTIP program, the NCCHT is in the process of coordinating with various government agencies and in particular the National Law Commission to integrate a comprehensive survivors and witnesses protection mechanism applicable in human trafficking cases.



MoWCSW/NCCHT central level orientation

The MoWCSW and the NCCHT conducted a central level orientation program on issues of human trafficking in Nepal at Hotel Shanker, Kathmandu on March 4-5, 2013. The Secretary of the MoWCSW chaired the program and various members of the NCCHT and relevant line ministries participated in the program. Focusing on strengthening victim-centric national frameworks to address the needs of the survivors, the orientation strived to build a common understanding and integrated response to counter trafficking. The orientation also reviewed and assessed the existing national and international policy frameworks in place to address the changing dimensions of TIP.

In addition, the NCCHT/MoWCSW conducted a joint interaction program with NJA and 26 CDOs and representatives from the Ministry of Home Affairs on issues of controlling human trafficking in the third quarter of this fiscal year. The Secretary of the MoWCSW chaired the program and various members of the NCCHT and relevant line ministries, and representatives from the OAG, Department of Women and Children, Department of Prisoners Management, and Nepal Police participated in the program. The key objective was to disseminate legal and policy

documents such as the NPA, NMS, and SOP along with informing the participants on the TIP Act 2007. The CDOs as the Chair of the DCCHT have the vital position to implement the laws and policies in the districts. Hence, they are vital stakeholders for the effective implementation of laws and policies to combat trafficking at the district level. Senior officials from the Ministry of Home Affairs and MoWCSW highlighted the critical role of the CDOs and encouraged stronger coordination within and across ministries. The CDOs requested regular updates on counter trafficking laws and policy development, as well as on gender based violence and labor migration.

Regional-level policy documents dissemination workshop

The NCCHT/MoWCSW held five regional level workshops in Biratnagar, Hetauda, Pokhara Nepalgunj and Dhangadi covering eastern, central, western, mid-western and far western regions of Nepal. These workshops aimed at disseminating the policy documents, explaining the operational framework of the policy documents and creating awareness to assist the policies implementation. The



Participants of the regional workshop held in Hetauda

The objectives of these workshops were to increase awareness of the participants on the different dimensions of human trafficking and its consequences, and discuss challenges on the implementation of National Plan of Action, 2012 in districts and at local level. Members of the District Coordination Committee for Controlling Human Trafficking (DCCHTs) in particular the CDO, Local Development Officer (LDO) and members from the District Women and Children Development Offices (WCDO) attended the workshop.

The workshop enhanced the understanding of different stakeholders on the theoretical aspects of human trafficking and its dimensions in addition to discussing strategies on translation of principles into practical interventions to address trafficking in persons. A specific focus was placed on receiving inputs from the participants on formulating and prioritizing the issues from the NPA to draw up a comprehensive implementation plan. The workshop also gave a platform for the WDOs to share their experiences and challenges in adopting an integrated approach to combating human trafficking at the district and local levels. Participants were divided into three groups focusing on implementation of government policies at local level; coordination between the NCCHT and the DCCHTs; and effectiveness of rehabilitation centers. Groups were assigned to highlight the problems and challenges existing in the local level on relevant thematic areas, and prepare recommendations for addressing the problem along with successful cases of action. During the group work, some of the challenges identified include lack of rehabilitation centers at each district, lack of mobilizing rehabilitation funds targeted to benefit survivors of human trafficking, lack of priority to the gender issues, rigid stigma and discrimination, and lack of coordination among the stakeholders working at anti-trafficking sector. To address the identified challenges, the participants gave possible recommendations on various issues such as capacity building skills for the survivors of human trafficking, proper utilization of the rehabilitation

fund, implementation of an effective coordination mechanism, and regular meetings of the DCCHT. Next year, the CTIP program will support the NCCHT/MoWCSW to utilize and implement the challenges and recommendations discussed during the workshop and to design strategies needed to implementation the NPA, NMS, and SOP policy documents.

Monitoring of rehabilitation centers

The GoN funds eight rehabilitation centers providing services to survivors of trafficking. Under the Human Trafficking (control) Regulation 2008, the NCCHT has the mandate to monitor and inspect the rehabilitation centers. The SOP for the Rehabilitation Centers also provides operational guidance to shelter homes on survivor care and support based on the NMS. During this year, the Secretary Mr. Dinesh Hari Adhikary, Joint Secretary Mr. Upendra Adhikari, Under Secretary Dr. Kiran Rupakhetee, and Under Secretary Ms. Sunita Nepal from the MoWCSW conducted monitoring of five GoN supported rehabilitation centers in Banke, Chitwan, Jhapa, Kailali, and Rupendehi districts and two service centres in Nawalparasi and Kanchanpur.

The purpose of the visit was to disseminate the policies as well as to conduct a rapid assessment of the centers against the guidelines indicated in the GoN endorsed NMS for Victim Care and Protection and the SOP for Rehabilitation Centers. The monitoring visits focused on assessing the functionality, quality and comprehensiveness of the shelters, which included a review of the facilities offered, budget analysis of shelter homes, skills of the service providers managing the centers, and coordination/linkages with other available services at the district level. It was observed that the centers provided satisfactory services to the survivors residing in the centers, maintained a systematic case filing of the survivors, retained proper sanitation and hygiene, and upheld confidentiality of the survivors. However, specific gaps such as effective reintegration interventions, lack of resources for the reintegration programs, lack of follow-up procedures after their reintegration process, and duplication of the data record system to track the number of the survivors were identified. These findings were helpful to guide the MoWCSW to support the implementation of the SOP for Rehabilitation Centers and to develop a monitoring tool in line with the SOP and NMS to better assess the services delivered by shelter homes and safe house.

After the monitoring visit, the MoWCSW is in the process of preparing a standardized monitoring tool to assess the structural, operational, and financial capacity of the rehabilitation centers focusing on various elements such as administration and management, service delivery, and referral mechanism. Once finalized, the tool will be used in the assessment of the functionality, quality and comprehensiveness of shelter homes services to measure and identify future intervention strategies for the effective operation of the shelter homes. Next year the CTIP program will further work with the NCCHT/MOWCSW to finalize the monitoring tool and to institutionalize it.

Report on Anti-Human Trafficking Initiatives led by the Government of Nepal

As an on-going effort by the MoWCSW and NCCHT to lead the anti-trafficking initiatives; the NCCHT Secretariat developed and published a report on the GoN's efforts to combat human trafficking in Nepal covering the period of April 2012 to March 2013 with the support of the CTIP program. The government owned report, which is first ever in its form, captures different government-led initiatives to counter trafficking, along with the available consolidated data on prevention, protection, and prosecution from relevant government agencies and line-ministries.

The information was collated from various government agencies such as the OAG, Supreme Court, Nepal Police and various other government line agencies. The official report takes into account the official consolidated data/information with gaps and challenges that can be used by various government and non-government stakeholders working in the anti-trafficking field to inform the policy reforms and develop programmatic strategies to combat human trafficking in Nepal. The report effectively contributed in maintaining Tier 2 status in the U.S. State Department TIP report 2013 where the GoN's initiative to publish the report was positively recognized. The MoWCSW and NCCHT will use this report as a reference for stocktaking past government led initiatives and further use the information for future planning to counter human trafficking in Nepal.

NPA implementation plan

This year, the MoWCSW is currently in the process of drafting an implementation plan of the NPA. The objective is to develop, utilize and amalgamate the activities and achieve the goals and objective of the NPA. The implementation plan will offer a tool for the stakeholders to articulate priorities and coordinate the implementation of NPA and would be a guiding national policy document to be able to capture and integrate the diverse set of government bodies' roles and responsibilities to combat human trafficking at the implementation level. The MoWCSW will be working through an advisory body of a steering committee chaired by Joint Secretary, MoWCSW and backed by a technical committee chaired by Under Secretary/MoWCSW and representatives of various ministries, departments and focal person of Nepal Police will be a member of the committees. The consultant is the process of being hired to undertake and draft framework and format of the implementation plan of each strategy in each priority areas of NPA and is expected to submit draft plan by end of this year. Next year, the CTIP program will continue supporting the NCCHT/MOWCSW to finalize and implement the implementation plan of the NPA.

REFLECTION NOTE:

The CTIP program continues to build the capacity of the MoWCSW and the NCCHT to develop and support the GoN's efforts to combat TIP through specific programmatic interventions. By facilitating regional and district level workshops/orientations, the CTIP program has supported the NCCHT to increase their visibility apart from the central level and to establish a link with the DCCHTs. However, one of the challenges faced by the program remains the lack of a formal structure of the mandated NCCHT Secretariat. Due to the absence from the MoWCSW's organogram, this leads to instability as a result of a high turnover of the GoN officials appointed to the NCCHT Secretariat.

Celebration of 7th Anti-human trafficking day

The MoWCSW/NCCHT celebrated the 7th National Day against Human Trafficking on September 5, 2013. The 7th National Day against Human Trafficking was observed with the slogan "Hamro gantabya: manab bechbikhanko antaya" (*Our destination: To end human trafficking*) led by the Ministry and the NCCHT in partnership with numerous governmental and non-governmental organizations in Kathmandu. The NCCHT Secretariat played a vital role in coordinating with different line ministries and organizations to conduct a rally, develop and

disseminate relevant publications, manage the felicitation and the organize the main function. In order to mark the ceremony, the MoWCSW organized a press meet program on September 4, 2013 to inform the media persons on anti-human trafficking initiatives undertaken by the GoN and to sensitive them on mitigating and controlling of human trafficking in Nepal. The program was attended by journalists from multiple media houses.



Felicitation ceremony during the 7th anti-human trafficking day

The program started with a rally from the City Hall, Exhibition Road, Kathmandu; where the Secretary from the MoWCSW along with the key senior government officials, Armed Police Force, Women Children Service Directorate- Nepal Police, civil society organizations, and students came together to observe the anti-human trafficking day. The program was followed by a function in which Minister Riddhi Baba Pradhan felicitated Ms. Bimala Thapa, DIG Nepal Police, Joint Secretary Padham Raj Bhatta of Department of Women

and Children, Women Development Office of Banke, two journalists, and Sakti Samuha in recognition of their important contribution to fighting human trafficking in Nepal. Similarly, the various DCCHTs across Nepal also organized various awareness raising program in numerous districts.

Various SMNs were also involved in the celebration of the anti-trafficking at the local and district levels through the sensitization activities and awareness raising programs on TIP and safe migration. For instance, a drama depicting girl trafficking, foreign migration and organ (kidney) trafficking was staged by the SMN of Chhaimale VDC of Kathmandu. Signature collection for the commitment to fight against trafficking was collected from the community.

Mother's initiative successful in punishing perpetrator

On the occasion of 7th National Anti-trafficking day, Manju (name changed), Golche VDC, Sindhupalanchowk narrated her story about her missing daughter since the last five years. With tearful eyes she shared her anguish and pledged for her search and rescue. "I brought her up with much difficulty and many challenges, but I have not heard from her and do not know her whereabouts for the past five years." According to Manju, her daughter was promised a good job in Kathmandu but was sent to Kuwait.

After hearing about Manju's missing daughter case story, CDO Mr. Dilli Raj Pokhrel promised to initiate a search and rescue for her daughter immediately. The agent who was involved in sending Manju's daughter was arrested on 11th September, 2013 from the same VDC. The perpetrator is now in prison has pleaded guilty. The legal process has been initiated to rescue Manju's daughter by Pourakhi Nepal.

Mobilization of key stakeholders

During the third year of the CTIP program, CeLRRd and PPR held 10 district coordination meetings in five program districts: Banke, Kanchanpur, Kavre, Makwanpur, and Sindhupalchowk. The district coordination meetings have helped in facilitating better

coordination with the government and non-government stakeholders and establish a collective strategy among the three P's to combat TIP. This is seen as a platform to bring together the members of the DCCHT to discuss the issues/ challenges on trafficking and define strategies to address trafficking at the district level. Along with members of the DCCHT, the coordination meetings were attended by various other district stakeholders such as LDOs, journalists, survivors, and representatives from various civil society organizations to support an integrated approach to combating human trafficking.

The meetings have been instrumental to enhance the already developed coordination among the concerned stakeholders of CTIP program and share the development, challenges and opportunities among the participants. The coordination meetings have helped to make the DCCHT active and NCCHT has been regularly monitoring the activities conducted at the district level and has considered coordination meeting as an important tool to enhance coordination among the stakeholders and work in collaboration. The coordination meetings have supported in activating the DCCHT and getting the key local government officials such as the CDO, WDO, District Administration Officer, District Attorney and lawyers involved in countering human trafficking.

One of the district coordination meetings held in Hetauda, Makwanpur by PPR focused on the access and utilization of the Government Rehabilitation Fund. Some of the specific challenges identified by the participants on the effective use and mobilization of the rehabilitation funds relate to complex procedure, confusion on the process on accessing funds, use of funds limited to rescue and rehabilitation and not for compensation; and lack of awareness, etc. It was also noted that the Rehabilitation Fund has been used for the rescue of only one victim and currently has Nrs.400,000 in the account. As it is the state's responsibility to address TIP, mobilizing the funds will provide key financial resources to support and implement the multi-faceted anti TIP activities. The meeting has been instrumental in identifying the key advocacy agenda relating to setting in place a standardized mechanism for accessing state funds for victim support.

Similarly, one of the district coordination meeting held in Banke focused on victim/witness hostility. The factors leading to victim/witness going hostile and specific inputs to address the factors leading to hostility were discussed. Post the meeting, the implementing partners carried out series of follow-up meetings with government officials. During the meeting with the Deputy Superintendent of Police, he committed to coordinating with the stakeholders to ensure a protective environment of the survivors. Following the discussion of the coordination meeting, another meeting with the CTIP program partners of Banke district and the Banke WDO was held. This coordination was successful in arranging the needed security for a TIP victim. Similarly, another meeting with representatives from the judiciary has also been planned to further discuss the need for victim/witness protection policies. These discussions will also provide additional support to the CTIP program in the adoption process of the Victim/Witness Protection Guidelines.

Another district coordination meeting held in Kavre focused on the problem of kidney trafficking. The LDO Govinda Bahadur Karki indicated that various governmental and non-government agencies have been supporting the survivors of kidney trafficking. However, he placed a high importance in creating space for the voices of these survivors. Representatives from the Kavre District Police Office reinforced that the success of tracing the perpetrators of kidney trafficking has been due to coordination between various governmental and civil society agencies.

CTIP program implementing partner's coordination meeting

During the third year of the CTIP program, TAF organized a series of coordination workshops between the CTIP program implementing partners. At the beginning of the year, TAF brought the partners together to review and brainstorm about the program interventions across all three components: protection, prosecution and prevention. The key objective of the workshop was to



CTIP program Chief of Party's presentation

provide a broader conceptual and operational framework to the CTIP program by positioning it within the construct of 'human security'. The expansion of the framework would allow for contextualizing program interventions based on socio-political and economic realities. The workshop began by reviewing the first and second year achievements of the CTIP program, identifying the challenges and gaps and defining the strategies to be adopted for future programming. The findings from the process monitoring of specific activities in two districts –Banke and Kanchanpur, highlighting the effectiveness, relevance, and sustainability

of the specific interventions was shared with the partners. Emphasis was laid on working with government agencies and institutions to increase the government's ownership and accountability to address TIP. Some of the areas prioritized for action included: improving the outcome of political and social advocacy by actively involving relevant government institution and agencies as stakeholders; improving access to direct services by expanding the net of service providers at the different levels within the community; working with law enforcement agencies to build operational skills; creating a process for engaging the legal fraternity to guide the debate around the application of jurisprudence; and providing issue specific operational skills training to community based organizations/networks. The discussion and directions provided at the workshop was further built into the programmatic framework on the third year work plan for the CTIP program.

TAF organized a second partners' coordination workshop for the CTIP program implementing partners on May 6 in Kathmandu. It was aimed at ensuring a more systematic coordination among the implementing partners across the three Ps; as well as developing and operationalizing a comprehensive coordination process that can capture outcome and impact level results. The workshop focused on three areas, namely, 1)an overview of the CTIP third year work plan, its achievements till date and identified gaps and challenges in the implementation of the CTIP program to be captured in lessons learned to guide the way forward; 2) defined areas of coordination and collaboration within the CTIP implementing partners; 3) reinforced and clarified the conceptual framework that guides the CTIP program by defining the inter-linking relationship between labor migration, gender based violence and country specific socio-political, cultural, and economic contexts. Based on the discussions, monthly coordination meetings of the CTIP program implementing partners in Kathmandu were initiated. An inclusive advocacy and lobbying under the CTIP program (reported under the prosecution component above) has been a direct result of the monthly-held coordination meetings.

A third CTIP program partners' workshop was held in the last quarter of this fiscal year. The workshop focused on strengthening partner collaboration and creating a common understanding amongst all partners on key development issues related to gender, trafficking and labor migration. The two-day workshop examined the specific capacities possessed by the various CTIP program implementing organizations, and the challenges and gaps faced in



Power walk activity

furthering specific development mandates, be it anti-trafficking, labor migration, gender equity or human rights, within the framework of inclusive access to resources and power. TAF urged the participants to analyze anti-trafficking initiatives through the existing socio-cultural and political framework. As a group activity, TAF facilitated a "power walk" exercise with the participants which assisted in initiating a discussion on inter-sectionality of identity and how these aspects affect access to resources and abilities. TAF strongly believes that by analyzing the existing contexts and factors, organizations can identify specific challenges as well as specific strategies to address those challenges. The workshop was vital in initiating a discourse on addressing these issues within the larger development discourse of our individual institutions, and the broader socio-political discourse of country.

REFLECTION NOTE:

The CTIP program/TAF identifies the need to discuss about various sources of power: social, cultural, political and economic. It is important for development organizations working on human rights to recognize factors and levels of acceptance which defines access. Based on the acceptance and access, the ability of an individual is defined. Our efforts need to incorporate aspects of acceptance, access and ability across our work. There is a need to start challenging our traditional framework on combating TIP by moving beyond the limited 'rescue and rehabilitate' framework to address issues of acceptance and access.

Capacity building training for District Supervisors and Social Mobilizers of the prevention component implementing partners

Two three-day capacity building trainings were organized by WEI for District Supervisors and Social Mobilizers with an objective to increase their capacity on effective implementation on preventive interventions to address TIP and safe migration issues. The trainings focused on providing theoretical conceptual framework on gender dynamics in relations to power and access to resources, rights and equity within the rights based framework and the role of development worker in implementing interventions to address trafficking and cases of violence under the CTIP program. Specific preventive strategies and its affect were also discussed to gain a comprehensive understanding of the CTIP programmatic interventions including roles and responsibilities of Social Mobilizers, as first line workers in the community. The trainings were

effective in building the nuances on the technical aspects of the above mentioned issues. It also provided an opportunity to the Social Mobilizers to reflect and assess the effectiveness of the existing interventions, and determine the way forward based on the lessons learned.

Review and Planning Meeting for prevention implementing partners

In the third year, WEI organized two two-day review and planning meetings with the partner NGOs to build coordination and collaboration amongst the partners. In addition to the other capacity building activities, the review and planning meetings were critical to standardize the program interventions, implementation of M&E tools and documentation. The meetings also focused on strengthening the project's financial procedures, protocols and regulations as identified in the audit report.

The second meeting focused on assessing the achieved activities, gaps and challenges and possible areas of effective programmatic interventions in the fourth and fifth year. Through the discussion, the partners were able to give inputs to draft a standardized strategic plan for program implementation. During the review meeting the partner NGOs were also oriented on financial requirements, compliance and NGO contract clauses according to WEI policy.

The planning and review meetings were critical for the prevention partners to reflect on the activities carried out and plan new activities based on their experiences of implementing project activities and lessons learned, changing trends in their districts. Participants appreciated the participatory approach of involving partner NGOs in the review and planning process.

3.2.5 Cross-Cutting Issues & Synergy

TAF continued to co-chair the anti-trafficking Inter-Agency Coordinating Group (IACG) which comprises of INGOs and bi-lateral organizations working on combating human trafficking in Nepal. As a co-chair of IACG, TAF held a series of meetings with the members on pertinent issues. These meetings provided a platform for the members to share and update about their programs on anti-trafficking to facilitate coordination and collaboration need to adopt an integrated approach. The meetings have also been used to disseminate information about the U.S. State Department TIP report 2013 which can be utilized to advocate with the highest levels of government representatives.

With support from ASF Nepal and in coordination with district bar association; PPR Nepal organized a mobile clinic in Hatiya VDC of Makawanpur District on 28 March. The mobile clinic focused on the issues of human trafficking, its legal provisions, effective legal resource for the survivors of trafficking, challenges, and the government's response on anti-trafficking. The event was attended by district judge, District Bar Association, police and other civil society members with a total participation of 35 people. Hon. Judge Tek Naryan Kunwar responded to all the queries raised by the stakeholders on the legal aspects of the trafficking cases. He also informed the participants that the Makawanpur district court has started continuous hearing as an ongoing practice on human trafficking, rape and other cases to prioritize and expedite the disposition of cases.

PPR, an implementing partner of the CTIP program, organized a documentary show on "Boksi ko Naam ma Hinsa" where NTWG jointly supported the program by inviting SMN members to

attend the program. The program was organized marking the 16 days of activism. Other district stakeholders like DAO, WCO, journalists, LACC, Women Human Right Defenders, secretary of Dhulikhel Jaycees participated in the program. The documentary highlighted the issues relating to single women who allegedly tortured by community people in the name of witchcraft.

A 12-member delegation from Korea visited Nepal for a weeklong study visit from April 27, 2013 to May 4, 2013. The delegation consisted of professionals from different organizations in Korea including Korea Development Institute (KDI), Korea International Cooperation Agency (KOICA), local non-governmental organizations (NGOs), and universities together with staff from TAF Korea. In order to gain first-hand knowledge about the development practices in Nepal and to understand the socio-cultural and political context, the delegation was briefed about the CTIP program being implemented by TAF Nepal. The delegation was taken to two VDCs in Kavre district; Kavre VDC and Patlekheta VDC; to interact with SMNs.

3.2.6 Windows of Opportunity



Interaction with local community members, Pokharinarayansthan VDC

Under the Windows of Opportunity, TAF started working with Shilpee Art Group (SAG) to mobilize forum theatre as an effective advocacy and communication tool. TAF in collaboration with SAG worked to build the capacity of a local theatre group based in Kavre, Selo Theatre, to perform forum theatre plays in the CTIP program districts addressing pertinent local issues around human trafficking, labor migration and gender.

To inform the script of the plays, TAF held an interaction with members of SMNs and other local groups along with representatives of the Shilpee Art Group

and Selo Theatre in Pokharinarayansthan VDC, Kavre district on August 25, 2013. Various issues and challenges faced by the local community such as domestic violence, increasing trends of unsafe labor migration, stigma around returnee female migrants, and gender discrimination were discussed. The discussion helped SAG to incorporate specific local issues; and to ensure consistent and correct local messaging while performing in the districts. A 15-day workshop to build the capacity of Selo Theatre was conducted in August 2013 and upon completion of the workshop, Selo is in the process of performing a total of 10 plays in Kavre and Sindhupalchowk districts.

3.3 Successful Coordination with Other Programs

The USAID Development Outreach and Communications team worked closely with the Democracy and Governance Office, USAID and TAF's CTIP program team to develop a brief documentary on the CTIP program. The documentary showcased the on-going efforts of the CTIP program to strengthen policy frameworks and procedures for survivor care and protection,

facilitate prosecutions using victim-centered approaches, and mobilize and strengthen local government and civil society collaboration and support to promote safe migration and prevent TIP. The documentary was screened on May 31 at the National Women's Commission. Giving the key note speech, his Excellency Peter W. Boddee, U.S. Ambassador to Nepal, stated that the endorsement of the key policy documents; such as the National Plan of Action, the National Minimum Standards for Victim Care and Protection, and the Standard Operating Procedures for Rehabilitation Centers; by the GoN is a critical first step and an importance indicator for the government's commitment to combat trafficking in Nepal. His Excellency Peter W. Boddee indicated that it was important to analyze the implications of the GoN imposed 30-year ban on Nepali female labor migrations. The MoWCSW Secretary Dinesh Hari Adhikari talked about the changing dynamics of human trafficking and stressed on the importance of identifying factors which exacerbate TIP in Nepal.

After the screening of the CTIP program documentary, a panel discussion on labor migration was conducted with Dr. Kiran Rupakhetee, Under-Secretary of MoWCSW; Ms. Manju Gurung, Pourakhi; and Ms. Sunita Danwar, Shakti Samuha. The panelists talked about the nexus of labor migration and human trafficking. In addition, the panelists made the critical tie between issues of citizenship and human trafficking. The panelists explored the social and cultural issues that increase the vulnerabilities to trafficking.

3.4 Success in Promoting USAID Objectives

The CTIP program is aligned to USAID's strategic objective to strengthen citizen participation in the democratic transition with an intermediate result to provide services to the population vulnerable to and most at risk of trafficking. The program activities are focused on expansion of protection services for TIP and GBV survivors and people at the risk of trafficking, strengthening the prosecution framework to increase conviction of traffickers, and strengthening and expanding strategies and program that allow for effective prevention of TIP and GBV. The Foundation has been coordinating and collaborating with the MoWCSW, OAG and Nepal Police to implement the GoN endorsed policies for combating TIP in Nepal. With the direct support of this program, TIP and GBV survivors and vulnerable population received improved services; and increased awareness was generated at the community, district and national level through different advocacy and outreach programs. The CTIP program continued to facilitate the effective implementation of the TIP Act 2007 through legal and psychosocial service provision to trafficking survivors along with building the capacity of law enforcement stakeholders. The activities to strengthen policy frameworks as well as support community based activities conducted under the project are in line with the USAID objective to strengthen citizen participation.

4 Success Stories

Justice after two decades

Birani (name changed) returned home 15 years after being sold for sex work in India. Due to fear of social stigma, she could neither tell her story to others nor could she do anything to file a legal case against the culprit. Numerous awareness-raising programs are conducted under the CTIP program to orient about the legal provisions for TIP cases as well as to challenge socio-cultural contexts which facilitate social stigma. Having attended one such orientation program

conducted by GMSS, she became motivated to take action against her perpetrators. With the further support from PPR and LACC, she filed an FIR at the District Police Office in Makawanpur resulting in a trial at the District Court.

The district lawyers from the CTIP partners provided legal counseling to the victim and helped procure necessary testimonials from the victim to support the case. They supported the district attorney in getting the victim witness testimony, preparing the pleading note for the case and pleaded the case in front of the judicial bench along with the district attorney (as per the Human Trafficking and Transportation (Control) Act of 2007, the victim has the right to keep additional law practitioners to represent their case). Finally, the District Court of Makwanpur convicted three traffickers involved in the case and sentenced them to a 20-year imprisonment with a fine of NRs. 200,000 from each of the three perpetrators. The CTIP program has played a critical role in ensuring the victim's access to justice.

The strong evidential proof and the victim's testimony helped the District Judge Tek Narayan Kunwar in convicting the perpetrators. The judgment is seen as a landmark judgment as the district judge upheld the victim's right to 'adequate compensation' by interpreting the rules of providing compensation to include support from the government's victim assistance fund. In this case, the perpetrators pleaded that they were from poor economic background and hence unable to pay the full fine of NRs. 200,000 each of which 50% would be given to the victim. Judge Kunwar ruled that half the fine amount (NRs. 100,000 by each perpetrator) to be given to the victim will be supplemented by the Government of Nepal's Rehabilitation Fund. This judgment has provided the right victim-centered jurisprudence in application of justice, as access to state funds is rarely used to support compensation for victims of trafficking. This case is a strong indicator of an impact level result of the CTIP program. It highlights how different components of the CTIP program, i.e. community orientation, direct services to victims and stakeholders training, created a collective impact leading to a successful prosecution.

Finding new hope

Mia (name changed), 25 years of age from Kanchanpur district, wanted to migrate for foreign employment to secure her financial future. An illegal agent who was involved in trafficking in her district convinced her to let him handle her migration process and promised her a job in Saudi Arabia. After finalizing the process, the agent took her to Nepalgunj and kept her there for 15 days. She was then trafficked to Mumbai where some people helped her acquire documents and she was able to travel to Saudi Arabia. After reaching her destination, her employer informed her that she was sold by her other agents and that she should now engage in commercial sex work. Mia recalled, "My master used to constantly beat me and urge me to sleep with the guests every night." A year later, Mia became severely ill and called her family in Nepal for help. Her family members then informed the SMN in their VDC and pleaded for help. The SMN members raised money for transportation fees in order to enable Mia's mother to meet with members of Saathi and Maiti Nepal. The mother also shared the case with the Banke police. After a few weeks, the police officers were able to find the addresses that the traffickers used in Mumbai and Saudi Arabia and officers arrested the traffickers. Supported by the Ministry of Foreign Affairs and the Nepalese Embassy in Saudi Arabia, the police were able to rescue Mia and bring her back safely to her maternal home in Kanchanpur. Mia is now recovering and readjusting to life at home. The SMN members have referred her to Saathi for skills training and financial literacy training and to TPO for psychosocial counseling.

Alternative livelihood options for Kamala

After her husband's death, it was difficult for Kamala (name changed) from Banke to maintain her household expenses and provide good quality education to her child through labor work. Thus, she flew to Saudi Arabia with the help of a local agent with a hope to improve her financial conditions and provide good quality education to her child. In Saudi Arabia, she was required to work about 18 to 20 hours a day. Initially, she received her salary on time but a year later, she was denied salary and was physically and sexually abused. After staying in Saudi for three years, she returned to Nepal with no money.

Recognizing her vulnerability to trafficking, she was provided a seven day noodle making training and NRs 10,000 cash support by a CBO organizations outside the CTIP program. She started a noodle factory in partnership with a friend but they were not able to run the business resulting in loss of investment. One day, she shared her story with a local SMN member. The SMN member recognized that Kamala lacked entrepreneurship skills and therefore suggested that she join the entrepreneurship training. The training enabled Kamala to gain specific technical skills on enterprise development and management, microfinance, access to credit and loan, and financial management of business. The application of the knowledge and skills has resulted in Kamala's ability to compete in the market and ensure profitability. She is now able to save Nrs 100-200 daily in a local saving and credit cooperation group and also use her income to education her child.

5 Priority Activities for Next Year

For the fourth year, the CTIP program will have a multi-prong prevention and awareness raising strategy. The CTIP program partners will engage with local FMs radio stations to broadcast programs on legal rights, safe migration, victim protection to the larger community. Various pertinent local issues focused on TIP, labor migration and GBV will be addressed through informal and formal discussions in the communities. SMNs will be mobilized as listeners' groups to promote local knowledge and encourage information sharing in the local communities. LACC will be responsible for producing the various radio shows which will be broadcasted through local FMs. Specific radio episodes will focus on increasing awareness of laws and policies related to TIP, foreign employment and GBV issues. The radio program will further support stronger referral systems at the district and central levels.

TPO will conduct community based psychosocial interaction programs in the six CTIP program working districts. Different groups such as women's group, teacher's group, community level health persons, representative of local organizations and other community members will be identified to hold the interactions. Information about basic psychosocial issues and knowledge on effective referral systems will be provided as well as awareness on the roles and responsibilities of the community to provide a conducive environment that respects and protects the rights of survivors of TIP and other forms of gender based violence. The areas within the project districts where high numbers of survivors have been reported will be identified to hold the interactions. These interactions, carried out collaboration with SMNs, will catalyze informal and formal discussions in the local communities to develop community support needed to facilitate smoother reintegration process for survivors of human trafficking and other forms of gender based violence.

The legal service provision along with effective advocacy under the CTIP program as a means to strengthen the implementation of TIP Act 2007 has led to landmark judgments. Important decisions of mobilizing the GoN's rehabilitation fund to provide victim compensation, using multiple charges for conviction, and victim/witness protection are examples of effective jurisprudence led by the CTIP program. Highlighting cross-cutting jurisprudence challenges in response to trafficking in persons, a series of one day interaction programs with representatives of relevant government agencies, judiciary, law enforcement, and civil society sectors will be held. Each interaction program will have a specific theme for discussion which will provide the participants a forum to discuss the challenges and gaps in implementing specific jurisprudence related to TIP cases.

One-day review meetings with VDC Secretaries will be organized in coordination with DCCHT, DDC and WCO. Main purpose of this activity is to strengthen the established link between SMNs and VDC offices to effectively raise the issue of correct documentation, birth registration, marriage registration, and citizenship of women which have direct impact on human trafficking.

As a strategy to gauge the effectiveness of the teachers' trainings, a one-day review meeting will be organized by DEOs on school activities with the CTIP program support. The review meetings will provide an opportunity to discuss the gaps and challenges of implementing the developed plan (as mentioned in the above activity), and further discuss strategies to adopt an integrated approach to educate potential migrants through public schools.

The CTIP program will work closely with the MoWCSW and the NCCHT to assess the implementation of key policy documents: the NPA against Trafficking in Persons, the NMS for Victim Care and Protection and the SOP for Rehabilitation Centers. During the third year, the CTIP program has piloted the monitoring mechanism based on the SOP. This will be carried forward as TAF will support the NCCHT to monitor some of the GoN supported shelter homes for trafficking survivors currently supported by the GON. During the visits, the NCCHT Secretariat officials will conduct discussions with relevant district level government officials to enhance coordination of anti-trafficking efforts.

There is a need of comprehensive knowledge on issues of TIP and requisite skills for the WDO officials. In collaboration with the CTIP program, the MoWCSW/NCCHT will conduct orientations for these officials on issues of TIP to promote an integrated approach to combating trafficking in persons with various relevant stakeholders. The capacity building workshop will orient them on the laws and policies related to TIP. The objective behind this workshop is to enhance the capacity of the WDOs on documentation and coordination skills for their role as Member Secretaries of the DCCHTs.

6 Management Report

6.1 New / Start-up Activities

TAF conducted a two-day workshop on M&E for the CTIP program implementing partners. Through the workshop, TAF aimed at promoting the importance of a rigorous M&E mechanism within the context of the CTIP program in order to track the achievements of the stated goal, and ensure that innovations and lessons learned can be transferred across the various programmatic efforts.



Ice-breaking exercise

The main objective of the workshop was to give a brief overview on the importance of M&E in the context of the CTIP program in addition to providing quantitative and qualitative analytical tools which would effectively capture both the results and the efforts of the program. The workshop aimed at developing participants' confidence, in gathering appropriate data and analyzing it effectively so as to draw empirical conclusions to assist timely decision making. Specific objectives of the workshop included:

- Increased understanding of the importance of M&E in the context of the CTIP program
- Improved skills in designing quantitative and qualitative strategies in M&E
- Improved skills in using M&E tools
- Enhanced skills in qualitative analysis to support the CTIP program M&E plan

Participants, right from the ice-breaking activity onward, acquired various conceptual inputs with regard to an effective M&E. They learnt how various M&E functions such as assessment, review, supervision, and audit share commonality with M&E and carry contextual meaning. Similarly, they learnt how various M&E aspects are linked with various stages of the project / program cycle and demands for a typical set of information to answer a particular question. Moreover, participants learnt how to use some of the tools such as stakeholder analysis and Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis in many different stages of the program so as to formulate appropriate strategies. Another useful tool participants learnt during the workshop include mind map which is a memory and organic tool that helps to have a complete grasp of key information while having a broad understanding of the data at the same time. Finally, participants were sensitized on the tools for better communicating M&E results through writing.

Mr. Murari Adhikari, USAID, oriented the participants on the Data Quality Assurance process. He noted that DQA is not an audit and is based on the principal that performance data should be as complete, accurate and consistent as management needs and resources permit. Mr. Adhikari presented that it is important to conduct DQA to identify and understand flaws, weaknesses, and margins of error in the data; document findings about data quality issues; make reasonable efforts to improve data quality; and document the efforts made to improve the data.

6.2 Project Staffing

Ms. Kirti Thapa joined the TAF CTIP program team as the Program Officer. She will be specifically working with the MoWCSW and the NCCHT. Ms. Sabina Shretha joined WEI as the Program Coordinator of the CTIP program. Mr. Pashupati Bhandari joined WEI as the Finance and Grants Officer to manage the CTIP grant. Mr. Shankar Bimali and Mr. Dinesh Karmacharya joined the CTIP program as the Program Officer from WEI. Ms. Ruchi Thapa, M&E Officer from WEI, left during this period and the team recruited Ms. Sangita Bista as the new M&E Officer. The changes in human resource were brought in to address the gaps identified in the OMB133 Audit and program evaluation done for WEI by TAF.

6.3 Management Issues

In year two the OMB 133 audit and a programmatic evaluation were undertaken for the WEI prevention component. Based on the findings of the two evaluations, TAF held a series of meetings with WEI to address the financial and programmatic gaps. The need to address the weakness in the management team of the WEI prevention component to effectively address the financial and programmatic gaps was raised with WEI. As a result, the WEI's made changes to the senior level management team handling the programmatic and financial aspects of the CTIP prevention component. Based on the discussions with WEI, the year 3 work plan and the implementation of the activities was modified to meet the gaps and additional and necessary steps were taken to make the prevention program more focused and outcome oriented. TAF has been working closely with WEI to ensure that the prevention components address both the operational and programmatic challenges identified in the OMB 133 and the programmatic evaluations. TAF has kept USAID informed of all findings and the interventions taken to address the same.

7 Annex