
COMBATING TRAFFICKING IN PERSONS (CTIP) PROGRAM

ANNUAL REPORT **October 1, 2013- September 30, 2014**

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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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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
DOFE	Department of Foreign Employment
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
MoHP	Ministry of Health and Population
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
PP	Public Prosecutor
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
VCCHT	Village Committee on Controlling Human Trafficking
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, 2013 to September 30, 2014 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 14.

Strengthening coordination of anti-trafficking efforts by building the capacity of government agencies: As mandated by the Human Trafficking and Transportation (Control) Act 2007 and the Human Trafficking (Control) Regulations 2008, TAF has been working closely with the government agencies, especially the Ministry of Women, Children and Social Welfare and National Committee on Controlling Human Trafficking (NCCHT), the central coordinating agency of the government in its efforts towards combating trafficking in persons. During this year, with the support from the CTIP program, the NCCHT/MoWCSW organized five NCCHT steering committee meetings and total of 7 meetings of prosecution sub-committee to review amendments to the Human Trafficking and Transportation Control Act (HTTCA). It also successfully hosted the national anti-trafficking day under the sub-committee set up to organize the same.

The NCCHT Steering Committee also approved the proposed “*Guideline on the Formation and Regulation of the Village Committees on Controlling Human Trafficking (VCCHTs), 2069*”. These decisions have been made based on the direct advocacy and experience of community networks set up by the CTIP program. Under the approved guideline, till date 170 VCCHTs have been formed under the CTIP program in the six CTIP districts. Additionally, VCCHTs are also being formed in other non-CTIP districts under the leadership of government and non-government agencies.

The Prosecution sub-committee, under the NCCHT formed a technical expert task force to undertake policy reform, which was headed by Joint Secretary of the Office of the Attorney General, with participation from Nepal Police, MoWCSW, and Ministry of Law and Justice, NGO partners WOFOWON, and Maiti Nepal. The sub-committee made recommendations to NCCHT for amendments to be made in the HTTCA-2007 by specifically modifying the operational modality of the Rehabilitation Fund so that it can address needs for both rehabilitation and compensation. This would enable the enactment of the decision made by the Supreme Court of Nepal on May 2, 2013, where the Court had ordered the creation of a separate compensation fund at the earliest by managing the necessary resource allocation of the money from the budget of FY 2070/2071.

Supporting the government officials through knowledge and practice sharing opportunities: The CTIP program supported a exposure visit of high level government delegation from Ministry of Women, Children, and Social Welfare; Ministry of Law Justice, Constituent Assembly, and Parliamentary Affairs; Ministry of Home Affairs; and Department of Foreign Employment, Ministry of Labor and Employment, to visit Mongolia from May 19-23, 2014. The visit focused

on observing the anti-trafficking efforts in Mongolia. The exposure visit also explored the applicability of similar processes in the context of Nepal; and facilitate cross learnings on best practices and challenges.

Providing institutional support for anti-TIP legislation and policy reforms: In year 4, the CTIP program continued to support the NCCHT secretariat to develop and publish the annual report on the GoN's efforts to combat human trafficking in Nepal. The report covered the period from April 2013 to March 2014. This GON report 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.

TAF supported the MoWCSW/NCCHT to develop and finalize the implementation plan of the NPA against Trafficking in Persons. The implementation plan outlines the roles and responsibilities of the relevant government agencies mandated to fulfil their anti-trafficking responsibilities that are aligned to the goals and objectives of the NPA. The NCCHT endorsed this Implementation Plan for the National Plan of Action (NPA) against Human Trafficking through a decision of its steering committee on 2 June, 2014. The efforts of Ministry of Women Children and Social Welfare towards endorsing the Implementation Plan for the NPA is indicative of the strong commitment of the GoN to combat human trafficking.

Building capacity of government stakeholders working in anti-TIP: With the support from the CTIP program, the NCCHT/MOWCSW conducted a capacity building workshop of the Women Development Officers (WDO) from 41 districts on TIP. Forty Three WDOs were trained through this process. The objective of this workshop was to deliver a comprehensive knowledge on issues of TIP and promote an integrated approach to combating trafficking in persons with relevant stakeholders.

This year CeLRRd and PPR held seven district coordination meetings in five program districts. The participants in the meeting included the CDO, WDO, LDO, government attorney judges, police, court officials, and members of civil society members. The continuous interactions 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 CTIP program districts. With an aim of expanding the discourse on addressing the challenges of labour migration within the anti-trafficking framework, TAF organized two one-and-half day capacity building trainings covering 61 officials from the Department of Foreign Employment (DOFE), which include labor inspectors.

Enhancing capacity of health professionals on psychosocial support from mental health wellbeing perspective: A two-day training for 37 health professionals held in Kathmandu, in coordination with the Ministry of Health and Population (MoHP) and District Public Health Office (DPHO) focused on deconstructing the concept of psychosocial interventions by exploring the concepts of 'self' and 'psychosocial'. The specific sessions focusing on the journey of the survivors of trafficking; the training dealt with aspects of dignity, control, purposefulness, and belongingness of the individuals and incorporated that into a rights-based approach for providing support to the survivors.

TPO continued to conduct intensive four-day follow-up trainings in Kathmandu and Makwanpur to 26 health professionals who had been previously trained by TPO, as well as health professionals

at various government hospitals identified by MoHP in Kathmandu and Hetauda. The participants came from various One-stop Crisis Management Centers (OCMCs) in various districts.

Expanding the victim protection framework from mental health wellbeing perspective: TPO organized a regional workshop on the promotion of psychological and mental health service in year 4. This workshop which was organized on September 18, 2014 was attended by Government officials including Local Development Officer (LDO), Senior Public Health Officer, District Attorney, WDO, Nepal Police, Child Protection Officer, Social Development Officer, and civil society representatives. TPO developed a basic psychosocial support training manual, which provides a comprehensive guideline and resource material for frontline health service providers.

To address the need for a common human rights and victim centered understanding among different stakeholders/service providers in addressing TIP, orientation on victim-centric approaches to combating trafficking was provided to 155 key stakeholders in the districts. The participants included human rights defenders, journalists, and members of major political parties in Banke, Makwanpur, Kathmandu, Kavre, and Sindhupalchowk.

Strengthening community support for survivors of TIP: TPO provided basic psychosocial counseling to 29 survivors of trafficking and 173 survivors of other forms of GBV. As a part of the robust psychosocial follow up mechanism to ensure the smoother reintegration for survivors, TPO continued to follow-up with old on-going cases from previous years. The CTIP program acknowledges the vital role of psychosocial support and individual's wellbeing for successful reintegration of survivors into the community. Due to the various level of trainings, awareness raising programs, and community orientations; provided to a wide range of front line health service providers and community members there has been an increase of 24.95% in case referrals for psychosocial support in year 4.

Enhance capacity of SMNs for effective advocacy: LACC continued to provide trainings to the SMNs on effective communication and advocacy skills, and proposal writing skills to mobilize local resources. In year 4, LACC conducted 3 trainings for 15 SMNs from VDCs in Kathmandu. 45 SMN members (3 from each network) participated in a three-day training 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.

LACC continued to conduct the second-phase of capacity building trainings on effective communication and advocacy to the SMNs. It covered those SMN who were not a part of previous training program. A total of 18 two-day trainings were conducted for the members from 47 VDCs totaling to 399 SMN members from Kanchanpur, Kavre, and Sindhupalchowk. Similar to the TOTs conducted in year 3, the training session focused on the importance of advocacy and its impact by using various strategies, tools, and techniques for effective communication and leadership to address TIP.

The CTIP program provided support to a total of 47 active and intermediate SMNs and 29 refresher trainings for less active SMNs. The main purpose of this activity was to strengthen SMNs with improved knowledge on issues of SM/TIP/GBV; effective fund utilization; and community mobilization. A total of 235 sensitization activities were conducted by SMNs to raise awareness

on safe migration and TIP issues. A total of 16,204 (7,514 males and 8,690 females) community members were reached with messages on safe migration, trafficking, and role of community in preventing trafficking through various sensitization activities. 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.

Enhancing the capacity of public prosecutors on effective jurisprudence: In year 4, the CTIP program supported the Office of the Attorney General (OAG) to develop a training curriculum focusing on improved application of existing laws on TIP and gender based violence jurisprudence. The OAG conducted a capacity building trainings for 149 public prosecutors in Kathmandu, Rupandehi, Makawanpur, and Banke. Out of which were 14 female and 135 male participants. The objective of the training was to improve the understanding of the public prosecutors on the principles of jurisprudence in relations to prosecution and adjudication of TIP and GBV cases. PPR also held an interaction program with the 22 public prosecutors, lawyers and representatives of the different District level Nepal Bar Associations. During the program, the interaction focused on the role of victim legal aid lawyers and public prosecutors in adopting survivor protection strategies such as ensuring survivors' confidentiality, continuous hearing mechanism, sensitivity of TIP cases, and psychosocial needs of survivors.

NJA conducted a three-day non-residential training on SoP for Adjudication and Prosecution of TIP Cases for Judges, Court Officers, Government Attorneys and Defense lawyers on September 3-5, 2014, a total of 25 participants (3 female and 22 male) attended the training. It also conducted a two-day non-residential training on SoP for Adjudication and Prosecution of TIP Cases for support staff of the Court, Office of Government Attorney and District Administration Office on September 4-5, 2014. The workshop was attended by 23 participants (6 female and 17 male participants).

Improving service delivery to trafficking and GBV survivors: CeLRRd, PPR, and FWLD provided legal services to 46 survivors of trafficking and 194 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. In year 4, of the cases where CTIP implementing partners have provided legal aid and legal presentation, saw the conviction of 15 perpetrators under the *Human Trafficking and Transportation (Control) Act (HTTCA)* and other relevant laws at the district and appellate courts. Various landmark judgments on the TIP cases in Year 4 is a strong indicator of how different interventions of the CTIP program creates a collective impact leading to a successful prosecution and a victim-centric access to justice.

Expanding community outreach of the judiciary: CeLRRd and NJA¹ conducted four judicial outreach program in Kanchanpur, Banke, Makwanpur and Kathmandu to bridge the gap in understanding of the public and the judiciary on the specific contextual understanding and reality of each other. A total of 155 participants including judges and community stakeholders attended the program. The program was attended by judges from the Appellate Court and District Court, District Government Attorney, Court Officials, WDO Officers, representative from Bar

¹ Judicial outreach program held by NJA in Kathmandu

Association and leading NGOs working in the anti-trafficking sector. The Judicial outreach program started under CTIP has found resonance in the Supreme Court's Second Five-Year Strategic Plan 2009/10 – 2013/14.

Facilitating coordination among justice-sector stakeholders: TAF under the CTIP program provided support to the Lalitpur District Court to organize interaction of Justice Sector Coordination Committee. Attended by 64 participants representing different stakeholders such as judiciary, police, administration, forestry, revenue administration, government hospital, forensic department, bar association, and media of Lalitpur district. Lalitpur District Court Judge Tek Narayan Kunwar, who was recently awarded the TIP Hero Award by the US government, presented a paper showing how different stakeholders are related in delivering justice in the court, and how the complexities in them affect the proper realization of the principles of fair and prompt justice, and how this further victimize the already vulnerable sections of populations like women and trafficking survivors.

Carrying out studies related to anti TIP efforts and labor migration: FWLD conducted a research on ‘*Anti-Human Trafficking and Transportation Act: Its Implementation*’ to analyze the status on effective implementation of the Human Trafficking and Transportation (Control) Act 2007. Apart from the gaps and challenges associated with the adjudication system, the research study also examined the effectiveness of other institutional mechanisms such as the law enforcement sector, the national and district level committees on combating TIP, and role of rehabilitation centers to ensure a rights-based victim-centric approach to strengthening prosecution. FWLD also conducted analysis of the judgments compiled from the Foreign Employment Tribunal based on the framework developed to see the nexus between the labour migration and human trafficking through a legal lens. As the Ministry of Labour and Employment is currently in the process of amending the current Foreign Employment Act, this study will serve as reference material to inform policy reform.

In addition, a study entitled “A study on foreign labor migration, remittance and its impact” was developed in consultation with TAF. The study aims to fill in the knowledge gap by exploring the link of remittance inflow to the migration process and its social and economic impacts on migrants-sending households. The study is being conducted in three CTIP districts -Makwanpur, Sindhupalchowk, and Kathmandu and will be finalized in year 5.

Mainstreaming of SMN members in to the VCCHT: As per the recently endorsed guidelines of the NCCHT, at the sub-national level VCCHT has been formed as per the provision in the ‘*Guidelines on the Formation and Regulation of the Village Committee to Controlling Human Trafficking (VCCHTs), 2012*’. The CTIP program in year 4 strived to integrate the SMNs members into the newly formed government entity. Till date the CTIP has supported the VCCHT formation of 170 VDCs (Kathmandu-10; Kavre-50; Sindhupalchok-48; Makwanpur-37; Banke-12; Kanchanpur-13). SMNs are voluntary networks who are working on TIP and safe migration issues for the past few years and have received trainings on these issues. Approximately 37% of SMNs members have been mainstreamed in to VCCHTs and remaining are invitee members.

Reaching out and educating the next generation of migrants: The schools have been an important institute to reach out to potential migrants and as a unit for community sensitization.

This year a curriculum on TIP and safe migration was introduced into the extracurricular activities across schools in the program districts. A total of 341 schools meeting the criteria for school activities were selected for this year. A total of 63,869 beneficiaries have been reached with messages on career counseling and safe migration. A one-day orientation for 76 Resource Persons (RPs) was accomplished across program districts. The program was organized in collaboration with the DEO. The DEO with support from partner NGOs in six CTIP districts organized two-day teachers' trainings for a total of 342 teachers. The trainings aimed to increase teachers' understanding of TIP and SM issues and further encourage them to include TIP and SM in co-curricular activities at school.

Increasing economic options and reducing vulnerability of the most disadvantaged communities: As a part of the prevention component of CTIP program, a total of 2,125 households in six program districts have been reached through Family Financial Packaging Education (FFPE) training and 563 households through follow-up visits on a cluster basis. 15 FGDs with beneficiaries of FFPE training were conducted to gauge the impact of the FFPE training.

Supporting rights-based orientations among women in informal hospital industry: The CTIP program continued its support to WOFOWON to increase its capacity and knowledge to address issues related to TIP and gender based discrimination. A total of 12 orientations were held in year 4, with 278 WOFOWON members who were currently working in or had worked in the informal hospitality industry including dance bar, dohori restaurants, massage parlours, and cabin restaurants. Through outreach programs carried out in certain pockets around Kathmandu, a total of 213 women workers in the informal hospitality sector were reached. 219 establishments were visited by the outreach workers to advocate for the rights of women working in them. CTIP program also supported a drop-in center run by WOFOWON which provides a safe space for WOFOWON members to share their experiences and speak openly about the violence and exploitation they may have suffered and seek legal medical and economic support. 73 women who were existing members or new members of WOFOWON visited the drop-in-center to seek for services. This has been the direct result of WOFOWON's increased interaction and engagement with its members through rights based orientations, sensitization activities, and outreach work.

Support to the survivors' groups: CTIP program continued to support Shakti_Samuha to conducted assessments of 4 survivors groups in Banke, Sindhupalchowk, and Makwanpur districts. The survivor group assessment has helped to better understand the gaps in knowledge and capacity of the survivor groups; the environmental limitation in which they have to operate and issues that impact on effective services delivery. The findings and recommendations further informed the capacity building trainings for the survivor groups under the CTIP program and also supported Shakti Samuha team while developing overall anti-trafficking strategies for the organization.

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.

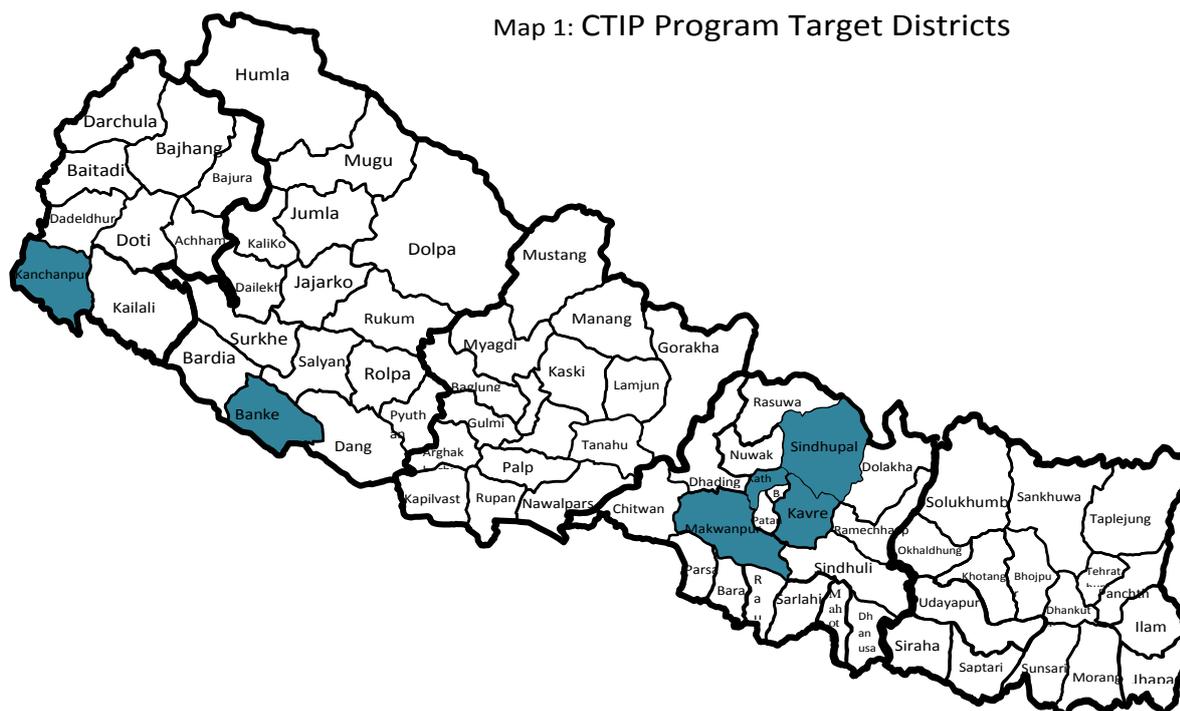
The Foundation's CTIP Program is thus designed to stimulate a sustainable, comprehensive, and integrated counter-trafficking initiative that will strengthen coordination, collaboration, and technical skills across a diverse group of relevant government and civil society stakeholders. Based on the "Three 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 **protection, prosecution and coordination components**. The protection component supports the institutional care giving facilities (shelter homes/transit centers) run by NGOs and also promotes system and 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.



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 sectored 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 GoN's efforts to combat trafficking in persons (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 CTIP program plays a vital role in engendering legal service delivery through close coordination and collaboration with judicial and law enforcement representatives. The program provides legal service providers and duty bearers a contextual understanding of social, cultural and economic constructs of gender in human rights with the aim of promoting engendered jurisprudence on human trafficking and gender based violence (GBV) cases. By facilitating discussions around issues of access, power and control; the CTIP program supports a justice system that is more responsive to the socio-cultural nuances. In addition, the program has been providing free legal support through legal counseling and aid to facilitate access to justice to survivors of human trafficking and other forms of gender based violence.

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.

The CTIP program continued to work on the sustainability strategy for the SMNs by mainstreaming the networks in to the formal government entity, VCCHTs. The CTIP program facilitated the formation of the VCCHT based on the guidelines endorsed by the NCCHT Steering Committee, where by, the SMNs members have been included in the VCCHT. The VCCHTs are mandated to take a leadership role within the local communities to work on anti-trafficking, GBV and safe migration initiatives, and to facilitate in creating space for local leaders on issues related to gender equity and empowerment. The mainstreaming will ensure sustainability of the efforts undertaken by the SMNs under the CTIP program.

Based on the 3-P approach with an emphasis on local level interventions including direct services to survivors of trafficking coupled with national-level reform; the CTIP program places high importance on coordination and collaboration with the civil society stakeholders and government agencies – MoWCSW, NCCHT and local government agencies. The NCCHT includes representatives from civil society organizations and survivors to ensure that the government's activities are guided by the voices of the very citizens who are affected by or at risk of trafficking.

Shakti Samuha and WOFOWON as members of the NCCHT represent the voices of survivors of trafficking and lobby for policy reforms that are non-discriminatory, victim-centric and protect the rights of the survivors.

Shakti Samuha, formed in 2000, is the world's first anti-trafficking NGO created and run by trafficking survivors themselves with the group's founders and 500 trafficked women who now constitute its membership. WOFOWON is the first organization in Nepal established and led by women working in the informal sector and the hospitality sector to enable them to advocate for their own rights. Shakti Samuha and WOFOWON play a critical role in assisting NCCHT to be connected to the realities of the communities they are representing. In order to provide capacity building support and strengthen their organizational abilities to better coordinate and implement an holistic action plan for the protection of the survivors; the CTIP program starting from the fourth year is partnering with Shakti Samuha and WOFOWON in capacity building activities with the organization and its survivors groups on issues related to human rights, TIP and safe labor migration. The activities will provide support to Shakti Samuha and WOFOWON to facilitate linkages and effective synergies with the government agencies – NCCHT and District Committees to Combat Human Trafficking (DCCHT) - both at the national and local level respectively to address TIP.

2.3 Year Three Achievements

- The GoN officially published 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 CTIP program develop and strengthen a person-centered prevention and reintegration process under the CTIP program in Nepal under the leadership of Dr. Achal Bhagat, a leading psychiatrist and a psychotherapist working with survivors of human trafficking and gender-based violence (GBV). A series of trainings based on the transformative psychosocial framework where held in year 3. A total of 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 forms of GBV.
- 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.

- 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.
- 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.
- 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.

2.4 Challenges Faced in Year Four

Due to the lack of economic opportunities in Nepal, it has been noted that the survivors of labor exploitation and trafficking decide to re-migrate after the reintegration into the community. The lack of support systems to ensure safe labor migration in the host country puts the migrants at greater risk of trafficking and exploitation as the state is unable to protect the people as they move from one place to another for employment opportunities. The CTIP program will continue to work in a collaborative manner to ensure holistic service delivery by including the returnee migrants in the Family Financial Planning (FFP) trainings, entrepreneurship and upgrade skills training, and referrals to other service providers to increase economic options at the community level.

Victim hostility during the criminal proceedings has been a major challenge for the CTIP program. Though, the CTIP program has been providing direct legal and psychosocial counseling to support the survivors of trafficking to seek legal redress; low number of survivors actually file cases in the court. The external pressures and lack of support system to ensure victim and witness protection leads to survivors turning hostile which impacts the prosecution rate of the TIP cases. The CTIP program is working closely with the NCCHT to incorporate the issues of TIP into the larger victim and witness protection bills currently drafted by the Nepal Law Commission.

As a sustainability plan, the CTIP program aims to mainstream SMNs formed during this program into the VCCHTs in each CTIP district. So far approximately 37 percent of SMN members have been mainstreamed into the VCCHT. From the provisions in the VCCHT guidelines, VDC secretaries are the main focal point who coordinates VCCHT activities and functioning. They are also mandatory members of various community level committees. This makes it difficult for them to provide adequate time to the various activities that the VCCHT needs to undertake. As many members of the newly formed VCCHTs are not well versed with issues related to SM and TIP issues they are having problems performing their roles and responsibilities as mandated by the guidelines circulated by DCCHT/NCCHT. Thus the smooth functioning of VCCHT requires

extensive linkages with the existing SMN members who are experienced in TIP/SM/GBV and regular support from DCCHT.

3 Results Achieved in Year Four

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.

CTIP Performance Indicator

Indicators	FY 2011		FY 2012		FY 2013		FY 2014	
	Target	Achieved	Target	Achieved	Target	Achieved	Target	Achieved
No. of shelter homes established for TIP victims that are supported by the CTIP program (capacity building support)	2	2	4	4	6	8	12	14
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	8	8
No. of anti-TIP policies, laws or international agreements strengthened with USG assistance	-	3	6	6	6	5	6	6
No. of TIP victims assisted by the CTIP program	20	130	150	143	150	127 ²	150	123
Percentage of TIP victims who filed cases after receiving legal counseling	20%	16%	20%	22.22%	20%	22.5%	20%	38.1%
No. of prosecutions/convictions leading from the legal assistance provided to TIP victims under CTIP	-	5	12	18	15	21	20	Total: 24 Convicted : 15 Acquitted: 9
No. of traffickers arrested in the CTIP program working districts	-	85	90	71	-	90	-	70
No. of host national criminal justice personnel who received USG-funded anti-TIP training under CTIP	200	20	200	207	300	250	200	275
No. of public awareness campaigns about TIP completed	150	122	80	90	50*	49	76	357 ³
No. of people trained on safe migration and effective prevention of TIP	1700	2011	800	972	514**	1777 ⁴	1500	3382 ⁵
No. of people oriented on TIP issues	-	2746	1500	2262	1211	1829	3000 ⁶	64,684 ⁷

² A total of 75 survivors of trafficking were directly supported by the CTIP program through legal and psychosocial services to include legal counseling, legal aid, and psychosocial counseling. An additional 48 survivors of trafficking were supported through immediate counseling and information SMNs formed and mobilized under the CTIP program and thereafter referred to local government line agencies to ensure access to justice as well as rehabilitation and reintegration support.

³ Public awareness campaign conducted by the SMNs have not been counted as this is a repetition of the similar activities conducted in the past. Hence, 341 school sensitization activities, and 15 documentary screening, and 1 radio program by WOFOWON have been included.

⁵ This members of the survivors groups from Shakti Samuha have been counted only once. Total of 79 members

⁶ Since the RPs and teachers have been able to effectively roll out the school awareness campaigns in the fourth year, the target number for the no. of people orientated on TIP issues has been increased from 3,000 to 12,000.

⁷ The students oriented through the sensitization activities conducted in district schools have been included.

								New target: 12,000	
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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

In continuation of the on-going support provided to the staff of shelter homes through capacity building trainings on victim-centric psychosocial support in the previous years, TPO provided a refresher training to 11 service providers from nine shelter homes in year 4. Focusing on cultivating a deepened understanding of the specific concepts and skills on responsive and transformative psychosocial response for the survivors of trafficking and GBV; the refresher training was aimed at reorienting the staff with on the concepts and tools that they had been taught in the past year and

Name of shelters/safe house	District	# of participants
District Service Center	Kanchanpur	1
Saathi	Banke	1
POURAKHI, Nepal	Kathmandu	2
ABC Nepal	Kathmandu	2
Srijansil Gramin Mahila Samuha (Chautara Purthapana Kendra, Chautara	Sindhupalcho wk	1
Women & Children Office	Kavre	1
District Service Center Dhulikhel	Kavre	1
Shree Panchakanya Co-operative (VDC level service Center)	Kavre	1
Nepal Good weave Foundation (* new additional shelter home)	Kathmandu	1

to assess their application of the same. These included revisiting the basic psychosocial concepts, communication skills, identification of depression and trauma, peer group support, group development, primary psychological support, confidentiality, case assessment, and referral mechanisms to ensure continuity of the shelter-based service provision that is centered around the ‘personhood’ and rights-based approach. On-going assessments were carried out to gauge the effectiveness of the training and the appropriate

usage of the tools by the trainees in their regular work. It has been seen through the assessment that the participants have been able to better identify the clients having psychosocial problems, provide client specific support and refer to another organization as per the clients’ needs. The substantial increase in the case referrals of GBV and TIP cases for psychosocial support is reflective of the effectiveness of trainings. The pre- and-post assessment illustrated that the overall knowledge on psychosocial issues increased to 94.3 percent at the end of the training.

These trainings have been a crucial element of the protection component to reform and harmonize victim-centric service delivery for TIP and GBV survivors. By engaging with the staff of the shelter homes and service centers over a period of time, the CTIP program strives to assess the practicality as well as ensure the usage of the concepts and tools given during the training for a better and effective psychosocial response to the TIP and GBV survivors.

Enhance capacity of health professionals on psychosocial support from mental health wellbeing perspective

As a continuous effort to promote the concept of adopting transformative psychosocial interventions to ensure mental health wellbeing of individual, in year 4, TPO conducted a series of trainings to the health professionals such as the FCHVs, ANM, Staff Nurse, and Health Assistant. By focusing on the service providers within the formal health system, the CTIP program focuses on strengthening the resource pool of health services providers in the community that adopt a person-centered approach for rehabilitation and reintegration of TIP and GBV survivors.

The two-day training for 37 health professionals held in Kathmandu, in coordination with the Ministry of Health and Population (MoHP) and District Public Health Office (DPHO) focused on deconstructing the concept of psychosocial interventions by exploring the concepts of ‘self’ and ‘psychosocial’. The specific sessions focusing on the journey of the survivors of trafficking dealt with concepts of dignity, control, purposefulness, and belongingness of the individuals and tried to incorporate the perceptions and believes related to these constructs into a rights-based framework while providing support to the survivors. Additional skills such as effective communication, identification of various forms of GBV and knowledge of robust referral mechanisms were vital to ensure the application of the person-centered psychosocial support in the context of the communities that they live in. The FCHVs, as the foundation of Nepal’s community-based primary health care system, are critical in creating a conducive environment that link the communities to health services. The training facilitated the participants to understand and apply non-discriminatory principles and rights-based approach for rehabilitation and reintegration of TIP and GBV survivors into an enabling community environment.

TPO continued to conduct intensive four-day follow-up trainings in Kathmandu and Makwanpur to 26 health professionals who had been previously trained by TPO, as well as health professionals at various government hospitals identified by MoHP in Kathmandu and Hetauda. The participants came from various One-stop Crisis Management Centers (OCMCs)⁸ in various districts. The trainings provided a refresher as well as additional inputs on skills for psychosocial interventions, that emphasized on specific behavioral aspects of community development and micro skills for psychosocial counseling and mental health support for survivors of trafficking and GBV. The trainings were highly interactive and various tools such as group work, role play, individual exercises, interaction, presentation, and open floor discussions were used. The training created a cadre of mainstream health sector service provides who can apply the person-centric mental health approach, are empathetic and can accurately assess the risks and resources in the community; and support the client to navigate the risk and access the resources. The CTIP program strives to ensure transformative behavior of the service providers that leads to effective rehabilitation and reintegration of the survivors in a non-discriminatory and inclusive community

⁸ The Ministry of Health and Population (MoHP) has set up hospital-based OCMCs to help female survivors of GBV. Trained staff provide all the care needed in one place, including treatment of injuries, shelter, psychological counseling, help with rehabilitation or negotiation with the family, legal advice and protection. The OCMCs will complement the service centers, providing more comprehensive one-stop care and working with them and local NGOs to ensure women know about the help available.

Following the capacity building trainings, TPO continued to engage with the trained participants from the previous years to assess the application of the tools and skills that reinforce the sense of well-being for a positive state of mind. As a part of the robust M&E framework, TPO followed up with 33 health professionals and four health centers during this year.

Reflection Note:

By increasing awareness and providing specific skills on psychosocial and mental health care support from a person-centric framework to targeted health sector service providers within mainstream as well as alternative institutions the CTIP program aims to create an integrated approach to making mental health care and support central to the larger health care systems. Anti-trafficking interventions need to strengthen the formal health care systems to be more cognizant and supportive of psychosocial needs of survivors of trafficking and GBV. This will create greater acceptance of psychosocial challenges and needs of survivors at the community level, reduce stigma and have a sustainable psychosocial service delivery model.

Expanding the victim protection framework from mental health wellbeing perspective

The CTIP program has a robust experience of adopting a holistic mental health intervention framework developed under the leadership of Dr. Achal Bhagat, a leading psychiatrist and psychotherapist working with survivors of human trafficking and gender based violence in South Asia. A series of interventions at the national and district level with law makers, health service providers, and community members, provides the CTIP program an enriching experience of understanding and applying the concepts of person-centric intervention that focuses on non-discriminatory access to resources; empathic response; building trust with individuals and community; and responding to group dynamics. In addition, the application of these concepts within the realities of power dynamics of the communities that determines the risk and access to resources has given the CTIP program a ground level understanding. Thus, building on this knowledge base; TPO organized a regional level workshop on ‘promotion of psychosocial and mental health service in Nepal’ on September 18, 2014 in Kanchanpur. Government officials including Local Development Officer (LDO), Senior Public Health Officer, District Attorney, WDO, Nepal Police, Child Protection Officer, Social Development Officer, and civil society representatives participated in the workshop. Mr. Suraj Koirala, TPO presented on ‘Mental health and psychosocial support, global context and Nepal’. Four leading experts on psychosocial field laid down the broader framework on different psychosocial perspectives and its action/ impact on mental health wellbeing. The deliberations focused on increasing awareness about mental health and making linkages with other systems present in the community. For instance, the critical role of traditional health care processes in promoting public health in various ethnic group including the significance of ‘Malmasa’, a traditional way of counseling technique in the Tharu community, were discussed. The need to reflect on the root causes of psychosocial problems within the ambit of the socio-economic, cultural, and political context of the communities were expressed by the participants. Additionally, Mr. Padam Raj Bhatta, Human Rights Activist, emphasized on the need to promote psychosocial wellbeing as a component on human rights. Thus, this workshop aimed at leveraging the knowledge gained by the CTIP program to facilitate a discourse at the regional level to mainstream the person-center responsive mechanism amongst health practitioners, peer educators and civil society members.

To ensure easy access and better defined guidance on the application of transformative psychosocial intervention to the wider user groups; TPO developed a basic psychosocial support training manual. This manual provides a comprehensive guideline and reference material for frontline health service providers who are providing direct or indirect psychosocial support within their communities. Designed for raising awareness and encouraging the implementation of the person-centered approach in the responsive services provided to the TIP and GBV survivors; the manual is divided into two volume: a) trainer's guide and b) resource materials. The trainers' guide book details each session in simple language with subject matter, modality, time frame, and practical exercises to provide direction for the trainers in facilitating independent trainings at the community level. The resource material provides general guidance to maximize their impact as health providers in counter-trafficking efforts.

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

As a strategy to increase awareness on the different aspects of human trafficking and facilitate a rights-based approach to advocate against TIP, a total of 155 district- level orientations were conducted with -human rights defenders, journalists, and members of major political parties from Banke, Makwanpur, Kathmandu, Kavre, and Sindhupalchowk on victim-centric approaches to combating trafficking. Focusing on the rights-based victim centric approach, the orientations held during the reporting period encouraged the stakeholder to understand the concept of victims as rights-holders and to critically evaluating the understanding of gender equality, GBV and TIP within the local socio-economic, political, and cultural context. The deliberations during the orientations assisted the participants in realizing their roles and responsibilities as key stakeholders who are central to ensuring the protection of the rights of the survivors. Government representatives like the WDO from Banke while highlighting the existing situation of trafficking, talked about the coordination between different government and non- government stakeholders in Banke, as being central to the success of anti-trafficking efforts there.

During the orientation held in Sindhupalchowk, the participants talked about the local cases of TIP and GBV within the larger national discourse on gender equity and human rights. The example of trafficking cases from Sindhupalchowk was referred to highlight the grave cases of human rights violations and the need for protection mechanisms during legal redress to ensure the security of the survivors, witness, and other related family members. The CTIP program strives to work towards shifting the concept and attitude of advocacy from an issue specific needs-based approach to a rights-based approach, the orientation introduced an important element of accountability in the advocacy work of the different stakeholders. These interactions support the creation of a multi-stakeholder dialogues for increased coordination and collaboration on anti-TIP and GBV issues. It contributes toward creating a protective environment for victims of trafficking and GBV at the local/ community level which facilitates reintegration of the survivors into their communities.

Strengthen community support for survivors of TIP

During this year, TPO provided basic psychosocial counseling to 29 survivors of trafficking and 173 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. As a part of the robust psychosocial follow up mechanism to ensure the smoother reintegration for survivors, TPO continued to follow-up with old on-going cases from previous years. Due to the various level of trainings provided to a wide range of front line health service providers, awareness raising programs, and community orientations; a growth of 24.95% in case referrals for psychosocial support was observed during year 4. The increase in the case referrals for psychosocial support is illustrative of the increased sensitivity and awareness of the psychosocial need and wellbeing of individuals for successful reintegration of survivors into the communities. The TPO counselors employed various techniques such as the emotional support, individual, family, and group counseling, peer support, and psycho-education as integral part of psychosocial intervention.

In addition to providing direct psychosocial support, the CTIP program also strives to contribute to the creation of an inclusive and non-exploitative environment within institutional care systems and at the community level. The protection component of the CTIP program has been consistently working to create greater resilience for the survivors of trafficking and other forms of GBV through direct intervention at the community level. The community based interaction programs have been crucial to engage with the community members on raising awareness regarding the importance of psychosocial wellbeing, basic ways to cope with problems, and the role of the community in creating an enabling and protective environment. A total of 14 community based interaction programs were held in the CTIP program districts, where 369 community members (293 female and 66 male) participated. The pre-and-post assessment illustrated an increase of 38.9% of knowledge on psychosocial issues and the role of the community towards creating an inclusive and non-exploitative environment for the reintegration of the survivors.

District	VDC covered
Banke	Sitapur Udarapur Udarapur
Kanchanpur	Dodhara Daiji
Makwanpur	Churiyamai Hattia
Kathmandu	Talkhu Kavresthali
Kavre	Kushadevi Methinkot Kharelthok
Sindhupalchowk	Syaule Irkhu

The VDCs most affected by various forms of gender-based violence and trafficking were selected in coordination with the CTIP program partners and respective WCO for the interaction programs. Significant community members such as the women’s groups, teachers, health providers, and representatives from civil society attended the programs.

Safe migration counseling center

The counseling center at the District Administration Office (DAO), Kanchanpur provides information to potential migrants who are the process of migrating for foreign employment. 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. Thus, the help desk is a critical information channel on safe labour migration processes and provides guidance to ensure access to proper and regulated channels for safe mobility. During year 4, the kiosk desk run by CeLRRd under the CTIP program provides critical information on safe labour migration processes and provides guidance to ensure access to proper and regulate channel for safe mobility to a total of 4439 individuals who had applied for passport in the DAO Kanchanpur office. Out of the total potential migrants counseled, a majority of the beneficiaries were male (4278) while only 158 were

female. The effectiveness and value of the counseling desk is reflected in the significant increase in the number of beneficiaries seeking counseling services as compared to last year. After receiving counseling, some of the beneficiaries also came back to the desk with their contract documents for further verification while others were able to identify blacklisted manpower agencies through the information provided. CeLRRd continued to disseminate IEC materials developed under the CTIP program as well as relevant materials during the counseling sessions.

Sabitra, 28 years old, from Shreepur VDC, Kanchanpur returned from Saudi Arabia after working one year as a housemaid. She was promised Nrs. 30,000 per month salary by a manpower company but only received Nrs. 8,000 for her services. She even faced attempts of sexual exploitation during her service tenure. *"If this sort of counseling and information center was available at that time, I would not have suffered so much. Currently, I am preparing to go to Malaysia, and I have gathered enough information from this center. I have promised that I will not go until I feel secured with required information."*

Enhance capacity of SMNs for effective advocacy

Based on the findings of the assessment report of the SMNs conducted in 2013, specific capacity building programs were designed and implemented to strengthen the capacity of the SMNs in the previous. In this regard, LACC continued to provide trainings to the SMNs on effective communication and advocacy skills, and proposal writing skills to mobilize local resources. In year 4, LACC conducted 3 trainings in Kathmandu for a total of 15 SMNs from the VDCs in Kathmandu where 45 SMN members (3 from each network) participated in three-day training to selected members 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.

Although the SMN members, as active citizens of the community, have conducted various activities to increase awareness, the participants had limited understanding of the term ‘advocacy’ as a process for solving disputes in the community. For instance, a participant from Dahachowk VDC said, ‘advocacy is the process of solving any kind of disputes in the community through legal discussion by some of community people.’ Therefore, the training aimed at providing the SMN members skills and techniques related to *socially inclusive and gender sensitive advocacy and messaging*, that is delivered by identifying and ensuring coordination with key stakeholders. It aimed at applying diverse advocacy strategies and tools to address concerns around power distribution, access to resource, social inclusion and gender equity and link how understanding and addressing them could greatly reduce vulnerability to trafficking and exploitation. Thus, at the end of each training, the participants from each SMN drafted resource-mapping matrix and draft proposal for their respective VDCs for advocacy and resource mobilization campaigns as a guiding framework to facilitate effective community interventions in addressing TIP by the networks. The pre-and-post assessment illustrated an overall increase in the knowledge on TIP issues and advocacy strategies that address gender equity and social inclusion. For instance, in one of the trainings, the knowledge on legal provisions to maintain confidentiality increased by 40 percent. Accurate knowledge of the SMNs on the legal provision under the TIP Act 2007 is critical to ensure that correct messaging is delivered during advocacy activities in their community. The

understanding on the concept of ‘advocacy’ increased from 46 to 73 percent, and the ability to correctly identify the methods/tools of advocacy increased by 26 percent after the training. Similarly, the pre-and-post assessment conducted in the last quarter of year 4 during the training illustrated a significant increase of 47% in awareness about the methods and tools for advocacy. Some of the methods identified were networking, awareness raising, use of appropriate means of communication tools, and coordination with various stakeholders.

These trainings have been critical for ensuring the effective mobilization of the SMNs, as the frontline resource pool at the community level to develop a strong base for preventive systems led by the civil society at the local level. It was found that 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 trainings supported the SMNs to further strengthen their roles and responsibilities in local resource mobilization.

Name of SMN VDCs for the training		
Sangla VDC	Chhaimale VDC	Saakhu VDC
Naikap Purano Bhanjyang VDC	Talku VDC	Teen Thana VDC
Dahachowk VDC	Pukulaski VDC	Budhanilkanta VDC
Ichangu Narayan VDC	Kavresthali VDC	Naya Naikap VDC
Syuchatar VDC	Jitpurphedi VDC	Balambu VDC

LACC continued to conduct the second-phase of capacity building trainings to the SMNs, who were not a part of previous training program conducted by LACC on effective communication and advocacy. During year 4, a total of 18 two-day trainings were conducted for the members from 47 VDCs totaling to 399 SMN members from Kanchanpur, Kavre, and Sindhupalchowk. Similar to the TOTs conducted in year 3, the training session focused on the importance of advocacy and its impact by using various strategies, tools, and techniques for effective communication and leadership to address TIP. The practical application of various tools such as documentary shows, interaction programs, street dramas, posters & pamphlets, door-to-door campaigns, and group meetings were explored during the course of the training. The trained SMNs, who participated in the TOTs in year 3; took the lead as resource persons at the VDC level trainings. The trainings also focused on the basic conceptual understanding of the concepts related to gender, gender-based violence, and trafficking within the realities of the caste, class, ethnicity which translates in the risk and vulnerability of an individual. The participants were trained on understanding and identifying the problem that needs to be addressed within the above mentioned context and discussing strategies to solve the problem which would create a solid evidence base for setting advocacy priorities. The training provided an analytical guidance to the participants assess the available resources and stakeholders with their environment that could be key influencers to prevent trafficking. Thus, bringing the SMNs members to a realization and understanding of developing partnerships with these stakeholders for successful advocacy campaigns amongst targeted audiences. Following up on the role of the SMNs within their community, the trainings also focused on the importance of referral mechanism to ensure holistic service delivery for the survivors of TIP and GBV. Since SMN members have limitation regarding their expertise and jurisdiction, they were encouraged with work in coordination with different organizations and service provider agencies.

Working with the larger group of SMNs member has generated a common and standardized understanding on broader issues related to gender relations, caste/ethnicity and class identities, and its link with access to power and resources under the anti-trafficking framework. The clarity on concepts related on human trafficking, labor migration, and gender along with effective advocacy and communication will result in effective and creative community level advocacy strategies led by SMNs. 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 quarter 2 revealed that an increase in the understanding of the participants on various aspects of the training. For instance, the participants were between able to identify the different purpose of trafficking for labour exploitation, organ transplants, and sexual exploitation as the knowledge increased by 43 percent. The understanding of the legal provisions under the under the Human Trafficking and Transportation (Control) Act 2007 is vital for advocacy groups such as SMNs who work in the local communities to ensure protection of the rights of trafficking survivors. Likewise significant chance in the understanding of the closed hearing which maintains the confidentiality of the trafficking survivors during the court proceeding increased by 39 percent. An understanding of various methods and strategies of advocacy by 80 percent participants has been seen as a direct result of the orientation.

Monitoring of trained SMNs on effective advocacy

As a part of the robust M&E framework to capture the outcome and impact of the advocacy trainings conducted over the past year, two levels of interactions: one with the trained SMN members and another with the local stakeholders were conducted. Based on the standardized questionnaire focused on the key indicators that reflect the effective implementation of the advocacy strategies and the ability of the participants to translate the learnings into actionable behavior; a total of 33 interaction with local stakeholders and 33 interactions with the trained SMN members were held during this year. The continuous engagements with the SMNs and community has greatly assisted in increasing creativity and effectiveness of the networks in mobilizing themselves as frontline community workers on anti-TIP issues. *As a direct outcome of the proposal writing skills gained during the training, seven SMNs from Kavre were able to access a total of Nrs. 2, 30,000 for anti-trafficking activities*⁹. Numerous advocacy activities such as rally, coordination meetings, door to door campaigns, street dramas, training on TIP and safe migration, financial support to the survivors, and interactions with key service providers to ensure compensation and protection of survivors were organized by trained SMNs. These trainings have also significantly enhanced the role of the network members to take on the role as VCCHT members, mandated by the government, for conducting anti-TIP activities within their communities. The interactions also revealed that the newly formed VCCHTs have been seeking the experience and knowledge of the SMN members to provide guidance for the implementation of community level interventions within their VDCs.

⁹ VDCs include Balthali, Sipali, Anaikot, Kusadevi, Mahendrajyoti, Boldephediye, and Katunje

Broadcast radio programs on issues of TIP, labor migration and GBV

The CTIP program uses various mediums to disseminate various locally pertinent issues focused on TIP, labor migration and GBV for larger outreach at the community level. During this quarter, LACC completed airing 20 radio episodes of 'Wakalat' relating to various aspects on human trafficking, gender based violence, and safe migration. In order to contextualize the issues, various news on human trafficking published in the national daily and local newspapers were also discussed in the radio programs. The four local FM stations, i.e., Namobuddha FM, Bageshwori FM, Suklaphanta FM, and Radio City FM covered the CTIP districts as well as the neighboring non-program districts.

In order to maximize the efficacy of the radio program as well as build a robust M&E framework to assess the effect of radio shows, a total of 24 listeners club were identified and mobilized in four CTIP program districts. These listeners clubs were organized by representatives of SMN in the VDCs, who were mandated to listen to the radio shows and organize discussions with the community listeners' on the specific topics broadcasted in the radio episodes. During this quarter, FGDs were conducted with almost all the listeners groups to capture the changes in behaviors and attitude at the personal and community level on issues related to TIP and GBV, most effective episodes, feedback and suggestion. In addition, closed-ended questionnaires were filled by the listeners' clubs which illustrated that most participants had listened to 1-5 episodes of *Wakalat* either on their own or with their family members. It was observed that most members started listening to the radio program after joining the group. The assessment on the content aired through radio shows illustrated that the members were very satisfied with the various aspects of TIP covered in the episodes. In addition, significant percentage of the listeners groups could correctly answer questions on court procedures related to maintaining confidentiality, time limitation to register complaints against human trafficking, and compensation provisions.

3.2.2 Prosecution

Enhance capacity of public prosecutors on effective jurisprudence

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. 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.



In year 3, the CTIP program supported the Office of the Attorney General (OAG) to develop a training curriculum focusing on improved application of existing laws on TIP and gender based violence jurisprudence. The Office of the Attorney General (OAG) conducted a capacity building trainings for 149 public prosecutors in Kathmandu, Rupandehi, Makawanpur, and Banke. Out of which were 14 female and 135 male participants. The objective of the training was to improve the understanding of the public prosecutors on the principles of jurisprudence in relations to prosecution and

adjudication of TIP and GBV 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 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.

The training drew upon the lessons and experiences in the implementation of the principles laid down in the SOP for Prosecution and Adjudication developed under the CTIP program in the first year. The program was important in orienting the public prosecutors on issues of effective implementation of various legal provisions, ways of strengthening the preparation of charge sheets, claims for compensation and usage of multiple charged under the TIP Act 2007. Some major challenges raised during the program were the unavailability of effective victim/witness protection mechanisms and the lack of implementation of court decisions. In addition, despite court verdicts to provide victim compensation, the lack of implementation of the court verdict is seen as a major impediment towards effective protection of survivors of human trafficking.

Interaction of district lawyers working under the CTIP program, Public Prosecutors and representatives of the district level Nepal Bar Association

With an aim to orient on the social context of TIP and to promote an engendered and victim-centered application of jurisprudence for GBV and TIP cases, PPR held an interaction program with the 22 public prosecutors, lawyers and representatives of the different District level Nepal Bar Associations. During the program, the interaction focused on the role of victim legal aid lawyers and public prosecutors in adopting survivor protection strategies such as ensuring survivors' confidentiality, continuous hearing mechanism, sensitivity of TIP cases, and psychosocial needs of survivors. The program provided a forum to discuss gaps and challenges faced during the implementation of the Human Trafficking and Transportation (Control) Act 2007. By addressing the issue of access to justice, the interaction focused on the role of victim legal aid lawyers and public prosecutors in adopting survivor protection strategies such as ensuring survivors' confidentiality, continuous hearing mechanism, sensitivity of TIP cases, and psychosocial needs of survivors.

The unavailability of effective victim/witness protection mechanisms was discussed as one of the major challenge along with lack of implementation of court decisions. Despite court verdicts to provide victim compensation, the lack of implementation of the court verdict is seen as a major impediment towards effective protection of survivors of human trafficking. The interaction program focused on identifying future strategies to address the challenges of legal aid in TIP cases and sustainability of victim legal aid. Specific strategies were discussed. Forming a network of legal aid providers at the district level, advocating for the allocation of fund for legal aid for trafficking survivors, and supporting effective coordination among the stakeholders are some of the future action plan developed by the participants.

Improve service delivery to trafficking and GBV survivors

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 facilitate access to justice to survivors of trafficking and other forms of GBV. 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 this year, CeLRRd, PPR, and FWLD provided legal services to 46 survivors of trafficking and 194 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.

In year 4, of the cases where CTIP implementing partners have provided legal aid and legal presentation, saw the conviction of 15 perpetrators under the *Human Trafficking and Transportation (Control) Act (HTTCA)* and other relevant laws at the district and appellate courts. Various landmark judgments on the TIP cases in Year 4 is a strong indicator of how different interventions of the CTIP program creates a collective impact leading to a successful prosecution and a victim-centric access to justice.

The CTIP program has been working toward drawing traction on the issue of organ trafficking to bring to light with local administration, judiciary, law enforcement sector, and the local communities through various advocacy, awareness raising programs, and interaction programs between the affected population and government administration. These efforts proved effective and translated into the local administration and the law enforcement agencies establishing a link between exploitation, deception and trafficking in cases of illegal organ sale through the filing of cases and court decision of these cases on organ trafficking in year 4. For instance, on 9 June 2013 two the perpetrators were prosecuted in Kathmandu District Court demanding 10 years imprisonment and up to 500,000 rupees fine and compensation to the survivor according to section 15(1) (Ga) of TIP act 2007 for organ trafficking case filed by 'Hanumandhoka 1' (Survivors' code name). The CTIP program provided continuous legal support to the survivor and pleaded on her

behalf. Thus on 1 June 2014, Kathmandu District Court gave a verdict that the two accused be imprisoned for 10 years and fined 200,000 rupees each and compensate the survivor with 200,000 as per Human Trafficking and Transportation (Control) Act 2007. Thus, giving a landmark judgment on the aspect of organ trafficking by bringing the case into the legal purview of human trafficking as prescribed by the Human Trafficking and Transportation (Control) Act 2007 for the first time in the history of Nepal.

Study on Implementation Status of Human Trafficking and Transportation (Control) Act 2007

Although having a comprehensive and relevant law is the first step, the implementation of the same is vital to ensure its impact. The CTIP program in its efforts to develop a knowledge base to understand and analyze the effectiveness of the existing laws and institutional mechanisms to counter trafficking in persons (TIP) in Nepal undertook a research study to analyze the implementation of the anti-trafficking Act. FWLD conducted a research '*Anti-Human Trafficking and Transportation Act: Its Implementation*' to analyze the status on effective implementation of the Human Trafficking and Transportation (Control) Act (HTTCA), 2007. Apart from the gaps and challenges associated with the adjudication system, the research study also examined the effectiveness of other institutional mechanisms such as the law enforcement sector, the national and district level committees on combating TIP, and role of rehabilitation centers to ensure a rights-based victim-centric approach to strengthening prosecution.

The research study was strengthened through desk reviews, key informant interviews, judgment analysis, and court monitoring analysis to determine the application of jurisprudence and the implementation status of various provisions under the HTTCA including maintaining confidentiality, continuous hearings, and victim/witness protection, etc. A series of consultation workshops with the experts and concerned stakeholders were also organized by FWLD during the finalization of the research study with the relevant stakeholders, judges, public prosecutors, senior advocates and lawyers.

The study determined the effectiveness of existing institutional mechanisms such as the law enforcement agencies, courts, and government attorneys in dealing with cases of TIP on specific provisions provided by the TIP Act. The study pointed out the gaps and challenges in the existing TIP Act and the impediments to ensure effective implementation. The findings and recommendations were shared with relevant officials in USAID and US State Department. The study was also translated into Nepali so that it could reach to wider audience and work as an information booklet for advocacy.

This publication paves the way for further detailed analysis of specific core provision under the TIP Act, 2007. As defined in the report, FWLD identified four core areas that need to be improved and/or revised through consultation and advocacy with the relevant government officials and lawmakers. Thus, in continuation to the study, FWLD initiated the drafting of the policy briefs on following issues to advocate for change and revision:

- victim and witness protection
- court proceedings and continuous hearing

- compensation and interim relief
- provision of interpreter and translator

The findings of the study have also provided guidance to the NCCHT for policy reform on TIP Act. The prosecution sub-committee tasked to review and amend the TIP Act to address the emerging challenges used this publication as a resource material. FWLD is currently drafting the victim and witness policy brief, which will service as an important tool for advocacy and inform programmatic interventions of the CTIP program on legal aspects.

Interaction with the Justice Sector Coordination Committee (JSCC) to ensure access to justice for TIP and GBV cases

On 15 August 2014, TAF under the CTIP program provided support to the Lalitpur District Court to organize interaction with Justice Sector Coordination Committee (JSCC) in Kathmandu. The JSCC established by the court system regulations is a platform for dialogue between law enforcement, prosecutorial, prison management and judicial authorities — to ‘evolve’ into a justice sector coordination mechanism. This mechanism enables rule of law institutions to identify, conduct research on, and discuss reform options for priority issues which concern each rule of law institution but are beyond the mandate of any one of them; monitor and review pilot justice sector inter-institutional initiatives aiming to address identified priority issues and challenges to the administration of justice; and to develop a strategic vision for the sector.

Thus, the interaction was based of efforts towards establishing Lalitpur court as model court and importance of increased coordination between the judicial and law enforcement sector to ensure justice especially for the vulnerable population who seek legal redress. The program was attended by 64 participants representing different stakeholders such as judiciary, police, forestry, revenue administration, and government hospital, forensic department, bar association, Guthi office, and media of Lalitpur district. Lalitpur District Court Judge Tek Narayan Kunwar, who was recently awarded the TIP Hero Award by the US government, presented a paper showing how different stakeholders are related in delivering justice in the court, and how the complexities in them affect the proper realization of the principles of fair and prompt justice, and how this further victimize the already vulnerable sections of populations like women and trafficking survivors. He also reiterated the principles of “justice in time, justice for all” as espoused by the courts like Lalitpur District Court. Speaking at the program Justice Deepak Kumar Karki of Patan Appellate Court highlighted the legal and practical problems inhibiting the proper and effective delivery of justice, including the problems within the judiciary itself. One of the concerns raised during the program was the protection of witnesses and victims outside the courtroom given the possibilities of getting further threatened by the perpetrators during and after the latter’s release from prison. The program was effective in exploring the possibilities of organizing such meeting in the district courts of Kathmandu and other CTIP districts so that the prosecution component of the program could be strengthened.

Expand community outreach programs for the judiciary

The integrity, independence and impartiality of the judiciary are essential to protecting human rights and fostering economic development. The challenges for marginalized communities and vulnerable groups in accessing justice are even greater due to historic reasons, discrimination, economic deprivation, political marginalization. The level of public trust and confidence in the formal justice system directly corresponds with the public knowledge about the courts as well as the judiciary's understanding of the local socio- economic, political and cultural contexts.

CeLRRd and NJA¹⁰ conducted four judicial outreach program in Kanchanpur, Banke, Makwanpur and Kathmandu to bridge the gap in understanding of the public and the judiciary on the specific contextual understanding and reality of each other. A total of 155 participants including judges and community stakeholders attended the program. The program was attended by judges from the Appellate Court and District Court, District Government Attorney, Court Officials, WDO Officers, representative from Bar Association and leading NGOs working in the anti-trafficking sector. An effective application of jurisprudence relies on public confidence in the judiciary built through a comprehensive understanding of the existing social-cultural and political dynamics. Thus the CTIP program aims to facilitate dialogues between the judiciary and the local community. The Judicial outreach program started under CTIP has found resonance in the Supreme Court's Second Five-Year Strategic Plan 2009/10 – 2013/14. The outreach program also promoted greater understanding of court processes by the members of the local community including civil society organization to facilitate a better engagement with the judicial process; and the understanding of the victims' perspective and the communities' needs and perception in by the judiciary in relation to accessing justice.

Reflection Note:

Judicial outreach programs are aimed to provide the judiciary with the contextual understanding of the social dimensions and gender perspectives of the local communities which will enhance the ability of the judiciary on effective application of jurisprudence. The CTIP program strives toward facilitating interactions to create space for voices of the affected populations to ensure judicial measures and responses that address their needs.

During the program, Hon'ble Justice of Banke district Court presented on the court procedure and the expected role of the community with regard to GBV and TIP cases. He outlined the weak investigation mechanism which leads to failure in acquittal for several GBV cases because of non-availability of the evidence to meet the merit of the case. Also several complaints are not being lodged because of lack of victim and witness protection mechanism. Though there is a provision of continuous hearing under District Court Regulations for trafficking cases, its implementation is very weak. Because of the lengthy court procedures, victim hostility and withdrawal of cases has reached to its highest level resulting in a low prosecution of TIP cases. Similarly, during the outreach program, Hon'ble Bhoj Raj Adhikari, Judge of District Court in Kanchanpur talked about the court procedure and the expected role of the community with regard to gender based violence and trafficking cases. Though there is a provision of continuous hearing under District Court Regulation, for trafficking cases, its implementation is lacking. During these programs, several

¹⁰ Judicial outreach program held by NJA in Kathmandu

questions were posed to the judiciary. The lack of sensitivity by the law enforcement officials, who are meant to be protector and first point of contact to enable access to justice, poses challenges for survivors to feel secure to lodge their cases. Thus, the lack of protection mechanism and the existence of impunity create a hostile environment for the survivors to get justice. The WDO shared that they are providing certain sum of money to the survivor of trafficking and GBV through the Compensation Fund for the survivors and the GBV fund in order to represent their cases.

It was reported that in most of the cases provision of interpreter is not being provided to the survivors in the court. In response to the questions posed before the judges, they responded back to those questions and inquiries. They asked the community people to become more aware about their rights and responsibilities, and that people can approach any institution for safety and security. Judges were also of the view that the –survivor should be provided compensation through the Compensation Fund immediately by the state. Till date not a single survivor received compensation, and even though landmark judgment had been made towards compensation through rehabilitation funds, the survivors could not claim the compensation due to lack of clarity in the procedural matters.

The facilitated interactions created a space for judiciary to get a firsthand perspective on the challenges faced by community representatives and civil society organization in accessing justice for victims of TIP and GBV. It also provides a forum to the judiciary to provide constructive feedback to community members on how they can support the judicial systems and the victims fight for justice. This will provide learning to the judiciary as a vital component to create a coherent society.

Reflection note:

Justice is not an issue to be dealt only by judiciary alone. Rather, it requires a two way process – demand and supply, in which community engagement is an essential element. Civil society engagement including the meaningful participation of the community is crucial to facilitate the justice process and ultimately the support necessary to build a judiciary worthy of public trust and promote access to justice for the needy. Judicial outreach is an important method in promoting understanding and trust in the court system, and building public faith in judiciary. The judicial community outreach program is bringing judges closer to the community to educate the public on the role of judiciary and how the court system fits within the government as whole. It helps the courts to understand the community’s concerns and also helps the community by increasing public awareness of justice system process through which the communication between the court and the community can be improved in various ways. Thus, judicial outreach programs will act as a vital component to initiate discourses on the existing confines of the local communities' perception and access to justice. The facilitated interactions will create a space for voices of the affected population in the process to ensure judiciary measures and responses that address their needs.

Support to set up victim/witness friendly spaces at the District Attorney's Office

The Public Prosecutor (PP) has the overall responsibility for the prosecution policy. He/she commences 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 Government cases and also the first point of contact for the victim/ witness.

As the victim/ witness starts engaging with the PP it is important to assure the victim/ witness about their protection and create an environment where they feel safe and are not exposed to the threats from perpetrators or other vested interest groups. The victim friendly room in the PP's office has been created to facilitate a safe and conducive environment for the victim/ witness from the very start of the prosecution process so that s/he can record her statement correctly and fearless. S/he can be supported to provide accurate testimony during the trial. Thus, during year 4, the CTIP program supported Office of the Attorney General (OAG) to set up victim/witness friendly spaces in the District Attorney Offices in Kavre – and is planning to set up room in Kanchanpur, Banke, Makwanpur, in year 5. The purpose of setting up of such spaces is to provide victim/witness who are a part of the prosecution process a protective environment and responsive mechanisms within the justice dispensation system which can facilitate successful prosecution.

TAF through the CTIP program has been providing on-going support to the OAG. Since 2013, TAF has collaborated with OAG to provide trainings to approximately 250 public prosecutors to enhance their capacity and knowledge on issues related to human trafficking and gender- based violence; and to support effective implementation of victim-centered prosecution process. Some major challenges raised during the trainings were the unavailability of effective victim/witness protection mechanisms and lack of implementation of court decisions. Based on the challenges and gaps identified, the CTIP program in collaboration with OAG initiated to set up victim/witness-friendly spaces in the District Attorney's Office that ensure the protection of the survivors and witnesses.

Every person has the right to be treated with respect during his/her involvement in the criminal justice system. Therefore, access to a safe and protected physical space during the trial process, where the victim/witness does not feel intimidated by the legal process or subjected to public scrutiny, will allow for stronger purposeful testimony and effective prosecution. Not only this, the victim is supposed to make a statement about the consequences of the crime at the prosecutor's office. At this point if they have a safe place to stay they could speak out the reality without fear of harm and intimidation from outsiders. There are lot of cases where victim/witness have turned hostile as they felt scared or vulnerable when they came into the court. The PPs office is within the court premise so it allows a safe waiting space for victim/witness to use as waiting resting space during trail. This is specifically critical for victims who have be subject to sexual abuse or violence either in trafficking process or otherwise. The social stigma attached to victims of trafficking and sexual offence hugely inhibit their active participation in prosecution processes where they feel exposed to public scrutiny it is expected that having safe protected space to sit in before they go for trail into the court room will contribute to reducing their mental trauma and fear. The rooms set up at the district offices will ensure better protection for victim/witness an improved prosecution for TIP and GBV.

Empirical study on the status of organ trafficking

As a continuous effort to bring into light the nexus between organ trade for commercial purposes and human trafficking, the CTIP program through PPR conducted an empirical research to understand the status of organ trafficking. The study has made a qualitative case analysis of fifty reported cases in order to understand the process, the reasons and the impact of sale of kidney. The study has looked into the socio- economic, political and cultural aspects that drive the process and how that be addressed within the exiting legal and administrative framework. In year 4, the research study was finalized for printing in consultation with TAF and PPR.

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.

Interaction programs on pertinent issues related to prosecution and adjudication of TIP cases

The legal service provision along with effective advocacy under the CTIP program as a means to strengthen the implementation of the 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 program. Highlighting cross-cutting jurisprudence challenges in response to trafficking in persons, a total of three one-day interaction programs with representatives of relevant government agencies, judiciary, law enforcement, and civil society were held.

During this reporting period, PPR Nepal held a one-day interaction program on ensuring compensation to survivors of human trafficking. A total of 38 participants attended the program including judiciary representatives from the Supreme Court, Kathmandu District Court, Lalitpur District Court, and Office of the Attorney General in addition to representatives of the Ministry of Women,



Children and Social Welfare, the National Women's Commission, and various civil society organizations. Honorable Tek Narayan Kunwar, Lalitpur District Court Judge, gave a comprehensive presentation on the importance of ensuring compensation for survivors of trafficking. Using various existing international frameworks, Hon'ble Kunwar presented on specific steps to be taken to address the challenges in mobilizing the Government of Nepal's rehabilitation fund to provide victim compensation.

This interaction facilitated a vital discussion by highlighting cross-cutting jurisprudence challenges in response to protecting the rights of survivors of human trafficking. Chairing the

interaction, Hon'ble Kalyan Shrestha, Senior Judge of the Supreme Court, talked about importance of the recent Supreme Court directive issued to establish a separate state fund for cases of trafficking in persons to be created for survivor compensation. This directive was a result of the CTIP program's continuous advocacy for the establishment of a government fund to support survivors of trafficking.

Honorable Shrestha indicated that although the Human Trafficking and Transportation (Control) Act 2007 states that the survivor compensation should be equal to half of the fine received from the perpetrator, in most cases the perpetrator does not have the means to pay this fine and thus the survivor is denied the due compensation. Honorable Shrestha emphasized on the state's responsibility to protect the human rights of survivors of human trafficking along with facilitating their effective rehabilitation. Provision of compensation proves to be a vital part of effective rehabilitation as it addresses issues of access to financial resources for the survivors of trafficking. He urged the judiciary to use the Supreme Court directive as a reference in future judgments on human trafficking cases to ensure protection of the rights of survivors by facilitating provision of compensation to them.

Court Case Monitoring

During year 4, the court case monitoring report was finalized based on the final consultative meeting organized by FWLD. Participants indicated the need to work on a comprehensive victim/witness protection mechanisms as victim/witness hostility is a major impediment to an effective judiciary response to human trafficking. Commenting on the study, the participants suggested that the report should also explore the challenges faced by defendant lawyers. Similarly, the need to create institutional mechanisms to effectively implement in-camera hearings was also discussed. The court case monitoring reported highlighted the existing court practices and trends within the larger criminal justice system to highlight how jurisprudence gets played out in courts; how effectively are directives of the Supreme Court understood and applied; gaps between investigation and the prosecution; and the positive judicial adjudications under the TIP Act. The findings of court case monitoring was used in analyzing the implementation of the TIP Act conducted by FWLD.

Advocacy for effective victim-centric jurisprudence

The CTIP program aims at initiating expanded discourse on specific legal provisions focused on greater protection for the security for victims and witness during the judicial process through better application of developed jurisprudence within the existing criminal justice system. A consultative meeting was held on March 24, 2014. To discuss the writ no. 2068-WS-0046 filed by FWLD to contest the necessity and constitutionality of Section 26 which states that 'security is to be provided to a victim if that individual provides reasonable grounds and request for security at the nearest police station'. The consultation focused on the victim and witness protection measures during criminal proceedings and the need for a defined strategy amongst the concerned government and the civil society stakeholders for its effective implementation.

The meeting was attended by officials of MoWCSW, Ministry of Home Affairs, Women and Children Division, Nepal Police, Judgment Execution Directorate, National Human Rights

Commission, and civil society. The Joint Secretary from the Office of the Attorney General gave an extensive presentation on different aspects of the judgments relating to the cases stating the issues raised by the plaintiff, implementation status of the judgment, problems and strategies to be adopted for the effectiveness, and challenges ahead for its implementation. It was agreed that an implementation plan defining the mechanism for protection is needed to implement the Supreme Court's judgment. Lack of victim and witness protection provided by the state results in victim hostility, withdrawal of cases, changing statements and failure to report cases of TIP which impacts the low prosecution rate of TIP cases in Nepal.

Similarly, FWLD organized an advocacy meeting on continuous hearing and way forward on 16th July, 2014 with an objective to share the findings of the decision and to discuss the roles of different stakeholders in the implementation of the judgment. Meeting attended by judges, lawyers, representatives of courts, civil society, government attorney and representatives of ministries.

Mr. Shreekant Poudel, deputy registrar, Supreme Court of Nepal facilitated this session and shared the order of the Supreme Court, roles of agencies concerned in the implementation, implementation status, some achievements of the implementation and the roles and responsibilities of various stakeholders in the implementation of the judgment. He shared the agencies responsible for the implementation are Office of Prime Minister and Council of Ministers, Judgment Execution Directorate, Office of Attorney General, Ministry of Home Affairs, Ministry of Women, Children and Social Welfare, Ministry of Law and Federal Affairs and Police Headquarter. He also outlined some action points that needs to be designed such as preparation of the case wise calendar, provide Continuity on examination of evidence and witness, set the hearing dates, manage the number of judges and acting judges as per necessary, provide necessary training to train the human resources.

Some of the key recommendations that came from the meeting is that each district court needs to initiate the provision of continuous hearing for providing quick remedy to the victim, and judges have a very vital role to institutionalize this provision. Judicial system should create the environment which will help the victim to access the justice. Fast track court and continuous hearing are two different concepts and stakeholders should have conceptual clarity regarding the differences. Necessary training to the government authorities should be provided and should help the victim of human trafficking during pre- trial, trial and post-trial stage.

Judgment analysis from the Foreign Employment Tribunal

The lack of conceptual clarity regarding human trafficking has limited the understanding of TIP being associated with sexual exploitation. Thus, acts of TIP for labor exploitation have been wrongfully charged under the Foreign Employment Act (FEA), 2007 which has lower penalties compared to TIP Act undermines the severity of the crimes committed against the state. Thus, building a broader legal framework of linking the prosecution process based on multi counts in relation to the crimes defined by both FEA and TIP act is crucial to ensure access to justice and essential services for migrant workers who experience trafficking and exploitation aboard.

In this regard, FWLD conducted analysis of the judgments compiled from the Foreign Employment Tribunal based on the framework developed to see the nexus between the labour migration and human trafficking through a legal lens. The findings will provide empirical evidence

to address the gap and will serve as an advocacy tool to establish a close nexus between TIP and labor migration. As the Ministry of Labour and Employment is currently in the process of amending the current Foreign Employment Act, this study will serve as reference material to inform policy reform.

Training on SoP for Prosecution and Adjudication of TIP Cases for Judges, Court Officers, Government Attorneys and Defense Lawyers

In order to make the justice system and the justice administration effective, the National Judicial Academy (NJA) had been established so as to provide concepts on law and justice to judges, private law practitioners, government attorney and other human resources involved in the judicial administration.

NJA conducted a three-day non-residential training on SoP for Adjudication and Prosecution of TIP Cases for Judges, Court Officers, Government Attorneys and Defense lawyers on September 3-5, 2014. Altogether 25 participants (3 female and 22 male) attended the workshop. The SoP outlines the legal framework of crime and punishment, proceeding through investigation to post prosecution and role of the prosecutors, the trial process, and the provisions related to human rights protection of the victim. The program was chaired by Hon. Raghav Lal Vaidya, Executive Director of the NJA. The workshop aimed at enhancing coordination with the existing stakeholders relating to the dispensation of justice. Besides this, the workshop outlines the role of public prosecutors ranging from the trial process to the post prosecution level. It also outlines the role of judiciary during the court proceedings, victim witness protection and their rights.

The workshop helped at knowing the concepts on TIP, procedure for the protection of privacy of victims in TIP cases, right to privacy and its application in adjudication of TIP cases, access to justice of TIP victims, developing value of protection of victims/witnesses in TIP case and its application in Nepal, national legal framework on TIP, its application, role of the support staff of the courts, government attorneys and defense lawyers for maintaining the right to privacy, protection of the victims/witnesses in TIP case, problems in protection of victims/witnesses of TIP cases and intervention to be carried out in prosecution and adjudication of TIP cases.

On behalf of the NJA, Hon. Rajendra Kharel, Judge and Faculty of NJA made his remarks on the continuation of such programs in the days to come and also extended thanks to the participants for their determined patience during the entire program. He further extended thanks to the USAID and TAF for supporting such program. Finally, Hon. Raghav Lal Vaidya gave closing remarks saying that these types of training is needed for judges, court officers, government attorneys and defense lawyers for effective handling of the TIP cases from its pre-trial stage to the final process of adjudication of cases.

Training on SoP for Adjudication and Prosecution of TIP Cases for Support Staff of Court

Since the NJA had been established to bring uniformity in the application of law, to enhance skill and capacity and to bring uniformity in the training programs related with law and justice, it conducted a two-day non-residential training on SoP for Adjudication and Prosecution of TIP Cases for Support Staffs of the Court, Government Attorney and District Administration Office on

September 4-5, 2014 at NJA, Lalitpur. The workshop was attended by 23 participants including 6 female and 17 male participants. The presentation basically focuses on the following issues.

- Background of Trafficking in Person and Conceptual Clarity
- Procedure for the Protection of Privacy of Victims in TIP cases
- Right to Privacy and its Application in Adjudication of TIP cases
- Access to Justice of TIP Victims
- Developing Value of Protection of Victims/Witnesses in TIP Case and its Application in Nepal
- National Legal Framework on TIP, and its Application
- Role of the Support Staffs of the Court, Government Attorney and District Administration Office for Maintaining the Right to Privacy, Protection of the Victims/Witnesses in TIP Case
- Problems in Protection of Victims/Witnesses of TIP Cases and intervention to be carried out in prosecution and adjudication of TIP cases.

The training was fruitful to enhance the knowledge and understanding of support staffs of judiciary, police, government attorney's office on SoP for adjudication and prosecution of TIP cases. Ms. Sirjana Dhakal, from Kathmandu District Court rightly observed that the support staffs of the courts, government attorneys and defense lawyers are the one who have direct access to the parties, thus such training would enable them to handle the TIP cases in well manner. They would learn how to collect the evidence, how to deal with the victims and the perpetrators along with the national legal framework on TIP. A program evaluation form was distributed to the participants for evaluating what they had learnt during the training, its course contents and the overall management. The overall evaluation of the training showed that they had learnt a lot on the subject matter and such training is really needed to make them aware on how to handle the TIP cases effectively.

3.2.3 Prevention

Mobilize and strengthen local government and civil society to effectively prevent TIP-

One day review meeting of VDC secretaries was organized by DDC in coordination with DCCHT and Women Children Office (WCO) in six program districts. The purpose of the meeting was to strengthen the linkage between SMNs and VDC offices, support correct documentation practices at VDCs and improve resource mobilization on issues of TIP/SM/GBV at the VDC level. The review meetings have been a significant preventive intervention under the CTIP program, as the VDC secretaries are primarily responsible for the issuance of the timely and accurate legal identity. The VDC secretaries/ representatives were made aware of the sensitivity on the importance of legal documentation as a preventive measure to address trafficking. A total of 226



VDC officials participated, out of which 213 were VDC secretaries. VDC secretaries shared their experiences on social and political pressure for issuing incorrect documents, as well as strategies adopted for tackling such pressures. Furthermore, this meeting helped VDC secretaries realize the importance of VCCHT formation, and expressed their commitment in its formation and mobilization as per the guidelines.

A representative of the District Administration Office (DAO) and CTIP's protection partners were also present and supported facilitation amongst the participants to highlight the role and responsibilities as government officials to develop local commitment and action for meaningful results.

As a robust M&E framework, two key information interviews we conducted with two VDC Secretaries from Sindhupalchowk and Makwanpur to explore the outcome of legal identity trainings and review meetings. The interviews were focused on four major themes: roles and responsibilities of VDC secretaries in relation to minimizing risk of human trafficking; the linkage between VDC office and SMNs; practices of documentation; and challenges faced by and sustainability of SMNs. While discussing their role as VDC secretary in relation to minimizing the risk of human trafficking, they perceived their primary role as promoting correct documentation, especially in case of birth registration, marriage registration, death registration, and recommendation for citizenship.

They also acknowledged the existing relationship between VDC and SMN as SMNs had effectively kept the VDC office informed about their various activities. As a result of increased coordination, financial support, worth Nrs. 18000, was provided to the SMN of Agra VDC, Makwanpur while Bhotsipa VDC of Sindhupalchowk provided in-kind support to SMNs during various community level activities.

VDC secretaries shared that they had received pressure from the community to issue falsified documents. They have also been receiving threats from various levels and are forced to issue false documentation. The VDC secretaries were compelled at times to issue documents with incorrect information but most of the time they have been able to convince the pressure creating group when they clarified the situation. Thus it is important to have interaction program between VDC officials and community group on importance of having correct documentation.

Reflection note:

In addition to the orientations conducted on legal identity, vital registration and its link to human trafficking, the CTIP program needs to work closely with relevant link ministry i.e. the DDC/Ministry of Federal Affairs and Local Development to ensure that every new VDC Secretary is oriented on the effect of weak governance during vital registration, passport issuance that can lead to human trafficking.

“A client approached the VDC office for recommendation of child’s citizenship. It was a polygamy case and the supporting documents (marriage registration and birth registration) brought by the clients were contradicting each other. Also I was aware about client’s family background. Knowing about their intention, I refused to recommend for the citizenship. Same night I received a call from unknown number and was pressurized to do so. I did make recommendation and refer it to the district but at the same time informed the situation to Chief District Officer (CDO) as it was a part of agreed strategy developed during VDC secretary review meeting. Later I was happy to know that the citizenship was not issued and my effort to discourage incorrect documentation was successful.”

VDC Secretary, Bhotsipa, Sindhupalchowk

A. Capacity building training to the SMN members

In continuation of the activities held in year 3, the CTIP program provided support to a total of 47 for active and intermediate SMNs and 29 refresher trainings for less active SMNs were conducted. The main purpose of this activity was to strengthen SMNs with improved knowledge on issues of SM/TIP/GBV; effective fund utilization; and community mobilization.

Summary of Focus Group Discussions (FGDs) with SMN members¹¹

Five FGDs were conducted in different VDCs of the CTIP program districts to assess the outcomes of activities carried out by SMNs. 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 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. SMNs have the desired skills and knowledge to identify the shifting dimensions of human trafficking and exploring measures to address it at the local level. For instance, SMNs in several VDCs like Hatiya, Pipaldanda, and Ugrachandinala have started to collect data about details of current migrants using the self-developed format with the support of partner NGOs. They have been encouraging potential migrants to leave a copy of documents with their family members so that they can be used in case of any problem during foreign employment.



The participants acknowledged the importance of the series of trainings provided by the CTIP program to assist in effectively mobilizing themselves as anti-trafficking networks. They also expressed that the trainings were very beneficial in developing conceptual clarity about different dimensions of TIP and also enabled them to be well informed about the referral process.

They also felt that the trainings was instrumental in building their confidence and motivation for performing their roles and responsibilities more effectively. SMNs felt some additional materials on legal aspects was missing from the training and requested for it to be incorporated into future capacity building activities. SMNs also felt that training duration was short and wished for the provision of periodic refresher activities.

Involvement of community stakeholders (e.g. representatives from VDC offices, schools, health institutions, Wada Nagarik Manch, and micro finance institutions) during the sensitization activities has been a very important aspect. The presence of community stakeholders during their program has helped to strengthen community trust towards SMNs and show community solidarity

¹¹ The FGD analysis is based on FGDs carried out by WEI's POs and M&E officer, one FGD per quarter, as indicated in the M&E matrix.

against human trafficking. All SMN members expressed the need for exposure visits with other SMN members 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.

Earlier if someone approached us for information on safe labor migration process, we used to tell them to wait until someone from PNGOs arrives. Today, our team can easily help people on such issues."

SMN member, Hatiya VDC, Makwanpur

B. Community Sensitization by SMNs

Type of sensitization activities	No of activities
Cultural program	3
Rallies	33
Door to door visit	4
Interaction Program	131
Training/orientation on TIP	8
School activity	3
IEC materials dissemination	7
Street drama	11
Song competition	18
Door to door message dissemination	2
Documentary show	10
Orientation	2
Dohori	3
Total number of activities	235

During year 4, a total of 235 sensitization activities were conducted by SMNs to raise awareness on SM & TIP issues. A total of 16,204 (7,514 males and 8,690 females) 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. Leveraging 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 interventions to reach out to survivors of TIP and aspiring migrants to ensure referrals for service delivery and information dissemination.

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.

Social Stigma Discourages Reporting Trafficking

Babita, 22 years old, a resident of Bhimdatta Municipality, Kanchanpur married Shankar KC, 28 years old, with their parents' consent. After few months, Shankar encouraged Babita to visit Nainital in India. Babita was overwhelmed and considered herself very lucky to have such an affectionate husband. They visited Nainital and stayed at Mahesh's place (Shankar's friend). After two days, Shankar disappeared. Babita was very worried and asked Mahesh to look for him. Then Mahesh disclosed that she had been sold by her husband and it is his usual business to supply women in India. She was shocked and did not believe him. She waited for few more days but he did not turn up. Mahesh confined her for a week and raped her constantly. One day she was able to escape as the door was left unlocked. She returned to her home town and shared her agony with the family and wanted to punish Shankar. But due to social stigma her parents persuaded her not to disclose it to anybody. Babita was aware about the local SMN, so she decided to share her sufferings. With support from Saathi, Kanchanpur, a case was filed against Shankar. The police are trying to trace Shanker but have not succeed so far.

C. Mainstreaming of SMN members in to the VCCHT

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 VCCHT has been formed as per the provision in the '*Guidelines on the Formation and Regulation of the Village Committee to Controlling Human Trafficking (VCCHTs), 2012*' set out by the NCCHT. As per the recently endorsed guidelines, the CTIP program in year 4 strived to integrate the SMNs members into the newly formed government entity. Till date the CTIP has supported the VCCHT formation of 170 VDCs (Kathmandu-10; Kavre-50; Sindhupalchok-48; Makwanpur-37; Banke-12; Kanchanpur-13). SMNs are voluntary networks who are working on TIP and safe migration issues for the past few years and have received trainings on these issues. Approximately 37% of SMNs members have been mainstreamed in to VCCHTs and remaining are invitee members. The other trained SMN members continue to be reached out by the VCCHT and community members as the outside resource unit for their work on anti-trafficking.

Details of VCCHT formed across CTIP districts

District	# of VCCHTs formed	% of SMNs members included
Kavrepalchowk	50	44
Makwanpur	37	31
Sindhupalchowk	48	26
Banke	13	54
Kathmandu	10	32 ¹²
Kanchanpur	12	58
Total	170	37



As a government institution, the VCCHTs have been formed to build a sustainable structure at the local level to support anti-trafficking initiatives across the country. Based on the recently endorsed government guidelines, VCCHTs are being formed in various districts across the country including the six CTIP districts, as a formal government entity. VCCHTs are tasked with raising awareness at the local levels on trafficking in persons (TIP) issues, coordinating with the local organizations working in TIP issues, maintaining an updated records on TIP issues, and reporting on anti-trafficking efforts to the District Committee on Controlling Human Trafficking (DCCHT). The CTIP program has worked directly on the advocacy of the formation of VCCHT as a part of the sustainability plan for SMNs and mainstreaming of CTIP efforts beyond the project period. As indicated by the mid-term evaluation report, the efforts of the CTIP program will through this activity will ensure its continuity at the community level. The meetings held with the SMN members, VDC office, community members have been crucial in the formation of the VCCHTs. SMN/VCCHT meetings focused on discussion on roles and responsibilities of VCCHTs; reporting format to be used by VCCHTs; and exploration of mechanisms for continued SMN engagement with VCCHTs, use of emergency and logistic funds and follow-up on the referral cases. SMNs were able to generate NRs. 27, 68,031 (US \$ 30,755) during year 4.

Reflection note:

The official guidelines for the formation of VCCHTs comprise of 13 active members representing diverse groups, gender, profession, government and non-government agencies. It was observed that new member of the VCCHT have a limited understanding on the nuanced and multidimensional aspects of TIP and safe migration. Thus continued capacity building of the newly formed VCCHT and their ongoing interactions with the members of SMN's who are not integrated into the VCCHT is critical to their effective functioning.

During the formation of the VCCHT the members expressed the need for orientation on the TIP/SM/GBV issues. The majority of newly formed VCCHT members belong to diverse backgrounds and have limited understanding on these issues, thus capacity building training is very crucial for smooth and effective functioning of VCCHT. The regular interactions and

¹² Naaglebhare is excluded from analysis, as it is non CTIP VDC

technical support by the social mobilizers and representatives from partner NGOs were appreciated by the SMNs and still need regular review meeting among VCCHT members to discuss on achievements, challenges and way forward and also share any changes in the guidelines or policy or services related to TIP/SM. During follow up visits with VCCHTs it was observed that the VCCHTs were confused about their reporting channels (to DCCHT or to DDC). Thus clarification on this will help strengthen communication of VCCHTs with DCCHTs. In addition, the CTIP program also provided logistic support to 120 SMN/VCCHT in the CTIP districts to support the networks for day to day activities.

Domestic violence results in unsafe migration

Krishna, a mother of two daughters and a resident of Krishnapur, VDC of Kanchanpur, was stopped at Gadda Chauki by Nepalese police and SMNs. She was trying to enter India. She felt very disappointed for not being able to go to India as she had planned to go abroad for employment. She had come in contact with a local agent who promised to send her to a foreign country via India. Krishna was aware about the vulnerability of being trafficked but she was willing to take this chance. Her relationship with husband and in-laws was bitter. For years she faced mental and physical abuse from her husband and in-laws for giving birth to two daughters and was taunted as good for nothing. Unable to bear more ill treatment, she had decided to go for foreign employment to earn a good life for her and her daughters. However she was stopped at the border as her daughters informed SMN members who then coordinated with local police. Police summoned her husband and in-laws and warned them of facing dire consequences if they did any violence to her. She has been referred to a counselor at Women and Children Office (WCO) and a case has been filed against the agent, who is still at large. Saathi has coordinated with WCO for financial support to start a business, but it was unsuccessful as Krishna does not have citizenship or a marriage certificate to access such support. Saathi is coordinating with stakeholders to generate support for her.

D. Coordination meeting with local level stakeholders by SMNs/VCCHT

Upon the formation of the VCCHT, the SMNs and a total of 248 coordination meetings were held by SMNs/VCCHTs. The main objective of the meetings is to share activities of SMNs with local stakeholders, build linkages between SMNs and community stakeholders, and improve resource mobilization on issues of TIP/SM/GBV at the community level. Representatives from the VDC office, Wada Nagarik Manch, Wada Sachetana Kendra, political parties, police officers, community leaders, and microfinance institutions were present during the meeting. Some PNGOs (NTWG, GMSS and Pourakhi Nepal) have been using the forum of the coordination meetings to support VCCHT formation.



Develop stronger referral systems at the district and national level

A. District level coordination meetings with government stakeholders

The district level coordination meeting with the government stakeholders in six CTIP districts was completed in collaboration with other CTIP partners and stakeholders. The meeting has been able to generate commitment from various partners to reduce TIP and SM issues in the district. Some of the initiatives taken after this meeting were: formation of VCCHT; involvement of PNGOs in anti-human trafficking initiatives in the district, inclusion of CTIP activities in district yearly plan of DDC, and lead roles taken by partner NGOs for developing five year anti-human trafficking plan for the Sindhupalchowk district.

B. District level review meeting with SMN members

A one day district level review meeting with SMNs was conducted in six CTIP district. This review meeting provided an opportunity to share their regular activities, achievements and challenges faced during their voluntary service in the community. The importance of the voluntary service of SMNs in preventing TIP was recognized by stakeholders who decided to explore ways to engage SMNs at the community level wherever possible. A total of 143 SMNs participated in the review meetings held during 11 events across six districts.

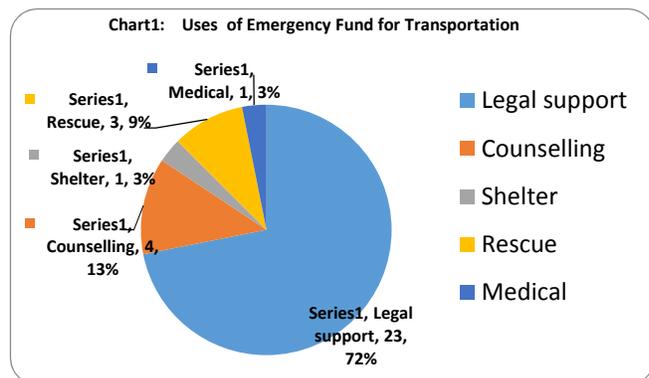
Reflection note:

With the increasing population opting for labor migration and problems associated with the female returnee migrant workers, such community interaction programs in presence of government stakeholders provide support to the survivors and establish their self-respect in the community and help them have a smoother integration back into the community. Thus, engaging with the service provider and community members are crucial to address the stigma within the realities of the social, political and economic context of the survivors.

C. Emergency fund for referrals

The emergency fund has been used by PNGOs to support and refer victims/survivors to Village Committee and other district level service providers. It was observed that majority of the cases were referred by the community. The fund used to cover the costs of transportation to access free legal services.

PNGOs is now planning to orient SMNs/VCCHTs about the provision and strategies of emergency fund (basket fund) in Women and Children's Office under MOWCSW. The basket fund is for the victims of trafficking and those at risk. These funds are largely unused due to a lack of clarity as to the eligibility and process to access these funds.



D. VDC level interaction program with victims/survivors/family/stakeholders

A one day interaction program with victims/survivors, local stakeholders and DCCHT was held in Sindhupalchowk, Banke and Kanchanpur. A total of 15 interaction programs (Banke, 6; Kanchanpur, 4; and Sindhupalchowk, 5) were held to facilitate dialogue amongst community stakeholders to make them aware of the problems faced by survivors while reintegrating into society and to create social acceptance for victims/survivors of TIP/GBV/SM.

E. Monitoring and supervision visits

Monitoring and supervision visits of government stakeholders from the central and district level were conducted in Year IV with the objective to provide technical support to community activities, improving motivation for SMNs/VCCHT and school stakeholders, and strengthening the established linkage to the district administration. A total of fifty-four visits (27 visits by DCCHT officials and 27 visits by DEO) were made by district and central level government stakeholders to support VCCHT formation and to observe SMN regular meetings and school awareness activities. Visits from NCCHT/DCCHT were helpful for VCCHT members to feel government ownership.

Reaching and educating the next generation of migrants

A. Orientations to Resource Persons

A one day orientation for 76 Resource Persons (RPs) was accomplished across program districts. The program was organized by the DEO with support from WEI. The main objective of the orientation was to orient RPs about Career Counseling and the Safe Migration Package and the plan for the teachers' training. During this orientation, schools for the teachers training were selected as per recommendations made by DEOs based on the criteria developed by WEI. The criteria included: secondary or higher secondary schools; VDCs with a high dropout rate; and VDCs having a high rate of labor migration or affected by TIP/SM/GBV. A total of 340 schools meeting the criteria for school activities were selected for this year.

B. Teachers' training

To further reach out to the target groups, the DEO with support from partner NGOs in six CTIP districts organized two-day teachers' trainings for a total of 342 teachers (250 male, 90 female). The trainings aimed to increase teachers' understanding of TIP and SM issues and further encourage them to include TIP and SM curriculum as part of the schools regular in co-curricular activities. 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 training was very interactive and well received by the teachers as the content of the training was different than they were used to. The 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.

C. Community sensitization through school activities

Community sensitizations through schools' extracurricular activities on SM and TIP messages were conducted across program districts. A total of 63,869 beneficiaries have been reached with messages on career counseling and safe migration. Each school was provided with the activity folder that includes the activity sheets which will help the school to conduct various activities on issues of career counseling and safe migration in their own initiation independently. Increased awareness about safe migration, the need for career counseling, and knowledge about the links between labor migration and TIP are vital to ensure safe labor mobility of the youth while opting for jobs abroad. The schools have been innovative in conducting sensitization activities by organizing competition programs among different schools in the district.



Drawing made by school students of Kathmandu during drawing competition

PNGOs assess the outcome of these sensitization activities using a tool developed by WEI. The assessment is carried out randomly amongst 5 participants in five sensitization activities per quarter. ***The detailed activities and discussion points are captured in the Area Analysis Table in the annex.***

D. Summary of FGDs among students

Career counseling and safe migration package aims to sensitize secondary school students on the issues of TIP/SM. Sample FGDs were conducted by PNGOs in seven secondary school students of Kathmandu, Kavrepalanchowk, Sindhupalchowk and Makwanpur with an objective to gauge the understanding of school students on issues of TIP/SM following sensitization activities.

The discussion was focused on three major themes: understanding about TIP/SM; the process of safe migration; and consequences of unsafe migration and effectiveness of extracurricular activities. Under this broad aspect, several questions were asked to participants to determine their understanding of the effectiveness of the career counseling package.

The discussion revealed that students are conceptually clear about TIP and SM issues. Participants across all schools showed good understanding of different dimensions of human trafficking, labor exploitation and organ trafficking, except students of Shree Krishna HSS, whose understanding about human trafficking was limited to organ trafficking as there have been cases in their area.

Students across schools reported that the sensitization activity was instrumental in changing their understanding about TIP and SM issues. Before the school sensitization activity, their understanding of human trafficking was confined to girl trafficking, especially sex trafficking.

School sensitization has helped them to broaden their understanding that a human being can be trafficked irrespective of sex and age.

Similarly, students across schools were well informed about foreign labor migration and the process to be followed to ensure safe migration. They stated that, “the act of migrating from one country to another for the purpose of labor work is called labor migration.” Students were well aware about the importance of family decision making, financial management, language and general information of host country, skilled labor, health checkups, use of registered manpower, pre departure orientation and correct documentation to prevent oneself from being deceived during process of labor migration.

Students were also aware of the consequences of unsafe migration. Some of the consequences of unsafe migration as reported by students were:

- Unable to earn the expected amount of money
- Physical exploitation
- Mental stress
- Difficulty in returning to the home country
- Trafficking during foreign labor migration
- In worst cases, loss of life

Students across all schools acknowledged the importance of career counseling and safe migration package being incorporated in extracurricular activity. They feel that the package has helped students to improve their understanding about TIP and SM issues which otherwise was limited. In the era of increasing foreign labor migration, this activity is an effective approach for reaching every community household. Apart from improving awareness, the activity also helped them to improve their extracurricular abilities.

Students suggested improving the regularity of such activities in the school and including mechanisms for encouraging students’ active participation, e.g. through competitions, prizes, and publishing their creative works through local media. They also suggested involving parents and school management committee in such activities.

E. School activities review meeting

A one-day school activities review meeting with school teachers was conducted across CTIP districts. The meeting was organized by DEO with support from PNGO and WEI. Total 319 teachers participated in the review meeting and shared their experiences while conducting the school sensitization activities. They also shared the challenges and strategies to overcome it. The major challenge faced by the teachers was minimal support from the schools’ headmasters and school management. In the review meeting, it was discussed orientation to head teachers of the school is very



essential as they are the decision makers and could support in continuation of the activities in this issues even beyond CTIP. It was also discussed that the human trafficking issues is already incorporated in new vocational subject but is still too heavily focused on sex trafficking. This needs to be expanded and SM/TIP can also be addressed in Social Studies book. Frequent supportive supervision from government and non-government officials like RPs, DEO and PNGOs has also been recommended.

Increasing economic options and reducing vulnerability of the most disadvantaged communities

A. Training of Trainers (ToT) on Family Financial Planning Education (FFPE)

A five day TOT on FFPE for partner NGOs was completed across CTIP districts. The objective of the training was to develop community trainers for delivering FFPE trainings at the community level. The participants of the training were comprised of staff of PNGOs, representatives from SMNs, and local Microfinance Institutions (MFIs). Representatives from MFIs were included in the training with the objective to improve the access of community FFPE trainees to microfinance services. The training was based on the revised guidelines. In consultation with TAF, WEI had revised the guidelines and developed the FFP participants' workbook. The FFPE workbook was pretested in Sindhupalchowk and Kathmandu among existing and intended FFPE beneficiaries.

B. FFPE training to vulnerable population

In year four, a total of 2,125 households in six program districts have been reached through FFP training and 563 households through follow up visits on a cluster basis. The training package (FFP training guidelines and participant's workbook) for FFP training was revised according to the feedback of the midterm review and in consultation with TAF. The guidelines and workbook were used during the ToT, FFP training and follow up visits.

The pre-and-post assessment illustrated increase in knowledge observed among FFPE trainees. For instance the trained participants had varied levels of understanding as evidenced by the wider range of pre-test result. The mean percentage score during pre-test was 53%; range (39%-74%) while it increased to 87%; range (72%-97%) in the post-test. The poorest knowledge during pre-test was observed in question ten (39%) while the greatest change in knowledge was observed in question two (43%).

While disaggregated by districts, participants in Kathmandu relatively had better knowledge than other districts during pre-test with mean percentage score of 81%. It might be due to the better general awareness level of Kathmandu participants due to proximity to capital city. The poorest knowledge was observed among participants of Makwanpur during the pre-test (mean score of 34%).

Further disaggregated by questions, the poorest knowledge in Makwanpur, Kathmandu and Sindhupalchowk was observed in question ten during the pre-test. Kanchanpur demonstrated the best knowledge with the highest mean percentage score (97%) during the post-test among the districts, while Makwanpur remained the lowest (68%). This indicates the need for more intense follow up with participants of Makwanpur district.

C. Summary of FGDs among FFPE participants

PNGOs across program districts held 15 FGDs with beneficiaries of FFPE training to gauge the outcome of training. The discussion was focused on two major themes; understanding about FFP and its outcomes. Under this broad aspect, several questions were asked to participants to determine their understanding about FFP and its practice. Table 6 highlights the detailed picture of VDCs and participants involved in the discussion.

Details of FGD

Districts	# of FGDs	Name of VDCs	Characteristics of participants	
			Male	Female
Kathmandu	5	Jitpurphedi, Bhimdunga, Baluwa, Chhaimale, Icchangunarayan	1	60
Kavrepalanchowk	2	Ryale, Daraunepokhari	2	10
Sindhupalchowk	2	Bhotsipa, Thulosiruwari	9	7
Makwanpur	2	Chitlang, Gadi	5	6
Banke	2	Bageshwori, Khajurkhuda	0	13
Kanchanpur	2	Tribhuvanbasti, Parasan	0	11

The discussion revealed that the persons responsible for household decision making varied slightly across districts. Household accounts in Kathmandu are maintained by FFPE trainees while only few FFPE trainees in Kavrepalanchowk are involved in account keeping. Participants of Makwanpur, Banke, and Kanchanpur reported that husbands and wives jointly make the financial decision while in Sindhupalchowk; it is usually done by senior person of the family.

The practice of household decision making was found to be similar across districts. The person responsible for maintaining household accounts are usually responsible for making financial decision making; however, it is done by consulting with other family members revealing the practice of joint decision making.

The practice of managing household expenses varied slightly across districts. The majority of households in Sindhupalchowk, Kavrepalanchowk and Makwanpur relied on agriculture while the majority of them depend on agribusiness like animal husbandry, poultry and off season farming in Kathmandu. A small proportion of households in Kathmandu also managed their household expenses through jobs. Though few households relied on remittance in these four districts, dependence on remittance from India is high in Banke and Kanchanpur.

Remittance receiving status is fairly common across districts, however it was found to be higher in Banke and Kanchanpur. Remittance has been used heavily for debt payment, managing household expenditure, and human capital formation. Only a small proportion of remittance across districts except Banke and Kanchanpur was found to be saved in microfinance institutions, invested in income generating activities, and used for purchasing real estate. This is probably lower because the remittances generated from India in Banke and Kanchanpur are small as compared to remittances generated from Middle East countries.

The training has positively affected the financial management practices of the households. Almost all participants have started documenting their income and expenditure after the training.

Participants of FGD reported being smart spenders after the training and are concerned about their expenses. By reducing their unnecessary expenses, they have improved their saving habits and access to microfinance institutions. Saving habits are commonly prevalent across district. It is notable that some participants across program districts have also invested the saved amount in small income generating activities at the local level.

The majority of participants were happy with the training content and method of delivery; however, they wished for a longer duration of training and provision of refresher trainings. Some participants from Banke and Kanchanpur suggested using more lively approaches like games and use of audiovisual aids. Participants also suggested linking FFPE training with entrepreneurship training programs.

Respondents across program districts reported that the training has helped in decreasing vulnerability to TIP and unsafe migration. Participants reported discussing the content of the training with family members, relatives, friends and community groups. The training enabled participants to realize the importance of FFP and helped them to put it into practice. The practices of reducing unnecessary expenses, improved saving habits, improved access to micro finance institutions, and involvement in income generating activities at the local level have contributed in reducing their risky behaviors like approaching money lenders for loans or opting for foreign labor migration without proper analysis of income and expenditure. Thus the training has contributed to reducing the vulnerability of participants and their families to TIP and unsafe migration.



Impact of FFPE training

Mina Malla, originally from Dailekh district, migrated to Noubasta VDC of Banke two years ago. Her husband works in India and sends home money which was enough to meet only the basic requirements for their life. Through local SMN of Noubasta she learnt about FFPE and got the opportunity to participate in two-day training. After the FFPE training she started practicing income and expenditure analysis and preparing a financial plan. With a loan from a local group she started a poultry farm and a small movable shop. Within one year she succeeded at making good earnings. She has started sending her children to boarding school and is also doing monthly savings in various community groups. Now she is planning to call her husband back to Nepal and involved him in the poultry farm business. She says “the FFPE training transformed me into an entrepreneur”.

Recommendations for FFPE

- To simplify the content for less literate participants revision of participant’s workbook format.
- Strategy of linking FFPE trainee with MFIs should be expanded and strengthened.
- Impact of FFPE should be shared during VCCHT or DCCHT meetings or visits.
- Training should be expanded to the Ward level rather than be held at VDC level.

D. Research on remittance aspects of labor migration

A study proposal and data collection tool, titled “A study on foreign labor migration, remittance and its impact” was developed in consultation with TAF. The study aims to fill in the knowledge gap by exploring the link of remittance inflow to the migration process and its social and economic impacts on migrants sending households. The study has been conducted in three CTIP districts (Makwanpur, Sindhupalchowk, and Kathmandu). The study was cross sectional in nature, utilizing both quantitative and qualitative methods. The data collection from 300 households (150 RM and 150 CM) has been completed. Data processing and analysis will be done in first quarter of year V.

Utilize media as a complementary awareness-raising approach



The CTIP program puts a special emphasis on promoting the role of media in investigative journalism while adopting victim-centric strategies. In year 4, The Asia Foundation in collaboration with World Education Inc. and Nepal Forum of Environmental journalists (NEFEJ) conducted a media baseline survey report to examine and analyze the existing news coverage priorities and ethical journalism practices such as maintaining confidentiality and sensitivity of trafficking in Persons (TIP) and gender based violence (GBV) cases. The report illustrated poor attention from

editorial desk in media houses to report TIP cases; limited ethical reporting in maintaining confidentiality, anonymity and sensitivity; and lack of in depth and investigative reporting. Based on the findings of the report, in year 4, NEFEJ completed training for 85 journalists in six CTIP districts. The training content was developed based on the findings from the baseline survey report and finalized in consultation with TAF. The participants included representative from print, electronic, and radio media. For instance, the training held on September 3-4, Radio Sagarmatha, Lalitpur included 13 journalists representing from various media houses including Kantipur Publication, Himalayan Times, Nepal FM, Annapurna Post and Sagarmatha FM. The trainings aims to developing the conceptual clarity on TIP and government initiatives to address TIP, with specific focus on the site visit to POURAKHI shelter home for firsthand experience on the issue of trafficking. The group discussions and specific technical sessions were critical to build the capacity of the journalists to produce analytical, investigative, and victim centric news that are can effectively advocate for improved policies and laws to address TIP. A rigorous follow up will be conducted to gauge the level of media reporting on issues of TIP and GBV after the trainings. Similar trainings, taking in to account the local context of trafficking, was conducted in other CTIP districts during this year. In the coming year, the CTIP program will continue to provide mentoring, oversight, and logistic support to the trained journalists to cover stories that are analytical and investigative on TIP and GBV that will lead the modern day discourse on these issues. The news reported will also create pressure of amongst the law makers, service providers, and civil society stakeholders to draw traction on the issue of human trafficking.

Increase economic options and reduce vulnerability of the most disadvantage communities

In year 4, the CTIP program partnered with FSKILL (an organization having expertise in this field) to provide training and opportunities for alternative economic options to the vulnerable population at risk of trafficking. A needs assessment of 18 intended beneficiaries was conducted by F-SKILL to ensure the suitability and requirement of skills training. K-Skills identified 13 beneficiaries based on the education, skills, and willingness to be a part of the training. F-SKILL is currently providing training to beneficiaries (4 beautician course; 2 cooking course; and 4 tailoring). The updates and outcome of the training will be reported in the next quarter.

3.2.4 Coordination Strategy

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

Building on the efforts of the ongoing CTIP program, TAF has been working closely with the MoWCSW and NCCHT to develop and support the Government of Nepal's efforts to combat trafficking in persons. During this year, with the support from the CTIP program the NCCHT/MOWCSW organized five NCCHT steering committee meetings and total of 7 meetings of prosecution sub-committee and anti-trafficking day sub-committee¹³. The following milestone decisions, for better implementation of the law, improved counter trafficking efforts and holistic care and support for survivors of TIP, was taken by the NCCHT steering committee and sub-committee during the meetings:

Endorsement:

- On 19 December 2013, the NCCHT Steering Committee approved the proposed “*Guideline on the Formation and Regulation of the Village Committees on Controlling Human Trafficking (VCCHTs), 2069*”. These decisions have been made due to the direct advocacy and experience of mobilizing community networks by the CTIP program. The VCCHTs, as a government entity, mandated by the TIP Act will play a vital role in the local communities to increase awareness on human trafficking along with strengthening community support for survivors of trafficking in all the districts of Nepal. Under the approved guideline, till date 170 VCCHTs have been formed under the CTIP program in the CTIP districts. Additionally, VCCHTs are also being formed in other non-CTIP districts lead by the initiation of government and non-government agencies. Following the endorsement of the VCCHT formation, the MoWCSW has also allocated a total budget of Nrs. 1,92,85,000 for a total of 225 VCCHTs (3 committees in 75 districts). The budget allocated for the VCCHT will allow the newly formed committees to conducted meetings, awareness raising programs, trainings, and coordination with other stakeholders.
- Endorsement of guidelines for the formation of the Sub- Committee of the DCCHT. The Terms of Reference (TOR) provides guidelines on the members, and its functions as well as the roles and responsibilities of the sub-committee to support the mandate of the DCCHT. Subsequently, under this guideline, the CTIP program has been working with various sub-committees to

¹³ One meeting organized by prosecution sub-committee. Six meetings organized by anti-trafficking day sub-committee to mark the anti-trafficking day on September 6, 2014.

support the regular meetings and activities specified as per the TOR. The meeting also validated the recently formed sub-task groups of DCCHTs in Banke, Chitwan, Rupandehi, and Sindhupalchowk. The formation of these groups will further strengthen and corroborate an integrated approach to combating trafficking in persons in the local and district levels.

- The NCCHT included three additional government line agencies to the existing law review subcommittee formed under the NCCHT. The additional members includes the Under Secretary level officers from the Ministry of Law Justice and Parliamentary Affairs, Law Implementation Section of MoWCSW and NCCHT/MoWCSW. The purpose of this is to make this subcommittee more vibrant and functional. Furthermore, the meeting also decided to transfer the power of authority to this subcommittee in order to review and finalize the draft victim and witness protection bill in consultation with Nepal Law Commission and Ministry of Law Justice and Parliamentary Affairs and MoWCSW.
- Endorsed and institutionalized the monitoring tool developed to assess shelter homes designed in line with key policy documents to combat TIP: the National Minimum Standards for Victim Care and Protection and the Standard Operating Procedures for Rehabilitation Centers. The monitoring tool was developed with the technical support of the CTIP program. This tool will support the MoWCSW/NCCHT 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. The institutionalization of the shelter home monitoring tool will further support in comprehensive operation of shelter homes to provide effective care to survivors of trafficking.
- Endorsed the Implementation Plan for the National Plan of Action (NPA) against Human Trafficking through its steering committee meeting decision on 2nd June 2014.

Policy reform: In line with the decision taken by the NCCHT committee, prosecution subcommittee created a technical expert task force to undertake policy reform, which is headed by Joint Secretary of the Office of the Attorney General, Nepal Police, MoWCSW, and Ministry of Law and Justice, WOFOWON, and Maiti Nepal. In the first meeting held on March 2014, the task force members agreed to review the existing laws, policies, research report, Supreme Court Directives related to TIP and how linkages can be drawn to assist in the analysis of the specific provision of the TIP Act. Based on the recommendation of the sub-committee members, the following decisions were undertaken during the steering committee meetings:

- To amend the reference in the HTTCA, 2064 to read as Rehabilitation and Compensation Fund instead of the Rehabilitation Fund in order to justify acting on the decision made by the Supreme Court of Nepal on May 2, 2013. In a writ¹⁴ filed by FWLD, the Supreme Court ordered the creation of a separate compensation fund at the earliest by managing the necessary resource allocation of the money from the budget of FY 2070/2071 for payment of compensation to the victims of such crime, after a judgment by the court, pursuant to Section 17 of the Human Trafficking and Transportation Act 2065. It also specified to take and cause

¹⁴ NKP 2070, Volume No: 3, Decision No: 8973, Page No: 326

to take necessary measures by the concerned police office to pay compensation to such victim(s).

- For the purpose of receiving the compensation under Sub-section (1) of Section 17 of the TIP Act, the word “desired person” should be added along with daughter and son as beneficiary.
- Upon the provision of translator and interpreter under section 11, the word sign language should be added to support the needs of persons with speech and hearing impairment.

Other decisions:

- Allocate Rs.7 lakh each to the Rehabilitation Centers at Jhapa and Kailali districts through the National Rehabilitation Fund.
- Formally disseminate the information regarding the publication of the MoWCSW’s TIP Report 2014. Use the report as a reference tool for policy makers, academicians, researchers, students and other stakeholders working towards combating human trafficking. The CTIP program supported the Ministry in bringing out this report.
- Inform the relevant Nepali embassies in destination countries regarding the release of travelling allowance to the survivors of trafficking and the embassy personnel in charge of bringing the survivors back to Nepal, as per the Government Travelling Allowance Rules, 2064.

Capacity building support to focal government official at the NCCHT Secretariat

As critical component to provide technical and operational support to the NCCHT to eventually take on a leading anti-trafficking role, the CTIP program supported Mr. Rajan Poudel, Section Officer of the NCCHT Secretariat/MOWCSW to participate in the Third Annual Trafficking in Person’s Conclave organized by the U.S. Consulate (Kolkata), India. The conclave held on December 5-7, 2013 was aimed at establishing collaborative partnership between Bangladesh, Bhutan, Burma, India, and Nepal to protect the rights of survivors human trafficking while enhancing cross-border relations.

Exposure visit for Nepali Delegation to Mongolia to observe anti-trafficking efforts

The CTIP program supported the Nepali delegation represented by high-government officials from Ministry of Women, Children, and Social Welfare; Ministry of Law Justice, Constituent Assembly, and Parliamentary Affairs; Ministry of Home Affairs; and Department of Foreign Employment, Ministry of Labor and Employment to visit Mongolia from May 19-23, 2014 to observe the anti-trafficking efforts in Mongolia. The exposure visit also explored the applicability of similar processes in the context of Nepal; and facilitate cross learnings on best practices and challenges. The delegation met with the State Secretary of the Ministry of Justice and State Secretary of the Ministry of Population, Development, and Social Protection. A series of

interactive meetings with Ministry of Foreign Affairs, National Authority of Children, Ministry of Labor, Citizenship and Migration General Authority of Mongolia, General Police Agency as well as site visits to the immigration channels in the airport and shelter homes were held.



The delegates shared the recent anti-trafficking efforts of Nepal regarding the government's initiative to review and revise the TIP Act and publication of the TIP report (FY 13 and FY 14) for two consecutive years supported by the CTIP program. The government officials also shared the recently endorsed National Plan of Action (NPA) against human trafficking.

The exposure visit was instrumental in experience sharing of similar challenges and responses by both the government and civil society in Mongolia and Nepal. While Nepal seemed quite progressive in terms of enacting laws and policies along with the mechanism to control human trafficking; weak implementation and regulation of both government and non-government agencies in Nepal were observed in comparison to Mongolia. During a de-brief meeting held on June 30, 2014, the Secretary of MoWCSW highlighted some key learning from the Mongolian experience including comprehensive immigration systems adopted that is linked right up to the vital birth registration. Separate immigration channels for the minors and unified information systems adopted in Mongolia enabled the government to better regulate the illegal movement of people, specifically children and thus resulted in curbing human trafficking.



Key areas of interest and action points that could be explored in the context of Nepal were identified due to a series of interactions with the government officials and site visits in Mongolia. These include initiating Memorandum of Understanding (MoU) with neighboring countries (Mongolia has a MoU with China) as possible long term initiatives. The requirement of passports to travel to China from Mongolia was seen as an effective mechanism to better regulate and protect the rights of an individual as they move from one place to another. As currently there is no documentation system for cross-border movement between India and Nepal; similar process could be initiated. Other action points based on the learning from Mongolian experience that could be adopted within the context of Nepal were comprehensive victim and witness protection act, and effective coordination and implementation of government led initiatives through the inter-ministerial committee to combat trafficking.

A Report on Anti-Human Trafficking Initiative Led by Government of Nepal

In year 5, the CTIP program supported the NCCHT Secretariat to develop and publish a report on the GoN's efforts to combat human trafficking in Nepal covering the period of April 2013 to March 2014. This initiative is a continuum to the past report published under the MoWCSW to highlight the GON's efforts to combating human trafficking in Nepal. This government owned report 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 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.

Endorsed the Implementation Plan for the National Plan of Action (NPA) against Human Trafficking

During this reporting year, TAF supported the MoWCSW/NCCHT to develop and finalize the implementation plan of the NPA against Trafficking in Persons. The implementation plan outlines the roles and responsibilities of the relevant government agencies mandated to fulfil their anti-trafficking responsibilities that are aligned to the goals and objectives of the NPA. The NCCHT endorsed this Implementation Plan for the National Plan of Action (NPA) against Human Trafficking through its steering committee meeting decision on 2nd June 2014. The efforts of Ministry of Women Children and Social Welfare towards endorsing the Implementation Plan for the NPA is indicative of the strong commitment of the GoN to combat human trafficking. The Implementation Plan is extremely vital for strengthening and moving forward the national anti-trafficking agenda; and the fact that the plan is reflective of the existing international guidelines and protocols on victim protection makes it a critical policy document that can move the national anti-trafficking efforts to the next level.

Capacity building workshop to the WDO

With the support from the CTIP program, the NCCHT/MOWCSW conducted a capacity building workshop of the Women Development Officers (WDO) from 41 districts from on 19-20 February, 2014 on countering human trafficking. A total of 43 WDOs were trained during this quarter. The objective of this workshop was to deliver a comprehensive knowledge on issues of TIP and promote an integrated approach to combating trafficking in persons with relevant stakeholders. The workshop disseminated legal and policy documents that facilitated increase in knowledge on the anti-trafficking policy documents and also shared the implementation plan of the NPA against Trafficking in Persons.

The training also helped to stimulate the development of a network and enhance coordination among stakeholders and to get buy-in for the program. The participants requested the need for

further networking and coordination between and among the participant's networks. Through this workshop, the WDOs were informed and mobilized for meaningful coordination among the stakeholders working in the district to address the trafficking issues. The Secretary of the MOWCSW chaired the program and the Director General of the Department of Women and Children also participated in the program.

Monitoring of rehabilitation centers

In year 5, the NCCHT members and secretariat officials went on a monitoring visit to the GoN supported rehabilitation centers in Sindhupalchowk district on January 2014. The purpose of the visit was to disseminate the policy documents 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. The NCCHT officials also shared the recently approved monitoring tool developed to assess shelter homes based on the SOP for rehabilitation centers which NCCHT had endorsed and institutionalized the monitoring tool developed to assess shelter homes.

Prosecution sub-committee meeting decided to revise of the Human Trafficking and Transportation (Control) Act (HTTCA), 2007

The NCCHT prosecution sub-committee met on May 16, 2014 and agreed to provide feedback to relevant line ministry on revision and amendment of the HTTCA 2007. A task force to review the TIP Act included the representative of the Office of the Attorney General as the lead, Police, Women Ministry, Law Ministry, and Civil Society as the members. As the research done by Forum for Women, Law and Development (FWLD) pointed out several flaws and lacunas in the implementation of the legal framework on TIP Act, it was agreed that certain amendments/ changes are needed to this Act. As such there is an overlap in the definition of human trafficking between the TIP Act (2007) and the Foreign Employment Act (2007), and the conflation of TIP with prostitution means that many cases that do not involve prostitution but could fit the legal definition of trafficking are prosecuted under the Foreign Employment Act (2007). Also the TIP Act needs to be amended to make compensation available to victims as per court orders by expanding the definition of the rehabilitation fund to read as Rehabilitation and Compensation Fund. This will also comply with the decision given by the Supreme Court of Nepal on May 2, 2013 where Court for the creation of a separate compensation fund at the earliest. In this meeting, they have decided to appoint one consultant to carry out the preliminary desk review and do the consultation for making specific amendments to the TIP Act 2007.

Celebration of 7th Anti-human Trafficking Day

The 8th National Day against Human Trafficking was observed with the slogan "Jaagaun Manab Bechbikhan Rokna Sabai Laagaun" (*Let's unite together to stop Human Trafficking*) led by the Ministry of Women, Children, and Social Welfare and the NCCHT in partnership with numerous governmental and non-governmental organizations on September 5, 2013 in Kathmandu. The

NCCHT Secretariat played a vital role in coordination with different line ministries, INGOs and NGOs for rally, publication and dissemination, financial management, award and felicitation, and organizing the main function. Under the NCCHT's leadership numerous sub-committees were formed to implement the 8th National Day against Human Trafficking program.

The program started with a rally from the Bhrikuti Mandap, Exhibition Road, Kathmandu; where the Minister of Women, Children and Social Welfare (MoWSCW), Secretary, along with the key senior government officials, Armed Police Force, Women Children Service Directorate-Nepal Police, INGOs, NGOs, and students came together to observe the anti-human trafficking day. The program was followed by a function in which Minister Neelam K.C (Khadka) felicitated journalists, social workers including ABC Nepal, Women Development Office at Kathmandu in recognition of their important contribution to fighting human trafficking in Nepal. In the program, Minister KC and Joint Secretary Radhika Aryal informed about the Government's effort towards countering human trafficking and requested for further collaboration with the development partners and acknowledged them for their continued support. Similarly, the DCCHT organized various awareness raising program at numerous districts.

Similarly in order to mark the ceremony, CTIP supported Maiti Nepal to perform drama in four places in the districts of Kavrepalanchowk and Kathmandu on 3-4 September, 2014. This drama raised awareness on internal and external trafficking, gender violence and on safe labor migration. Approximately 800 (2 programs in 2 districts and 200 people in each place) people of grass-root level including children, teen girls, and parents are made aware of the issue. Its total time is 10 minutes.

Likewise, PPR Nepal organized orientation program on "Foreign Labor Migration and Human Trafficking" in 6 VDC's of three CTIP project districts- Kathmandu, Kavrepalanchowk and Makawanpur to aware the locals on the relation between foreign labor migration and human trafficking.

DCCHT Sub-Monitoring Committee

Based on the decision of the NCCHT to form sub-monitoring group within the DCCHT structure, the prevention partners continued to form sub-monitoring groups in CTIP program districts. During this reporting period, sub-monitoring groups were formed in Kavrepalanchowk, Kanchanpur, Makwanpur, Sindhupalchowk and Kathmandu. Till date sub-groups have been formed in four CTIP districts. These platforms facilitate effective functioning of the DCCHT's specific monitoring role and responsibilities as mandated by the TIP law. Thus, the sub-groups assist to review the TIP, GBV and migration issues within the district as well as provide regular update to the DCCHT members regarding the VCCHT formation progress. During year 4, the CTIP program formed the sub-task group in Makwanpur, Kavre, Banke and Kanchanpur¹⁵. A total of 21 subtask group /DCCHT meetings were held in year 4. In these meetings, VDCs were identified for the interaction programs and select VDC for VCCHT formation and monitoring visits of DCCHT members.

¹⁵ DCCHT is active in Sindhupalchok and Kathmandu and hence did not need formation.

The specific outcome of the meetings has been listed below:

- NGOs working in the field of human trafficking committed to submit monthly reports to WCO at the end of every month on request of DCCHT. (Banke)
- It was decided to create a basket rescue fund and revise the existing guidelines for using it. (Banke)
- DCCHT acknowledged the support provided by PNGOs for VCCHT formation and requested to proceed with it in the remaining VDCs.

Mobilization of key stakeholders

During the fourth year of the CTIP program, CeLRRd and PPR held seven district coordination meetings in five program districts: Banke, Kanchanpur, Kavre, Makwanpur, and Sindhupalchowk. In the first year of the CTIP program, these district coordination meetings are a forum for networking and coordination between and amongst the members within the government structures, anti-trafficking committees such as the DCCHT and sub-committees, and civil society members. The participants in the meeting included the CDO, WDO, LDO, government attorney judges, police, court officials, and members of civil society members. The continuous interactions 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 CTIP program districts. The coordination meetings have facilitated in activating the DCCHT and in bringing the issue of trafficking within the purview of the key local government offices as the CDO, WDO, Chief District Officer, District Attorney and lawyers. One of the district coordination meetings held in Makwanpur focused on the prosecutorial process on trafficking cases and the role of various judiciary bodies to ensuring justice for survivors. The two recent landmark judgments from Makwanpur District Court was shared to highlight the victim-centric approach and the application of jurisprudence by the court. These progressive court decisions provide key milestones in the field of anti-trafficking and set a benchmark on TIP cases, whereby victim-centric lens was used for the interpretation of the law. Thus, the progress in the justice system has been vital to increase faith and confidence in the justice sector.

Similarly, the district coordination meeting held on 18 September, 2014 in Kavre district focused on the practical aspects of the newly established VCCHTs at the VDC level by focusing on the challenges in setting with the VCCHT as well as while working at the ground level. Various concerns such as the support to the VCCHT including monitoring of its activities, role of the VCCHT to address new forms of trafficking such as organ trafficking, and linkages with other government structures including DCCHT were expressed.

Another major outcome of the meetings include endorsement of the DCCHT plan for implementing activities that are aligned to the NPA in Sindhupalchowk district. Likewise, in a meeting held on August 21, 2014 in Sindhupalchowk, the CDO expressed his commitment to provide regular support for counseling center and acknowledged the vital role of these counseling centers to ensure the wellbeing of the TIP and survivors. Furthermore, he highlighted the role of the civil society and committed to devoting attention and time to address the issue of human trafficking in the district.

Expanding the discourse on addressing the challenges of labour migration within the anti-trafficking framework

During year 4, TAF organized two one-and-half day capacity building trainings to a total of 61 government officials from the Department of Foreign Employment (DOFE), Ministry of Labor and Employment. Based on the CTIP program's approach to address the changing trends of human trafficking in the context of Nepal, the training largely focused on the nexus between labour mobility for foreign employment and human trafficking with the key government officials who are in the forefront of providing services to the migrant workers within the migration cycle.

Therefore, the objective of the two trainings was focused on deepening a conceptual understanding on the nexus between human trafficking, transportation, smuggling and labor migration. Specific sessions were led by experts on the intersectionality of legal framework on labor migration and human trafficking, initiatives by the government to ensure safe migration, challenges and issues



of migration, and migrant workers' evidential experiences to clarify the conceptual framework and policy perspectives on labor migration. Based on the conceptual understanding, structured group work was conducted to better align the monitoring check list to assess the condition that can lead to labor exploitation and trafficking. The pre-and-post assessment illustrated that while the participants were aware of the concepts and issues due to their direct involvement, as frontline government officials, in the migration process; the

training facilitated a deeper and nuanced understanding of the issues, specifically related to human trafficking and gender dimension. The participation of the Director General of DOFE, Under Secretary of MOLE, and numerous Directors in the training illustrated their commitment to ensure services that protect the rights of migrant workers as well as a safe and profitable experience for migrant workers leaving Nepal every day. Similarly, the Under Secretary of MOLE and Director of DOFE showed commitment to take forward the issues and gaps identified and recommendations to further fine tune the current draft ethical recruitment guidelines developed by MOLE.

In light of the increasing complex nexus between human trafficking, exploitation, and labor migration; the capacity building training has been critical for the frontline government staff who provide services to the migrant workers. The participants stated that such trainings were very important in developing a nuanced approach while working for the migrant workers.

CTIP program implementing partner's coordination meeting

As the CTIP program moved into the fourth year of program implementation, a program partners' meeting was organized by TAF in Kathmandu on January 8, 2014. The meeting provided an effective forum for all the stakeholders involved to take stalk of the progress made so far, discuss challenges faced, and promote cross-learning between the partners. The meeting was attended by

14 program partners in addition to the Under Secretary and Section Officer of the National Committee on Controlling Human Trafficking Secretariat. During the one-day meeting, the program partners highlighted the achievements of the programmatic interventions along with challenges faced in adopting an integrated approach to combating trafficking in persons in Nepal. The discussions revolved around two main points for advocacy to be taken forward through the program. Acknowledging the labor exploitation and increasing reports of internal trafficking within the entertainment/hospitality sector, the need to advocate for a common licensing and effective implementation of guidelines to ensure the protection of workers was discussed. Similarly, the need for stronger advocacy on victim and witness protection was also concluded. The CTIP program from the fourth year onwards will emphasize on these two points for wider advocacy.



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Three-day training on financial management for program and finance staff for partner NGOs of WEI was facilitated by L.M. Associates. The main objective of the training was to enhance knowledge and skills of finance and program staff of Partner NGOs on the concept and process of financial management. Altogether 12 participants comprised of program coordinators and finance staff from each PNGO participated in the program. The financial management training has been very important to the participants, as the training was comprehensive, focusing on financial compliance, error management, fraud, the importance of documentation, and the importance of timely expense settlement. In this training we also shared USAID updated norms, as shared by TAF.

3.2.5 Cross-Cutting Issues & Synergy

The CTIP program continued to collaborate and create synergies with various relevant governmental and non-governmental stakeholders at the central, district and VDC levels to further strengthen an integrated approach to combating TIP.

The CTIP program continued its coordination with CDC, NCCHT, and other line ministries including DOFE and MoHP to promote synergies within different layers of its interventions on addressing TIP. For instance, WEI coordinated with the NCCHT to develop a standardized training manual and modality aimed at strengthening the capacity of VCCHTs. Similarly, all the trainings related to health professional were conducted in consultation with the MoHP.

3.2.6 Windows of Opportunity

Rights based orientations

In year 4, the CTIP program worked with the members of WOFOWON to increase the knowledge and understanding about various issues related to gender and gender based discrimination and its

links to human trafficking. A total of 12 orientations were held in year 4, with a total of 278 participants, who were currently working or had worked in the informal hospitality industry including dance bar, dohori restaurants, massage parlours, and cabin restaurants.

The members were encouraged to attend multiple series of the orientations as WOFOWON focused on the specific issues and concepts during the sessions. Various concepts including gender norms, social inequalities, and gender based discrimination, reproductive and sexual health rights, legal rights, psychosocial, labour rights, and human trafficking were covered during these orientations. The participants shared their beliefs and understanding about their notions of rights, equality, and discrimination which was further linked to the conceptual framework by the resource persons. Various tools and techniques including presentation, role play, drama, participatory discussion, and group exercise was applied to ensure increased understanding amongst the participants.

For instance, the orientation on labor rights and trade union facilitated by Mr. Banshi Bhattarai, Vice-chairperson of Nepal Independent Hotel and Casino Labor Union and Ms. Sunita Thapa,



Member of Nepal Independent Hotel and Casino Labor Union focused on the rights to protect the rights of the workers by conferring on the participants specific legal provisions and rights under the national law including appointment or contract letters, minimum wage and 10% service charge payment, holidays, standard working hours and other facilities like provident fund and insurance. Some participants who are members of the trade union committee from Gongabu and Thamel areas shared their experiences about challenges in being a part of the free trade unions and unreceptive attitude of employers toward

complying with labor rights. Similarly, the orientation on psychosocial led by Ms. Sarita Shrestha, TPO counselor, explored the concept on 'I' in the 'Society' through a group exercise, where the participants explored the emotional state of the person 'I' within the various positions in the family and society.

These orientations create a platform for the affected vulnerable individuals to increase knowledge on understanding on various concepts such as gender relations, equity, equality, discrimination, and its impact on various aspects related to health, psychosocial wellbeing, rights, and security of a woman who is working in an informal hospitality sector. It also provides a space to initiate discussion on strategic gender interests to bringing about gender equality by transforming gender relations, challenging women's disadvantaged position and by challenging/changing the larger societal roles in particular areas related to rights, equity, and women empowerment.

As a part of a robust M&E plan, two focused group discussion was conducted with the participants who attended the orientations to gauge the effectiveness of the programs. The participants revealed that participating in various rights based and legal orientations has been a useful learning experience to seek help and assistance if faced with a distressed situation. It has also helped the participants in the developed of self-confidence to better negotiate for their rights and express

opinion on various issues. The specific information on foreign employment, labour rights, and human trafficking has been critical in creating awareness and being cautious during the migration processes. Few suggestion, as practical session on how to write application to the police, process of filing First Information Report (FIR), and life skills such as effective communication and stress management should be included in the upcoming orientations.

Sensitization activity through documentary and film screening

To complement these orientations, WOFOWON organized documentary screening to its members on the issues related to women's rights, safe migration, and GBV including human trafficking. Numerous documentary screenings¹⁶ and the moderated discussions thereafter have been critical to bring forward the issues of women workers in the informal hospitality sector specifically cases of labor exploitation, arbitrary arrests from law enforcement, sexual and psychosocial exploitation, and gender based violence. The WOFOWON members attended the screening programs during the course of the CTIP year 4. It also provided the participants an enabling environment to share their thoughts and experiences and create a friendly environment between the women workers. The sensitization activities have been critical in creating linkages between the concepts and information shared in the orientations and workshops and the real life experiences of people in Nepal and in the region.

Issue based workshops

With the aim of using cross-sectional approach to raise awareness on legal and human rights, rigorous consultations in specific issues relevant to the WOFOWON members were conducted. During year 4, four workshops were held with the 80 members of WOFOWON to lead discussion centered on the labor rights and legal provisions under Labor Act, 2048 as well as the importance and procedural knowledge to gain citizenship. Expanded discussions on provisions of Trade Union Act 2049 and its Regulation 2050 concerning the provision of registering a trade union took place during the workshop. Increased awareness amongst the women workers will facilitate them to assert their rights based on factual information when faced with exploitative situation. The expanded discourse on specific issues that protect the workers through legal provisions and mechanisms will facilitate access to legal redress and other services to address exploitation and even trafficking. Similarly, the workshop on citizenship highlighted that although there is a constitutional provision of granting citizenship under mother's name, it has not actually implemented, and as a consequence, many children born out of Nepali mother (and foreigner father), children born of rape victims, women abandoned by husbands or married to foreign nationals have had to remain stateless. Moreover, citizenship is an important document for women workers to access and assert their legal rights and to seek legal remedies for their problems. In the

¹⁶ Quarter2: Documentaries include *Ananta parkhaai, Dubai, accusation of witchcraft, In search of Riyal, Sold, Sachetana, and Yatra* Movies, Quarter 3: documentaries that were screened were *Gulabi Gang, Prem Pinda, Mirchiko Patheghar Khasechha, and Aba Ke Garne?* Quarter 4: documentaries include *Balidan, Mardani, Ujeli, and Human and the mind.*

discussions that followed the workshop, the participants actively took part and raised their concerns towards the procedures for acquiring citizenship.

The last workshop held on August 31, 2014 focused on the effective implementation of Supreme Court directive order issued on 2065 for the minimization of exploitation of workers engaged in entertainment sector. The discussion focused on how this directive can be made more functional for the protection of workers, what are the challenges faced in doing so, what is the present scenario of its implementation and what should be done in near future. Senior Advocate Prakash Mani Sharma, Propublic involved in the filing the PIL in Supreme Court made his presentation regarding the provisions mentioned in this directives, which seems very positive towards employee of entertainment sectors. He explained some of the major provisions, which mentioned that none of the restaurants and bars should be in operation without registration. Participants also shared about their many problems; they are forced to work rigorously for hours without appointment or contract with no perk and benefits. They are not entitled to any provisions like after one year probation period, they are to be made permanent staffs, with specified salary (they do not even receive the minimum wage designated by the government), do not enjoy any leave facilities, and their wages deducted if they are on leave even if they have worked in the firm for over years. Many of them were not paid their salary and were removed from job without notice. These workshops facilitate a expand discussion on the problems and challenges faced by the female workers in the informal hospitality sector with experts to gain knowledge and clarity on the issues. It also facilitates a pathway for seeking legal redress and other service if faced with an exploitative situation.

Outreach program

In year 4, outreach programs were carried out in Thamel, Lazimpat, Dhumbarahi, Jamal, Gongabu, New Buspark, Durbar Marg, Sundhara, and Mitranagar. Through this, a total of 213 women workers were reach out within the informal hospitality sectors. During the reporting period, 200 women workers were followed up by the outreach workers to follow up on the statues of the women workers and provide further information and support, if required. The beneficiaries interacted with worked in various established including dance bars, dohori restaurant, cabin restaurant, open restaurant, massage parlor, and spa. A total of 219¹⁷ establishments were visited in by the outreach workers during this year. The outreach program has been important in providing information to the affected individuals on various psychosocial, legal, and health services provided by WOFOWON. The outreach program encourages female workers to visit WOFOWON's drop-in centers to access services, attend orientations and English language classes, receive updates about situations at workplace. During outreach, women workers who were suffering from domestic violence, labor exploitation and exploitation at workplace got a chance to know about legal processes to ensure their rights. The outreach program has directly served to increase access of women workers to take action against violence and ensure access to justice.

Some of the major outcomes of the outreach work are:

¹⁷ 105 dance bar, dohori 48, cabin restaurant 14, open restaurant 14, massage palour 18, spa 1 and duet restaurant 1. The numbers are counted according to the number of times the outreach workers visited these establishments.

- Increase in flow of information about WOFOWON, its program and various labor right related issues to women workers in the informal hospitality sector
- Increase in drop-in-center to seek services like psychosocial and legal counseling and support
- Increase in the membership of the organization
- Increased confidence to negotiate in the workplace for better protection and security of the women workers
- Cases of labor exploitation could be identified by WOFOWON for legal redress and holistic service delivery
- Increased coordination with the stakeholders like the police and business owners to ensure the protection of the workers' rights



Support to drop-in center

WOFOWON runs a drop-in center, which provides women working in the informal and hospitality sector with a safe space where they can feel secure, share their experiences and speak openly about the violence and exploitation they have suffered. The drop-in-center provides health services, legal counseling/support, psychosocial counseling and referral to other services as needed in coordination with other partner organizations. A total of 259 women visited the drop-in-center (this includes multiple counting of the women who might have visited the drop-in-center more than once). During this year, it also revealed that some 73 women who were existing members or new members of WOFOWON visited the drop-in-center to seek for services. This has been the direct result of WOFOWON's increased interaction and engagement with its members through rights based orientations, sensitization activities, and outreach work. They frequently visited the drop-in center to take rest, to gather with friends and talk, to take a bath, to inquire about different classes, to fill out bank documents, and to seek for counseling regarding foreign employment. In addition, the drop-in-center also provides legal, psychosocial, and health services to survivors of exploitation, trafficking, and gender based violence. For instance, in the last quarter of year 4, WOFOWON provided legal counselling to 12 women, psychosocial counseling to 27 women, health counseling and service to 81 women and emergency support to 3 women from the informal hospitality industry.

WOFOWON also worked closely with other stakeholders through a robust referral mechanisms to provide holistic services to its members. For example, in the last quarter of year 4, WOFOWON referred 2 cases of domestic violence and rape, seven cases to Nepal Police, and 3 cases for Sunaulo Bhabisy Nepal for health services.

Outreach and Monitoring at night

WOFOWON has recently been organizing whole night outreach and monitoring visits to work places in the informal and entertainment sectors at various areas. WOFOWON organized a night time visit by the staff members of WOFOWON on September 26, 2014 at Mitranagar and Gongabu

areas to complement the outreach program under the CTIP program. During the visit, the monitoring teams which were disguised as groups of regular customers. It aimed to accessing the working environment and condition of workplaces in entertainment sectors, specially dance bar and dohori restaurants located at Mitranagar and Gongabu areas; and the situation of women workers at the work places till the closing time, to carry out further advocacy at necessary aspects. It also aimed at providing ground level knowledge on the late night situation to WOFOWON to formulate responsive strategies and interventions. Thus, a total of 11 establishments including two dance bars and nine dohori restaurants were visited by the team. It was observed that women workers are subject to various from physical and mental problems due to lack of secure working environment, polluted environment at work place and compulsion to tolerate misbehavior. Only some women workers could defend misbehaviors. For instance, presence of under-aged girls within the establishment and cases of attempts of harassment and sexual harassment against women workers were frequently noticed. In some places, due to lack of management oversight and lack of conducive psychical environment due to smoke from cigarettes and hukkas, and provision of proper air ventilation or outlet. Although it is mentioned in the 2065 directive of the Supreme Court, that it is responsibility of the business owner to maintain sound proof walls, and maintain the quality of sound, most restaurants were found to have undermined this provision. The quality was very low and loud, and it was likely that those working in such conditions will have problems related to hearing in the long run.

Assessment of the existing survivors' groups formed by Shakti Samuha

In year 4, Shakti Samuha conducted assessments of four survivors groups in Banke, Sindhupalchowk, and Makwanpur districts. The survivors groups formed by Shakti Samuha in various districts across the country form a crucial intervention strategy to address different forms of human trafficking at the community level. The survivor group assessment has been critical in assisting the CTIP team to assess the existing capacity of the individual groups, and understand the existing socio-economic and political factors that not only facilitate access to justice under the legal system but also influence the effectiveness of the required support services delivery while ensuring the rights of the survivors. The findings and recommendations will further inform the capacity building trainings for the survivor groups under the CTIP program and also support Shakti Samuha team while developing overall anti-trafficking strategies for the organization.

In Sindhupalchowk, the survivor group largely functions as a savings and credit group due to the on-going program by Shakti Samuha. Due to the hard economic conditions, the members expressed that the income generation program has been crucial in providing economic support during the reintegration process. However, further trainings on conceptual clarity on human trafficking, gender based violence, and safe migration will further enable them to work effectively in the community. In Banke district, the groups mainly faced issues related to foreign employment because of an open border with India. Due to the high cases of labour trafficking, the groups are largely functioning as resource pool of information for safe migration.

Strengthened support to survivors

As a result of synergies created under the CTIP program between the technical implementing partners and Shakti Samuha, one legal case on human trafficking was registered through the legal counseling support provided by PPR Nepal. Similarly, three cases on domestic violence was filed

in Makwanpur under the support of PPR Nepal and TPO continued to provide psychosocial counseling to one survivor residing in Shakti Samuha shelter home.

Capacity building training to survivors 'groups

In year 4, Shakti Samuha provided trainings and other services to the trafficking survivors and vulnerable groups, along with the referral services and coordination with other partner agencies in the program districts. Trainings were organized on conceptual clarity, women's rights, human trafficking, labor migration and resource mobilization in Sindhupalchok, Makwanpur and Banke districts. In the first training of conceptual clarity on human right, and legal provisions of human trafficking and labor migration, 28 participants from trafficking survivors' group from Rajhena VDC (Banke district) attended and gained insights of the pertinent issues related to human and women's rights. This development of knowledge is vital for the anti-trafficking interventions in the community. As a technical resource organization, CeLRRd led the training sessions. The pre-and-post assessments also demonstrated that there was an increase in knowledge after the training, and they were correctly able to identify the rights related to women and the agencies through which to see remedies for violation of their rights.

The findings of the assessment report has assisted Shakti Samuha to provide significant feedback and inputs to develop strategies for effective planning and better support to the survivors groups to fulfill its core mandate as local front line workers in the prevention and reduction of human trafficking within their communities. Based on the need identified through the assessment, a three day capacity building training on concepts relating to human rights specifically women rights along with basic legal information on human trafficking and labor migration was conducted with 17 participants from Naubasta VDC, Banke. Development of adequate understanding regarding the concepts of rights, equality, gender and its links to GBV and trafficking is vital for nuanced anti-trafficking interventions within the community. CeLRRd as technical resource organization, lead the session on safe labor migration and legal provision under the TIP Act 2007. The role of survivors groups for case referrals to service providers and prevention of TIP were also highlighted. Various cases documentation tools and materials such as registration book were provided to the group for recording of case details.

The pre-and-post assessment of the training illustrated that the participants were able to correctly identify the provision regarding the burden of proof under the TIP Act as the knowledge increased by 21 percent. Similarly, the participants correctly stated the relevant focal government agencies to register the complaint of the domestic violence as the knowledge increased by 29 percent.

The Shakti Samuha team shared a draft Terms of Reference (TOR) for the survivors group for feedback and inputs. The CTIP program emphasizes in developing a robust M&E framework and processes to determine the outcome and impact of its interventions, understand the gaps and challenges, and formulate strategies to ensure the effectiveness of the required support to set up prevention systems that protect the rights of the survivors. In the second training held among the trafficking survivors' group in Makwanpur, participants were oriented towards women's rights along with basic legal information in relation to human trafficking and labor migration to act as local level information and resource pool. This was attended by 23 participants, all of which were

the members of the trafficking survivors' groups. The pre-and-post assessments showed that the trainings were very helpful in expanding the knowledge of the participants regarding the issues of labor employment, human trafficking and women's rights. The third training, held in Sindhupalchowk was attended by 16 women participants, all belonging to trafficking survivors' group. Through a mix of multimedia presentations and interactions, the participants were able to enhance their understandings on gender discrimination and violence, and to see various cross-cutting issues related to these, since without proper knowledge, there cannot be true empowerment and realization of rights.

The training on resource mobilization was focused in identifying resources prevalent in survivors' community, the means to access those resources, ways to mobilize them, and to understand their sustainability. Through this training, it was aimed that women would become an active partners and stakeholders in the local development processes, they would become empowered and that the local resources would not go unnoticed or non-mobilized.

3.3 Successful Coordination with Other Programs

- Planete Enfante in collaboration with Saathi has provided four day training to 36 SMNs of 10 VDCs on paracounseling in Banke.
- Mahila Aatma Nirvarta Kendra (MANK) coordinated with Pourakhi Nepal to support VCCHT formation in. Patakshila, Ichok, Brahbise, Ramche and Jalbire.
- Kingdom Investment (KI) Nepal coordinated with Saathi, Banke and planning to provide one day orientation to VCCHT on TIP issues in Bankatuwa and Naubasta VDC.
- The CTIP program collaborated with Samrakshan, funded by Tdh with Change Nepal, to show the documentary "Saving Dolma" followed by interaction on safe migration practices to Gulf countries to 40 female workers working in the informal hospitality sector in Gongabu.
- The SMNs coordinated with VDC offices and local stakeholders to generate resources for sensitizing community people on the issues of TIP/SM/GBV. Pourakhi has established a *Surachhit Baidesik Rojgar Sachetana Kendra* at Sangal VDC, Sindhupalchowk with an objective to disseminate information and sensitize the community on issues of labor migration.
- The CTIP program partners have been coordinating with the DCCHTs and other stakeholders on various activities. A task force group has been formed in Banke to lobby and advocate on TIP and GBV issues under the supervision of the Women and Children Office, Banke. In addition, more than 50% of the VDCs have provided room for SMNs at VDC office in Banke.

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

Kidney Traffickers Convicted for the First Time

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. Thus the selling of human organs for transplantation is a crime in Nepal according to the Human Body Organ Transplantation (Regulation and Prohibition) Act, 1998.

In recent years an alarming number of cases of illegal kidney transplantation have been reported by the media from Kavre district, which is also one of the Combating Trafficking in Persons (CTIP) program districts. The CTIP program local partners working in the same district encountered and documented three cases related to illegal sale of kidneys. The preliminary information indicated that a systematic process of organ trade for commercial purposes was flourishing in this district.

In one of the case (Hanumandhoka 1), with the help of CTIP implementing partner PPR Nepal, perpetrators Mr. Binod Dhakal and Mr. Krishna Bahadur Darji were imprisoned for 10 years and fined Nrs. 200,000 Rupees each and compensate the survivor with 200,000 as per TIP Act, 2007 on June 1 2014. Similarly in another case of kidney trafficking of Kavre 1, the district court ordered 3 years imprisonment to Mr. Krishna Darji and Mrs. Puna Thakuri Darji on 22 June 2014. In the case of Kavre C, they came in contact with PPR Nepal and after legal counselling, FIR was registered against the perpetrator according to TIP Act, 2007 in the District Police Office of Kavre on 10 April 2013 leading to the trial in the District Court. On 5 May 2013, the District Attorney Office filed a charge sheet with a demand that the perpetrators to be punished under Section 3, Section 4 (2) kha and Section 15(1) of TIP Act, 2007. On 22 June 2014, after survivor's and

opponents' testimony and based on the collected evidences, the district court ordered 3 years imprisonment to the perpetrator.

The CTIP program in order to bring this issue to light has been engaging with the local administration, judiciary, law enforcement sector, and the local communities through various advocacy, awareness raising programs, and interaction programs between the affected population and government administration. These efforts proved effective and translated into the local administration and the law enforcement agencies establishing a link between exploitation, deception and trafficking in cases of illegal organ sale. The success of the program efforts was reflected in the action by the Nepal Police that led to the arrest of 10 people in relation to organ trafficking cases. The arrests are an outcome of the investigation carried out by Nepal Police based on cases filed by five survivors of kidney trafficking supported by the CTIP program. First Information Report filed by the survivors of kidney trafficking with the Kavre District Police Office and the Kathmandu Metropolitan Police Circle led to the investigation and consequent arrests. The Combating Trafficking in Persons program has been successful to bring the aspect of organ trafficking into the legal purview of human trafficking as prescribed by the TIP Act, 2007 for the first time in the history of Nepal.

Sold at the hands of many; the survivor's journey to justice

Balaju 3, illiterate, aged 25 was the permanent resident of a remote village in Okhaldhunga district. The victim and her family came to Kathmandu in search of work as they were very poor and had no land. They were living in Balaju, Kathmandu in a rented room. Balaju 3 worked as a daily wage labor in a construction site. She also had a 4-year old daughter which was making her difficult to continue working as a labor. Meanwhile, she was introduced to Mr. Dil Man Tamang. After few meetings Mr. Tamang lured the victim by giving false information. He told her that he can find her an easy and better job with handsome money. Mr. Tamang talked to Balaju 3 several times over the phone especially about the job.

On 18 June 2013, Mr. Tamang came to the victim's room in Balaju, Kathmandu and told her that he will introduce her to another person who will provide her the job. Mr. Tamang took the victim to Kalanki, Kathmandu and handed over to a man named Sanjiv. The victim later found out that Mr. Tamang had sold her for NRs. 15,000. Mr. Sanjiv said to the victim that he will give her a job in Butwal, Bhairawa in his sister's cloth factory. Believing Mr. Sanjiv, she followed him to Butwal with her small daughter. There she was introduced to a woman who according to Mr. Sanjiv will give her the job. The victim later found out that she was again sold for NRs. 80,000. On the next day the woman said that they have to travel quite far to reach the workplace. They took a bus and after about 48 hours of long and tiring ride they got off in Ahmadabad, India. There for couple of days she was kept in a house. When the victim asked the woman about the job, she said that she is searching for it. The victim was tired of following one person to another and still there was no sign of getting a job. So she told the woman that she wanted to go back home but the woman did not let her go. One day some Indian police came to their house and inquired the woman about the victim. The woman said that she is her daughter-in-law. Not convinced with her answer the police asked the victim. She explained the entire incident to the police. The police found out that she had been sold at the hands of many. Therefore, she was rescued and handed over to an organization called "Nari". After 12 days of her rescue the victim's husband came in contact with her through

the support of Nepali organization named Mitra Manch and Shakti Samuha and came back to Kathmandu.

Back at home, when the victim disappeared, her family searched for her everywhere possible but to no avail. When the victim's husband Mr. Budathoki inquired to the victim's friends they said that she used to talk to Mr. Dil Man Tamang very often. Being suspicious, Mr. Budathoki anyhow managed to check Mr. Tamang's cell and found out that he had communicated with his wife several times. So Mr. Budathoki filed FIR against Mr. Tamang with the support from PPR Nepal.

After her rescue the police immediately arrested Mr. Tamang and started the investigation. After preliminary investigation, on 20 August 2013 public prosecutor filed a case in the Kathmandu District Court against the perpetrator under TIP Act. On the same day, the district court ordered that the alleged trafficker Mr. Tamang to be taken into judicial custody evaluating the proofs and after hearing the pleading from the public prosecutors and lawyers from PPR Nepal. Lawyer from PPR Nepal provided legal counseling and legal aid to the victim and represented in the court on her behalf. Finally, on 15 July 2014 Kathmandu District Court gave a verdict in favor of the victim that the perpetrator to be imprisoned for 10 years and fined Nrs. 50,000 and compensate the victim with Nrs. 30,000.

Local entrepreneurship opportunity prevented Puja to re-migrate

Puja, a returnee migrant, from Sindhupalchok was leading a frustrating life in her community after a difficult time abroad. She returned with a determination to stay in her own community and start some kind of business. In the absence of livelihood opportunities in the community and the stigma associated with being involved in prostitution during foreign labor, she decided to opt for foreign labor migration again.

When the local SMN knew about her decision to go abroad again, they approached her, counseled her and her family about the livelihood opportunities that could be made available to her through Pourakhi Nepal. Puja was happy to learn of these opportunities and joined the entrepreneurship and goat raising training. Utilizing the knowledge and skills learned from the training, Puja bought two goats through a loan from a local microfinance institution. She also received one goat from Pourakhi Nepal as in-kind support. These goats have had five kids and all kids are healthy now.

"The skills I learned during the training were effective for raising goats. I plan to sell these kids after five months and pay back the loan. I am happy that I am able to earn my living in my own community" –Puja

SMNs reaching vulnerable populations

Lalimaya, 19, of Kavre got married and was leading a nice life. Lalimaya's husband decided to opt for foreign labor to provide a secure future for their new baby, thus he migrated to Saudi Arabia as a laborer. Sadly, her husband was found dead in his room in Saudi Arabia.



During her period of grief, local SMN members came to be of great help for Lalimaya. SMN members, with the help of NTWG, were successful in bringing her husband's body home from Saudi Arabia. In addition, Lalimaya was referred by the SMN for entrepreneurship and upgraded skill training. Lalimaya was enrolled in the sewing/cutting training. With small support from NTWG and her maternal home, Lalimaya has been able to set up a small grocery shop with tailoring services in her local VDC. She is making an average of Nrs. 5000 per month. The income from the shop is sufficient for her to manage her household expenses.

5 Priority Activities for Next Year

For the fifth year, the CTIP program will have a multi-prong protection approach on adopting transformative psychosocial interventions by reaching out to a larger target group on awareness raising on psychosocial and mental health issues. TPO will engage in national and district level workshops with key government and non-government stakeholders to develop a common understanding on the 'personhood' approach by sharing its achievements, lessons learned, and way forward to integrate the issue of psychosocial wellbeing into the overall health system in Nepal. TPO will also conduct trainings to the law enforcement at the Women Children Service Directorate, Nepal Police on requisite skills to effectively carry out their mandate to effectively handle and investigate cases of human trafficking. Thereby, the CTIP program strives to create a robust protection mechanism provided by the law enforcement while the survivors seek for justice within the formal justice system.

TPO will continue scale up its engagement with the One-Stop Crisis Management Centers to build the capacity of nursing staff to be responsive on the psychosocial needs of the survivors of trafficking and other forms of gender based violence. The program has been scaled up based on the request by Ministry of Health and Population (MoHP) to involved centers from other locations to create inter-linkages between psychosocial needs and service delivery to ensure successful rehabilitation and reintegration of the survivors.

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. Highlighting cross-cutting jurisprudence challenges in response to trafficking in persons, the CTIP program will conduct four judicial outreach program to promote greater role for judges in service to the

community and improve public trust and confidence in the judiciary. The CTIP program will also continue its advocacy on the need for victim witness protection mechanisms on TIP cases within the existing criminal justice system.

Three trainings will be provided to the Scene of Crime Officers, Nepal Police for improved crime scene investigation. This will strengthen the forensic and investigation skills for effective prosecution during legal proceedings. This intervention will have direct impact on the increased prosecution rate leading to conviction and will provide the desired response mechanism by the law enforcement to the survivors. In light of the increasing complex nexus between human trafficking, exploitation, and labor migration; the capacity building training has been critical for the frontline government staff who provide services to the migrant workers.

On the prevention side the CTIP program will continue to support the creation of VCCHT in all the six districts covering the 250 SMS. Interventions will focus on skilling the VCCHT members on different aspects of advocacy and direct survivor support. Leadership skills training to VCCHT members will also be provided and special focus will be on women members.

6 Management Report

6.1 New / Start-up Activities

No new/start-up activities

6.2 Project Staffing

Ms. Reena Pathak joined the TAF CTIP team as the Program Officer. She will be specifically working with the MoWCSW and the NCCHT. Ms. Shareen Tuladhar took on the role of Monitoring and Evaluation Officer, as a key personnel, in lieu of Ms. Niyama Rai's departure. Mr. Ram Kanta Tiwari joined the TAF CTIP team as Program Officer to assist in the implementation and monitoring of the program activities and provide support in M&E. Mr. Sujan Rajbhandari has been hired by WEI as a new Finance Officer for the CTIP project.

6.3 Management Issues

No issues

7 Annex