

Trafficking through Indo-Nepal Border- A Gendered Phenomenon

SNEHA PATEL

Rammanohar Lohia Avadh University

Human trafficking is one of the most challenging threats to societies across the world. Its spread and effect are perilous for humanity. Among all forms of trafficking, trafficking in women is the worst, and the concentration of such forms of trafficking is particularly widespread in developing countries. In the South-Asian region, it is most rampant on the Indo-Nepal border. According to some estimates the number of women trafficked here each year are close to 7,000. The open border between India and Nepal invariably works as a facilitator of this heinous crime. Indian borders also often work as conduits to this trafficking for exporting women to different parts of South East Asia and Middle East. Although there are many international and national laws in force to curb human trafficking, it has failed in effect to check the trade due to non-implementation of these laws by the enforcement agencies.

In this paper, an attempt is made to examine the issue of women trafficking between India and Nepal and various initiatives taken by the concerned agencies to curb this activity. The paper also evaluates the efforts made bilaterally to eradicate this phenomenon and the marginality of such efforts in the overall India-Nepal relations.

Keywords: Anti Trafficking Policies, India-Nepal, Human Trafficking, Open Border, United Nation Convention, NTS (Non-traditional Security threats).

In the South Asia region, the relationship between India and Nepal is the most intertwining and unique because of the close linkages between them. As a matter of fact, geography played a crucial role behind their closeness. Nepal, indeed, is a small and fragile country with giant and powerful neighbours—India, and China, that also plays a key factor to frame their relationship with one another. However, the relationship between India and Nepal has more significance than any other country because they have had a close historical and cultural relationship from the time immemorial. India and Nepal share an 1850 km long and open border, along with the five Indian states Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttarakhand. In the North it is surrounded by the Tibet Autonomous Region of the People's Republic of China(MEA,2015). This geographical setting and landlocked situation defines Nepal's interests. In regarding its relationship with India, the treaty of peace and friendship, signed in July 1950, is one of the essential treaties that cover the whole gamut of their relationship including the open border with the treatment of their citizens as nationals in each other's territory. Indeed, the open border has become one of the reasons for nurturing close affiliation. It has also become the means to accomplish illegal work, on the other hand.

Here, security issues between both nations are crucial to discuss in order to relate security to trafficking crime. Although the concept is security —both traditional and non-traditional is very broad; this paper addresses the issue of women trafficking between India and Nepal and their efforts to prevent it.

From the point of view of women's security, a report from the United Nations Office on Drugs and Crime (UNDOC) says that 71 per cent women and girls and one third children are the major victims of human trafficking. In the South Asia region, this has been done through the open border between India and Nepal where Nepal is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking.¹

India-Nepal Open Border and Women Trafficking: A Background

The treaty of peace and friendship, signed in July 1950, between India and Nepal is one of the most important treaties which covered the whole gamut of their relationship. Article 6 and 7 of this treaty provides equal rights to the citizens in the matter of buying and acquiring property, job opportunities, in each other's territories.

While on the one hand, the open border provides close people-to-people relationships to nurture the bilateral ties, it has become a medium of illegal activities, on the other. The open and unregulated border is being used for various illegal works such as trafficking of human, fake currency, arms, human organs; and anti-social elements use this border as a hiding place also. In fact, this border has become the entry and exit point for criminals or terrorists who can easily escape from the law after doing any kind of crime.

Among all kinds of crimes, the worst is human trafficking, especially the trafficking of women and young girls. Both men and women are victims but the majority of them are young girls and women. According to the 2020 Global Report on Trafficking in Persons, among human trafficking data there are 46 percent women and 16 percent girls.² It's also a violation of human rights where 50 Women are trafficked from Nepal to India per day.³ This could be termed as 'modern day slavery' where women are being forced into sex work or selling their bodies to make money. Consequently, when an adult engages in a commercial sex act, such as prostitution, as a result of force, threats of force, fraud, coercion or any combination of such means, that person is a victim of trafficking.⁴

In the South Asia region, it is rampant on the Indo-Nepal open border. India and Nepal have become the major destination and sourcing, respectively, point of trafficking. However, the numbers of trafficking persons are fluctuating, the UNICEF reports says that as many as 7,000 women and girls are trafficked out from Nepal to India every year, and around 200,000 are now working in Indian brothels (Kiran, 2014). Unfortunately, this has become the third largest growing crime industry in the world, worth an estimated \$150 billion (Namita, 2016). This data reflects a very

¹ Trafficking in Persons Report 2015 (Nepal Report by US Department of State)

² <https://www.unodc.org/unodc/en/human-trafficking/faqs.html>

³ <https://www.indiatoday.in/mail-today/story/50-women-from-nepal-are-trafficked-to-india-every-day-1357737-2018-10-07>

⁴ "What is Modern Day Slavery". US Department of State. Available at <https://www.state.gov/j/tip/what/>

vulnerable situation for women to survive in this kind of environment.

Causes of Trafficking across India-Nepal Border

The causes of trafficking are varied in every country but the primary cause, mostly in the developing countries, is poverty. Nepal is a poor country with Human Development Index (HDI) score 0.458 in 2011, the lowest ranking among the countries of the South Asian Association for Regional Cooperation (SAARC)⁵ and in 2022 it ranked 143 position with a score of 0.602.⁶

There are pushing and pulling factors referring to trafficking. However, poverty is the main pushing factor in trafficking. There are other vulnerabilities, too, that emerged due to the poverty viz. illiteracy, unemployment, kidnapping, low income. Also, lack of equal opportunities, crime and conflict, natural disasters, social practices, discrimination etc. Sometimes, women or girls choose this path themselves to get rid of poverty, hankering for money, attraction towards high lifestyles etc. The main cause of the problem is gender disparity, lack of job opportunities and education that leads to gender disparity.⁷ Along with these, frequent natural disasters create the situation more problematic. In Nepal, the earthquake in 2015 and Covid-19 pandemic badly affected the women victims and trafficking survivors.⁸ We can say that poverty is the main cause of this crime; other elements are the just supporting factor of poverty.

The pulling factor, on the other hand, is the demand for cheap labour, forced marriages, in some Indian states, where the ratio of female to male is very low, the demand of young girls for sex, as it is considered that they are being safe from HIV, domestic works, organ extraction, begging, pornography, etc. There are few other cases where demand factors work like demand of skin for plastic surgery. According to the one victim, a woman had sold 20 inch squares of skin tissue to an agent voluntarily for Rs 10,000 to fight poverty but money was soon over because of the huge debt she had to clear. The same agent helped her to getting sex work.⁹ It is just one story; there might be many more stories to be revealed. There is also a lack of trafficking data and resources that are the main challenges to combat trafficking.¹⁰

This crime is very deep rooted in society and mostly happens underground. The great concern is that the traffickers are not only strangers but also close relatives and very familiar persons involved in this crime and they lure the victims for money, job, and better livelihood; it could be anyone like, her close relatives, uncle, aunt,

⁵ Nepal Human Development Report 2014 Beyond Geography Unlocking Human Potential. Government of Nepal National Planning Commission. Available at http://www.hdr.undp.org/sites/default/files/nepal_nhdr_2014-final.pdf

⁶<https://www.undp.org/nepal/press-releases/nepal-moves-one-place-human-development-ranks-143rd>

⁷ Zhang, Han. 2014. "Nepal's Crusade Against Human Trafficking." *The Diplomat*. Available at <https://thediplomat.com/2014/06/nepals-crusade-against-human-trafficking/>

⁸<https://kathmandupost.com/national/2023/02/08/covid-19-pandemic-has-disproportionately-affected-trafficking-survivors-report>

⁹ Basu, Soma. "How Nepali Women Are Forced To 'Sell' Their Skin To Make Rich Indians Beautiful". March 6, 2017 Available at <https://www.youthkiawaaz.com/2017/03/how-women-from-nepal-are-trafficked-to-india-and-disfigured-to-make-rich-men-and-women-beautiful/>

¹⁰<https://np.usembassy.gov/2022-trafficking-in-person-report/>

female friends and neighbours and even her husband who can sell her for money. In an interview of trafficking victims, interviewed by Human Rights Watch/Asia in March 1994, six were trafficked to India with the help of close family friends or relatives.¹¹ Many are young women from remote hill villages and poor border communities of Nepal who are lured from their villages by local recruiters, relatives or neighbors and sold for amounts as small as Nepali Rs.200 [\$4.00] to brokers who deliver them to brothel owners in India for anywhere from Rs.15,000 to Rs.40,000 [\$500-\$1,333].¹² Therefore, the great concern is the identification of the pimp or suspect because of their close or hidden relationship with the victims. Due to this fact, the data gathering of trafficked victims also becomes very complicated.

The details, mentioned above, are one facet of the coin, the rest could be worse. The lives of those victims become more critical when they want to get rid of their jobs as sex workers or prostitutes. At the one stage of life, when victims become useless for their owner, as they get old or become HIV-infected, they would no longer be considered valuable for this job. Afterwards, when the victims want to come back to their society and family, the victims would be abandoned and abused by the so-called society. Moreover, many victims also become agents and start supplying other girls to the traffickers or brothels. In that case, it is very difficult to catch the traffickers when they become masters of this trade business.

Trafficking from Nepal to India and within Nepal and India

India is not only the destination point of trafficking but also the transit center for the Gulf and different parts of South East Asia and Middle East countries, whereas Nepal is the origin country. Due to the open and unregulated border, both neighboring states become the easiest way to operate these types of illegal works, traffickers easily arrive in India from Nepal and then reach other parts of the world. According to a 2016 Global Slavery Index, published by the Australia-based Walk Free Foundation, India alone is home to 40 percent of the world's estimated 45.8 million slaves.¹³

According to the studies conducted by the ministry from time to time, the number of women and children in sex work in India is estimated to be 3 million. Most often, the victims are trafficked through means like duping, luring, fake marriages, abduction, kidnapping, and through manipulation of social and economic vulnerabilities.¹⁴

Incidents of human trafficking, in India, are showing a rising trend during the period from 2011 – 2015. A total of 3,517 cases were registered in 2011, which rose to 3,554 cases in 2012, to 3,940 cases in 2013, 5,466 cases in 2014, and 6,877 cases

¹¹Rape for Trafficking: Trafficking of Nepali Girls and Women to Indian Brothels. 1995. Human Rights Watch. Available at <https://www.hrw.org/reports/1995/India.htm>

¹² Trafficking in persons National report 2013-15. National Human Rights Commission, Nepal Available at <http://reliefweb.int/report/nepal/trafficking-persons-national-report-2013-2015> [Accessed 15 Apr. 2017].

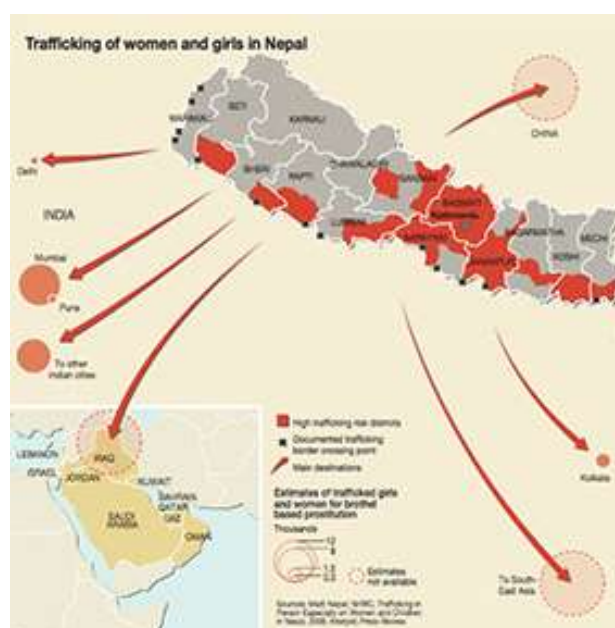
¹³ India reports 25 percent rise in Human trafficking cases in 2015. 2106. Available at <http://thehimalayantimes.com/world/india-reports-25-percent-rise-human-trafficking-cases-2015/>

¹⁴ Annual Report 2014-2015. Ministry of Women and Child Development, Government of India. Available at <http://www.wcd.nic.in/sites/default/files/AR2014-15.pdf>

in 2015.¹⁵ The increasing number of cases every year shows the failure of every policy and convention.

In Nepal, some districts are marked where the cases of trafficking are high. By districts, the number of trafficking cases was the highest in Jhapa, followed by Morang, Kaski, Banke and Sindhupalchok in FY 2013/14 while in FY 2014/15, the top-five districts with a large number of TIP cases were in Rupandehi, Morang, Jhapa, Kaski, Kailali and Banke.¹⁶(Figure 1)

Figure1: Major trafficking routes. Source <https://journeys.dartmouth.edu/NepalQuake-CaseStudies/human-trafficking/>



It shows that traffickers are cunning enough to trap the victims and their strategies have also been tricking soldiers while crossing the border. As described by Pamela Gurung, an activist, the pimp takes a girl across the border in a cycle and puts a tikka dot on her forehead so it looks like she and he are married(Katie,2013).” After being trapped, the life of the victims becomes so inhuman. Gang-rapes and beatings are common practices and more abuse is carried out when they are imprisoned in cages. Torture is used as a strategy to ensure their future compliance. Most of these innocent girls are forced to have sex with as many as 40 clients a day. Any sign of protest or attempt to escape brings them more torture and beating(Kiran,2014). It is totally the violation of human rights and the dignity of women are at stake.

The problem here is that the cases registered under the offense of human trafficking do not reveal the actual number of trafficking because of the overlapping of some laws. Actually, there are several cases which are registered under the Foreign

¹⁵ Chapetr 6 A Human Trafficking. Available at <http://ncrb.nic.in/StatPublications/CII/CII2015/chapters/Chapter%206A-15.11.16.pdf>

¹⁶ "Trafficking in persons National report 2013-15". *National Human Rights Commission, Nepal*.

Employment Act (FEA) in spite of the Human Trafficking and Transportation Control Act. Mostly victims are being trafficked for getting employment but victims and their lawyers file cases under FEA. However, the cases are actually related to human trafficking (The Kathmandu post, 2016).

India and Nepal are the state parties of the UN Protocol to Prevent, Suppress and Punish Trafficking Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organization. Besides, both neighbouring countries also have many national laws pertaining to curtailing trafficking.

India's Effort to Combat Trafficking

The Indian government has passed several acts, including the ratification of UN conventions on Transnational Organised crime, to prevent trafficking. Article 23(1) of the Indian constitution clearly prohibited the trafficking in Human Beings or Persons. India has also ratified the SAARC convention on Preventing and Combating Trafficking Women and Children for Prostitution. To implement these laws, the Anti-Human Trafficking Units (AHTUs) has been established among the member countries of SAARC.

The Immoral Traffic (Prevention) Act, 1956 (ITPA)¹⁷ – India ratified the International Convention of Traffic in Persons and Exploitation in 1950. Afterwards parliament passed the Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA). It was amended in 1986 under the title of the Immoral Traffic Prevention Act came into effect in India. This act aims to prevent trafficking for commercial sexual exploitation. There are provisions for punishment of minimum one year to seven years including a penalty of two thousand rupees that varies for different activities done by the culprit.

Another one of these is the **UJJAWALLA** scheme, came into effect from April 1st, 2016, by the Ministry of Women and Child, Government of India. It is a comprehensive scheme for preventing trafficking. This scheme has the following main components: Prevention, Rescue, Rehabilitation, Re-Integration, and Repatriation. To implement this there is also a provision of funds issued by the Central government.

To define human trafficking, the **Criminal Panel act** amended in 2013 to give it more broad meaning. In this act, article 370 stated, whoever, for the purpose of exploitation, (a) recruits, (b) transports (c) harbours (d) transfers or (e) receives, a person or persons, by using threats, using force, or any other form of coercion, by abduction or, by practicing fraud or deception or, by abuse of power or, by inducement, including the giving or receiving of payments or benefits, in order to achieve the consent of any person having control over the person recruited, transported, harboured, transferred or received commit the offence of trafficking.¹⁸

Protection of Children from Sexual offences (POCSO) Act, 2012 – this act came into effect in November 2012. POCSO deals with the protection of children from sexual abuses and exploitation.

Anti Trafficking Cell- An Anti Trafficking Nodal Cell established in the Ministry

¹⁷ https://www.indiacode.nic.in/bitstream/123456789/15378/1/the_immoral_traffic_%28prevention%29_act%2C_1956.pdf

¹⁸ Ministry of Law and Justice, "Criminal Act" (India: The Gazette of India, 2013. available at <https://www.iitk.ac.in/wc/data/TheCriminalLaw.pdf>)

of Home affairs (MHA). It works in coordination with the agencies of different states, which are fighting to combat trafficking. Apart from these, the Ministry of Home Affairs has released several funds for the enforcement agencies so that they can fight effectively to combat trafficking.

Besides the government policies and act, there are many non-governmental organizations who are actively working in this field. A national level community **PRYAS** is also active in this area. It has 246 community-based centers in nine districts and 45 shelters. PRYAS has been working for child and women victims and also provides them shelter, education, vocational skills. A great initiative has taken place where Shashtra Seema Bal (SSB) and PRAYAS are working jointly to fight against trafficking. SSB has been guarding the India-Nepal border but still there are several parts of the border which are unguarded. SSB has also requested for the training of its staff to prevent trafficking. Along with this SSB has been organising several awareness programmes, at border areas, to arouse people and prevent trafficking.¹⁹

The paramilitary force has also signed a MoU with the National Development Council (NSDC) to hone the skills of victims as well as potential victims to make them self-dependent by providing better employment opportunities to them (Dhirendra, 2017).

An NGO named Guriya Swyam Sevi Sansthan, based in Varanasi has been working since 1988, registered in 1999, for protecting the lives of women or children from human trafficking and sexual exploitation. Its work is multidimensional and aims to save the second generation from being entered into trafficking. In my interview and visit to their home or office I found that they have been making huge efforts for deprived and the victims of sex trafficked women and girls.

Nepal's Efforts to Prevent Trafficking

Nepal also seems active, not in the implementation of the laws, regarding preventing Human Trafficking, and passed several laws and policies. In Nepal, there are many NGOs, too, who have been more active than the government efforts. There are many programs, run by NGOs and the government, to arouse the people against trafficking but nothing seems appropriate to reduce the crime.

There are Human Trafficking and Transportations (Control) Act 2007 and Regulations 2008 in Nepal. It has also established the Women and Children Service Directorate (WCSD) to protect the victims of human trafficking including women. According to Nepal's HTT Act of 2007, "Nepal shall manage for the rescue mission of any Nepali citizen sold in the foreign land."²⁰ There is also a provision for a rehabilitation center for the victims, that will provided by the government. Through this act, a maximum of twenty years and a minimum of two or three months of imprisonment and a penalty of two hundred thousand to fifty thousand rupees depending on the crime as described in this act, will be imposed²¹ on any person who commits this offence.

¹⁹<https://reliefweb.int/report/india/border-force-trained-preventing-human-trafficking-border>

²⁰ 28. Nepal Human TIP Control Act, 2007. Available at http://www.protectionproject.org/wp-content/uploads/2010/09/Nepal_Human-TIP-Control-Act_2007.pdf

²¹ 29. Available at <https://www.warnathgroup.com/wp-content/uploads/2015/03/Nepal-TIP-Law-2007.pdf>

Several NGOs are working in this area and among these one of the Maiti Nepal founded by Anuradha Koirala. It has been working in multiple areas of vulnerability like- organizing awareness campaigns, community sensitization programs, rescue operations, apprehending traffickers, providing legal support to the needy, women empowerment programs, training, and providing anti-retroviral therapy (ART) to children and women infected by HIV- these are the regular activities of Maiti Nepal. It also runs prevention homes, in some districts of Nepal, where they identify the girls, as belonging to poor families and provide them useful services and training so that they can fight with bad circumstances. Indeed prevention is more important than cure.

In the matter of aid and assistance in Nepal, there is a huge amount of expense to fight against trafficking. The National Committee for Controlling Human Trafficking (NCCHT) allocated 233,000-380,000 Nepali rupees (NPR), approximately \$2,300-\$3,750, to each of the 75 district committees to support awareness campaigns, meetings expenses, and emergency victim services; this was an increase over the 42,000-57,000 NPR (\$414-\$562) allocated last fiscal year. This allocation specifically included 120,000 NPR (\$1,180) for each district to establish at least three new village-level committees.

The government maintained its ban on the migration of females under age 30 to the Gulf States for domestic work, and in May 2014, the government suspended all exit permits for domestic work (Trafficking in Persons Report 2015). The question arises now that if the government has banned female migration then how could be possible for the increasing number of minor girls to migrate?

Besides these national laws, there are several regional bodies active in South Asian countries.

UNIFEM South Asia Regional Strategy to Combat Trafficking in Women and Children- Since 2000, has been funded by USAID and it has been working with the help of NGOs in South Asian countries like India, Nepal, Bangladesh, and Sri Lanka.

Bangladesh, Nepal, and Sri Lanka – South Asia Sub-Regional Program to Combat the Trafficking of Children for Exploitative Employment- has been working to prevent child trafficking. It aims to rescue the children and rehabilitate them.

UNDP Regional Initiative: Addressing the Problem of HIV/AIDS and Trafficking- This UN agency has been working for the mobilization of the victims who are suffering from HIV, with the partnership of the concerned NGOs.

Rescue Programmes

Many NGOs have been working to abolish the trafficking. “We have been fighting 3000 cases against the suspects or pimps, to save the victims and trying that traffickers from get bail, said the founder of Guriya Swyam Sevi Sansthan Mr. Ajeet Singh who is also a member of various government committees. He added “Our work is multidimensional,²² to achieve this, Guria has taken legal action thereby breaking up the criminal nexus through bail rejections of traffickers, victim/witness protection,

²² Personal interview with Mr. Ajeet Singh, the founder of ‘Guriya Swyam Sevi Sansthan’ (NGO) based in Varanasi.

mock trials, opposing custody of victims, brothel seizures, and convictions, etc. it is only legal intervention that will ensure the logical conclusion of our holistic approach, ensure a proper deterrence and set a precedent within society.²³ This organization has been giving basic literacy to the children of red light areas so that the next generation can attain a peaceful environment.

At the nine border crossings, Maiti Nepal intercepts an average of 2500 girls a year. With 23 official open borders and hundreds of unofficial crossings, the number of trafficked girls is excessive, estimated at 40,000 a year(Christine,nd).Another report, the National Human Rights Report, revealed that 9000 persons, especially women and children were intercepted from the border areas, bus parks, and other places in each of the fiscal years of 2013-14 and 2014-15.²⁴ An NGO named 3 Angels Nepal helped thousands of victims during 2016-2017 by rescuing victims and providing them with other facilities.²⁵

This is the positive facet of this crime where the contributions of the NGO's are very commendable. However, our victory relies on that day when we can prevent the heinous crime before it happens. The government should encourage those NGO's who have been working in this field

Need Mutual Cooperation: Suggestion and Conclusion

Although there are many national and international policies about eradicating trafficking it seems not appropriate to reduce trafficking. However, there are several treaties²⁶, MOUs²⁷and letters exchanged²⁸ concluded between India and Nepal but not a single one has a reference for preventing women trafficking. Even, both countries never raise this issue in their bilateral talks. It seems both neighbouring states are busy only focusing on traditional security threats, not on non-traditional security threats. India-Nepal has been pursuing their interests, especially economic goals, while the non-traditional security threats, primarily women trafficking, should be in priority of any government because it is connected with the dignity of humanity. As Aristotle said states came in for life but they will exist for the sake of a good life. Therefore it is the liability of the state to look after its subjects for the sake of a good life.

²³ <http://www.guriaindia.org/>

²⁴ Trafficking in persons National report. 2013-15. Nepal:National Human Rights Commission.

²⁵ Human Trafficking Rescue Programme. 3 Angels Nepal. <https://3angelsnepal.com/human-trafficking/>

²⁶ **1950-** Treaty of Peace and Freindship, **1953-** An Extradition Treaty, **1959-** Gandak Agreement on Water, **1965-** Arms Agreement, **1968-** Agreement for Telephone Link, **1991-** Trade Treaty, **1999-** Transit Treaty, **2015-** Motor Vehicle Agreement.

²⁷ **2008-** MoU for Hydropower, **2011-** MoU for Election, **2014-** 7 MoUs signed, **2016-** 4 MoUs signed, **2017-** 8 MoUs signed without mentioning women trafficking

²⁸ **1950-** Letter exchanged along with treaty of peace and freindhip, **1961-** Exchanged of Letters between the Goevrnment of India and his majesty's Government of Nepal Concerning the Continuation of the Trisuli HydroElectric Project [1961], **1964-** Exchnaged of Letters between the Government of India and his majesty's Government of Nepal for Regarding Amendment to the Gandak Project Agreement, **1968-** Exchanged of Letters between the Goevrnment of India and his majesty's Government of Nepal for the Preparation of a Master Plan for the pokhran Town, **1968-** Exchange of Letters Regarding Radio-Telephone Link Between Nepal and India, **2016-** **i)** Letters of Exchange on Transit Routes, **ii)** Letters of Exchange on Rail Transport.

There is need for coordination between India and Nepal to fight mutually against trafficking. If both nations have connected with this crime then they have to do away with this mutually. Both countries share a long open border, one of the causes of facilitating trafficking. Even, it is difficult to say any accurate data of victims due to any solid procedure to record the cases and the criminals who cross the border for this purpose.

According to the Chief District Officer (CDO), Bishnu Bahadur Thapa, two dozen Nepali women were rescued from various transit points of the open Nepal-India border. He also revealed that the brokers use those areas where the security personnel were not present (Gulariya, 2017). For that matter, the regulated border might be a solution. However, the long and open border is hard to cover as some parts of the border have thick forests, an easy way to move from one to another territory. To prevent illegal work, a fence is needed with limited entry and exit points where CCTV and detecting machines with security personnel might be useful. Every exit or entry point must have to register the data of those people who are crossing the border and an intense interrogation is necessary for those who are crossing the border with minor girls/women/children.

India signed an anti-trafficking pact with Bangladesh in 2015. After signing this pact joint secretary at the Ministry of Home Affairs, Kumar Alok said that they are also planning to have similar kinds of MOUs with other countries like Nepal (Nita, 2015). So there is an urgent need for some strict laws between India and Nepal so that the possibility of these crimes could be reduced.

Recommendation:

- A common pact is urgently required between India and Nepal to curtail trafficking in every form.
- The governments of India and Nepal must focus on the issues related to non-traditional security threats and the issue of women trafficking should be in priority.
- There should be special and trained security forces at the border area who can deal with the problems of trafficking because as we have read that the pimps or traffickers smartly crossed the border. Therefore, the security personnel also has to use some strategies to identify the traffickers.
- Funds are also needed to eradicate poverty and produce job opportunities for the people.
- There are many districts in Nepal which are recognized as the most vulnerable districts for trafficking, in these areas the government should pay much attention.
- The government has to show its active posture not only in making the policies or laws but also, most importantly, in the strict implementation of these policies. Moreover, an evolution should be made of these policies after implementing them to make policies more effective and sensible towards the victims.
- There should be a strict procedure for pimps or traffickers because after filing a case against them they escape easily from the jail or law.
- Frequent awareness programmes at a large level are necessary for society.

- Most importantly, there should be a self-defense training programme for all the girls.

There is a lack of enforcement of such laws that can discourage and punish the perpetrator. There is a need for trained and capable police, from the local police to the guards of an open border, who can deal strictly with these types of crimes. Perhaps, the silence of the government also works as a facilitator to recruit more perpetrators and the unwanted progress in this crime.

We have seen that merely domestic laws are not sufficient to do away with the trafficking business. There is an urgent need for a law agreement between India and Nepal through which they can coordinate and track trafficking cases. Along with these, both parties can take the help of NGOs and civil society that have already been working in this field. These are very sensitive issues that need to be dealt with delicately. Furthermore, there must be a regulated border in place of an open or closed border, not only to curb trafficking but also to control all of the illegal activities accomplished through the Indo-Nepal open border.

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