



Central Nepal Hotspot Annual Report
2019

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1. Operating Context

Over the past three years, the Central Nepal Hotspot has significantly shifted the operating context which has enabled the program to achieve its goals. We have successfully advocated for the government to introduce legislation to tackle the commercial sexual exploitation of children within Nepal. The revised Children's Act (2018) prohibits children to work or even be present in facilities of the Adult Entertainment Sector (AES), with a penalty of 15 years in prison for those who are not compliant. The Labour Act (2017) provides legal grounds to hold employers (including those operating AES venues) accountable for providing workers with employment contracts, remuneration, limits to working hours and health and safety policies. The National Child Labour Master Plan (2018-2028) has identified child labour in AES as a priority area. Finally, the government cemented its commitment to end trafficking and CSEC in Nepal by ratifying the Palermo Protocol¹.

In 2019, Freedom Fund partners have shifted their advocacy focus from legislation to enforcement. They worked closely with the federal and local government, police and AES venue owners, to raise their awareness on the new legislation and to advocate for robust monitoring and enforcement of the laws. As a result, our partners have reported unprecedented levels of monitoring from local government, police, the Anti Human Trafficking Bureau (AHTB) and Community Based Organisations (CBOs). This has been a gamechanger with field workers reporting they are finding significantly fewer minors in venues.

Field reports from our partners align with findings from the prevalence study published by the Freedom Fund in 2019. The field research, led by City University of New York, was undertaken in 2018 and estimated the population of minors working in the AES in Kathmandu to be 1,650, significantly lower than previous estimates.² This evidence, together with an external evaluation of the hotspot undertaken in 2019 suggests the number of minors in the AES has continued to decrease and affirms the power of the Freedom Fund's hotspot model to change systems and create strong deterrents to CSEC (for further details of the evaluation see section 6 Independent Evaluation & Research). The reduced prevalence of CSEC led us to the difficult decision to phase out of the central Nepal program in 2020 and focus attention on other global slavery hotspots. To ensure sustainability of our partners and the program's impact, the Freedom Fund will support a transition phase until June 2020; to embed the successes we have already achieved and help prepare our partners for our exit from the hotspot. This should be bolstered by increased funding for the sector from other donors.

While there are very positive signs that child exploitation has reduced, we are also aware that for the persistent smaller number of cases, the nature and manifestations of CSEC will evolve in response to the changing legal and regulatory environment. While many AES owners and managers have decided not to employ minors, some have changed how they can engage minors in CSEC. NGOs report that some businesses have minors waiting in nearby streets and when a customer asks for a minor the owner/manager calls them and arranges a meeting outside of the AES venue. Traffickers are increasingly using social media and online platforms to lure and traffic minors in source district communities and in urban areas. To build a more robust picture, the Freedom Fund commissioned research into the changing nature of trafficking and CSEC in Kathmandu. The results will be shared with our partners and donors working in the sector in 2020 to help inform future programming.

¹ Ratification was completed on 4th March 2020.

² Research conducted by Tdh in 2009 estimated between 11,000 – 13,000 women and girls were working in this sector. Frederick J. (2009). Terre des Homme Foundation. Situation Analysis.

2. Progress Towards Systems Change

Policy/legislative changes

The external evaluation of the hotspot conducted in 2019 found that the hotspot's efforts to change laws to tackle CSEC and increase inspections of venues were the most instrumental factors bringing about systemic changes which reduced the number of minors working in the AES. While many hotspot partners have increased their focus on ensuring the new laws are enforced, advocacy leaders such as Alliance Against Trafficking in Women and Children in Nepal (AATWIN) have kept up the pressure on the government to meet the standards provided in international law and close any gaps in the current national legislative landscape, with more success.

Nepal ratifies the Palermo Protocol

Nepal's parliament ratified the Palermo Protocol; a historic milestone in the government's commitment to combat trafficking. The government had been under increased pressure to ratify the treaty following strong recommendations the UN CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women) in November 2018. AATWIN contributed evidence to the CEDAW committee and made further intervention at the government session in Geneva in October 2018.

In 2019, AATWIN launched a fresh campaign to build on the pressure from CEDAW. They submitted a memorandum to government calling for the ratification process to be completed as soon as possible and generated public and international pressure through social media.

Ratification of the Palermo Protocol enshrines the rights and protection for victims and survivors of human trafficking to international standards, closing gaps in Nepal's legislation. Critical to the hotspot work, it means that all forms of child sex trafficking no longer need to demonstrate force, fraud or coercion to constitute a child trafficking offence.

Amendments to the Human Trafficking and Transportation Control (HTTC) Act

The Government is in the process of amending the Human Trafficking and Transportation Control (HTTC) Act. Freedom Fund partners have been engaging with relevant ministries throughout the drafting process to demand the inclusion of measures to address internal trafficking into the entertainment sector. The government will now need to ensure its national trafficking and foreign employment laws are harmonised with international standards in the Palermo Protocol.

Government action to increase monitoring and enforcement of laws

The government has made significant strides to combat trafficking in 2019. In addition to the legislative changes noted above, there have been three important milestones in creating sustainable systems which will have a lasting impact in transforming the AES. The government established a **Taskforce Committee on the AES** to inspect AES venues in Kathmandu, ensure compliance with all regulation and rescue and rehabilitate minors found working on the premises. The Taskforce has members from the local government, police, industry, the labour and tax offices and civil society organisations. This is a win for our partners who have been demanding a government-led structure to systematically monitor all AES venues in Kathmandu since the Monitoring Action Committees (MACs) were disbanded in the 2017 shift to federalism. Also, this year the

police **formed a dedicated Anti Human Trafficking Bureau**, to improve its investigations and prevention measures. Thirdly, this year the **National Human Rights Commission** began conducting joint monitoring visits to entertainment establishments in coordination with ward level officials and some of our partners, reporting on their observations of the current situation, independent of government.

Evidence of improved business practices in the Adult Entertainment Sector

Reports from our 11 partners operating in Kathmandu have described a reduction of minors found in adult entertainment venues, aligning with the finding of the Freedom Fund's prevalence study published in 2019. In particular, Dohori, dance bars and restaurants have transformed their businesses, with significantly fewer minors engaged in this work. Adult entertainment venue owners and managers are now aware of recent legislation in the Children's Act (2018) and the Labour Act (2017) which prohibit minors from their establishment. This is an important result stemming from the effort from our partners, the police and local government to increase owners' understanding of the legal provision and the consequences of non-compliance.

Community Organising - Establishing Survivor Networks

Freedom Fund partners AATWIN and Shakti Samuha organised the 4th National Conference of Trafficking Survivors with 103 survivor participants. This year, the conference established a national-level Survivor Network Against Human Trafficking comprising of 17 members. The network secretariat will be supported by Shakti Samuha and aims to hold government accountable to protect and respond to cross border trafficking, internal trafficking and the adult entertainment sector. The event was well attended (including the National Human Rights Commission, the Ministry of Labour, Ministry of Women, Children and Senior Citizens, The Anti-Human Trafficking Bureau, Nepal Trade Union Congress, Social Welfare Council, civil society organizations and journalists) and was an excellent opportunity for survivors to speak directly to those in power about their experiences and make concrete recommendations for change.

3. Hotspot Outputs & Outcomes

3.1 Headline Results

681 liberations from situations of commercial sexual exploitation

Our partners supported 681 liberations from commercial sexual exploitation in 2019, an increase of 6% compared with 2018. However, we observed a change in the proportion of girls under the age of 18 being liberated. In 2018, they represented 64% of the total number of liberations, in 2019 this decreased to 53%. This aligns with reports that fewer minors are now found in AES venues. Furthermore, the number of adult women liberated from exploitative work the adult entertainment sector increased from 144 in 2018 to 219 in 2019.

8,331 individuals supported with social and legal services

The hotspot partners maintained a consistent level of services to help individuals exit from situations of exploitation. Many of our partners employ outreach workers to visit venues and engage with AES workers. Through this initial contact, beneficiaries are encouraged to visit Drop-in Centres (DICs) or mobile information centres where they learn about the different support services available to them ranging from emergency shelter and protection services, psychosocial counselling, health check-ups, skills training and legal advice. Locally this is known as the 'soft approach'. In line with the reduced number of minors evident through the liberation data, there was also a 13% decrease of girls under the age of 18 accessing services and a 16% increase in the number of adult women.

282 new Community Freedom Groups supported with 5476 new members

257 of the new groups were formed by our three partners in the source district (AAN, KCDC and GMSP). They reported that after 3 years of support their existing groups had reached a stage of maturity that allowed them to exit and move to new communities reaching 5125 new members. The groups can take a variety of forms such as: child and adolescent groups, community vigilance committees or women's saving and self-help groups. They all provide important information to prevent trafficking and exploitation and provide mechanisms to protect the most vulnerable community members.

126 individuals access new government services

As partners reach new communities through their group work, supporting individuals to obtain vital documents such as birth registration and citizenship is one of the most tangible interventions they can do to sustainably improve their circumstances. Without citizenship individuals are not able to access any government entitlements such as social security and children must have a birth registration certificate to be able to attend school. Source district partner, AAN, supported 75 new group members to obtain vital documentation.

829 previously out-of-school children attended formal or non-formal education

Hotspot partners were able to maintain their significantly higher levels of education support in 2018 (double that of 2017) supporting 829 out of school children into education. The hotspot's external evaluation found that our partner's work emphasising the value of keeping girls in school has resulted in clear attitudinal shifts among parents. The community group members interviewed remarked that things are different now, with many parents encouraging their children to continue their education rather than sending them off to work.

3.2 Progress towards hotspot objectives

The Central Nepal Hotspot Strategy was revised for 2019/2020. The review process, undertaken in 2018, considered internal reflections and observations among the Freedom Fund team, learning captured in internal and external progress reports, input from the UBS Optimus Foundation, research completed as part of the hotspot program, and consultations with partner organisations (online survey and in-person consultation workshop). The strategy refocused efforts to concentrate on the key stakeholders crucial to the success of the program: minors and their communities (the rights-holders), the Government (the duty bearer), and the owners/managers and customers (who drive the demand).

Hotspot Objective 1: Equip minors with the knowledge, skills and services needed to avoid or exit jobs in which they are vulnerable to sexual exploitation

Emergency response team brings a more coordinated approach to rescue, support and reintegration

Over the lifecycle of the hotspot we have seen much greater trust and collaboration between partners. In 2018, program partners established an Emergency Response Team (ERT) with a clear structure for how partners can collectively respond to cases. Centre for Awareness Promotion Nepal (CAP) was nominated by the other members to be the coordinator of the ERT because of its strong connections with the government and local authorities, which help in cases of emergency rescue operations and prosecutions. In 2019, through the ERT, there has been an increase in the number of cases referred to the hotspot's legal partner, CeLRRd and referrals to partners for specialist services such as counselling and livelihoods training schemes.

We are now seeing examples of Kathmandu partners supporting liberations and then coordination with source district partners for reintegration. KCDC who work in source area Nuwakot were contacted after a FF partner withdrew a 14 year old girl from a venue in the Thamel area. The partner learned that the girl came from Nuwakot and had been forced to work after her mother died. KCDC supported the girl to return to Nuwakot to live with her disabled father. They provided a scholarship to help the girl return to school and have connected the family to local government support so they can access social security entitlements.

Supporting survivors into gainful employment

Research commissioned by the Freedom Fund in 2017³, confirmed that providing survivors with alternative livelihoods with decent wages was key to ensuring survivors do not return to situations of exploitation yet highlighted that decently paid work for young women exiting the AES sector was hard to find.

To tackle this challenge, the Freedom Fund contracted technical assistance provider Global Centre to work with partners in Kathmandu from 2017-2019. Global Centre, assessed partners' livelihoods programs and developed specific recommendations to strengthen each partner's interventions. We sought to bring different options to the way partners approached their livelihoods support to survivors: with a greater focus on linkages with existing government and private sector training schemes, in addition to traditional vocational opportunities such as tailoring. Global Centre conducted a mapping exercise of available schemes which they shared with partners this year. By implementing this approach, partners have increased their referrals to other training schemes, resulting in a 13% reduction in the number of individuals receiving training directly from partners to 277.

3 The Freedom Fund, Evidence in practice: issue 3 – Pathways for Children to Exit Commercial Sexual Exploitation in Kathmandu. <https://freedomfund.org/our-reports/evidence-in-practice-issue-3-pathways-for-children-to-exit-commercial-sexual-exploitation-in-kathmandu/>

Building upon these initiatives and the 2017 research, the Freedom Fund hired a consultant to work with Goba Centre to further understand which sectors and jobs within the labour market hold the potential to offer better prospects than AES, what skills and qualifications the survivors would need, and what labour market intermediation and extended support should be available so they can secure these jobs and sustain them. The final report will be published in 2020.

Utilising social media to reach hidden populations

Some of our partners are using social media to reach individuals who may not be able to visit a drop-in centre. Biswas Nepal a member-based network of entertainment workers are using Facebook to reach a greater number of people. Workers access information about their rights, entitlements and services from their page. Biswas counsellors review and respond to all direct messages, many of which are from workers sharing their problems and asking for advice. Biswas also have established a toll-free number for anyone who needs help. Biswas will then coordinate with local government and the police for cases who need immediate assistance.

SathSath who specialise in boys affected by CSEC operates a virtual drop in centre. 290 boys accessed the online service during this reporting period. SathSath's online outreach worker provides online counselling and encourages individuals to access other services such as health and livelihoods support through the Drop In Centre (DIC). Individuals can engage with the service without revealing their identity. This has helped reach the hidden population of boys who may be secretly engaging sexual activities and do not want to visit a DIC in person.

Empowering communities to avoid CSEC

Community Vigilance Communities (CVCs) and Village Child Protection Committees (VCPCs) are an important mechanism used by our partners working in the source districts to identify individuals at high risk of being trafficked and connecting them to NGOs or local government departments responsible for the child protection. CVCs monitor key drivers such as school dropouts, families struggling to meet their basic needs, gender-based violence and child marriage. Partners provided school scholarships to 829 children this year, a powerful tool in preventing unsafe migration, child labour as well as increasing their future earning potential. They are also utilising local government efforts to increase girls participation in education. AAN facilitated government scholarships for 57 girls from their area.

This year, source district partners trained 3,375 new child club members in the dangers of unsafe migration and the risks of CSEC. These children have become invaluable change agents within their communities, raising awareness among family members, parents and peers. During this reporting period, 44 students from KCDC's child club trained board members in 22 local schools on child rights and trafficking prevention strategies.

Improving working conditions

Worker-led partners such as WOFOWON and Biswas Nepal have been coordinating with government bodies and venues to raise awareness about the rights of adult workers in the sector. They have reported that AES workplaces have started register venues and issue appointment letter and job description to their workers. Importantly, workers are increasingly speaking out against human rights and labour rights violations in the workplace. Our partners have successfully lodged a number of cases at their local labour office.

[Objective 2: Support the creation of an effective government system that can prevent and respond to CSEC.](#)

Increased focus on local child protection mechanisms

As per the Children Act (2018) the government established a National Child Rights Council (NCRC) which takes over responsibility for child rights from the Central Child Welfare Board (CCWB). The new body has a federal structure that will create Child Rights Committees (CRCs) in all 753 local government municipalities. The CRCs will replace the Village Child Protection Committees (VCPC) which our partners have been worked closely with to date. Local municipal government will have now clear operational and budgetary responsibility for the CRCs (the previous VCPCs had a more informal structure) and it's hoped this will increase government accountability for how they function.

A number of our partners are working directly with local government to strengthen their capacity and meet the demands of their increasing child protection responsibilities. Source district partner KCDC have received funding from their local municipality to develop a Child Development and Protection Strategy. Within Kathmandu, CAP Nepal have supported a number of municipalities to formulate child protection policies and develop plans for Child Friendly Wards.

Collaboration through Community Police Partnerships

Improved coordination between NGOs, government and law enforcement has been a key achievement of the hotspot. Partners have worked much more closely with police since Nepal launched its Community Police Partnership approach in 2018. The initiative involves local police in Nepal's 753 municipalities working directly with local government, CBOs, schools and communities to control crime and promote community safety and awareness.

CAP Nepal reported that they have successfully advocated to incorporate CSEC issues to the activities of their local Community-Police Partnership Program. They shared that through their increased collaboration they observed that police officers are becoming more aware of sensitivities when dealing with the CSEC in the adult entertainment sector.

In August 2019, AATWIN, Change Nepal, Biswas Nepal joined forces with a Community-Police Partnership Program to hold a 'dialogue with private-sector event'. 165 participants took part, including 103 AES owners/managers. Local government and police committed to conduct regular monitoring of entertainment sectors and enforce the laws while owner also committed to improved worker protection and conditions.

Coordinating an effective local response

Freedom Fund partner Chhori has been working closely with their local ward office 32, to establish a child labour free entertainment sector zone. Chhori collaborated with the local ward office, police unit and Opportunity Village Nepal (ONV) to ensure over 100 local venue owners obeyed by the laws prohibiting minors and regulations that require all AES venue to register with their local ward office. With regular monitoring and follow, they are seeing real changes.

- Around 60% of AES businesses have now registered. The ward office has distributed 'child labour free' stickers to establishments who have committed to the initiative and continue to make regular monitoring visits.
- A local police inspector said *"70% of the dance bars don't have minors now and they have given appointment letters to the workers too."*
- She also noted that minors in guesthouses and snack shops were less viable and harder to monitor. This will need to be a priority moving forward.

- With the leadership from local police inspector in Ward 32 are stepping up enforcement. They have filed five cases against traffickers/owners during this reporting period. The cases are currently awaiting trial at the district court of Kathmandu.

Police step up law enforcement

As well as increasing their local presence monitoring AES venues, police are beginning to enforce the laws. This has been a long-standing challenge with NGOs reporting that police were often financially involved in the AES and therefore reticent to investigate or pursue prosecutions.⁴ This year, our legal partner CeLRRd lodged a case against a politically connected AES client. Previously such cases would often be dropped by police but on this occasion, following pressure from the Emergency Response Team, police played an active role enabling the case to proceed. This resulted in the perpetrator being convicted and demonstrates a change in the willingness of police to challenge those in positions of power.

CeLRRd have continued to train police on legal provision, trauma-informed practices and gather evidence to help secure convictions. They have also worked with Freedom Fund partners to develop referral pathways with NGOs and the police. Following the new procedures, police register the First Information Report (FIR) start the investigation and gather evidence, CeLRRd are involved in bail hearing, judicial process and Freedom Fund partners provide shelter, recovery and rehabilitation services.

Working with the new Anti-Human Trafficking Bureau (AHTB)

The creation and funding of the new Anti-Human Trafficking Bureau marks a significant step forward in government efforts to investigate and prevent human trafficking crimes. The bureau is mandated to act against all forms of trafficking including transnational labour and sex trafficking which frequently occurs along the Indian border and to the Gulf, as well as internal trafficking in Nepal.

In November 2019, the Bureau reached out to Freedom Fund partner Shakti Samuha to help them understand the situation within the AES in Kathmandu. Shakti facilitated field visits together with Change Nepal and AATWIN. After a weeklong investigation, the AHTB rescued 19 minors who were then referred to Shakti for recovery services.

Mitigating unintended consequences of rescues

The rescue was a success in terms of liberating the minors however it came with a number of consequences. Shakti experienced violent threats from 'bouncers and agents' paid for by the venue owners. Shakti then had an emergency follow up meeting with the AHTB who provided additional police staff to protect their shelter. During this reporting period, other Freedom Fund partners have received reports from AES workers where rescue operations led by police and local government have taken adults who did not want to exit the sector. In one example, the women had to remain in a shelter for 2 months before they were allowed to leave. While the increased monitoring and enforcement of laws is a positive result from the hotspots pressure on government, partners must now seek to influence how such actions take place in order to protect the rights of adult workers and reduce unintended consequences. The AHTB are in the process of creating a rescue operation policy which partners will seek to ensure considers how their work can complement the outreach and service approach used by our partners and develop strategies to mitigate the risks associated with rescues.

⁴ 2019 Trafficking in Persons Report: Nepal

Objective 3: Reduce the demand for minors in sectors prone to CSEC by deterring customers and employers from engaging minors.

Regular monitoring of AES venues is transforming business practices

Collective monitoring visits with local government, police and our partners are helping to change attitudes of owners. Freedom Fund partner Change Nepal conducting a monitoring visit to three cabin restaurants with local ward members, police and the media. After the visit, the restaurants converted their establishments to a sweet shop and two family restaurants.

A Change Nepal field officer said *“they are completely changed, we don’t see any small girls working there and the environment of the restaurant is also family-friendly”*

Several partners reported that venue owners had referred minors to their services. One owner referred 15 minors to Change Nepal’s drop-in-centre for support services following a joint monitoring visit they conducted with police and the local ward office. Change Nepal helped four of the minors to reintegrate with their families, four received support to return to full-time education and the remaining seven opted for vocational training or small business support.

Public awareness of CSEC and shifting demand

This year, the Freedom Fund began working with Equal Access to design a behaviour change campaign specifically targeting AES customers called the 18minus campaign. The campaign built upon the findings of the demand research conducted in 2017⁵ urging the clients of AES to critically reflect on their role in perpetuating the vicious cycle of child exploitation, whilst promoting alternative behaviours that will make a positive difference in the lives of young girls. The campaign materials also targeted the broader public, encouraging men particularly to question their perception of the free will and agency of girls working in AES venues and to identify themselves as positive role models who take a stand and say no to the practice of engaging sexually with minors. In this way, the campaign hoped to create a groundswell of champions who inspire other men to follow their lead in ending exploitation of children in the AES.

Media content was developed for the campaign and disseminated online and on air from May to October 2019 including: five short audio series, two campaign posters, nine short videos, one spoken poetry video and one radio series were developed over the campaign period to highlight and reinforce key campaign messages. The reach of the social media campaign exceeded expectations. By the end of the 18minus campaign, the official Facebook page had over 50,000 followers, the videos had over 1.8 million views and the Facebook posts reached 7.9 million people. Content can be viewed on the Facebook page: [campaign18minus](#)

Direct messages and comments from the public on the campaign page revealed that many people had no idea that this form of exploitation was happening in Kathmandu and further revealed very low levels of understanding of the age and concept of consent. We responded to this by making an additional ‘voxpop’ video – asking men on the street about consent and then interviewing a lawyer who clearly explained about the laws of consent, statutory rape and prohibition of all minors in AES venues. An independent evaluator has been commissioned to measure the effectiveness of the campaign. A baseline survey of customer’s knowledge and attitudes was completed in February 2019 and an endline survey is currently underway with results expected in April 2020.

⁵ Minor in Kathmandu’s adult entertainment sector: what’s driving demand? <https://freedomfund.org/our-reports/minors-in-kathmandus-adult-entertainment-sector-whats-driving-demand/>

4. Supporting a Community of Practice

The hotspot has demonstrated the power of our Community of Practice model: harnessing a diverse range of CBOs to deliver coordinated advocacy and support services to reduce CSEC in the adult entertainment sector in Nepal.

The hotspot's 11 partner organisations operating in Kathmandu assist minors to leave the industry primarily through the provision of psychosocial⁶ and legal aid services delivered by outreach workers and at drop-in centres (DICs). Organised law enforcement raid and rescue operations are only used when necessary. Locally, this is called a 'soft approach' and is in line with a number of studies that describe the trauma and unintended consequences that result from raid and rescue operations in the sex industry and increase long-term changes of reintegration.⁷

At the beginning of our work bringing 14 organisations with diverse and often conflicting perspectives together through a 'Community of Practice' was challenging and there was no consensus about what the best strategy was to eradicate CSEC in the AES. Some partners sought the elimination of the AES, while worker-led partners sought to end the exploitation. It took time to build mutual trust and for all partners to agree on a common advocacy goal which was that there should be zero tolerance for minors working in the sector.

Over time partners recognised the value in their diversity and began to utilise each other's strengths. Entertainment worker-led organisations such as WOFOWON and Biswas used their membership base to identify minors entering the sector and were able to refer minors to partners with experience in child protection and recovery services.

Through interviews conducting for the external evaluation, our partners collective action has been cited by government, owners and workers themselves as bringing about the changes in law and regulation which has driven down the prevalence of minors

“Government action on the entertainment sector and the engagement of the National Human Rights Commission, the Anti Trafficking Bureau and government ministries has happened because of the continuous collaborative work from our consortium team” (Staff member from Shakti Samuha).

⁶ Psychosocial support is a continuum of care that addresses the ongoing psychological (mind, thoughts, emotions, feelings, behaviours) and social (interaction with others, environment, culture, traditions, roles and responsibilities) needs of individuals.

⁷ [The Use of Raids to Fight Trafficking In Persons](#), Sex Workers Project, 2009; [What India's Sex Workers Want: Power not Rescue](#), Sangram, 2013. With recommendations from a 2013 Terre des Hommes study in Nepal.

5. Case Study

Emergency Response Team in Action

Shakti Samuha circulated amongst the Emergency Response Team (ERT) details of an AES worker who was abused by a politically connected customer. ERT members, including legal aid partner CeLRRD decided to jointly visit the police station to file the FIR because of political pressure and threats to the victim and Shakti to withdraw the case. Police agreed to investigate and then arrested the perpetrator on sexual offence charges. The perpetrator began to pressure the victim to settle the case out of court but the ERT partners worked together prevent the victim turning hostile. Continuous psychosocial support was provided and CeLRRd supported victim through the whole legal process, from the FIR, bail hearing, witness examination to the court hearing. Courts usually decide on acquittal in attempted rape cases but in this case the court convicted the perpetrator with a three-and-a-half-year custodial sentence. During the pleading and sentencing hearing, CeLRRd cited relevant precedent of the Supreme Court, provisions of CEDAW, Constitution of Nepal, Penal Code and Victim Protection Act. The joint collaboration of partner organisations helped the victim to achieve justice.

6. Independent Evaluation & Research

Prevalence Study

In 2018, the Freedom Fund commissioned City University of New York, to measure the scale of exploitation of minors in AES venues in Kathmandu. The research aimed to update earlier research conducted by Terre des Hommes in 2009 and deepen our understanding of the nature of exploitation taking place.

The researchers developed a statistically robust method, specifically designed to estimate hidden populations. They combined three approaches: respondent driven sampling (RDS), mark and recapture and venue-based sampling using a probabilistic method. In total, 600 young people (aged 21 and below) working in the AES were surveyed, and 50 in-depth interviews were conducted with identified victims of workplace exploitation and abuse.

The Freedom Fund published a report [Prevalence of minors in Kathmandu's adult entertainment sector](#) in April 2019. The research estimated that the population of minors working in the AES in Kathmandu was approximately 1,650. The estimate is significantly lower than previous estimates⁸; however, the study also revealed that the AES is a highly exploitative environment. 68 percent of the surveyed population have suffered from sexual abuse, such as being made to cuddle or kiss with a client, watch pornography or engage in sexual intercourse. The study has also highlighted the range of emotional and physical abuse young workers suffer. Forms of violence range from blackmail and threats of violence against family members, to beatings by managers for not doing as guests wanted. Overall, 72 percent of the young women and girls experience at least one form of violence at work.

Among the children found in adult entertainment venues, nearly all of them (99 percent) are considered to be in the worst forms of child labour according to ILO Convention 182. Aside from sexual exploitation, they are often required to work late hours and/or forced to drink alcohol or use drugs.

External Evaluation

In 2019, the Freedom Fund commissioned Progress Inc to conduct an external evaluation of the Central Nepal Hotspot. The purpose of this evaluation was to assess the contribution of the hotspot towards the observed reduction in prevalence of minors in the AES, as well as examine the overall performance of the hotspot project.

The evaluators selected a process-tracing methodology, which is well suited for assessing causal inferences, particularly when there is a known outcome (i.e. the reduction in prevalence in minors). The vast majority of study participants agreed or somewhat agreed (78%) that the reported reduction in minors aligned to what they had witnessed personally. The study then assessed causal pathways which were likely to have contributed to this change. The evaluation found there was a strong consensus that two pathways namely (1) increased inspections of venues and (2) changes in the law – had been the most instrumental in bringing about systemic changes which reduced the numbers of minors working in the AES. Of the stakeholders interviewed, 60% (42 out of 70) noted these two outcomes as being the most impactful. This view was widely

⁸ Research conducted by Tdh in 2009 estimated between 11,000 – 13,000 women and girls were working in this sector. Frederick J. (2009). Terre des Homme Foundation. Situation Analysis.

expressed among different stakeholder groups, including AES workers, AES venue owners and managers, government representatives and NGO partners. The high number of mentions and the diverse range of stakeholders who concurred on this point, makes this a highly credible finding.

While the process tracing focused on the higher-level impact, the rest of the evaluation examined the progress of the hotspot against objectives and against the criteria of effectiveness, efficiency, relevance, and sustainability. The evaluation found that our partners had provided live changing direct services to survivors and those at high risk of extreme exploitation. The evaluation highlighted that counselling and livelihood support helped to empower workers to safely leave the sector and find alternative livelihoods. Partner outreach work also informed workers about their rights and give them the confidence to push for them to be met, helping them to improve their experience at work and reduce or eliminate the exploitation experienced.

Examining the source community interventions, the evaluation also found that the project contributed towards prevention by positively shifting attitudes among communities where minors are at risk entering AES. This shift was achieved through awareness raising about the risk of unsafe migration and increasing parents' willingness and ability to keep their daughters in school. The evaluation report will be finalised in 2020. The results are intended to produce actionable recommendations for the remainder of the Freedom Fund's project funding, as well as provide lessons learnt for other civil society groups and funders who work with the AES or on the issue of CSEC in Nepal.

Scoping Study into Changing Manifestations of CSEC

While there seems to be consistent evidence that CSEC in the AES has reduced, a smaller but persistent level of CSEC may be driven further underground to more hidden locations than traditional adult entertainment venues. To investigate this further, towards the end of 2019, the Freedom Fund contracted a research team in Nepal to explore the changing manifestations and scale of CSEC outside of the AES in Kathmandu. The report's findings, which are due to be finalised in 2020, will be shared with our partners and donors working in the space to inform future programming.



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