

BEYOND TRAFFICKING AND SLAVERY: OPINION

# Labour migrants' struggle to subvert anti-trafficking interventions in Nepal

For the targets of anti-trafficking measures, they are just one more obstacle to overcome.

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Most experts and insiders regard anti-trafficking as an effective paradigm for addressing labour exploitation. Communities targeted for assistance by anti-trafficking interventions, however, rarely agree. As a doctoral student, I researched the practical effects of interventions in an internationally-identified 'hotspot' for trafficking in Nepal (for reasons of anonymity and confidentiality I won't name it here). I found that, instead of being welcomed by local communities, anti-trafficking interventions, designed to pre-emptively address labour exploitation, frequently appeared as unwelcome obstacles restricting their mobility. These interventions multiply in response to the mobility practices which are difficult to perceive, control and capture. And, as such, they were seen as yet one more border to subvert and escape.

Until a few decades ago sex work was a typical form of work in this community. That changed in the 1980s and 1990s, as renewed international opposition to sex work mixed with brothel raids in Mumbai and concerns over HIV/AIDs to greatly increase the level of stigma against sex workers in Nepal, a country that prohibits sex work inside its territory. In response, many Nepalese women began to seek domestic work in the Middle East. For some the experience did not end well. Enough cases of exploitation and abuse came to light that the Nepalese government banned female migrants from engaging in domestic work. This ban, however, did not stop movement but illegalised it. In doing so it created a space in which anti-trafficking interventions designed to prevent mobility could flourish.

Several anti-trafficking NGOs began to undertake manual surveillance at the open Indo-Nepal border, a task which included detaining and deporting young women back to their 'homes'. They also sought to deter migration by 'sensitising' people against illegal routes of migration, including by reproducing historical fears about poor working conditions outside Nepal and thereby encouraging already marginalised women to stay in the country. These efforts to prevent and deter movement coloured all external interventions associated with mobility, with migrant resource centres, pre-departure/decision training, and counselling booths all arousing community suspicion.

In response community members used a range of strategies to both escape and subvert anti-trafficking surveillance and deterrence. These included a reluctance to discuss 'human trafficking' or to reveal details about the practicalities of migrating for domestic work. And, when somebody was on their way, people generally avoided saying anything until after their family member had safely arrived at their preferred destination. Silence is used to escape anti-trafficking borders.

Community members also resisted NGO-facilitated, pre-decision orientation and awareness training. One women's group leader reported that anti-trafficking NGOs use these sessions to search for women who may be planning to leave the community. Few prospective migrants welcomed that sort of attention, and so they were reluctant to participate. Community members routinely expressed frustration with anti-trafficking NGOs as well as pride with the creative ways they had found to subvert and escape anti-trafficking borders.

### **Anti-trafficking is the problem, not the solution**

Community members also had complicated feelings regarding a now defunct survivors' group that had been moderated by a national anti-trafficking NGO. Only 'victims of trafficking' and 'ex-sex workers' were deemed eligible to join the group, which created complicated divisions between 'insiders' and 'outsiders'. Some insiders wondered why the NGO had abandoned the group, and them, while others questioned the hierarchy it had created. It was mentioned on several occasions that the leaders of the survivors' group had become the most powerful and prosperous people in the village, while some of its members were still down on their luck. The intervention had produced unequal power relations among its members.

The 'outsiders', meanwhile, were quick to point out that many of the 'insiders' had willingly gone to India to work as sex workers, and thus questioned why they should be entitled to special benefits from which they themselves were excluded. A poignant example of this split came with the 2015 Gurkha earthquake. Many people were killed, livelihoods were destroyed, and infrastructure was damaged. Yet the anti-trafficking NGO exclusively supported group members. This choice emphasised the informal division between 'deserving' and 'undeserving' people that had been created due to anti-trafficking interventions in the village.

The result was that very few people, be they insiders or outsiders, were happy with the NGO's performance. As one local who used to work with them explained, the job of anti-trafficking "was one such tension inducing job. Everyone hurl abuses at you." During one group meeting I conducted, two participants tried to explain why they do not like anti-traffickers and their organisations:

*"Those people directly talk to the [trafficking victims support] group only, all the benefits goes to them ... even if some of them used to go [to the brothel] by their*

*own [consent]."*

...

*"[Anti-traffickers] don't support most of us, and they don't even allow us to go to Kuwait, Oman, and the other Gulf countries ... If we don't [migrate], will they support us?"*

These conversations underscore how anti-trafficking interventions appear to many community members. Since trafficking is an imported concept, people were also often reluctant to describe experiences in terms of trafficking, to the point where the term itself was consciously avoided. Some have learned to speak that language. But others continued to hide their past as sex workers to avoid stigma. They feared that accepting the label of trafficking victim subjugates them, and pushes them to embrace poverty, lowly status in the survivors' group, and anti-trafficking borders which deny their migration via irregular channels. For the vast majority of migrants and prospective migrants, even for those categorised as trafficking victims, anti-trafficking is yet one more border to subvert and escape.

The primary problem here is not trafficking, but anti-trafficking. It creates conflict within communities and, above all, intentionally blocks the path between potential migrants and their goals. It would be much better for the people involved if the concept were discarded entirely. We instead need to strategically, ethically, and politically place mobility of people at the heart of our analysis and activism. Only then can we begin to imagine an alternative vocabulary which takes seriously people's struggles to survive and thrive in spite of inequities.

*Behind the story: I used a variety of participatory methods to explore the experiences of transnational labour migrants from Nepal, including regular action reflection meetings, mappings, diagrammings, and rankings, numerous interviews, and focus group discussions. I also undertook participant observations at numerous anti-trafficking check posts, four Indo-Nepal open border sites, two emigration detention centres, and international airports in Kathmandu, New Delhi, Colombo, and Kuwait. At the heart of all of this fieldwork was a concern with how and why people move, and the kinds of obstacles and challenges they encounter along the way.*