

**2<sup>nd</sup> CONSULTATION MEETING ON  
TRAFFICKING – HIV  
July 28, 2009**

**Family Health International/Nepal  
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Strategic Objective No. 9 & 11**

## **2<sup>nd</sup> CONSULTATION MEETING ON TRAFFICKING-HIV**

July 28, 2009  
Royal Singi Hotel, Kamaladi, Kathmandu

### **Meeting Notes**

#### **A. Welcome and Introduction**

The second consultation meeting on trafficking started with welcome remarks and introduction of participants facilitated by Mr. Satish Raj Pandey, Deputy Director and Mr. Bhushan Shrestha, Team Leader. Mr. Pandey presented the objectives and importance of the meeting and Mr. Shrestha presented the review of progress made after the first consultation meeting which was held on March 25, 2009.

#### **B. Meeting Objectives**

The second consultation meeting's main objective was to initiate development of approaches for linking suspected trafficking cases identified by HIV program with on-going anti-trafficking program. To achieve this objective, the following steps were scheduled to contribute to the discussion between the anti-trafficking agencies and ASHA Project and its partners:

1. To share Government of Nepal's perspective and guidance on the Trafficking and HIV issue
2. To update on key issues related to HIV and trafficking and program options, including coordination issues
3. To continually expand the acquaintance with anti-trafficking work of new agencies

A group work and discussion session was facilitated at the end of the meeting with a brief summary of suspected trafficking cases from on-going HIV program of ASHA Project and discussion on actually reported TIP cases from the field. The discussions contributed in answering questions on policy issues that need to be considered to facilitate support for the suspected trafficking cases; role of the law enforcement agencies; the types of on-going trafficking programs that can be linked with; challenges to consider; and the communication needs to be maintained between HIV Program and Anti-trafficking programs.

#### **C. Presentations**

**The following presentations were made during the meeting:**

1. *Objective of the meeting and expected outcome; review since the last consultation meeting – ASHA Project*
2. *Nepal brief from TIP 2009 report (USG report) - USAID*
3. *Ministry of Women, Children and Social Welfare (MoWCSW)*
4. *Women and Children Service Center, Nepal Police*
5. *Office of the National Rapporteur on Trafficking in Women and Children (ONRT-NHRC)*

#### **Review of progress made after the first consultation meeting on trafficking and HIV**

- First trafficking-HIV consultation meeting was held on March 25, 2009. Five pertinent presentations were made by different organizations (ONRT-NHRC, World Education Inc., ABC Nepal, Maiti Nepal and SAATHI).
- Four major action points from the meeting were :
  - compile information from anti-trafficking organizations to link with services of ASHA partners >> a matrix of all anti-trafficking agencies who sent in their information has been compiled and shared with ASHA implementing partners
  - Conduct meeting regularly >> the second consultation has been managed
  - Sensitize IAs in field >> all ASHA partners staff have been oriented on the trafficking issue
  - Involvement from Government and Women's Cell of Nepal Police >> both have been invited and provided valuable contribution to the discussions
- Internal reporting format developed and suspected trafficking cases are being reported
- Orientation provided to ASHA Project partners staff at the field level (approx. 800 staff)
- Linkages between ASHA IAs and anti-trafficking agencies has started

#### **Comments:**

- Health representative from Government should be invited as well.
- FHI IAs and anti trafficking agencies – how can we interact? where are they located and how information could be exchanged
  - List of implementing partners and their program areas could be shared.
  - Could be invited in sharing programs done by anti-trafficking agencies
- Understanding level has increased at the implementing partners' level as well
- Trafficking potential victims – how to integrate and how can we help them?

#### **TIP report presentation by USAID**

The 2009 TIP Report from the US government has a 2-page country summary on Nepal. According to the report, Nepal is a source country for commercial sex exploitation and forced labor

- Tier placement - Nepal is in tier placement 2 (government has done significant efforts).
- Involvement of Government, NGOs, private sector for e.g. coordination effort required among government sectors (Health, Foreign Affairs and Labor Ministries should jointly work) and NGOs to address the issue.
- Report focuses on government action to fight trafficking, penalties for tier 3 countries.
- Prosecution – government need to more active in this issue.
- Protection – police could improve the rigorousness in their job
- Prevention – sustained efforts to prevent trafficking
- Nepal has not ratified UN 2000 TIP protocol
- HIV/AIDS and trafficking close linkages – identify from the program.
- No one should be deprived from getting HIV/AIDS related care from the high-risk populations

#### **Comments**

- In TIP 2009 report, information and figures are from 2008 and the contribution made by the NGO sector is acclaimed.
- More focused on prosecution part, there is a need to make prevention more focused to make prosecution and protection more effective and strong.

- Prevention activities are on-going and adequate, that's why prosecution and protection is important. Not reported about criminals.
- The report has been made with information provided by NGOs, requested to provide adequate information on prosecution also.

#### **Other points to share:**

- The US Government assigns utmost importance to the issue of trafficking and to provide assistance to provide care and protection of trafficking victims and survivors.
- The gap has been identified and linkages are important. A decade long Conflict is also the reason to throw the trafficking cases into the sex trade.
- Need to link with poverty alleviation because educated are also involved. One of the main reasons is that they are very poor. Income generation program should be linked with them.
- Lack of real data is still a big problem.
- Media sensitization needed, as one of the leading dailies misleadingly reported that Nepal has the 2<sup>nd</sup> highest rate of trafficking after the TIP 2009 report came out (which actually stated Nepal is in Tier 2).

#### **Presentation on Human Trafficking and Control – Governments Effort - by MoWCSW**

- There have been considerable efforts on the Government's part in anti-trafficking; Government of Nepal is committed to work against any form of human trafficking.
- SAARC level 2002 convention, ratified by Nepal.
- Considering the required policies, Nepal probably has the best among the SAARC countries.
- National law and institutional management – 8 work areas identified (policies & institutional development; implementation of law; advocacy and awareness, health & education; income generation; rescue & reintegration; cross border issues; and monitoring and evaluation of programs).
- National committee formed from different ministries and NGOs (Ministry of Labor, MoWCSW, Ministry of Foreign Affairs, MoHA, AATWIN, NNAGT, Maiti Nepal, WOREC, and Nepal Police (women representative should be there).
- District committee has also been formed. Survivor representative can also be represented through the NGOs.
- Reasons behind trafficking – discrimination, violence, lack of knowledge and poverty.
- Human trafficking – joint effort needed from all sectors to fight against it.

#### **Comments-**

- In 2006 regional SAARC convention consultation meeting held with 6 countries, closely worked with Ministries and anti trafficking agencies. Recommendations were given but not followed up.

#### **Presentation on human trafficking by Women and Children Service Center, Nepal**

##### **Police**

- Trafficking mostly done for sex trade
- 30% of reported trafficking cases are below 16
- Trafficked to India and other places by luring with money and other reasons
- Cases are not reported because of law, social status, not knowing that they have been abused

- Need identification – protection, counseling – psychosocial, available laws and policies, health, rehabilitation
- Women and children service center at Nepal Police was established in 1996 with an objective provide help and protection to trafficked women and children.
- Working areas – Prevention, Control and Investigation
- Lack of support center run for the trafficking cases, no emergency funds to support the various needs of the trafficked cases
- All the district police offices have a Women and Children Service Centre, which should be contacted to help trafficking cases.

### **Comments**

- Help desk to establish in every districts by Ministry of Labor. Shram sahachari are to be sent to various Nepalese embassies abroad by Ministry of Labor.

### **Sharing by the Office of the National Rapporteur on Trafficking in Women and Children (ONRT-NHRC)**

Some of the major activities of ONRT, NHRC was shared:

- Preparation of the Annual Situation Report on trafficking in person 2008 is under preparation.
- Dealing with the complaint cases and monitoring of the events as part of protection activities.
- Media monitoring, and preparation of the NGO profile, Denial of Eco so and cultural right leading to trafficking in western region - OHCHR Geneva support
- Training - conducted training to GoN/NGO and staff of the NHRC

The areas for future were shared as follows:

- Strengthening the institutionalization and Publication of the National Report (annual report)
- Institutionalization of the developed monitoring indicator in the partner organization working in the field of anti-trafficking areas as a tool to review their respective policy and program activities
- Develop livelihood option, policy strategy to link poverty alleviation and program at local level to empower trafficking vulnerable women and girl child as a preventive measure to fight against trafficking.
- Action research in trafficking issues for the Annual Reports
- Incorporate trafficking and gender issues in the formal education through curriculum.
- Review of the trafficking policy, acts and plan of action in the changed context of trafficking scenario
- Conduct national survey on the status of trafficking
- Support to strengthen the staff capacity with training, workshop, conventions and experience sharing at regional and international level

### **D. Brief sharing from five organizations working in anti-trafficking sector**

#### **1. Shakti Samuha**

- Those who are at risk of trafficking need to protect them. Institutional coordination required.

- Affected women - trafficking – they need to come forward themselves to address the issue
- Public awareness program – networks and other organizations
- HIV and trafficking is the main issue and how to address this issue is the challenge
- Discrimination among infected. Males are given priority and are taken for treatment
- Need to be united and be sensible while working in the field of HIV and trafficking.
- Need coordination and support from all organizations.
- Empowering needed from these women.
- Resources lacking.
- Trafficked women are in risk of HIV infection.
- Shakti Milan Samaj – sister wing of Shakti Samuha, trafficked women are referred to this organization for their support.

## **2. The Asia Foundation**

- Working in the prosecution side of trafficking, supporting 3 NGOs and works in 6 districts.
- Needed support mainly in the prosecution area
- People lack awareness, trafficking law, organization support needed.
- For any legal support contact The Asia Foundation.

## **3. AATWIN**

- Network, est. 1997 with 24 member organization
- Works for human rights, children rights and women rights
- Main focus on advocacy, network building, managing resource center (est. 2006 – information could be obtained)
- Working areas- district level, regional and national and international level advocacy on different issues related on trafficking.
- Regional level working – 10 districts. Objective is to reach 10 districts this year.
- Focuses on implementation of law
- National network – member of national committee, SAARC and global network

## **4. Terres de home (TDH)**

- Established 25 years ago
- Trafficking related work started in the year 2004 with a rights-based approach
- Cross border project with India, Shakti Samuha, focusing on the needs of trafficked people, also support a shelter home
- Cross border trafficking, initiative with Change Nepal.
- HIV/AIDS issue among them
- Internal assessment being carried out
- Referral mechanism is important to carry out program effectively.

## **5. Pourakhi**

- Works for those who goes overseas for employment – priority on empowerment and capacity building, networking and advocacy
- Participatory and right based approach.
- Radio program conducted for awareness raising among those who travel abroad for employment (esp. Gulf countries); about 200 listener's club
- 4 advocates, providing legal services
- Safe house being run – providing shelter, psychosocial counseling

- Awareness campaign, Rescue program, Hotline service provided, migration counseling
- Savings & co-operative program, Reintegration program
- A study was conducted in 2007 with CARAM Asia and NIDS among migrants. Some issues (pre-departure, on site & reintegration) identified were lack of information among them, HIV test results are not provided to them, transportation problem since, all are services are located in Kathmandu and pre- and post-test counseling not provided. If one was diagnosed HIV infected, referral mechanism were lacking for further support. Treatment, care and support should be provided free of cost at both places- country of origin and country of destination.

#### **E. Group work**

A group work and discussion session was facilitated at the end of the meeting with a brief summary of suspected trafficking cases from on-going HIV program of ASHA Project and discussion on actually reported TIP cases from the field. The following questions were discussed and suggestions were sought from the participating organizations.

What kind of policy issues need to be considered to facilitate support for the suspected trafficking cases?

- District level MoWCSW activities – make accountable
- 2064 and 2065 regulation
- Make people aware of the law and guidelines
- Convention
- Children
- Plan of action

What is the role of law enforcement agencies?

- Report the case of under age
- Use 100 to call
- List of agencies working for anti-trafficking
- Role of law enforcement – initiate investigation, perpetrators identification (eg owners)
- Maintain confidentiality
- Investigate cases where survivor is trafficked multiple of times
- Involvement of parents – initiate investigation

What kind of anti-trafficking programs to be linked with?

- Find out more about trafficking case
- Referral
- Develop inventory
- Share information

What are the challenges to be considered?

- Security
- Support – long term
- Reintegration with family
- Protection of witness and survivors

## SECOND CONSULTATION MEETING ON TRAFFICKING-HIV

9:00 – 13:00, July 28, 2009

Venue: Hotel Royal Singi (on the way from Durbar Marg to Kamaladi)

### Meeting Objective:

**To initiate development of approaches for linking suspected trafficking cases identified by HIV program with on-going anti-trafficking program.**

### Steps contributing to meeting the objective:

1. To share Government of Nepal's perspective and guidance on the Trafficking and HIV issue
2. To update on key issues related to HIV and trafficking and program options, incl. coordination issues
3. To continually expand the acquaintance with anti-trafficking work of new agencies

### Meeting Agenda:

Time	Activity	Remarks
9:00 - 9:20	<ul style="list-style-type: none"> <li>• Welcome/Introduction</li> </ul>	ASHA Project
9:20 - 9:40	<ul style="list-style-type: none"> <li>• Objective of the meeting and expected outcome</li> <li>• Review since the last consultation meeting</li> </ul>	ASHA Project
9:40 - 10:00	<ul style="list-style-type: none"> <li>• Sharing of USAID's update on trafficking</li> <li>• Nepal brief from TIP 2009 (USG report)</li> </ul>	USAID
10:00 - 10:30	Short presentations focused on trafficking (and HIV/AIDS nexus, where applicable)	<i>maximum 10 minutes per presentation</i>
	<b>Government</b>	
	<ul style="list-style-type: none"> <li>• Ministry of Women, Children and Social Welfare (MoWCSW)</li> <li>• Women and Children Service Center, Nepal Police</li> </ul>	
	<ul style="list-style-type: none"> <li>• Office of the National Rapporteur on Trafficking in Women and Children (ONRT-NHRC)</li> </ul>	
10:30-11:00	<b>Civil society and stakeholder organizations</b>	<i>maximum 3 minutes per sharing</i>
	Trafficking program and opportunities for coordination	
	<ul style="list-style-type: none"> <li>• National Network Against Girls Trafficking (NNAGT)</li> </ul>	
	<ul style="list-style-type: none"> <li>• Alliance Against Trafficking in Women and Children in Nepal (AATWIN)</li> </ul>	
	<ul style="list-style-type: none"> <li>• Shakti Samuha: building the linkages - field level coordination with HIV/AIDS agencies</li> </ul>	
	<ul style="list-style-type: none"> <li>• The Asia Foundation</li> <li>• Terre des hommes Nepal</li> <li>• Pourakhi, <i>and any other new agency in this consultation meeting</i></li> </ul>	
11:00 - 12:00	<ul style="list-style-type: none"> <li>• Brief summary of suspected trafficking cases from on-going HIV program</li> <li>• Break into small group to discuss the following:               <ul style="list-style-type: none"> <li>○ What kind of policy issues need to be considered to facilitate support for the suspected trafficking cases?</li> <li>○ What is the role of the law enforcement agencies?</li> <li>○ What kind of on-going trafficking programs can be linked with?</li> <li>○ What are some of the challenges to consider?</li> <li>○ What kind of communication needs to be maintained between HIV Program and Anti-trafficking programs?</li> </ul> </li> </ul>	ASHA Project to facilitate
12:00 - 12:30	<ul style="list-style-type: none"> <li>• Presentation of summary of group-work</li> </ul>	Groups
12:30 - 13:00	<ul style="list-style-type: none"> <li>• Summary points, key steps for way forward</li> </ul>	ASHA Project

## Participant's List

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