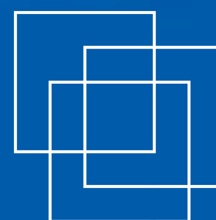
Combating Child Trafficking

International Labour Organization

Demand Side of Human Trafficking in Asia: Empirical Findings



Regional Project on Combating Child Trafficking for Labour and Sexual Exploitation (TICSA-II)

The Demand Side of Human Trafficking in Asia: Empirical Findings

International Labour Office

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Foreword

The role that demand plays in human trafficking is the subject of much debate. How much do explicit or "hidden" demands for certain types of labour or services create, shape or influence the trafficking of people, especially children and women? Is it the sole cause of human trafficking?

Trafficking is the movement of people to exploit them for monetary gain, which includes the selling of babies for adoption and females as brides. Demand goes far beyond requests for virgins or young children for sexual gratification. It is the garment, agricultural or other manufacturer scrambling to maintain an edge in the increasingly competitive global market. It is the household needing assistance with domestic chores. It is the childless couple or the wifeless man. It is the soldier conscripting under aged fighters.

Demand varies in each of these situations as do the cultural, social, legal and political environments surrounding them. But the available research on these circumstances is scarce. Many studies on human trafficking focus primarily on the influence of "supply-side" factors, such as poverty, discrimination, lack of employment opportunity, violence in the home and interest in the outside world. These factors encourage some people to "sell" a family member or relative. They also increasingly encourage people to leave home on their own accord. Leaving home and travelling to unfamiliar areas and new environments for which they are ill-prepared increases their vulnerability to being trafficked. But understanding the "supply side" and the "process" of trafficking does not explain sufficiently why and who actually benefits from that process. Nor does it give us the optimum advantage to deal with this problem effectively – we must understand and target the critical factors that create the need to traffick children and women. Researching this also will broaden our knowledge on the extent of exploitation that victims of trafficking endure at the points of destination.

In 2005, IPEC commissioned a series of empirical studies to probe the "demand side" of trafficking, which covers the attitudes and polices that help enable the crime and which includes "demand" – the specific desires and preferences of employers, consumers and third parties for certain types of persons or particular services. This first series of research concentrated on Bangladesh, Indonesia, Nepal, Pakistan and Sri Lanka and covered five sectors: commercial sexual exploitation, domestic labour, organized begging, fireworks production and child soldiers.

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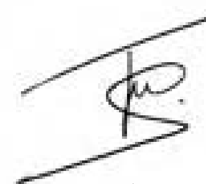

Guy Thijs
Director, IPEC
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Executive Summary

Executive Summary

This regional demand-side study covered five countries in Asia and a number of sectors in each country. The sectors in each country were selected through a national consultation, following a regional consultation of government representatives, NGOs, activists and members of the Regional Research Working Group (RRWG) consisted of a number of researchers and experts on trafficking from the region. Five sectors ultimately were identified for country studies, with some variation among them: commercial sex work was looked into in all five countries; domestic labour was included in all countries but Pakistan; organized begging was included in all but Nepal; firework production was researched in Sri Lanka; and children used in armed conflict were investigated in Nepal and Sri Lanka.

This demand-side study evolved around a number of questions, though the researchers were looking to better understand why the demand for certain services or commodities is met by trafficked and exploited labour. This primary question automatically leads to a series of secondary questions, such as: From where does the demand come and wherein are children and women engaged for labour and services? Who are the customers, consumers and employers? What are their preferences and how does it affect the supply of children and women into these sectors? What other parties are involved in the whole process for making profit? What is the nature of exploitation?

Demand in the context of trafficking can be problematic and an ambiguous term as there is no precise or agreed-upon definition. In this report, "demand" refers to the desire and preference for a particular commodity, labour or service while the "demand side" of trafficking[1] refers to the nature and extent of exploitation of the trafficked victims after reaching the destination point as well as the social, cultural, political, economic, legal and development factors that shape the demand and influence or enable the trafficking process. In short, the research looks at demand plus the environment that enables and influences demand.

Technically, there are three levels of demand: a) employer demand (employers, owners, managers or subcontractors); b) consumer demand (clients in the sex industry), corporate buyers (in manufacturing), household members (in domestic work); c) third parties involved in the process (recruiters, agents, transporters and others who participate knowingly in the movement of persons for purposes of exploitation). The research is based on interviews with the actors involved at all these levels, plus the labourers – women and children who provided the services or produced the commodities being demanded.

From a simple market perspective it can be argued that if there were no consumers and no demand – there would be no income potential, and thus no supply. In short, there would be no market. From this perspective it is evident that demand is a crucial part of all markets – including in sectors where exploitation and trafficking occurs. However, the research shows that understanding demand in the context of trafficking is far from that simple. First, demand and supply factors are closely intertwined, making it difficult to isolate the factors that cause trafficking. Poverty and expectations of better earning opportunities induce thousands of women and children to migrate and seek employment in unregulated and informal sectors where they are extremely vulnerable to exploitation. This abundant labour supply, which makes women's and children's services and labour easily

1 In some cases called the destination side of trafficking.

available at a low cost, fuels a level of demand that would not otherwise be there. For instance, the widespread use of domestic labourer by middle class families in Asia as compared to European households is unlikely to be explained by a greater need for domestic services in Asia; rather, it is linked to the cheap and easy availability of domestic labourers in this region.

Second, demand for a person's service or labour is not necessarily the same as demand for a trafficked person to deliver this service or labour. The majority of clients and consumers in the five-country study did not specifically demand services from trafficked women and children and many – apart from the clients in the sex sector who deliberately sought out children – would be unable to distinguish trafficked from non-trafficked labourers. That said, the majority of the clients and consumers surveyed were willing to accept services and labour from whomever was available. In the informal, poorly regulated and widely stigmatized sectors, such services are likely to be provided by vulnerable groups, including children, which often leads to a relatively high level of exploitation. In this sense, consumer and client demand do, at least indirectly, play a role in contributing to the phenomenon of forced labour and trafficking.

However, a far more direct role is played by the employers and to some extent by third parties, such as agents. The demand-side research shows that employers in all the studied sectors in general looked for cheap, obedient and easy to control workers and that exploitation was rampant. While some employers procured new workers from agents, most recruited them through informal social networks. Thus, although many employers did not necessarily recruit through the use of formal agents, employment could very easily deteriorate into a trafficking/forced labour situation, depending on the age of the labourer and if she/he endured some type of abuse or exploitation once employed. This research indicates that the trafficking phenomenon is to a very high extent a result of employers' unchallenged ability to create their own – often exploitative – working conditions for women and children in informal "hidden" sectors where they easily can take advantage of the legislative weaknesses and is further enabled by a socio-cultural context that tolerates certain kinds of discrimination and exploitation.

Overall, the research suggests that trafficking from a demand-side perspective should be seen as a combination of the clients'/consumers' desires at an indirect level, employers' and third parties' more direct interest in controlling and exploiting women and children in informal sectors and the unregulated characteristics of these sectors that then makes exploitation common and often a no- or low-risk deed for the exploiters.

Key findings by sector:

Commercial sex

The chapter looks at the nature of the clients who seek out the services of commercial sex workers; the type of sex workers or services they desire and how frequently they buy sexual services. The nature and manifestation of demand at the employers' level, the recruitment process and the role of third parties in this process were also analysed. The findings are based on interviews in five countries (Bangladesh, Pakistan, Nepal, Sri Lanka and Indonesia) with sex workers (adult and children of both sexes), employers/third parties and finally with clients who sought out sexual services in brothels, from the street or in private establishments. The following findings stand out:

Characteristics of clients and reasons for buying sexual services:

- Most clients in all the countries studied were male, 15–40 years old and from all kinds of occupational and socio-economic groups. Although the majority of clients were adults, a significant number were children and adolescents between 15 and 19 years old.
- Most clients reported that they sought out commercial sex workers because they had no other option to release their sexual urge; they claimed that sexual satisfaction was not available from a "partner" and/or they preferred variations in terms of sexual satisfaction. Others bought sexual services because it was without any obligation (expect to pay), while friends' encouragement and peer pressure played a role in some countries.

Clients' preferences and demand patterns:

- The vast majority of clients in all countries had paid for sexual services more than ten times in the past year. The dominant type of service sought was vaginal sex, followed by anal sex, oral sex and hand relief.
- The majority of the respondents preferred adult sex workers who were 18–34 years old. However, in all countries there were alarmingly many clients who preferred children aged 15–17 years of age and, in a few cases, even younger.
- A significant percentage of clients preferred virgin sex workers. Such preference was found among 55 per cent of the clients in Nepal, 42 per cent in Bangladesh, 23 per cent in Pakistan, 8 per cent in Indonesia and 2 per cent in Sri Lanka. This suggests that a large number of clients in Asia seek out options that are neither legally nor morally acceptable and that cause social problems and contribute to the shaping of demand for younger sex workers. The preference for virginity seems to be partly motivated by fears of sexually transmitted infections, including HIV.
- While some clients refrained from buying sexual services if they could not find the type of sex worker they looked for, the majority said they would accept anyone available. This suggests that the demand at the client level as well as the availability (supply factor) are closely intertwined in the commercial sex sector.

The recruitment process:

- In general, recruitment takes place through various informal social networks. Family members, including husbands, stepfathers/stepmothers, relatives and those who associate with family members seem to play a big role in introducing women and children to the commercial sex sector. However, the active role of professional intermediaries, such as pimps, was also frequently reported in all countries. Employers generally stated that in most cases they did not have to seek out new workers as the workers simply came to them. In cases where employers looked for new workers, they mainly used personal contacts such as current and former sex workers and, to some extent, agents and pimps.
- The intensity of demand for sexual services and clients' preference for certain types of workers have a bearing on the cost of those sex workers. Very young, attractive girls or boys and attractive women are generally more expensive to recruit.

Working conditions and exploitation:

- The majority of the sex workers reported that they are free to leave. When asked why they did not do so, most mentioned poverty, better earnings in sex work and social stigmatization – the feeling of

already being tainted. However, in all countries there were children and adults who stated that they were not able to leave sex work. This was in particular a disheartening reality for many boys and girls in Bangladesh and Pakistan. As many as 60 per cent of the boys and almost 50 per cent of the girls from Pakistan said they had no freedom to leave prostitution.

- A large majority of employers in all countries except Sri Lanka require their employees (including young children) to work seven or more hours a day. Many employers even require as much as 12 hours or more. Most sex workers in all countries served one to four clients per day, while a significant number of sex workers reported that they served four to nine clients per day. At least two-thirds of the sex worker respondents (except in Pakistan) felt no pressure to take clients. Among the other one-third, the pressure mainly came from the employers and pimps.
- Most sex workers in Nepal, Indonesia and Sri Lanka said they did not experience any problem for non-compliance to a client's demands. However, the majority of sex workers in Bangladesh and Pakistan said they did, and in all countries there were sex workers who reported problems such as verbal abuse, threats and complaints to the employer or pimp if they refused to comply with the client's desire.
- Employers use various measures to control and punish sex workers who try to escape or refuse a client. The most frequent control measure reported was threats, scolding and withdrawal of payment. Sex workers in some countries even reported rape, beatings and being locked up by the employers and pimps. All together, these findings indicate that the majority of employers in all the countries act in an exploitative manner.

Reasons for being in commercial sex:

- Two variables working together appear to be most important for women and children to enter the sex sector: extreme poverty on one hand and expectation of a better living standard or better earning opportunities on the other. Generally, the boy respondents in most of the countries said they were motivated by opportunities of a better living standard. Most of the girls said that extreme poverty was the major factor for their involvement in the commercial sex sector.

Degrees of voluntarism:

- Nearly all the boys engaged in commercial sex claimed that they had sought out the work. For girls it varied, and up to 40 per cent reported that they ended up in commercial sex involuntarily, having been forced directly or indirectly by someone. Among the adult women, a rather small proportion (12 per cent in Nepal) reported that they were engaged in sex work against their will. However, in the case of children, it is crucial to keep in mind that even though they claim voluntarily engagement, they should be treated as victims of trafficking and abuse. Indicating voluntary engagement also could be interpreted as a reflection of the structural constraints. Extreme poverty and lack of skills and alternative occupations may well be what motivate women and adolescents to accept commercial sex work though they would have preferred something different. Finally, it is possible that a person at first has been forced/trafficked into the commercial sex sector and then after some time gets used to it and no longer considers it to be involuntary work. These aspects still deserve further examination.

Domestic labour

Domestic labour is regarded as an "invisible" sub-sector of labour and considered one of the worst forms of child labour when it involves children younger than the legal minimum working age or slavery-like, hazardous or other exploitative conditions. In most Asian countries, domestic workers' interests and rights are not protected by any legal or social measures and many, especially children, are extremely vulnerable to exploitation. Still, employing children in the household is a common practice in Asia and most often seen as socially and culturally acceptable due to socio-economic disparities in the society.

This chapter explores the characteristics of employers of domestic labourers, the type of labour and services they prefer, the recruitment process and the working conditions for women and children. The findings are based on interviews in four countries (Bangladesh, Indonesia, Nepal and Sri Lanka) with employers of domestic labourers, women and children who perform domestic labour and some brokers and intermediaries who recruit labourers. The key findings can be summarized as follows:

Characteristics of employers:

- Generally, the employers of domestic labourers come from households with relatively high or stable incomes. Most male heads of household employing domestic labourers worked in the public sector (government), private organizations, business, industry (production/ manufacturing) and banking. Interestingly, the majority of the female heads of household were housewives. Most employers had a secondary or higher level education. A significant proportion had a university degree. However, there was also a considerable group of employers with only a primary or junior secondary level education.

Employers' preferences and demand patterns:

- Overall, employers seemed to prefer workers who would be neat and clean and capable of doing hard work; someone obedient and docile was also preferred in half the countries. Preference for cheap labour was frequently mentioned in Bangladesh. Most employers in Bangladesh, Indonesia and Sri Lanka preferred women older than 18. However, in all countries there were a significant proportion of employers who preferred girls and boys younger than 18 years. In Nepal in particular, child domestic labourers were desired.

The recruitment process:

- The most common process of recruitment in all four countries appears to be through reference from friends, colleagues and relatives whom the employers generally trust. Other processes mentioned were parents bringing their child, would-be workers approaching the employers and former domestic labourers or labourers employed in other households bringing a new person. In other words, a lot of the recruitment takes place through both the employers' and the domestic labourers' social networks. However, in all countries there was a significant group of employers who directly hired domestic labourers from guardians against a payment on a contract basis or made a contract with an agent (third party) who controlled the domestic labourer. Whether trafficking takes place in any of these situations depends on the age of the would-be domestic labourer and if she/he endures abuse or other forms of exploitation once employed.
- A high proportion of domestic labourers in all countries said they felt compelled by others to work. Parents and relatives were most frequently cited as having put pressure on them to accept the work.

Working conditions and exploitation:

- Three–fourths of the domestic labourers in all five countries worked more than eight hours a day – typically 9–14 hours a day. As many as 31–53 per cent of the domestic labourers in all countries were working 12–17 hours a day.
- A large proportion of child respondents in all four countries reported receiving various forms of disciplinary action from the employers. When asked about their awareness of the conditions of domestic labourers in other households, the employers reported a disturbingly high incident of abuse, such as physical abuse, sexual abuse, rape, insufficient food, withdrawal or deduction of wages for minor faults, increasing the workload and keeping the domestic labourers locked up.
- While physical abuse seemed very common, three-fourths of the domestic labourers in all four countries said they were provided with acceptable meals, snacks, sleeping quarters and sanitary toilet facilities. Further, most reported receiving some kind of health care from the employers.

Reasons for being in domestic labourer and degrees of voluntarism:

- Almost all the child domestic labourers in this study migrated from their home to help their parents financially or in search of a better livelihood for themselves.
- Although a high proportion of the domestic labourers felt compelled to work, the majority seemed willing to continue with their present job and said they were free to leave if they choose to.
- Among the labourers who stated that they could not leave the present job were mostly those who had no place to go and those who were kept captive.
- The most frequently cited reasons for wanting to leave the present job were very poor payment, uncomfortable working conditions, pressure to do certain work against the worker's will and physical abuse.
- Although the majority of domestic labourers reported they were free to leave their job, it is crucial to bear in mind that even claimed voluntary engagement is treated as trafficking according to the international legal instruments, such as the UN protocol on trafficking and ILO Convention No.182, if the labourer is younger than the legal minimum working age and/or endures exploitation once employed. Further, it is important to bear in mind that extreme poverty and lack of skills and alternative occupations may well be what motivate women and children to accept domestic work though they would have preferred something different.

Organized begging

This section presents a profile of the beggars, factors contributing to the demand for young beggars, the actors and processes involved in trafficking them, the link to migration and the nature of the exploitation. The research covered four countries: Bangladesh, Indonesia, Pakistan and Sri Lanka. The findings, which are based on purposive samples of beggar groups and beggar masters, can be summarized as follows:

Characteristics of child beggars:

- Most of the child beggars in the study were younger than 10, with some less than a year old. In Pakistan and Sri Lanka, more than 50 per cent of the child beggars were younger than 10 and a sizeable proportion was 4 years old or younger. In Indonesia, 10 per cent of the child beggars were

aged 5 years or younger. In Bangladesh, the child beggars of a younger age group were fewer.

- A notable number of child beggars were physically disabled. In Bangladesh, Pakistan and Sri Lanka, the proportions ranged between 21 and 29 per cent. In Indonesia there were fewer. The most common disabilities/deformities were crippled legs and hands, blindness, skin infections and burns and wounds.
- Many beggars had migrated from rural areas to cities. Some were permanent migrants while others were seasonal migrants who came to beg in the cities during cultural and religious festivals, etc. Some 24–54 per cent of the child beggars in Bangladesh and Pakistan were migrants, whereas about 24–55 per cent of the adult beggars were migrants in Pakistan, Bangladesh and Indonesia.

Recruitment and reasons for being in begging:

- In most cases, beggars took up this practice as the means of survival and/or to support their family. In Bangladesh, more than 70 per cent of the beggars stated that they begged for their survival and it was their own decision, given their difficult socio-economic situation, while 55 per cent of the child beggars in Pakistan engaged themselves in begging to help their family financially.
- When another person was responsible for putting a child into begging it was typically a father, mother, stepfather/stepmother, relative, friend, husband or former employer. More than half of the child beggars in Sri Lanka said that their father or mother put them into begging, in most cases against their own will. This was noted to a smaller, but still significant extent, in Pakistan, Indonesia and Bangladesh.
- So-called beggar masters were involved in organizing begging for 6–34 per cent of the beggars interviewed in all four countries. The number of child beggars under one beggar master ranged from one to four (although the nature of reporting on this aspect is not uniform in all four countries).
- In general, beggar masters recruited new beggars through informal social networks, such as current and former beggars. However, a disturbingly high proportion of beggars, especially in Pakistan, had been purchased by the beggar masters for the purpose of begging – a practice that can only be categorized as trafficking.

Working conditions and exploitation:

- The child beggars most often identified police, security guards and the general "public" (passers-by) as those who harassed and created problems for them.

Freedom and force in organized begging:

- Involuntary involvement in begging was frequently reported by the beggars in Sri Lanka, followed by those in Pakistan and Bangladesh.
- In Pakistan, nearly three-fourths of the beggar masters affirmed that begging was practised under force; this was mentioned quite frequently in Sri Lanka and Bangladesh as well. The beggar masters in Indonesia claimed that the use of force was insignificant.
- The findings from all countries indicate that the concept of organized begging often consists of a loose relationship among beggars and between some beggars and their beggar master. There was no reference in the findings to large "syndicated gangs" controlling the beggars, but in many cases, beggar masters play an active role in recruiting, purchasing and controlling the beggars. Although it was not possible to make a general estimate on the incidence of trafficking in organized begging, it

is evident that a significant number of children has been trafficked for this purpose.

Fireworks production

Fireworks production in Sri Lanka is seasonal and takes place in factories and homes. In small-scale household production, the workforce consists mainly of the members of a household. But medium- and large-sized factories employ workers from different areas of the country, which creates potential for the trafficking of child labourers. The chapter looks at the employers' motives for recruiting children, the recruitment process and the working conditions for the child labourers. The findings, which are based on interviews with 31 child workers between 9 and 17 years of age and 22 employers, can be summarized as follow:

Characteristics of the child labourers:

- The child labourers generally came from families living in poverty; the parents had difficulty finding work and needed their children to earn an income. Most of the child labourers shared their income with their families.

Employers' preferences and demand patterns:

- Employers said they preferred children to adults because they work efficiently, that it is possible to extract maximum labour for the lowest possible wages and because children can be easily controlled.
- Factories operate seasonally and employers preferred to recruit out-of-school unemployed children coming from distant rural and disadvantaged areas. Children from such areas were also preferred because the employers had less trust in the local children who tended to take away raw materials and other things from the factories.
- The abundant supply of out-of-school children from poverty-stricken locations also encouraged the employers' preference for children, as they were cheap and easy to get.

Recruitment:

- Employers recruit new children through informal social networks, most often by persuading the child labourers to bring their friends to the factory in the next season. There were a few references to conduits that supply some of the young workers and received cash or other benefits in exchange.
- The majority of the children did not at first know what they would be required to do.

Working conditions and exploitation:

- In general, children worked up to 15 hours a day, usually seven days a week, without any overtime payment.
- The employer did not take into consideration the health risks involved in the use of gunpowder and provided no safety measures, such as gloves or gowns for the child labourers.

Children in armed conflict

Of the countries included in, this study, only Nepal and Sri Lanka as of 2005 were experiencing armed conflict. In both countries, the use of children is extremely common and thousands of children have been recruited – both voluntary and by force. The chapter explores the plight of children in armed conflict in these two countries, the nature and manifestation of demand for children by armed forces and guerrilla groups and the recruitment process.

The study followed different methodologies in the two countries. In Nepal the research team interviewed about 60 demobilized soldiers, of whom 40 per cent were children. Interviews were conducted in rehabilitation centres, children's shelter homes and private residences. In Sri Lanka, the research findings are based on a literature review and interviews with former child soldiers, military officers and other informants. Key findings of both studies can be summarized as follows:

Reason and preferences for children in armed conflict:

- The study in both countries found that children often are preferred by fighting groups because they are receptive to high levels of indoctrination, willing to engage in high-risk operations and because they are obedient and easier to control than adults.
- Children can be paid less than adults, if at all. They demand less food and are less demanding in general.
- Relatively lightweight automatic weapons are readily available and children can use them easily.
- Conventionally trained soldiers and policemen are less likely to identify children as threats. Thus, children are least suspected as spies, detonators of explosives, etc.
- Both guerrilla forces in Sri Lanka and Nepal had significant adult losses and declines in new adult recruits resulted in the recruitment of children. In Sri Lanka, the tsunami in December 2004 resulted in the Liberation Tigers of Tamil Eelam (LTTE) guerrillas recruiting children who had been orphaned.
- Children can be more easily recruited by their peers.
- International standards (or even local standards) for the perpetration of violence or "terrorism" is less likely to assign blame to a child or youth, compared to an adult. For example, many youth who stayed at a rehabilitation camp in Sri Lanka had committed grave crimes against humanity but were not charged.

Recruitment:

- In Nepal, forced recruitment of children and women into the Maoist ranks is a common practice, most often using schools as recruitment platforms.
- Many new recruits were at first fascinated by the rebel groups and saw the initial phase of recruitment more as an adventure. They were among peers and at first only given light responsibilities. Later, they would have to do far more demanding tasks. In general, they would be indoctrinated with ethnic, nationalistic or religious hatred and then thrown into the firing line.
- Peer recruitment was another common strategy both in Sri Lanka and Nepal.
- In Nepal, lack of birth registration and the uncertainty of a person's age is an obstacle to protecting children from being recruited into the government forces.

Working conditions and exploitation:

- Casualties among children seem to be very high in both countries. Some 60 per cent of LTTE fighters killed in action in Sri Lanka since 1995 are estimated to be younger than 18. The majority of them were 10–16 years old.
- Demobilized child soldiers in Nepal revealed that the Maoist rebels had adopted a strategy to send young soldiers storming en mass on military installations prior to a gun battle. They also revealed that some children been used in dehumanizing acts such as killing a relative and chopping off the heads of dead comrades.
- In Nepal, there are reports of so-called armed

"encounters" in which children as young as 10 were killed by police; many of the killings took place in disputed circumstances, which could amount to extrajudicial executions.

- Most of the respondents from Nepal commented that depression was prevalent, particularly when they had to spend several nights in the jungles without enough food, adequate shelter and communication, a bad situation exacerbated by their fears of security forces or when they lost battles.
- Almost all respondents in the Dhakaltaar Rehabilitation Centre in Nepal expressed frustrations, anger and depression. Some of them appeared quite angry at both the Government and the insurgents.
- Many of the former combatants remarked on the lack of opportunity for formal schooling in the camp. They were only taught political ideology, science of war and combat strategies.
- Former soldiers in Nepal talked of children used not only as fighters, but also messengers, cooks, porters and suppliers by the rebel group.
- Although many respondents in Nepal had faced enormous hardships, they often described the top-ranking commanders as caring, kind and passionate. However, severe penalties and threats of disciplinary action were meted out if anyone failed to follow orders. This included instant demotion without judicial review and/or being sent to a "labour camp".

Conceptual Aspects and Importance of a Demand-Side Study

1. Conceptual Aspects and Importance of a Demand-Side Study

1.1 Introduction

Systematic investigation into the demand side of trafficking is not a simple exercise. Debate, confusion and questions surround the issue. The phenomenon of trafficking has many complex and interrelated facets: the demand side, the supply side, the trafficking process and not least of all the political, social, cultural, institutional and economic factors that shape both demand and supply – sometimes together, sometimes independently. Although these facets are closely intertwined, there has not until recently been paid attention to demand issues. This may have been due to the relative ease of understanding and confronting supply factors, or to reasons more political in nature. However, after the nearly two decades that human trafficking has been an issue of global concern, there has been an analytical shift toward understanding more about demand as it relates to the criminal movement of people.

This report is a response to that shift. Specifically, it seeks to determine whether and to what extent trafficking is a demand-led problem. This analytical approach follows on the heels of considerable debate on these questions. One early study set out to investigate the demand side but concluded that addressing demand-side factors with a limited perspective would not be sufficient to contain the problem.[2] It was found that the abundant supply of children and women desperate for mere survival or sometimes for a better living actually encourages demand. This assertion typically follows analysis that focuses on the conditions of extreme poverty, overpopulation, lack of opportunities, illiteracy and ignorance, discrimination against racial/ethnic minorities, poor legal protection and corrupt administration.

Others argue that there are factors that independently create "demand" and influence the trafficking process. The ongoing debate has become more vocal in the past few years and begs for more research across different settings and of all factors involved in the demand side – which includes the demand itself (the abstract and the specific preferences), attitudes, policies and the nature of exploitation.

Clearly a multitude of factors influence the phenomenon of human trafficking, with various interest groups involved in the process reacting to both demand and supply influences. The hidden, illegal and most crude form of trade, affecting children, teenagers, men and women, inflicts harmful effects on individuals and families as well as communities.

Human trafficking – an international concern: Millions of children and women have been trafficked and

2 Anderson and Davidson, 2003

subjected to labour and sexual exploitation. They endure horrors and life-threatening conditions, sometimes simply for the amusement and sport of an elite class. In many parts of the world, they are engaged in activities that deny them their basic human rights; they are abused in different ways, including sexual violence.

The trafficking process cuts off children and women from their families, transports them to unfamiliar destinations – even to other continents – to be used by others, usually to make money. This is seen in commercial sexual exploitation, domestic servitude, agriculture, hazardous industrial work, construction work, street-based informal activities like begging and hawking, illicit acts like smuggling or even selling drugs and forced recruitment into armed conflict (though not everyone engaged in these activities are trafficking victims). There are other situations, such as for sport (camel jockeys), or babies trafficked for adoption, or young women trafficked for marriage in which the victims are used to satisfy demands of those who take control of them in unfair ways.

As migration movements continue to swell, the international concern regarding exploitation seeks systematic research for reliable data to design appropriate and effective countermeasures. The scarcity of data on the demand side is considered to be a constraint.

In seeking to understand, explain and explore the gamut of demand and the trafficking of children and women, the researchers for this study wanted to address several pertinent questions: From where does the demand come and wherein are children and women engaged for labour and services? What are the factors responsible for the trafficking phenomenon and contributing to its rampant growth worldwide? Who are the customers and consumers and what is their preferences and how does it affect the supply of workers? What other parties are involved in the whole process for making profit? What is the nature of exploitation?

1.2 The nuances of "demand" and "demand side"

Demand in the context of trafficking can be problematic and ambiguous term as there is no precise agreed upon definition. The analytical focus of this study was both on "demand" and the "demand side" of trafficking.

Demand usually refers to the desire and preference for a particular commodity, labour or service. In the case of human trafficking, this concept slightly differs – at least theoretically. Human trafficking reflects demand for labour that is usually exploitative or constitutes one of the worst forms of child labour or a demand for services in the delivery of which someone makes profits while violating human rights. As such, "demand for labour/services" and "demand for labour/services from trafficked persons" are different; in the latter case, the meaning is loaded with the intention of exploiting the individuals providing the labour/services.

However, in a practical situation, "demand for labour/services", which is a natural market condition, may be indivisible from "demand for labour/services from trafficked person". The employer of labour (less likely) or the consumer of services (more likely) may not be aware that a trafficked person provides the labour/service. This then argues for any study of demand and trafficking, to focus more broadly on demand for a certain type of labour/services.

Evidence on human trafficking indicates demand at three levels:

- Employer demand (employers, owners, managers or subcontractors);
- Consumer demand (clients in sex industry), corporate buyers (in manufacturing), household members (in domestic work);
- Third parties involved in the process (recruiters,

agents, transporters and others who participate knowingly in the movement of persons for purposes of exploitation).

Demand side[3] refers to the nature and extent of exploitation and abuse of the trafficked victims after reaching the destination point as well as the social, cultural, political, economic, legal and development factors that shape the demand and influence or enable the trafficking process. This subsumes demand at various stages or layers of the trafficking process and includes the conditions and behaviour of all parties at the destination point.

In short, the research looks at demand plus the environment that enables and influence demand.

1.3 Complexity of issues involved in demand-side analysis

Trafficking process

Both demand and supply factors influence the phenomenon of human trafficking. What is being debated is the ratio of these factors. Certainly the trafficking process is not one single incident but a series of constituent acts and circumstances involving a wide range of persons.

Supply-side analysis argues that the process of trafficking (or recruitment) begins at home with the root causes of vulnerability. Children and women become vulnerable due to many reasons involving social, economic, cultural or familial factors, domestic violence and gender discrimination. On account of these factors, they may leave home, which then places them in a channel where they can more easily fall into the clutches of traffickers. These factors may also prompt a family member/relative to initiate a trafficking process or comply with a trafficker in terms of selling a child or young woman. The vulnerability situation is commonly noted as "push" factors and reflects the supply condition. At the same time, it indirectly influences demand; or so goes one argument in the demand-led debate.

The trafficking process needs a series of persons who may be working together, or not, and who may be attached to a criminal gang, or not. They are the agents, recruiters, transporters, pimps, employers and, to a degree, the consumers, depending on the sector. Many studies contend that traffickers, at least the middle conduits, are mostly persons known to the victims. This process also may benefit from corrupt or blind-eye authorities as well as government policies and regulations or lack of enforcement of them. The process involves consecutive stages, such as the recruitment by deception, force, coercion, complicity or ignorance; transportation to an unfamiliar place or destination; and harbouring victims in coercive, exploitative or forced labour conditions.

Sources and sectors of demand for trafficked children and women

Whereas the "demand for labour" is a natural condition in the economic process, "demand for labour through trafficking" is an irregular condition and not acceptable, as it imposes harmful consequences on individuals, families and society.

Demand for trafficked persons' labour and services is found in many different sectors; exploitation varies according to the type of sector. In certain cases demand may also vary, depending on the economic development and social factors of a specific country although this

3 In some cases called the destination side of trafficking.

cannot be generalized. If development triggers increased competitiveness, it may generate a higher demand for cheap and exploitative labour. A number of other factors, such as globalization, rapid socio-economic change, consumerism and commercialization, may also create higher demand for cheap and exploitative labour. But at what stage in the development process does it begin? Competitive pressures among business people, particularly in increasingly competitive markets, prompt manufacturing industries and large firms to employ cheap labour to maintain or achieve a competitive edge. Some of that labour derives from the trafficking of children and women. In parallel to economic growth, many service/utility sectors also have an increased demand for cheap labour and services, which is also fulfilled by migrant workers and through the trafficking of children and women. The trafficking of people to satisfy the competitive-edge need of employers has not been sufficiently researched and the proportion of trafficked workers to legal migrants, or even national workers, is not clear.

A major source of demand for cheap labour is domestic service. In many Asian countries, middle- and upper-income families use women and child workers in their homes as domestic labour. In these situations, children and women typically work and live in the homes of their employers, are detached from any social support from their families or outside services and thus remain vulnerable to exploitation and abuse. When the development process marginalizes some groups of people and others receive disproportionate benefit, children and women frequently seek out non-skilled options, particularly domestic work. As adult male and female household members increasingly take opportunities for occupational gains within the economic development process, they tend to look for domestic assistance with their everyday household chores and with childcare. It is the marginalized who are more frequently hired to fill the domestic gaps. Is that because they are available or because they are cheaper? Are they cheaper because of the over-supply or because they lack skills and experience? Women may be cheaper due to an over-supply whereas children are most likely cheaper because they are children – they are young and lack experience.

The development process also increases disposable income to be spent on entertainment, including sex services. This does not mean only the more economically well off indulge, as sex is available in a large range of prices. Again, does the increased income available for entertainment encourage the demand for cheap services? As more families are marginalized in the development process, do children and women respond to the expanding client market that the development process is helping to create because they do not see other equally profitable options?

Influence of globalization: Increased global integration has expanded the boundaries of markets, making them "free" for all kinds of products. The free-market economy also has allured, attracted and encouraged international criminal gangs involved in illicit activities, including human trafficking. From the market perspective, a trafficked person is looked upon as a "product". As such, the product needs to be malleable to “accept” or work under exploitative conditions that give employers a competitive advantage. That is, the receivers of the product must be able to get the behaviour, services and work they want. And they must get what they want at a very low cost.

In a free market, demand is generally based on cost and benefit, and the price is a key factor in marketing influenced by the elasticity of demand. Though supply may be a necessary condition for demand, it is not a sufficient condition. But then another question emerges: Is cost a necessary condition? In the case of men with a fear of HIV infection or paedophiles with their illegal interest in children, there is a demand that sometimes ignores cost.

Although there also are many anecdotes illustrating how many of these people seek out countries where their needs can be met at a lower cost.

Increasingly competitive markets have brought new pressures to the owners of small and medium-sized industries and enterprises who feel compelled to reduce their overhead costs, adding to the demand for cheap labour. They may request irregular migrants or even trafficked workers or they may develop a reputation for being willing takers of such a supply. Improved economic opportunities and increasing competition also has created an environment in which citizens of rapidly developing countries are unwilling to accept cheap and harsh work conditions. The demand for workers for these kinds of jobs is often met through migrant workers and trafficked children and women. In this way, sources of trafficking are created by the generated demands in those sectors where working conditions are considered harsh by the local workforce. Does the increased need for cheap labour for jobs that other local workers refuse to accept result in an increased supply of workers willing to accept exploitative conditions? Perhaps, if the workers believe that the jobs offer them a better situation.

Employers' and consumers' demands are reinforced by discriminatory attitudes and behaviours of the society, social values, poverty and deprivation, economic disparities and inequalities, internal and international migration, lack of strong political will and weak law enforcement. Thus, this is the time to examine whether the process generating or encouraging the demand for cheap labour and services drives the trafficking phenomenon toward further growth and increases the scale of trafficking.

Interplay of demand and supply sides

Demand must be socially constructed in the sense that people think they want or need a given product or service.[4] Such demand prompts a process of production and delivery of those goods and services, which in turn require a workforce. Triggered by such dynamics within a given country or sector, trafficking takes place within the context of ill-informed and ill-prepared migration of people from poor zones to richer ones; for instance, from poor rural districts to rich industrial towns/cities or business centres. It works the same across borders, with movement from poorer countries to richer ones. In both situations, there seems to be an inevitable interplay between push and pull factors.

Poverty generally is identified as the key push factor. It is aggravated further by macro factors such as the impacts of globalization, unemployment, trade, migration policies and environmental and natural disasters, which set in motion the circumstances that increase people's vulnerabilities. Images from the media and stories from returning migrants create a pull effect on the already vulnerable children and women. Thus, the push and pull factors interact with each other; the question is, how much do they determine the conditions and degree of demand and supply?

Act of traffickers: Can traffickers generate demand on their own? The employer who asks for children or virgins, for example, generates demand. Traffickers, as in the agents or other conduits, may perceive a demand that they then set out to supply. They may believe that all employers are looking for the cheapest, most malleable labour, or they may think that sex establishment proprietors want virgins, and thus set out to supply it even if they have had no actual request. This then stirs the question, how much

4 Anderson and Davidson, 2003

demand is generated from specific requests and how much is the result of the leanings of a market?

Traffickers are not traffickers if there is no destination business that abuses or exploits someone who has been moved from some originating point. Indeed, someone can be a bona fide legal recruiter of labourers one moment and a trafficker the next. For trafficking of children and women to occur, there must exist in the destination countries/locations an economic context in which they can be used and exploited and a social context that allows treating human beings that way. In regard to the supply side, in the majority of cases, poverty is the most common root cause of vulnerability. However, it is not just poverty that drives children and young women into the hands of traffickers. It is the hidden interaction of demand and supply, desire and aspiration for a better life that also makes them vulnerable to traffickers. For this reason, to combat trafficking it is necessary to address the root causes on both the supply and demand side. This includes stepping up crackdowns on traffickers.

Cultural, social and economic factors that shape the demand side

Increasing numbers of children and women look to migrate from one Asian country to another or to migrate outside Asia. This is attributed to social, cultural, economic, developmental factors and conditions of labour and migration. Poverty, lack of employment and sustainable income, some cultural practices such as discriminatory behaviour (gender discrimination, lack of autonomy), lack of education and basic services such as health care, abuse and violence in the home or the need for children to contribute to the family income from an early age drive young people and women to leave home. The vulnerability of children and women is further aggravated by the impact of adult unemployment, loss of employment and job opportunities through economic restructuring, spread of modernization and new technologies, greater access to transport, media and expansion of trade and commerce. Added to them are government development policies, restrictions on migration and external migration policies, which exclude unskilled women from legal migration. These factors foster conditions that increase the vulnerability of women and children on one hand and shape the demand for their trafficking on the other.

Moreover, certain social and cultural contexts in some Asian countries also tolerate children in commercial sex and approve of child domestic labour, thereby “supporting” the demand for and nurturing the use of trafficked victims.

The demand, and sometimes the perceived demand – from employers' interest in maximizing profits by engaging cheap labour to those seeking a servant, a wife, a son or a daughter or sex with a child – remains the primary motivation for human traffickers. A lack of respect for human rights, or particularly children's rights, and an environment that does not protect those rights – through corruption and inadequate implementation of laws and policies – enable traffickers to move people into exploitative situations.

Inadequacy of legal provisions and actions encouraging the traffickers

Some researchers argue that the State contributes passively to sustaining the demand for victims. Inadequate legal measures and lack of enforcement of existing legal measures allow traffickers to victimize unabatedly.

The lack of specific, appropriate and effective legislation on trafficking at the national level has been identified as one of the major impediments in the fight against trafficking. Existing legislation and law enforcement in most countries have been inadequate to deter trafficking and bring traffickers to justice.

Even in the rare cases when traffickers were prosecuted, they have typically received light punishment due to the relatively limited scope of laws. Too often, obvious crimes of trafficking have been ignored by law enforcement authorities and bypassed by corrupt police officials, border guards, labour inspectors and the judiciary. Thus, the traffickers and their collaborators have less reason for fear and are essentially encouraged in their activities.

1.4 Exploitation of victims at the points of destination

The trafficking process in theory begins at the point of deceiving or coercing someone to move to a destination where they will be exploited. In practice, some people may be legitimately moved to a destination where they are then exploited and thus they become trafficking victims at the destination point. In the situation of children (younger than 18), anyone in a situation of exploitation, which includes the commercial sex industry, is considered a victim of a trafficking crime – even if they voluntarily put themselves there. Victims often are obliged to repay heavy debts, transportation fees and other miscellaneous charges and expenses incurred in the trafficking process.

Victims often find themselves in servitude, especially in prostitution, domestic service or sweatshops. Trafficking victims are often subjected to mental and physical torture and abuse to keep them in servitude, including beatings, rape, starvation, forced drug use, physical restraint, confinement and seclusion.

Sexual exploitation includes the sale of children into the sex industry; sexual abuse by an employer or fellow workers in a non-sex labour situation; and payment in cash or kind for sex from tourists, or even development workers, who may be part of a large, though loose, network of paedophiles.[5] A 2001 report[6] describes a situation in which girls trafficked for sexual exploitation were provided with a small quantity of food and a small amount of their earnings as pocket money. The mean number of hours engaged in prostitution per day was 13. Clients used condoms sometimes, rarely or not at all, putting the girls at high risk of contracting HIV, other sexually transmitted infections and becoming pregnant. Sometimes, they were sold form one brothel to another.

A United Nations Development Programme study[7] concluded that at the points of destination, trafficked children and women were likely to:

- Suffer from a multitude of physical and psychological health problems;
- Suffer from reproductive and other gender-specific health problems, as they do not have access to reproductive health care;
- Endure frequent rapes, forced abortions and contraceptive use; and
- Suffer increased risk of sexually transmitted infections, including HIV.

The ways children are exploited vary according to age, sex and region; and different cultural situations produce different types of exploitation. A Terre des Hommes report[8] chronicles the exploitation – notably commercial sex exploitation (prostitution and pornography), marriage (forced and fake marriage), domestic servant, adoption, bonded labour, begging, other illicit activities (such

5 Baker, 2001
6 Kumar, et al., 2001
7 UNDP, (http://www.youandaids.org/Themes/Trafficking.asp)
8 Dottridge, M. 2004

as burglary, pickpocketing) and hazardous work that endangers health or life.

The increasing labour opportunities and the expanding sex, entertainment and pornography industries, gambling establishments, dancing bars and nightclubs in some countries have both encouraged the growth of migration and the exploitation of migrants.

1.5 Migration and trafficking

Movement or geographic mobility of persons in search of a better livelihood and security is a natural process and a fundamental right. The factors that create the need or desire within people to migrate are different than the factors that create their vulnerability to being exploited by a trafficker during migration. Vulnerability is more directly linked to being ill-informed about the risks of migration and the potential for trafficking, having little or no education, little or no skill, little self-esteem and little "street smarts"; of course, poverty is linked to these factors. In the recent movement toward increased protection of exploited and potentially exploited people, there is concern among such international anti-trafficking networks as the Global Alliance Against Trafficking in Women (GAATW) and the Coalition Against Trafficking in Women (CATW) regarding the need to prevent/eliminate abuse of human rights during migration and at the workplace without hindering migration.

A sticky problem persists in that voluntary, safe migration can quickly become a trafficking case at the destination point. Even when migrants are aware of the difficult work they will be required to do, they become victims of trafficking if they are subjected to confinement, coercion or otherwise deprived of their right to choose options or of freedom to leave. In another situation, a person may willingly migrate for employment but may be trafficked from the initial employment site (restaurant or garment factory) into other unacceptable work, such as commercial sex exploitation.

Another link involves policy. When migration is made difficult or impossible by regulations, trafficking tends to increase and/or go further underground. The consequence of this is that the trafficked persons' status as irregular migrant often becomes a very effective tool in the hands of traffickers, leaving them vulnerable to further exploitation. Immigration controls tend to reinforce migrants' dependency on employers or third parties, which creates opportunities for unchecked human rights abuse. International labour standards often are bypassed or overlooked by employers engaging irregular migrant workers.

Immigration control may be driven by politics or influenced by economic considerations. Migrant worker rights organizations' concerns differ from that of law enforcement and immigration authorities attempting to enforce government policies. This added element of complexity can present difficulties in protecting migrants, both legal and irregular, from abuses. Measures to prevent the illegal movement of people may undermine efforts to address the factors that influence employers and others to engage migrant workers in exploitative and slave-like practices.

Gender adds another layer of complexity to these issues. Domestic workers, the majority of whom are female, constitute a large portion of today's migrant worker population. This has become a part of the feminizing of international labour. However this is not reflected in official statistics or national labour legislation. Also, external migration policies tend to exclude unskilled women from legal migration. Thus they are forced to seek alternative livelihoods through illegal means. A person may be willing to migrate for employment but may be trafficked in the process to reach the employment site.

Some of the forces driving people to migrate are poverty; famine; natural disasters and environmental degradation; wars and repression. Other factors include population pressure on scarce natural resources; wage or income inequality between the poor and rich countries; growing urbanization; increasing interaction among societies; civil war and absence of human rights. Most importantly, the increasing differences between countries and the lack of gainful employment, decent work, human security and individual freedoms are important reasons for international migration, which plays an important role in today's global economy.

Concern over the link between trafficking and forced labour have pervaded the global conscience. The ILO defines forced labour as all work or service that is exacted from any person "under the menace of any penalty and for which the said person has not offered himself voluntarily".[9] This definition includes two basic elements: i) work or service exacted by menace of penalty and undertaken involuntarily and ii) violation of human rights and restriction on human freedom, slavery, slavery-like practices, debt bondage and servitude. The ILO estimates there are 12.3 million victims of forced labour worldwide. The estimated minimum number of persons in forced labour at a given time as a result of trafficking is 2.45 million. About 20 per cent of all forced labour and about one quarter of forced labour exacted by private agents is an outcome of trafficking. In industrialized countries, transition countries and the Middle East and North Africa region, however, trafficking accounts for 75 per cent of the forced labour."[10]

1.6 Importance of a demand-side study

The demand side of trafficking includes different phenomena: i) employer demand for cheap and exploitable labour and ii) consumer demand for goods or services produced/provided by a trafficked person (though this does not mean the consumers specifically wants a trafficked person), iii) some of the third parties involved in the process and iv) economic, political, cultural, legal, social and institutional factors.

The latter point is particular important as it address the whole context that enables exploitation. The labour/services of trafficking victims are exploited and consumed, and demand for such labour and services is encouraged where there is no protection for them by the State and where they are unable to protect themselves. Trafficking victims are also exploited when conditions between market and non-market relations are not clearly defined, such as domestic work, which is not fully considered to be "economic work" or work subject to labour laws because it takes place in private households. Some exploiters of child labourers most likely do not consider children to be "employees' or themselves as "employers".

There is a lack of consensus regarding the nature of exploitation within different sectors. Should the State come forward and intervene, should it monitor, regulate or control the social and economic life of a society? To understand how much intervention and where the State should assert authority, there is need for understanding all the dimensions of trafficking on the demand side. This includes looking at demand plus the environment that creates or influences demand: the economic, cultural, social, legal and policy factors affecting employers, consumers and third parties[11] and the numerous dynamics

9 ILO, 2005, p. 5
10 ibid.
11 Pearson, 2005

at the national, regional and international levels and interest groups that favour or sustain the phenomenon.

The UN Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons from 2000 encourages States "to discourage the demand that fosters all forms of exploitation of persons".[12] The mandate of ILO covers forced labour and exploitation, human rights and social justice and the world of work. This includes helping to protect people from abuse and thus the ILO is looking to reduce demand for exploitative labour. Reducing demand in trafficking is to look at why the demand is met by trafficked or otherwise enslaved children and women.

Another ILO study providing guidelines for demand-side research in Thailand argues that "Addressing the demand side illustrates the need to question the social acceptance and tolerance of this kind of discrimination and exploitation. An essential part of fighting trafficking and exploitation is changing public attitudes toward migrant workers."[13]

Empirical studies are needed to develop appropriate interventions. The studies are needed to answer a multitude of questions, such as: How do the demand-side, or destination, factors create situations that exploit and abuse workers? If the aim is to stop such abuse from occurring, then what kind of interventions involving employers, third parties and workers might manipulate such pressure?

National and international NGOs, the United Nations and other agencies including ILO–IPEC have conducted a number of studies and rapid assessments in this region during the past few years. These studies give a reasonably good understanding of the supply side of trafficking and the process of in-country and cross-border trafficking. There remains a huge gap in the understanding of the human trafficking process that the current demand-side research has set about resolving.

12 The Protocol does not define what it means by "demand".

13 ibid

Overview of the Human Trafficking Situation in Asia

2. Overview of the Human Trafficking Situation in Asia

2.1 Introduction

One of the most commonly held beliefs on this issue is that trafficking is usually for the purpose of prostitution. But there is much evidence that more persons are trafficked for labour exploitation. Concerned agencies and governments in both the developed and developing countries now recognize the trafficking of children for exploitation in domestic work, manufacturing enterprises, commercial sex, agriculture, armed conflict and other "worst forms" of child labour as gross human rights violations. According to a recent ILO estimate, 2.45 million people globally are exploited in labour as a result of trafficking. Of these, 1.36 million (55 per cent) are in the Asia and Pacific region and 40 to 50 per cent are children.[14] In the Asia region, the factors that trigger children's vulnerability to being trafficked differ between countries, areas, sectors, ethnic groups, families and individuals. In general, however, poverty coupled with extreme disparities of wealth, lack of education and/or local employment opportunities largely lead to young people's increased vulnerability and set a fertile ground for the perpetrators of trafficking.

On the demand side, employers' interest in maximizing profits by engaging cheap labour remains the primary motivation for human traffickers. The proximity of more affluent and cheap labour-searching markets in main destination countries is a significant factor in labour migration, which includes a large portion of children whose vulnerability increases once they leave familiar territory, especially among those who cross borders irregularly.

Many victims of trafficking start out as voluntary migrants or labourers but end up trapped after being misled, deceived or coerced by strangers, fellow villagers or even family members. As traffickers "fish in the stream of migration", children are then exploited at their destination. Though there appears to be no fixed routes and traffickers seem to constantly shift operations to avoid detection, trafficking seems to follow common migration and general travelling routes. Typically, trafficking is not a mechanical process of transport from one place to another but occurs through multiple steps, routes and modes of transportation. Children are trafficked within each country, across national borders (such as from Bangladesh and Nepal to Pakistan and India), within the region (from South Asia to South-East Asia) and to other regions (such as the Middle East).

14 ILO, 2005

2.2 South-east Asia

Trafficking of children and women takes place in and out of many South-East Asian countries, particularly Cambodia, China (Yunnan province), Indonesia, the Lao People's Democratic Republic, Myanmar, the Philippines, Thailand and Viet Nam. There are reports of women and girls trafficked into Hong Kong and Malaysia as well. According to an ILO estimate, there are about 1.8 million Filipino workers of irregular status around the world, including trafficked victims. Japan is the major destination country in North-East Asia for both migrants and trafficked victims; According to an estimate of the Bureau of the Ministry of Justice of Japan, about 232,000 foreigners were staying illegally in Japan in 2001.

The growing market economies in Cambodia, the Lao People's Democratic Republic and Viet Nam, which have shifted from centrally planned economies, are experiencing rapid growth of sex tourism and trafficking of children into prostitution. Thailand, now well-known for its sex industry, creates a demand for sex workers, a large proportion of which consists of trafficked women and children mostly from neighbouring countries. Thailand serves as a recipient, sender and transit country for victims of trafficking. Many trafficked victims also have been forced into other forms of labour such as construction, plantations and fishery work.[15] Women and girls are also trafficked from South-East Asia into brothels of Western Europe and North America.[16]

Armed conflict and forced abductions of children have been documented in Indonesia (though there has been a recent ceasefire in one major source of conflict) and Myanmar.

In a 2000 report, the International Organization for Migration (IOM)[17] referred to 200,000–225,000 women and children annually trafficked from South-East Asia and estimated it represented nearly one-third of the global trafficking trade. A variety of reports contend that most trafficking occurs within South-East Asia, with a minority of victims trafficked to other parts of the world.

2.3 South Asia

All South Asian countries experience both internal and cross-border trafficking. In the context of cross-border trafficking, they are senders and/or receivers. The largest receiver is India, and one of the largest senders is Nepal. According to a GAATW and UN ESCAP estimate, 300,000 Bangladeshi women have been trafficked to India and 200,000 to Pakistan; more than 200,000 Nepalese sex workers are working in India, of whom one-fifth are younger than 16. Many of the girls are barely 9 and 10 years old. Many Nepali girls also go to Hong Kong.[18]

According to an UNICEF UK report from 2003, around five thousand to seven thousand girls are trafficked every year from Nepal to India mainly for sex work, as well as for forced marriage, domestic work, agricultural labour, construction, carpet weaving and textile weaving. Thousands of young boys, many as young as 5, have been trafficked from Bangladesh, India and Nepal to Dubai and the United Arab Emirates to work as camel jockeys.[19]

Within India, trafficking in large numbers takes place from the poorer states to the large cities, such as Kolkata, Delhi and Mumbai. The United States Department of

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15 Archavanitkul, 1998

16 Derks, A., 2000

17 ibid.

18 http://www.unicef.org/programme/cprotation/focus/trafficking/issue.html

19 ibid.

State suggests that 150,000 South Asians are trafficked every year.[20] The 2000 IOM report also noted that about 50,000 women were trafficked annually to the United States from other countries, and 60 per cent of them originated from south Asia.[21] Many young people also are forced into armed conflict in Nepal and Sri Lanka.

20 US Department of State, 2003

21 Derks, A. 2000

Objectives and Scope of this Demand-side Study

3. Objectives and Scope of this Demand-side Study

3.1 Objective

The objective of the research was to provide an in-depth understanding of the demand side of trafficking of children and women in selected sectors in certain South Asian and South-East Asian countries. Specific aspects to be looked at include:

- Some selected sectors in which conditions engage, abuse, exploit workers or cause them to suffer;
- The practices of employers who engage children and women;
- The desires and behaviours of consumers of the labour and services that reflect exploitation, including commercial sexual exploitation of children;
- The involvement of third parties in the trafficking process;
- Socioeconomic, development, labour and migration issues that influence or shape the demand side of trafficking; and
- The overall state and regional policies, legal and socio-cultural contexts that allow or nurture the use of vulnerable groups.

The research covered five of the TISCA Phase–II project countries: Bangladesh, Indonesia, Pakistan, Nepal and Sri Lanka. Although Thailand is a TICSA-II participating country, it was not included in this research because another ILO demand-side study is ongoing there. Individual studies were conducted in each of the five countries, with ensuing reports; the research team leader synthesized those five country study reports into this "regional" report.

The scope of each national study included identifying the destinations and sectors and the national situations in which trafficking takes place and the dynamics of demand factors, including the behaviour of those who demand the services of trafficked persons. The research also looked at country-specific vulnerabilities of children and women, the actors involved in facilitating trafficking, migration involved in trafficking, and the conditions that the victims face at the destination points, especially exploitation.

3.2 Scope and methodology of the research

A national consultation meeting in each participating country took place to make preliminary selection of possible sectors considered appropriate for investigation into the demand side. Following that, a regional research working group meeting was organized by TISCA in Bangkok to discuss the appropriate methods of study and to finalize the selection of sectors for each country, which covered the following:

Country	Sectors (groups covered in investigation)
Bangladesh	Commercial sex sector Domestic labour Organized begging
Indonesia	Commercial sex sector Domestic labour Organized begging
Nepal	Commercial sex sector Domestic labour Children in armed conflict
Pakistan	Commercial sex sector Organized begging
Sri Lanka	Commercial sex sector Domestic labour Organized begging Children in armed conflict Children in fireworks production

These sectors were decided upon mostly because nothing was known about the demand side and/or the supply side.

Methodology

As a regional study, there was a need for uniformity among the participating countries. The nature of data needed for the country study and the appropriate sources of data and informants were considered in deciding the methods. Both quantitative and qualitative data were deemed appropriate. Thus the study used the following methods to collect information in each country:

1. Consultation and review of existing documents and reports;
2. Survey of concerned groups, such as children and women engaged in the sectors already identified, clients of sex workers, employers and agents;
3. Case studies of victims; and
4. Focus group discussions or discussions with key informants in the community.

The research was conducted in 2005 by a number of NGOs, independent research institutions and universities.

Data-collecting instruments

For each sector two formal instruments were used in the study; i) Structured interview schedule (questionnaire) for the survey and ii) guidelines for conducting focus group discussions. The interview schedule contained mostly structured questions, some open-ended and a few others that the national research teams could decide as their option to suit their country situation/peculiarities. The national research teams gave input in the preparation of interview schedules. The regional team leader and the TICSA team (Bangkok) together reviewed the interview schedules. These schedules, relevant to informant groups in the selected sectors, were forwarded to the national research teams for field testing; the schedules then were refined and sent to the national research teams to begin.

Samples for interview

From the five countries that participated in this study the following types and numbers of sample interviewed from different sectors.

Details of sample covered by countries, sectors, countries, and sex

Sector	Bangladesh*	Indonesia	Nepal	Pakistan	Sri-Lanka
Commercial sex industry					
Boys	61	–	35	68	19
Girls	82	18	80	72	23
Women	88	162	80	70	75
Total	231	180	195	210	117
Clients	208	179	210	205	180
Employer					
Male	44	30	44	Not reported	40
Female	31	27	26	Not reported	10
Total	75	57	70	23	50
Sector total	514	416	475	438	347
Domestic labour					
Boys	82	–	69		50
Girls	46	61	72		55
Women	60	112	67		80
Total	188	173	208		185
Employer	168	127	120		120
Sector total	356	300	328		305
Organized begging					
Children	130	112		130	210
Women	70	55		68	–
Total	200	167		198	210
B. Master	07	48		23	15
Sector total	204	215		221	225
Child soldiers					
Children			24		Report based on literature review and a few interviews with former child soldiers, military officers and other informants
Adults			36		
Sector total			60		
Fireworks production					
Children					31
Employers					22
Sector total					53

* Bangladesh figures represent quantitative samples. There are other samples of what has been called qualitative samples for children, men and women in each sectors, but they are not included in the figures given here

3.3 The synthesis report

This regional synthesis report is based on the findings of the national reports of the five participating countries. It covers five sectors: the commercial sex industry (for children and women), domestic labour, organized begging, fireworks production (applicable to Sri Lanka only) and children in armed conflict (applicable to Nepal and Sri Lanka only).

What the synthesis report presents

The national reports present data by referring to the sample subgroups in each sector, giving some indication of sub-sample features. The synthesis report thus focuses on the total group in each sector. The quantitative data analysis (statistical tables) do not reflect the sub-samples in a given category. Sub-samples in the countries are of widely varying size, in some countries sub-samples are too small in certain sectors and would have made the analysis too complicated.

Technically, it would not work to present all sub-sample statistics for the five countries in a table. To put the country situation into focus, some tables were created to accommodate the figures for the total sample in a given sector for any particular variable, to make it easily understandable by the reader. The regional report uses some key indicators with the focus on the demand side aspects.

3.4 Limitations of the study

Strictly speaking, the study does not cover the whole South and South-East Asian subregions, as it covers only five countries. For the purposes of this study, the two subregions are lumped together due to their common characteristics as pertains to human trafficking.

The scope of the study covering three to five sectors and having a number of strata in any country sample for each sector gives a complex sampling design. But no proper sampling theory was used to design the sampling; thus it does not allow sufficient scope for satisfactory statistical analysis to have conclusive findings in terms of comparison between countries or between strata in a sector in a given country. In such a situation, the findings presented here are to be considered indicative; in that sense, they add some value in an otherwise situation of scarce information on the demand side of human trafficking. The complexity of the sampling design from a theoretical point of view may be regarded as unavoidable because of the need to cover several sectors in one study and the need for having several groups (strata) to cover in each sector, considering the relevance of these strata in the concerned population. In addition, the population in any sector was never known to have theoretically appropriate sampling. Of course, the research was not intended to estimate any population parameter.

The researchers experienced difficulty during the practical sampling in different countries because of difficulty in accessing the informant groups. Deviation (in some countries, major deviations) from the original sampling plan imposed a limitation with respect to making reliable statements from a statistical point of view.

The sampling plan was not based on a clear sampling theory, which would enable generalization about the population; nor were the sample sizes in strata (sub-samples) based on application of appropriate principles of stratification, that is, their proportions in the total population representing categories of respondents. In fact, the population in any category was absolutely unknown. This was a basic limitation; the samples were purposive because of the practical situation (availability and willingness to become respondents in the study). Faced with these challenges, the goal became to include some minimum number of respondents in a stratum to give a

basis for statistical analysis. To that extent, the sample size given could allow related descriptive statistics and, at best, some comparison between strata.

In the practical sampling during field investigation, some of the sample categories (agents recruiting domestic workers) did not have the minimum number required for application of any statistical measure. Moreover, sampling countries deviated from the given sampling plan. This is understandable in view of the realities in a country situation. This experience should be useful in planning future studies on the issue.

Use of any statistical test was not appropriate to find any significant difference between groups, as the basic conditions of statistical test (for instance, randomization of samples) were not fulfilled.

Commercial Sex Sector

4. Commercial Sex Sector

4.1 Introduction

The findings presented here indicate clients demand for sexual services cannot in general be understood as what causes trafficking into the sex sector. There were a significant group of clients who had preferences for children and virgins thereby directly fuelling the demand for trafficked children. However, the majority of clients did not specifically demand sexual services from trafficked women or children and cases of trafficking mainly seems to be a result of employers and third parties interest in controlling and exploiting women and children in the commercial sector combined with the informal unregulated characteristics of the sector which enables exploitation.

The research data were analysed to understand the nature of the clients who seek out services of commercial sex workers, the kinds of services they look for and to see the influence of age, virginity and educational background of the sex workers. It also looked at the nature and manifestation of demand at the employers' level, the recruitment process and the role of third parties in this process.

4.2 Clients' demand

The clients interviewed for this study in the five countries sought the services of sex workers in a brothel, from the street or in a private home.

Age

While there were differential preferences in terms of age of a sex worker, the majority of the respondents preferred someone who was at least 18 or older (Table 4.1). However, many clients stated they also preferred someone as young as 15. Variation between countries is noted, with the highest preference in Sri Lanka and Pakistan for someone 25 to 34 years old; in Bangladesh, Indonesia and Nepal, the highest preference was for someone 18 to 24 years old. This analysis indicates that the demand for very young sex workers (younger than 15) was highest in Bangladesh.

In a modal analysis, two age groups most preferred by the clients appeared in each country. Like the differential analysis, more of the respondents preferred someone older than 18. This modal grouping shows that the demand for young children is highest in Nepal, with the first modal age group being15 to 17 years old (67 per cent). In Bangladesh, the demand for similar young children (15 to 17 years) falls in the second modal age group, whereas its first modal age group involves women between 18 and 24. However, if the preference for girls younger than 15 years is taken into account, Bangladesh has the highest demand. In Pakistan and Sri Lanka, the first modal age group of preference involves women aged between 25 and 34. Similar to the preference in Bangladesh, the first modal age for Indonesia involves women aged between 18 and 24. In Indonesia and Pakistan no preference was reported for girls younger than 15.

Commercial sexual exploitation of children is one of the worst forms of child labour, even if not under forced conditions. The findings of this study suggest that the preference for children is widespread in Bangladesh and Nepal. Although the preference for children younger than 15 was relatively low in Pakistan, among those interested, the demand for boys was higher for those of a younger age (12 to 14 years) while the demand for girls was for those slightly older (15 to 17 years).

Virginity

One of the significant findings of this study was that a significant percentage of clients prefer virgins. Among the clients such preference was found among 55 per cent in Nepal, 42 per cent in Bangladesh, 23 per cent in Pakistan and 8 per cent in Indonesia. In a set of multiple responses with regard to virginity, the majority of clients in Bangladesh (51 per cent), Indonesia (82 per cent), Pakistan (77 per cent) and Sri Lanka, (91 per cent), expressed no preference, but at the same time they also expressed their preferences for virgin sex workers, if available. This points out that a significant number of persons in Asia seek out options that are not legally and morally acceptable and cause social problems and contributes to the shaping of demand for younger sex workers. The preference for virginity seems to be partly motivated by fears of sexually transmitted infections, including HIV.

Table 4.1: Clients' preference for sex workers, by age

Clients' preferred age* of a sex worker	Bangladesh(n=208) %	Indonesia(n=179) %	Nepal(n=210) %	Pakistan(n=205) %	Sri Lanka(n=180) %
<10	2.9		0.5	–	0.6
10–14	11.5		1.4	–	0.6
15–17	57.5	9.5	66.7	10.24	12.2
18–24	66.3	90.5	57.1	17.07	78.3
25–34	19.7	35.2	7.1	65.85	83.3
35–44	3.8	2.2	2.4	6.83	22.8
No preference	1.4		1.0	–	1.1

*multiple responses allowed

Table 4.2: Preference for virginity, by clients

Status	Bangladesh(n=208) %	Indonesia(n=179) %	Nepal(n=210) %	Pakistan(n=205) %	Sri Lanka(n=180) %
Virgin	42.3	7.8	55.2	22.93	2.2
No virgin	6.7	12.3	44.3	--	2.8
No preference	51.0	81.6	0.5	77.07	90.6
Cannot say	–	–	–	–	4.4
Total	100	100	100	100	100

Table 4.3: Physical appearance of sex workers preferred by clients, according to clients

Country	"Very beautiful" %	"Beautiful" %	"Normal" %	No preference %
Bangladesh	28.8	39.9	17.3	13.9
Indonesia	–	54	–	–
Nepal	29.5	58.1	11.4	1
Pakistan	62	32.19	6.82	–
Sir Lanka	18.8	46.2	27.4	33.3

*multiple responses allowed

Price

Clients generally prefer to have sexual services at a moderate or low price. Such preferences in terms of price are likely to influence the employers to find sex workers who can be exploited and this may trigger a need for trafficked sex workers. But there are clients (as in Bangladesh and Nepal) who prefer sex workers at a higher price. Only boys are demanded solely at a lower price. In Indonesia, clients expect to pay a lower price for young girls compared to women, while higher prices were paid for girls in Nepal.

Beauty

The concept of "beauty" is somewhat subjective and this study did not set any standard criteria for this variable – it was left to the subjective perception of the clients. However, the findings of this study clearly reveal that "beauty" of the sex workers is an important factor in the minds of many clients. Most of the clients in Bangladesh, Nepal and Pakistan and Sri Lanka prefer "beautiful" or "very beautiful" sex workers (Table 4.3). The percentage of clients who prefer "very beautiful' or "beautiful" sex workers is the highest (94 per cent) in Pakistan. Most of the clients in Nepal, Bangladesh and Sri Lanka (88 per cent, 69 per cent and 65 per cent, respectively) prefer "beautiful" or "very beautiful" sex workers. In Indonesia, a simple majority (54 per cent) of clients prefer "beautiful" sex workers. There are some clients (14 per cent) in Bangladesh and Sri Lanka (33 per cent) who expressed "no preference".

Such preference among most of the clients is likely to influence the employers' preference for "beautiful" sex workers and thus triggers demand for certain types of females.

Education of sex worker

Push-factor analysis commonly finds the lack of education and skills among the key motivators for women and children accepting the conditions of commercial sex work. The researchers for this demand-side study looked at whether the level of a sex worker's education influenced clients' demand in any way. As well, they considered whether the literacy/education status of the population in general in a country might be a social or cultural factor also affecting demand.

- In Bangladesh, where the literacy rate is low, only 18 per cent of the clients stated their preference for illiterate sex workers, while 34 per cent stated no preference for the education level. The remaining Bangladeshi clients said they looked for someone with a primary or secondary or even higher education.
- In Indonesia, where the literacy rate is high, 84 per cent of the clients gave no education preference and only 16 per cent stated a preference for senior secondary education.
- In Sri Lanka, which also has a high literacy rate among its population, more than three-fourths of the clients said they preferred sex workers to have a

primary or secondary education.

- In Nepal, which has a low literacy rate, only 27 per cent of the clients reported no preference for any educational level, while 71 per cent expressed a preference for primary or secondary education among sex workers.
- In Pakistan, which also has a low literacy rate overall, only 12 per cent of the clients preferred someone with a primary education; 50 per cent preferred a secondary level and 26 per cent preferred even higher education.

On the whole, a majority of clients (except in Indonesia) preferred a sex worker who has a primary or secondary education. This indicates that a more literate society does not mean higher demand for more literate sex workers.

Motivation to seek out commercial sex workers

According to a 1998 study[22] on the economic and social bases of prostitution in South-East Asia, the sex sector seems to grow in parallel with economic development and modernization, with wealth giving rise to the penchant for sex as entertainment. Paradoxically, that same rise in economic development creates larger groups of marginalized people who do not benefit from the economic expansion and thus seek to improve their standard of living through migration. This is especially true when they think other options are not available to them. This includes many men who end up on their own and eventually looking for some type of companionship. Government policy to promote tourism expands the opportunity for more clients, both to sex workers and business owners. People displaced from jobs due to changes in technology also find the sex industry provides opportunity for them to survive.

Different types of entertainment or sex establishments provide different types of services (other factors such as moral society values and even government crackdowns on prostitution may also influence their growth, such as karaoke venues which do not seem like places for sex services though in many countries they have overtaken brothels in popularity). Sex business operators provide for the demand through massage parlours, nightclubs (ranging in ambiance from grungy to posh), bars, discos, karaoke venues, brothels and even private apartments/homes. Most countries may have social, moral or religious restrictions on out-of-marriage sexual relations, but obviously the clients disregard them.

Consistently throughout the five country studies, clients reported that they had no other option to release their sexual urge; they claimed that sexual satisfaction was not available from a “partner” and/or they preferred variations in pleasure in terms of sexual satisfaction. Other situations that were mentioned with some frequency as to why they sought out a sex worker included the wife either not living with the man or no longer sexually active and peer influence.

Seeking out commercial sex workers to release a sexual urge appears to be a societal behaviour pattern, as Table 4.4 indicates. This is explained by culture-specific conditions, which means it is a generally tolerated pattern of behaviour prompted by an “instinctive desire” for sexual satisfaction.

Ultimately, it seems that consumers' desires and the growth of sex service establishments reinforce the demand side and thus encourage women and children to enter commercial sex work. The increase in the number of people looking for opportunities in their struggle for livelihood or aspiring for better conditions of living increases their vulnerability to being trafficked.

22 Lim, 1998

Table 4.4: Reasons for seeking out commercial sex workers

	Bangladesh (n=208) %	Indonesia (n=179) %	Nepa l(n=210) %	Pakistan (n=205) %	Sri Lanka (n=180) %
No other option for release of sexual desire	67.3	37.2	100		39.4
No obligation attached to sex workers except paying money	23.6	46.1	–	–	38.9
Sex satisfaction not available from normal partner	56.7	36.7	12.9	11.2	40.6
Female closeness /comfort	16.8	42.2	3.3	9.5	27.2
Variation in pleasure	57.2	32.2	29.5	–	41.7
Exciting	7.7	5.6	–	25	5
Feeling of power	4.8	8.3	2.9	–	1.1
Friend's encouragement / pleasure	9.1	11.1	7.6	–	0.6
Wife/partner not living with me	20.2	3.3	6.2	21.6	4.5
Wife or partner not sexually active	6.7	2.2	0.5	32.8	3.3
Bad relations with partner/ wife	4.3	4.4	–	–	7.8
For sexual experience (unmarried)	9.2	–	17.1	–	2.2
For entertainment and Relaxation		–	3.3	–	0.6
Others/addicted	3.8	1.7	–	–	–

Who are the clients demanding sex workers' services?

The researchers looked at client age and occupation to see if there was any correlation to demand. Data presented here refer only to responses from sex workers and does not include the ages of the clients who were interviewed in the study. From the workers' responses, the age group of clients seem to vary among the countries. Most clients in all countries tend to fall within a broad age group of 15 to 30 years (Table 4.5). In Bangladesh, about two-thirds of the clients range in age from 20 to 34. The clients in Nepal and Pakistan are mostly younger, while clients in Sri Lanka are mostly older. Similarly in Indonesia, most of the clients range from 31 to 40 years.

Table 4.5: Distribution of clients by age, according to sex workers

	Bangladesh (n=208)	Indonesia*	Nepal (n=210)	Pakistan (n=203)	Sri Lanka*
15-19	5.8%	73% of sex workers cited age of clients as 31–40 years and 55% reported age of clients as 18–30 years	34.3%	25.9%	78.6% of sex workers cited clients age as 18–30 years; 75% cited clients age as 31–40 years
20-24	16.3%		43.8%	23.9%	
25-29	27.9%		14.3%	10.7%	
30-34	23.6%		3.8%	17.6%	
35-39	14.9%		2.9%	13.2%	
40-44	7.2%		1%	7.8%	
45-49	3.8%		–	–	
Mean	30.5%		21.9%	26.6%	

*The country reports of Indonesia and Sri Lanka provided information based on sex workers' statements. The total exceeds 100 per cent because of the classification of sex workers' statements in multiple categories.

Table 4.6: Clients' occupation, according to male and female sex workers

Others/addicted	Bangladesh (n=231) %	Indonesia (n=174) %	Nepal (n=195) %	Pakistan (n=210) %	Sri Lanka (n=17) %
Businessman	61.9	44.8	65.6	13.3	44.4
Driver	45.9	25.9	54.4	24.3	47.9
Police	22.9	10.9	50.8	14.3	57.3
Government employee/ public servant	41.1	16.1	44.6	7.6	43.6
Student	42.4	20.1	37.4	7.1	3.4
Rickshaw puller	31.6	–	10.3	18.6	53
Military personnel	3.5	17.8	34.9	10.5	64.1
Private employee	–	17.8	–		13.7
Day labourer	3.5	39.1	25.6		23.9
Miscreant	23.4	23.3	7.7		6
Street hawker	7.4	1.1	7.7		--
Sailor	7.8	13.8	–		9.4
Farmers/agriculture labourer	–	–	4.7		8.6
Construction worker	–	–	–		15.4
Tourist	–	–	–		29.9
Don't know	6.5	15.5	0.5		6
Others (politician)	7.4	2.2	7.2	4.3	9.4

Certain types of occupations of the clients appeared in all five countries, such as businessmen, drivers/truck drivers, industrial workers, rickshaw pullers, students and wage labourers. Military and police personnel, sailors and tourists were country-specific clients, as in Indonesia, Nepal and Sri Lanka (Table 4.6).

Table 4.7: Type of sexual activity clients demand, according to sex workers*

Activity	Bangladesh (n=231) %	Indonesia (n=180) %	Nepal (n=195) %	Pakistan (n=210) %	Sri Lanka (n=217) %
Vaginal sex	66.7	97.8	75.9	81.8	92.3
Anal sex	64.9	10	62.6	34.9	18.8
Massage/hand relief	33.8	43.9	49.2	16.3	45.3
Sex games/party	16.5	2.2	17.4	6.2	23.9
Oral sex	49.8	54.4	71.8	31.1	52.1
Group sex	2.6	--	2.1	18.2	16.1
Intimate encounter					
(Pleasant meeting)	21.2	8.11	44.1	0.9	45.2

* Multiple responses allowed

Note: (1) Boys in particular reported higher frequency (88.5%) of anal sex, massage (70.5%) and oral sex (65.6%).

(2) In Nepal, 100% of boy respondents reported anal sex, 82.9% oral sex, 62% massage, 20% sex games and 14.3% intimate encounters.

Table 4.8: What the clients do when they do not find a sex worker of their choice

Responses	Bangladesh (n=208) %	Indonesia (n=180) %	Nepal (n=210) %	Pakistan (n=116) %	Sri Lanka (n=180) %
Accept anyone available	26.4	51.7	12	73.3	43.9
Request/insist on getting preferred choice	6.3	7.8	35	26.7	35.6
Don't buy sexual services	29.3	40.6	53	--	11.1
Stick to preference	38	--	--	--	--

Types of sexual services clients demand

As reported by the sex workers (Table 4.7), the dominant type of sex sought from sex workers in all countries is vaginal sex. This is followed by anal sex, oral sex, massage and hand relief, with some variation among countries. Intimate (pleasant) encounters and sex games were noted more frequently in Nepal and Sri Lanka. Group sex was noted to some extent in Pakistan and Sri Lanka.

The findings suggest that although vaginal sex is the more preferred type of sex, the various other interests may explain why commercial sex workers are sought out, such as anal or oral sex, massage or hand relief, sex games or group sex. Although these practices are considered standard behaviour in some mainstream populations, some wives may regard them differently and be less inclined to practise them.

Intensity and level of clients' desire to have sex workers' service

As reported by clients in most countries, 80 to 90 per cent of them bought sexual services more than ten times in the past year. Most Indonesian clients claimed to visit a sex worker less than that in a year's time. Clients were asked how they reacted to the non-availability of a sex worker at a given time to determine the "intensity" of their demand. The findings indicate that there is a notable variation between countries: Nearly three-fourths of the clients

Table 4.9: Places clients frequent to find a sex worker and how contact takes place, according to sex workers

How the clients make contact	Bangladesh (n=231) %	Indonesia (n=180) %	Nepal (n=195) %	Pakistan (n=210) %	Sri Lanka (n=117) %
Sex worker approaches client	90.5	48.3	71.8	22.0	63.2
Through other clients	24.7		24.1	38	10.2
Through pimp	39.8	18.9	3.1	24.3	26.5
Friend	21.2	5.0	23.1	8.6	23.07
Peer	14.7	8.3	13.3	0.4	–
Client explores	6.9	51.7	67.2	–	15.4
Employer	3.9	14.4	4.6	0.4	41.8
Mobile	3.9	–	–	6.2	–
No response	0.4	–	–	–	15.4
Beach	–	13.9	0.5	–	5.1
Place of soliciting sexual service					
Dance cabin/restaurant	4.8	19.3	27.2	0.4	1.7
Hotel/lodge/brothel	21.1	44.7	19	14.2	30.7
Massage parlour	0.9	23.5	4.1	0.4	1.7
Street	65.4	11.8	31.3	5.2	41
Train/bus terminal	31.2		6.7	8.6	54.7
Bhatti pasal(private home)	–		13.8	–	–
Home/telephone	–	1.1	12.3	–	–
Highway restaurant	–	8.4	–	2.9	8.5
Other (places like shrine/temple)	4.3	13.4	1.5		6
No response	11.3		–		6.8
Captor's house	–	7.8	–		
Not reported	–		–		60
Office	4.8		–		
Park/garden/cinema all	11.2		–		

*Multiple responses allowed

in Pakistan accept anyone available, whereas little more than half of the clients in Nepal said they do not buy sexual services when they do not get the type they want. In Bangladesh, a little more than a third of the clients would stick to their preference and only about one-fourth of the clients accept anyone who is available. About one-third of the client respondents in Nepal and one-fourth in Pakistan reported that they request or insist on getting workers of their choice. In Sri Lanka, 44 per cent said they accept anyone who is available, while little more than a third insists on getting someone of their choice (Table 4.8). Overall, more client respondents said they would take whatever type is available.

Type of establishments where clients solicit sex worker services

Generally across the five countries, clients go to hotels, brothels, dance cabins/restaurants, train/bus terminals or the streets to find a sex worker (Table 4.9). In Nepal in particular, clients go to private homes (bhatti pasal) or call to someone to make an arrangement. Men in Indonesia tend to go to massage parlours and pimps' or "captors'" houses. Highway restaurants and even temples provide a contact point in Sri Lanka. Places of recreation (parks, gardens and cinema halls) are contact places mentioned particularly in Bangladesh.

These findings suggest that the demand factor at the client level as well as the availability (supply condition) operate in interaction with each other in the commercial sex market.

Among the clients interviewed (with the exception of Pakistanis), more of them visited places where a sex worker approached them. In Pakistan, other clients connected someone with a sex worker. Pimps play a prominent role in all countries except Nepal. As well, friends or peers helped make contact in almost all the countries. The employers' role is especially dominant in Sri Lanka. Clients are prominently active in finding their own sex worker in Indonesia and Nepal and to some extent in Sri Lanka. Many clients found sex workers on beaches in Sri Lanka. Interestingly, clients in Bangladesh and Pakistan frequently used a mobile phone to make contact, and this practice is likely to increase in the near future.

4.3 Employers' demand

Employers constitute an important group in the commercial sex sector. Usually they are active in arranging and managing the services of sex workers. Clients and sex workers meet one another through employers who set up the venue and adopt special, often illegitimate techniques to collect workers. They often maintain relations with influential groups in politics, administration (including law-enforcing authorities) and other social and business groups who directly or indirectly patronize the sex establishment for their own interests. Older and experienced sex workers sometimes become employers or managers of sex businesses.

The researchers for this study explored the role of employers and whether the mode of recruitment is particularly linked to, or supportive of, the trafficking process.

Recruitment process

Employers in the five countries generally use personal contacts to find workers. According to the various employers interviewed (Table 4.10), it is the workers' willingness to seek employment in sex work that is the predominant manner in which they recruit. The use of agents or pimps was also frequently reported in Bangladesh, Pakistan and Sri Lanka. Former or current sex workers frequently play a role in Pakistan and Sri Lanka; also in these countries, friends introduce other girls/women to the employers. In Pakistan, more parents and relatives were reported to have taken workers to the employers than in the other countries.

Thus it seems that recruitment takes place through various channels, although most of these processes amount to trafficking. Some differences between countries may be explained by different social and economic conditions and how a business operates under historic patterns. In Bangladesh, for instance, employers take children against a loan they give to the parents/guardians and use them as sex workers. They also buy females from "fake" lovers – men who pursued someone only to then sell her to a sex establishment. Whether trafficking takes place in the situations involving current or former sex workers/ employees, agents or friends depends on the age of the would-be sex worker and if she/he endures abuse or other exploitation once employed.

Table 4.10: How employers recruit sex workers

Method of recruitment*	Bangladesh (n=75) %	Indonesia (n=57) %	Nepal (n=70) %	Pakistan (n=23) %	Sri Lanka (n=50) %
Personal contact	93.3	40.4	34.3	69.6	68
Worker comes on his/her own	66.7	82.5	67.1	60.9	60
Friends bring them	18.7	12.3	22.9	47.8	64
Relatives/parents bring them	5.3	1.8	7.1	30.4	2
Relatives/parents bring them	21.3	35.1	12.9	56.5	52
Current sex worker introduces someone	21.3	12.3	18.6	43.5	46
Former sex worker introduces someone	21.3	12.3	18.6	43.5	46
Other employee introduces someone	5.3	5.3	–	39.1	18
Agent/pimp introduces someone	36	8.8	4.3	52.2	38
Against loan to parent/ caregiver	16	–	–	–	–
Buy from lover	4	–	–	–	–
Others (go to the rural areas and bring)			2.9	–	2

*Multiple responses allowed

Employers pay third party

In incidences when employers pay someone in exchange for a would-be sex worker trafficking seems likely. In Pakistan, this practice ranked higher than in the other countries, with employers reporting they had paid for everyone they had working for them. Sri Lanka, Indonesia and Bangladesh followed this, in order of the proportion of the sex workers employers reported having paid for.

Among the third parties whom the employers paid, several types of recipient were noted (Table 4.11); the most prominent was a relative of the would-be sex worker, followed by agents and then present or former workers/ employees and friends. Many of the workers did not know at first that they would be used by the third party (such as friends, relatives, agents) who had originally promised to help them find work but did not mention it would be sex work. However, they accepted the situation because of their extreme poverty, though in the interviews for this research they reported they would have preferred other types of work. This method of recruitment (paying others for getting sex workers), as stated by employers, may seem to contradict sex workers' claims that extreme poverty made them accept this type of employment. The connection between the apparently contradictory information is that poverty forces many workers to find some way of sustenance and this situation is exploited by third parties.

The research findings do not clearly substantiate the expected

correlation between employers' preference of procured sex workers and the clients' preference for certain characteristics in sex workers. In Indonesia, for example, the clients' preference does not get much weight, although in Pakistan it does. In other countries, clients' preference received some consideration. In Bangladesh, Nepal and Sri Lanka, employers frequently noted when interviewed that it is not possible always to find what clients prefer. The findings thus suggest that the clients in general are not very rigid about their choice. It seems that employers in the five countries of the study try to consider clients' preference, but in many cases it is not always possible to provide it. Recruitment seems to consider what is needed and what is practical. In Sri Lanka, more than one-fourth of the employers explicitly stated that they recruit whoever is available (Table 4.12).

Table 4.11: Proportion of workers for whom employers paid a third party

Payment required to get the workers	Bangladesh (n=75) %	Indonesia (n=57) %	Nepal (n=70) %	Pakistan (n=23) %	Sri Lanka (n=50) %
Yes	25.3	57.1	8.6	100	70
No	74.7	32.7	91.4	0	30
Who was paid*		–			–
None/not applicable	74.7	–	91.4	–	–
Sex worker	2.7	–	1.4	26	–
Friend	8	–	4.3	30.4	16
Relative	1.3	–	–	73.8	6
Current worker	6.7	–	–	13	8
Previous worker	4	–	–	30.4	22
Employee (present/previous)	4	–	1.4	26	14
Agent	21.3	--	2.9	39	48
Previous employer/house owner of the worker	8	–	–	–	
Others (Not specified)					2

*Multiple responses allowed

Table 4.12: Recruitment of sex workers in consideration of clients' preference (according to employers)

Clients' preference	Bangladesh (n=75) %	Indonesia (n=57) %	Nepal (n=70) %	Pakistan (n=23) %	Sri Lanka (n=50) %
Always considered	20	14	25.7	73.9	38
Not always possible	61.3	15.8	41.4	21.7	38
Don't consider	16	70.2	32.9	4.4	–
Recruit according to my personal choice	2.7	–	–	–	–
Take whomever is available	–	–	–	–	22
No response	–	–	–	–	2

The intensity of the demand for sex work service and clients' preference for certain types of workers, as noted previously, has a bearing on the cost of those sex workers. Very young, attractive girls or boys or attractive women are generally more expensive for recruitment (Table 4.13). Pakistani clients reported valuing such persons most, followed by Nepal, Sri Lanka, Indonesia and then Bangladesh. Attractive adult women are also expensive in Sri Lanka and Bangladesh. The clients in Pakistan reported most preferring virgins or inexperienced sex workers; with the exception of Nepal, virgins were valued in other countries as well.

The employers interviewed reported a range of perceptions regarding the future of the sector (Table 4.14). In Bangladesh, for instance, the more frequent perception was that sex work will continue to have high-income prospects. This was followed by perceptions that demand is increasing and that it is easy to get workers. Social acceptance and the lack of it were perceived almost at equal level. In Indonesia, a similar mixture of perception was noted: The more frequent perception was that demand will not increase, whereas some employers thought that demand is increasing. Some employers thought that it is easy to get workers, although there is difficulty because of the legal and administrative restrictions.

In Nepal, the most frequently noted perception was that demand will not increase while some employers thought demand is increasing. There were frequent comments that income has a downward trend and that legal and administrative restrictions are an issue. Some said it is easy to get employees while more employers considered it difficult.

Generally, employers in Pakistan thought that demand is increasing, that it is easy to get workers and that there are high-income prospects. Many of them also recognized that the business has low social acceptance.

In Sri Lanka, the perceptions were thinly spread over optimistic and pessimistic observations on the business outlook, although there were more frequent comments that demand is increasing and that there are high-income prospects.

Table 4.13: The most expensive sex workers to recruit, according to employers

Most costly worker	Bangladesh(n=75) %	Indonesia(n=57) %	Nepal(n=70) %	Pakistan(n=23)* %	Sri Lanka(n=50)* %
Very young, attractive girls/ boys/women	44	54.5	68.6	78.3	60
Young girls/boys	16	--	15.7	--	22
Attractive adults	22.7	--	--	--	26
Sexually inexperienced	12	--	12.9	73.9	30
Sexually experienced	1.3	--	2.9	--	4
Virgin	36	45.5	10	56.5	34
Don't spend anything	2.7	--	--	--	--
Others	--	--	4.3	--	4

*Multiple responses allowed; total exceeds 100 because of the multiple responses

Table 4.14: Employers' perception about the sex sector and its future prospects*

Most costly worker	Bangladesh (n=75) %	Indonesia (n=57) %	Nepal (n=62) %	Pakistan(n=23) %	Sri Lanka (n=50) %
Demand increasing	34.7	24.6	12.9	47.8	40
Demand will not increase	16	43.9	67.7	–	12
Easy to get employees	28	7	11.3	43.5	24
Difficult to get employees	4	1.8	22.6	–	24
Legal/administrative restrictions	12	12.3	46.8	–	36
Legal/administrative conditions not a problem	14.7		3.2	39.1	6
High social acceptance	16	1.8	4.8	--	2
Low social acceptance	14.7	3.5	8.1	43.5	18
High-income prospects	42.7		4.8	47.8	26
Downward income trend	16		48.4		16
No/cannot say	20	5.3			--
The business may run out	2.7				20
Run as usual	1.3				
It's a comparative business	4				
Others			3.2		

*Multiple responses allowed

Who are involved in getting children and women into commercial sex work?

Information from employers as well as clients was used in examining this question (Table 4.15). It is widely believed that agents are an important group regarding the recruitment of sex workers and even in the control/ management of the workers. Their involvement was reported previously (Table 4.11). These agents represent a variety of groups: Among them, pimps were the most prominent, according to the surveyed employers. The next largest group common to all countries were friends, followed by relatives (except in Sri Lanka). Truck drivers and taxi drivers are a prominent group particularly in Sri Lanka and Pakistan. In these two countries as well as in Bangladesh, parents, especially where there is a stepmother or stepfather, were frequently involved in the recruitment process. Husbands were frequently mentioned in Bangladesh, Nepal and Sri Lanka. Individuals known to family members or neighbours were also mentioned as part of the recruitment process in Bangladesh, Nepal and Indonesia.

Taken together, family members, including husbands, relatives and those who associate with family members seem to play a big role in the recruiting of persons for sex work in all countries. Kidnappers and fake lovers also supply a sizable number of sex workers to employers, particularly in Bangladesh.

Information received from the clients supports the findings in Table 4.15. As Table 4.16 shows, the clients reported that, to their knowledge, agents/pimps were the most frequent group supplying sex workers against

Table 4.15: Who is most involved in the recruitment process (according to employers)*

	Bangladesh (n=75) %	Indonesia (n=57)* %	Nepal (n=70) %	Pakistan (n=23) %	Sri Lanka (n=50) %
Parental family members, especially stepmother/ stepfather	70.7	13.4	19.2	30.4	38
Husband	29.3	--	15.7	--	26
Relative	28	18.1	35.7	17.4	4
Friend	42.7	77.2	82.9	34.8	56
Neighbour/someone known to family	21.3	11.4	22.9	–	4
Dalal/pimp	58.7	48.3	74.3	47.8	84
Truck/taxi driver	6.7	–	8.6	30.4	54
Lover	12	–	–	–	2
Kidnapper (criminals)	16	–	–	–	–
Not applicable	24	–	–	–	2
No response	–	–	–	–	10
Other	–	14.1	1.4	–	–

*Multiple responses allowed

their will in all countries, followed by friends, relatives and neighbours in most countries. Family members were notable particularly in Bangladesh and Indonesia.

4.4 Sex workers' experiences

How children and women get into commercial sex work

The following looks at the critical role that demand-side factors play in pulling children and women into commercial sex work.

Voluntary or involuntary engagement in sex work: Whether or not the sex workers voluntarily or involuntarily became engaged in the sector (currently/previously) provides a preliminary clue to determining the possibility of their having been trafficked. Of course, in the case of children, even voluntary engagement should be treated as trafficking. A woman will certainly have been trafficked if she was deceived into sex work.

The research for this study indicates that nearly all the boys engaged in sex work who were interviewed had sought out the work. For girls, it varied widely; between 8 and nearly 40 per cent of them reported they ended up in sex work involuntarily, having been forced directly or indirectly. Among the women, a very small proportion (maximum 12.5 per cent in Nepal) reported that they were engaged in this work against their will. This is interesting when compared to findings in Table 4.11 that show how many people were paid for helping to provide a would-be worker. Such a transaction suggests, but does not prove, that trafficking occurred. Those who said they are not working against their will may have been trafficked

initially but at some point accepted the circumstance.

The information indicating voluntary engagement also could be interpreted as a reflection of the major influence of the supply situation. The economic aspects (extreme poverty, lack of any special skill and lack of alternative occupations) may well be what motivate the children and women to accept commercial sex work, though they may prefer something different. The condition of extreme poverty as a push, or pressure, factor corresponds to information in Table 4.10, from employers on how they get their workers, and Table 4.17, from sex workers on how/why they entered this sector.

Family problems and friendship with the wrong people (leading to rape or deception) were other pressure factors that drove respondents into this sector (Table 4.17). But pull factors at the destination also reflect demand: The prospect of better earnings or having a higher standard of living and that sex work is perceived to be easy to find were noted as motivating factors for respondents in all countries. The allure of a free lifestyle was a motivating factor for many in Bangladesh and for some in Nepal, Pakistan and Sri Lanka.

The employers' views on the reason children and women “accept” commercial sex work seems to correspond with the response pattern of the sex workers (Table 4.18). That is, the employers commonly cited extreme poverty, expectation of a better living by higher earnings, the ease of finding work, lack of alternative work opportunities and pressure from others. The poverty element driving children and women to accept work is also reflected in the employers' statement (Table 4.10) regarding the large numbers of young persons and women who come to them on their own.

However, the employers mention two other reasons: “Workers enjoy this kind of work” and “They are born to work like this”. These responses reflect a low opinion of their employees, demonstrating why managers of commercial sex venues are perceived as exploiters of powerlessness workers. These kinds of attitude also give insights into how a society allows the powerless to work under conditions of exploitation where they are deprived of basic human rights, including dignity and justice.

Table 4.16: Who supplies children and women for sex work against their will (according to clients)*

Persons involved	Bangladesh (n=208) %	Indonesia (n=180)* %	Nepal (n=210) %	Pakistan (Data not reported)	Sri Lanka (n=180) %
Family member	27.4	14.4	2.9		2.2
Relative	14	13.9	23.3		5.6
Friend	53.4	57.2	81		42.2
Neighbour	32.3	9.4	22.4		1.1
Dalal /pimp/broker	82.7	80	88.1		80
Truck/taxi driver	10.1	–	2.4		18.3
Lover	11.1	–	–		2.8
Others	10.6	2.8	–		12.8

*Multiple responses allowed

Table 4.17: Factors influencing sex workers entry into the sector (according to sex workers)*

Motivating factor	Bangladesh (n=109) %	Indonesia (n=100)** %	Nepal (n=172) %	Pakistan (n=76)** %	Sri Lanka (n=97) %
Extreme poverty	85.32	44	73.3	40.8	72.2
Better earning/ higher standard of living	64.2	49	57.6	43.4	59.8
Easy to get this job	42.2	40	51.2	13.2	44.3
Lack of alternatives	26.6		29.1	1.3	34
Free lifestyle	35.7	–	9.9	1.3	12.4
Under pressure	13.7		–	–	–
Others/cannot say	7.3	3		–	–
Family problem	–	–	–	–	12.4
Cheating/rape/bad friendship	–	–	–	–	15.3

* Multiple responses allowed ** Respondents are those who accepted sex work voluntarily

Table 4.18: Employers' views on why children and women take up commercial sex work*

Motivating factor	Bangladesh (n=75) %	Indonesia (n=57) %	Nepal (n=70) %	Pakistan (n=23) %	Sri Lanka (n=50) %
Enjoy this kind of work	23	3.5	14.3	69.6	28
Born to work like this	10.8	45.6	18.6	43.5	24
Extreme poverty	73	38.6	85.7	21.7	74
Better earning/ higher standard of living	51.4	1.8	67.1	60.9	54
Easy to get this job	64.9	8.8	31.4	73.9	64
Lack of job alternatives	37.8		50	–	44
Free lifestyle	16.2	–	8.6	21.7	8
Forced by others	18.9	–	15.7	47.8	20
Family conflict/Lack of family care and support	–	–	7.1	–	–
Maintain family	–		–	–	4
Others	12.3		8.6	–	–

* Multiple responses allowed

The information on the voluntary acceptance of sex work by adult women suggests a low incidence of trafficking. However, what is not clear is how many, or how few, of these women were informed initially that they would be engaged in sex work. Under conditions of distress and desperation to find a better opportunity, perhaps they were willing to accept an offer by someone, known or unknown, willing to help. The nature of such offers is varied in the findings. It is also possible that during the movement to a commercial sex destination establishment,

either known or unknown to the woman, there was a situation of threat, force, physical and emotional abuse or rape. At the destination point, there may be worst forms of treatment and no way to leave. After some time, the woman gets used to it and no longer considers it involuntary work. These are hypotheses for possible further examination.

The clients' knowledge of the reasons for children and women becoming sex workers against their will was typically indicated, in all countries, as the "influence or pressure of other persons", "no other option to earn" and, at a somewhat lower frequency, "brought by other people to this work". These statements reflect an attitude that "against their will" does not necessarily mean physical force or even threats. That some clients having this knowledge and continue to utilize the services of sex workers confirms the notion that they indeed create demand for trafficked persons.

Migration and trafficking

Although all migrants are not necessarily trafficked, all trafficked persons are migrants. Legal and willing migration can degenerate into trafficking during the process of movement and/or at the point of destination.

The study reveals that at least one-fourth of the sex workers interviewed had started out as migrant workers. There were more involuntary migrant workers in Pakistan and Nepal. The sex worker respondents variously said they migrated with their husband, other family members, relatives, friends, neighbours, employers, strangers or pimps. In synthesizing the responses from all countries, family members, husbands, relatives and friends/ neighbours, in that order, appeared from all countries. Pimps or agents (dalals) were particularly mentioned in Bangladesh, Sri Lanka and Indonesia. Employers were particularly noted in Bangladesh and Pakistan, while strangers were mentioned in all countries except Pakistan (Table 4.19).

Table 4.19: Persons with whom the sex workers migrated

Persons	Bangladesh (n=230) %	Indonesia (n=180) %	Nepal (n=27) %	Pakistan (n=210) %	Sri Lanka (n=117) %
Husband	4.8	1.1	11.1	5.2	4.3
Family member	4.3	2.8	14.8	6.2	–
Relative	2.2	1.7	22.2	7.6	0.9
Friend/neighbours	7.4	17.2	44.4	4.8	9.4
Employer	1.3	–	–	7.6	–
Stranger	2.2	3.9	11.1	–	5.1
Pimp/agent (dalal)	3.9	0.6	–	–	4.3
NA/don't know	73.9	72.7	–	68.6	77
Total	100	100	100	100	100

Table 4.20: Who benefits most from the sex workers' earnings, (according to the sex workers)*

Per cent most benefiting	Bangladesh (n=231) %	Indonesia (n=174) %	Nepal (n=195) %	Pakistan (n=210) %	Sri Lanka (n=117) %
Self	95.2	67	80	100	98.3
Brothel owner	15.2	13	3.6	35	32.5
Husband	5.2	–	5	–	2.6
Children	16.5	10	9.2	–	16.2
Parents	37.2	7	5.6	37	62.4
Pimps	13.4	–	1	–	29.1
Friends				20	35.9

* Multiple responses allowed

According to the sex worker respondents, the major proportion of voluntary migration took place as a means for searching for a better living. The most frequent mention came from the Indonesian respondents. A good proportion of the sex workers migrated with their families and relatives particularly in Nepal and Pakistan. No one migrated with a family in Sri Lanka, where migration under pressure was mentioned more frequently. The proportion of workers who migrated under promise of a better job in all the countries varies between 15 and 25 per cent. Some migrated under persuasion, abduction or promise of marriage, reasons particularly expressed in Bangladesh, Sri Lanka and Nepal.

Transaction of money in cases of involuntary migration: Involuntary migration, which can be a form of trafficking, is likely to involve a money transaction. In this study, the sex worker respondents who said they migrated involuntarily were asked about their awareness of any money transaction between someone at the destination point and the person who took them there. A majority of respondents in Indonesia and Pakistan (57 per cent and 67 per cent, respectively) knew of a transaction, while small proportions in Bangladesh, Nepal and Sri Lanka (10.5 per cent, 3 per cent and 15 per cent, respectively) stated that there was no exchange of money. The others were not aware or did not mention any exchange of payment.

The money transactions in these cases of involuntary migration seem clear evidence of trafficking. Those who received money included agents, lovers, husbands, friends, neighbours, employers from another job, strangers and sometimes the workers (as a deceptive allurement, possibly, to a "good job" that turned out to be sex work) with some variation among countries.

The other types of migration described as "under promise of a better job", "under pressure" and even "voluntary migration for a better living" (especially in the case of children) suggest an incidence of trafficking. Also, adults having voluntarily migrated with the assistance of an agent or friend who took them into sex work can be cases of trafficking unless they had prior knowledge that it was indeed sex work and had agreed to the destination beforehand.

Exploitation, abuse and difficult conditions of work

Who benefits the most from the sex workers' earnings?
Most of the sex worker respondents reported (Table 4.20) that they benefited the most from their earnings. The other frequently mentioned persons were parents, children and husbands. Their proportions vary among the countries: For instance, more parents benefited in Bangladesh, Pakistan and Sri Lanka; husbands make up a small proportion in Sri Lanka; and children make up a

smaller proportion in Nepal and Indonesia compared to Bangladesh and Sri Lanka.

Brothel owners/employers seem to receive greater benefit particularly in Pakistan and Sri Lanka and to a lesser extent in Bangladesh and Indonesia. This presumably would be in terms of repayment for their initial expense in procuring the workers, though it could also mean in terms of an increase in clients visiting their establishments. Pimps were particularly noted in Bangladesh and Sri Lanka, and friends particularly mentioned in Pakistan and Sri Lanka.

The findings generally suggest that the sex workers (have to) take this type of employment to support themselves and their families, parents or children. But other individuals benefit as a result of their work, either because they manage the business or because of their role in the recruitment process.

Conditions of work for children and women engaged in commercial sex

Children and women engaged in commercial sex work have become the subjects of serious investigation and discussion not only because of the criminal act of trafficking but because of the human rights violations and health hazards that many experience. The absence of legal and administrative measures or the lack of enforcement of any such measures enables the abuse, suffering and the hazards to continue.

Daily working hours of sex workers: According to these findings, a large majority of employers in all countries except Sri Lanka require their sex workers (including young children) to work seven or more hours a day. A good proportion of employers require as much as 12 or more hours (Table 4.21). These findings indicate that the large majority of employers in the studied countries act in an exploitative manner.

Number of clients a worker has to serve a day: There is a variation between countries and this study draws two modal categories per country, based on sex workers' reporting. The two modal categories better reflect the nature of concentration of responses. The first modal category in Indonesia and Nepal is of one to two clients, whereas in Bangladesh it is one to three, in Sri Lanka two to four and in Pakistan one to four. In consideration of the second modal category, Indonesia has the smaller number of clients (three to five) to serve. In Pakistan, Sri Lanka and Bangladesh, the workers have to serve a larger number of clients (five to nine or four to six). In Bangladesh and Sri Lanka, about one-third of the workers serve a relatively high number of clients per day (Table 4.22). The researchers believe that the employers' information, used only in Nepal, was an underreporting of the number of clients that a worker has to take in a day.

Work under pressure and threat: At least two-thirds of the sex worker respondents in each country (except Pakistan) reported feeling no pressure to take clients.

Table 4.21: Number of working hours of sex workers

Work hours a day	Bangladesh (n=68) %	Indonesia (n=52) %	Nepal (n=70) %	Pakistan (n=23) %	Sri Lanka (n=13) %
1 – 6 hours	31	23.1	25.8	34.8	69.3
7 – 10 hours	36.8	59.6	58.4	65.2	15.4
12 + hours	32.3	17.2	15.8	--	15.4
Total	100	100	100	100	100

Among those who said there is pressure, most of it comes from employers and pimps. The frequency of pressure varied between countries and was related to how the workers had become engaged in this sector or other social, legal or administrative conditions. In Nepal, for example, pressure from the employer was reported at a high frequency, followed by pressure from a pimp in Bangladesh and Indonesia. In Bangladesh, miscreants and police generate pressure to take them as client free of charge or to pay them money. Pressure from clients was noted in Bangladesh, Nepal and Sri Lanka. Pressure from other employees in an establishment was reported in high frequency in Indonesia, followed by Sri Lanka. Pressure from parents was remarkably high in Pakistan.

While a large majority of respondents said they did not feel pressure to take customers, this does not completely disprove the common belief that sex workers usually work under pressure/duress from employers. However, these findings are consistent with many other findings of this study, such as statements by most sex worker respondents that they voluntarily accept this work. Of course, the long working hours previously noted and the number of clients to serve in a day imposes a kind of physical pressure, which the workers may not recognize.

Do sex workers face any problem for non-compliance to a client's demand for a sexual act? A majority of sex worker respondents in Nepal, Indonesia and Sri Lanka said there is no problem. The proportion of respondents reporting a problem was highest in Bangladesh (75 per cent), followed by respondents in Pakistan (62 per cent). The problems included physical abuse, verbal abuse and complaints to the employer or pimp and even threats. Withdrawal of or reduced payment was reported in Sri Lanka and to a lesser extent in the other countries (Table 4.23).

Table 4.22: Number of clients served by sex workers in a day (according to workers/employers)*

Modal category	Bangladesh (n=231) %	Indonesia (n=134) %	Nepal (n=70) %	Pakistan (n=210) %	Sri Lanka (n=117) %
First modal	1–3 (53%)**	1–2 (63%)	1–2 (41%)	1–4 (77.6%)	2–4 (42%)
Second modal	4–6 (31%)	3–4 (34%)	3–5 (24%)	5–9 (18.5%)	5–9 (34%)

* Data for all countries, except Nepal, are from workers; data for Nepal comes from employers.

Table 4.23: Problems sex workers experienced due to non-compliance to a client's demand

Problems	Bangladesh (n=231) %	Indonesia (n=134) %	Nepal (n=195) %	Pakistan (n=210) %	Sri Lanka (n=117) %
No problem	25.1	61.9	74.4	37.6	56.3
Physical abuse	23.4	--	3.3	8.1	–
Verbal abuse	21.6	9	19.8	35.2	12.5
Threats	15.6	3.7	6.6	6.2	18.8
Withdrawal/reduced pay	29	9.7	7.4	2.9	21.9
Complaints to the employer/ pimp	4.8	4.5	0.8	10	17.2
Not reported/not applicable	32	--	--	--	3.1

Control of the sex workers: Abusive, punitive or coercive conditions may be assessed by considering the kind of control measures imposed if any worker tries to escape or resist having sex under a captive condition or when a sex worker refuses a client for any reason. Information on the first situation was taken from the sex worker respondents, and information on the second question was taken from the employers.

The most frequently used control measure in the first situation was a threat to do harm to the worker. Scolding was another reported measure common to all countries. Workers said they are frequently raped in Nepal as a control measure and less frequently in other countries. Workers reported being beaten in Nepal and Sri Lanka. A more gentle/mild approach is usually taken in Indonesia, while more tough/cruel measures are applied in Pakistan, such as locking up a non-compliant worker in a room.

When a worker refuses a client, the employers' typically responded that they accept/tolerate the situation; that is, they claimed they "do nothing". Persuading the worker is another form of action taken, which was stated less frequently than "do nothing". "Persuasion" was least frequent and use of threat was more frequent in Sri Lanka. Getting help from other workers or employees to compel the non-compliant worker is used rather frequently in Bangladesh. Bangladeshi employers sometimes scold the workers or even withdraw payment to ensure compliance.

Freedom to leave the sector: A large proportion of the sex worker respondents in each country reported that they can leave this employment if they wish (Table 4.24). The highest proportion (96 per cent) was found in Nepal, followed by Sri Lanka (87 per cent), Indonesia (84 per cent) and Bangladesh (76 per cent). The lowest proportion was in Pakistan (52 per cent). More women are free in Bangladesh, Nepal and Pakistan compared to boys and girls. In Indonesia and Sri Lanka, more girls reported having a freedom to leave. Boys in Pakistan seemed to have the least freedom to quit this job (39.7 per cent).

Of those who reported that they could leave if they wanted to, the next question was why they did not (Table 4.25). Two responses appeared to be prominent, with some variation between countries noted: i) They received better earnings or a higher standard of living from this occupation, and ii) They did not have any better economic option. Two other reasons less frequently stated were that they had already been socially stigmatized (difficult to return to the community) and that they could enjoy a free lifestyle in this sector. Overall, the economic reason as a better earning opportunity stands out. Stigmatization as a factor to keep respondents continuing with the work was more frequent in Bangladesh and Nepal than in the other countries. [Note: The percentage distribution of the responses in Pakistan may have introduced some distortion in country comparability because multiple responses were not indicated in the distribution.]

Table 4.24: Freedom to leave sex work if they wish

	Bangladesh %	Indonesia%	Nepal %	Pakistan %	Sri Lanka %
Boys	62.3 (n=61)	–	94.3 (n=35)	39.7 (n=68)	84.2 (n=19)
Girls	70.7 (n=82)	94.4 (n=18)	96.3 (n=80)	54.2 (n=72)	95.7 (n=23)
Women	89.8 (n=88)	82.7 (n=162)	97.5 (n=80)	61.4 (n=70)	85.3 (n=75)
Total	75.8 (n=231)	83.9 (n=180)	96.4 (n=195)	52 (n=210)	87 (n=117)

Health risks and protected sex behaviour

Commercial sex behaviour is a major factor responsible for spreading sexually transmitted infections, including HIV, both within a country and across borders due to the increase of tourism and geographic mobility of people. The more the commercial sex business expands, as is the current pattern, the higher are the health risks. National and international organizations are keen to increase initiatives for promoting protected sex, though this remains a controversial issue in some countries. This study explored the situation with sex worker and client respondents.

Overall, the situations in Indonesia, Bangladesh and Pakistan seem unsatisfactory from the point of view of health safety (Table 4.26). Sex worker respondents in Indonesia reported the least proportion of those having protected sex (40 per cent using a condom always or most of the time). Respondents in Nepal and Sri Lanka have the highest proportion (95 to 97 per cent) of using protective measures. The Bangladesh situation is somewhat better than in Pakistan, as the use of a protective measure "always" (52 per cent) was reported more frequently than in Pakistan (43 per cent).

Table 4.25: Reasons for not leaving sex work*

Motivating factor	Bangladesh (n=231) %	Indonesia (n=179) %	Nepal (n=187) %	Pakistan (n=109) %	Sri Lanka (n=117) %
Better earning/higher standard of living	31.2	47.4	77	54	67.6
Free lifestyle	8.2	4.6	13.9	14	21.6
Already stigmatized (difficult to return)	21.6	4.6	13.9	6	7.8
No better economic option	54.1	22.4	64.2	26	67.6
Others/NA	25.1	15.9	3.8	*	13.8

* All countries had multiple responses except Pakistan

Table 4.26: Frequency of protected sex (according to sex workers)

Responses	Bangladesh (n=231) %	Indonesia (n=180) %	Nepal (n=195) %	Pakistan (n=208) %	Sri Lanka (n=117) %
Always	52.4	23.9	88.7	43.3	73.5
Most of the time	11.7	16.1	8.2	21.2	21.4
Sometimes	14.7	23.3	2.1	7.6	4.3
Rarely	3	23.9	0.5	9.1	0.9
Never	1.3	12.8	0.5	18.8	–
Not applicable	16.9	–	–	–	–
Total	100	100		100	100

The most frequently stated reason for not having protected sex was “clients do not want”. Other reasons the sex worker respondents cited included “not comfortable for me”, “I don't care or am unaware of risk” and the “extra cost” involved.

Regarding awareness about the possible transmission of HIV through sexual contact with a sex worker, the data indicate that less than one-third of the client respondents in Pakistan and nearly four-fifths in Bangladesh are aware. In Indonesia, Nepal and Sri Lanka the awareness status among the client respondents is satisfactory; 100 per cent of them claimed to be aware (Table 4.27).

Among the precautionary measures, use of condom was the most frequently reported in all countries, except Pakistan (97 per cent of surveyed clients in Nepal, 92 per cent in Sri Lanka, 69 per cent in Indonesia and 56 per cent in Bangladesh, compared to only 15.6 per cent in Pakistan). “Look for young sex workers” was a common pattern in all countries (except Sri Lanka) as a safety condition. The proportions of such clients were not high and range between 10 and 12 per cent. Similarly, “look for clean sex worker” appears to be a measure considered by clients in all countries, especially Indonesia. The other prominent response in Indonesia appeared to be sex workers' tendency to “avoid sex with many clients”.

Table 4.27: Clients' awareness of HIV transmission through sexual contact, and safer sex practice

Awareness	Bangladesh (n=208) %	Indonesia (n=180)* %	Nepal (n=195) %	Pakistan(n=205) %	Sri Lanka (n=117) %
Yes	79	99.4	100	30.7	98.9
Precautions					
No precaution/nothing	32	11.1	2.4	65	2.2
Look for clean sex worker	16.8	46.7	18.1	8.3	21.1
Look for young sex worker	12.5	10	10.5	11.2	2.8
Look for virgin	3.8	4.4	3.3	–	2.8
Avoid sex with many sex workers	4.4	23.9	19.5		2.2
Use condom	56.3	68.9	96.7	15.6	92.2
Wash/clean in alcohol/cream	2.4	8.9	0.5	–	21.7
Oral/hand release	5.3	8.3	–	–	1.2
Wash with soap	2.4	–	4.8	–	
Semen released out side	1	–	–	–	
Urinate after sex	3.4	–	–	–	
Sex with known and trusted person		1.1	6.2		2.2
Not reported	–		–	–	0.6
Others *	1.5	7.8	1.5	–	–

*Others: Use antibiotics, don't care, etc.

4.5 Key findings on the commercial sex sector

Characteristics of clients and reasons for buying sexual services:

- Most clients in all the countries studied tend to be male, 15 to 40 years old and come from all kinds of occupational and socio-economic groups of society. Although the majority of clients were adults, a significant number were children and teenagers between 15 to 19 years old.
- Most clients reported that they sought out commercial sex-workers because they had no other option to release their sexual urge; they claimed that sexual satisfaction was not available from a “partner” and/or they preferred some variations in terms of sexual satisfaction. Others bought sexual services because it was without any social obligations expect one time payment. Encouragement of friends and peer pressure played a role in some countries.

Client's preferences and demand patterns:

- The vast majority of clients in all countries had paid for sexual services more than ten times in the past year. The dominant type of service sought was vaginal sex followed by anal sex, oral sex and hand relief. Anal sex was in particular in demand among clients in Bangladesh and Nepal – such high rate of anal sex in these two countries seems to have been influence by the fact that about 100 per cent of the boy sex workers in Nepal and 89 of them in Bangladesh reported such sexual practice with their clients.
- The majority of the respondents preferred adult sex workers between the ages of 18 and 34. However, in all countries there were alarmingly many clients who preferred children 15 to 17 years old and in a few cases, even younger. The preference for children was most widespread among clients in Bangladesh and Nepal.
- A significant percentage of client's preferred virgin sex workers. Such preference was found among 55 per cent of the clients in Nepal, 42 per cent in Bangladesh, 23 per cent in Pakistan, 8 per cent in Indonesia and 2 per cent in Sri Lanka. This illustrates that a large number of clients in Asia seek out options that are neither legally or morally acceptable and that cause social problems and contribute to the shaping of demand for younger sex workers. The preference for virginity seems to be partly motivated by fears of sexually transmitted infections, including HIV.
- While some clients refrained from buying sexual services if they could not find the type of sex worker they looked for, the majority said they would accept anyone available. This suggests that the demand at the client level as well as the availability (supply factor) is closely intertwined in the commercial sex sector.

The recruitment process:

- In general, recruitment takes place through various informal social networks. Family members, including husbands, stepfathers/stepmothers, relatives and those who associate with family members seem to play a big role in introducing women and children to the commercial sex industry. However, the active role of professional intermediaries, such as pimps, was also frequently reported in all countries. Employers generally stated that in most cases they did not have to seek out new workers as the workers simply came to them. In cases where employers looked for new workers, they mainly used personal contacts, such as current and former sex workers, and, to some extent, agents and pimps. Whether trafficking takes place in any

of these situations depends on the age of the would-be sex worker and if she/he endures abuse or other forms of exploitation once employed.

- The intensity of demand for sexual services and clients preference for certain types of workers has a bearing on the cost of those sex workers. Very young, attractive girls or boys and attractive women are generally more expensive to recruit.

Working conditions and exploitation:

- The majority of the sex workers reported that they were free to leave sex work. When asked why they did not do so, most mentioned poverty, relatively better earnings in sex work, social stigmatization upon return and the feeling of already being tainted as the main reasons. However, in all countries there were both children and adults who stated that they were not able to leave sex work. This was in particular a disheartening reality for many boys and girls in Bangladesh and Pakistan. As many as 60 per cent of the boys and almost 50 per cent of the girls from Pakistan said they had no freedom to leave sex work.
- A large majority of employers in all countries except Sri Lanka require their employees (including young children) to work seven or more hours a day. Many employers even require as much as 12 hours or more. Most sex workers in all countries served 1 to 4 clients per day, while a significant number of sex workers reported that they served 4 to 9 clients per day. At least two-thirds of the sex worker respondents (except in Pakistan) felt no pressure to take clients while the remaining one-third did feel pressure from the employers and pimps.
- Most sex-workers in Nepal, Indonesia and Sri Lanka said they did not face any problem for non-compliance to client's demands. However, the majority of sex workers in Bangladesh and Pakistan said they did, and in all countries there were sex workers who reported problems such as verbal abuse, threats and complaints to the employer or pimp if they refused to comply with the client's demand.
- The employers use various measures to control and punish sex workers who resist their demands, try to escape or refuse a client. The most frequent control measure reported was threats, scolding and withholding payment. Sex workers in some countries even reported rape, beatings and being locked up by employers and pimps. Altogether, these findings indicate that the majority of employers in all the countries act in an exploitative manner.

Reasons for being in commercial sex:

- Two variables working together seem to have influenced children and women to enter the sex sector: extreme poverty on one hand and an expectation for a better living standard or better earning opportunities on the other. Generally, the boy respondents in most of the countries said they were motivated by opportunities of a better living standard. Most of the girls said that extreme poverty (lack of basic needs) was the major motivating factor for their involvement in the commercial sex sector.

Degrees of volunteerism and freedom to leave sex work:

- Nearly all the boys engaged in commercial sex work claimed that they had sought out the work. For girls it varied, and up to 40 per cent reported that they ended up in commercial sex involuntarily, having been forced directly or indirectly by someone. Among the adult women, a small portion (12 per cent in Nepal) reported that they were engaged in sex work against their will. However, it is crucial to bear in mind that in cases of children

even self-claimed voluntary engagement should be treated as trafficking and abuse. Furthermore, it is important that the reported voluntary engagement also be interpreted as a reflection of the structural constraints. Extreme poverty and lack of employable skills and alternative occupations may well be what motivate women and adolescents to accept commercial sex work, though they would have preferred something different. Finally, it is possible that a person at first has been forced/trafficked into the commercial sex sector and then after some time gets used to it and no longer considers it to be involuntary work. These aspects still deserve further examination.

Domestic Labour

5. Domestic Labour

5.1 Introduction

Domestic labour is regarded as an "invisible" subsector of labour and considered one of the worst forms of child labour when it involves children younger than the legal minimum working age or slavery-like, hazardous or other exploitative conditions. In most Asian countries, domestic workers' interests and rights are not protected by any legal or social measures. There are also debates on whether domestic workers are actually employees engaged by employers and thus subject to labour law provisions and accepted labour standards. In some cases, domestic workers are not exploited; but in many cases, extreme forms of exploitation take place. In addition to economic reasons, there are historical, social and cultural factors that encourage or compel children and women to seek domestic jobs, even under conditions of servitude. This stands in contrast to working conditions in the formal sectors where the rights of workers are recognized.

While the majority of domestic workers are adults, a large number of children also are recruited or trafficked into this type of work. Employing children in the household is a common practice and culturally acceptable due to the differentiations between economic and social classes. Economic development and urbanization have contributed to the growth of a wealthier class as well as the increase of both husbands and wives working outside of their household. It also has increased the need for outsiders to do domestic chores. Those willing, if only for lack of better options, to accept the work and the typically low wages inevitably are the people who are marginalized and impoverished.

Relatives, friends, brokers, intermediaries and job placement agencies are involved in recruiting and placing these people into domestic labour, or for many of them, servitude. They are even taken, legally or trafficked, to richer countries in many parts of the world.

5.2 Employers' demand for domestic services

Unlike other forms of employment, the household is not "burdened" with competitive market forces. However, as in other sources of employment, employers of domestic labour also seem motivated in hiring only cheap labourers or people to work in often harsh or slavery-like conditions. Whether this reflects the perceived value of housework (though many domestic workers have responsibility for the lives of the employer's children), social/class values given to certain groups of people, or employers' need to extract as much work for as little pay as possible is unclear; quite possibly it reflects all three situations. Certainly people from economically and socially disadvantaged groups are less powerful in a bargaining situation and thus more vulnerable to exploitation. What has been unclear is whether employers specifically want cheap labourers for household employment or if the supply is cheap due to market forces.

Services for which domestic labour is demanded

The research in this sector covered four countries: Bangladesh, Indonesia, Nepal and Sri Lanka. The tasks commonly found in all countries include washing and cleaning and laundering, sweeping floors, washing, cleaning bathroom/toilet, cooking, shopping, child care and care of elderly persons. Taking care of babies and elderly persons were specially emphasized in Indonesia; and shopping, looking after pets and gardening were frequently mentioned in Sri Lanka and Nepal.

Domestic workers compelled to do tasks against their will

When asked if domestic workers are forced to do any work that they do not like, some examples were mentioned in Indonesia, Nepal and Sri Lanka at a notable frequency; not many examples were mentioned at high frequency in Bangladesh. The tasks considered beyond domestic work commonly include (with some variation among the four countries) child care, shopping for groceries, escorting children to and from school, and massaging and entertaining or satisfying other members of the employers' family. Gardening or helping out in a family business were also frequently mentioned n Nepal and Sri Lanka.

In Indonesia in particular, such work also includes cleaning furniture and cars, cleaning toilets and the defecation of children and dogs, and heavy physical tasks. In Nepal, frequent responses were cleaning toilets and the defecation of children and dogs, cleaning menstrual clothes of the household females and washing floors and dishes in cold water. In Sri Lanka, employers expected workers to perform heavy work, gardening and household work in general. Workers reported that they did this work against their own will.

5.3 Education and occupational status of the employers using domestic workers

The background characteristics of employers are relevant to the demand for services of domestic workers. This is particularly true for three variables: level of education and the major occupation of the male heads and female heads of households. These background conditions determine general social standing, and therefore have bearing upon the demand for domestic workers.

Education

Generally, the employer respondents reported having a higher secondary or higher level education. A large proportion in both Bangladesh and Indonesia has a university education. But in Nepal, one-fifth of the employer respondents have only a primary or junior secondary level of education; 15 respondents (13 per cent) have no education at all.

Major occupation of the male heads of households

The major occupations of male heads of households in the survey were similar in all four countries: government/ non-government, private organization, business and industry, banking and retired were common. This seems to reflect the idea that people in occupations that provide a good, stable income tend to employ domestic workers. Business was the most prominent occupation in Nepal and Sri Lanka. Service in both government and private organizations were most prominent in Bangladesh and Indonesia; and service in Government was the most prominent in Sri Lanka.

Major occupation of the female heads of households

Three-fourths of the female household head respondents are housewives in Bangladesh; this was also common

in Indonesia and Nepal. Other notable occupations in Indonesia include private organizations, business and Government, in that order. In Nepal, work in business was frequently mentioned.

5.4 Preferences for domestic workers in terms of age and sex

The highest preference mentioned, particularly in Nepal, was for girls younger than 18, followed by a preference for boys also younger than 18. In Indonesia and Sri Lanka, 14 to 16 per cent of the employer respondents said they prefer girls younger than 18. About the same proportion of employers in Sri Lanka said they prefer boys younger than 18. The highest preference in Bangladesh, Indonesia and Sri Lanka reported is for women who are 18 or older.

Specific qualities of domestic workers valued by employers

Overwhelming proportions of employers in Bangladesh and Indonesia want workers to be neat and clean. Employers in Nepal and Sri Lanka also value this quality, although at a lower proportion. Good health and hardworking are qualities in high demand in Indonesia. Having a worker capable of doing hard work was in high demand in all countries. The employer respondents in Bangladesh and Nepal stated a strong preference for someone obedient or docile, and this was true to a lesser extent in Indonesia and Sri Lanka. Employers in Indonesia said they are more interested in someone with a pleasant personality and respectful to others. Cheap labour is also preferred in Bangladesh. Employers in Nepal said they also want someone who is sincere and honest.

5.5 How are domestic workers recruited?

How domestic workers are recruited determines to a large extent the conditions under which they work. Trafficking appears to have taken place in only some cases in this survey.

The most common process of recruitment in all four countries (with some variation between them) appears to be through reference from friends, colleagues and relatives whom the employers generally trust. The next two common processes mentioned were i) parents bringing their child and ii) workers coming on their own to potential employers. These two processes were frequently mentioned in Bangladesh, Nepal and Sri Lanka. Another practice often mentioned in Bangladesh and Indonesia is that former domestic workers or workers employed in other households bring someone new. These processes seem to work in a combination of both demand and supply, one reinforcing the other.

Table 5.1 indicates two other processes that were mentioned in all four countries: i) employers directly hire workers from guardians against a payment on a contract basis and ii) a contract is made with some agent (third party) who controls the worker. These situations resemble trafficking.

5.6 Accepting domestic work under pressure

A critical question for this research was to determine the extent to which children and women accepted employment as a domestic worker under pressure. Nearly a third of the domestic worker respondents said they took the work under pressure in Nepal, which is the highest proportion of the four countries. Sri Lanka has the second highest proportion working under pressure; Bangladesh

Table 5.1: The process of recruiting a domestic worker

Process of recruitment	Bangladesh (n=188) %	Indonesia (n=173) %	Nepal (n=208) %	Sri Lanka (n=185) %
I have directly procured my worker by paying the guardian on a contract	5.4	–	2.5	3.3
Procured from an agent (third party) who was in control of the person(s) on contract	7.1	4.7	2.5	7.5
The worker has come on his/her own looking for work	16.1	5.5	17.8	23
My friend/colleague/relative referred someone	37.5	60.6	42.4	23
His/her parents brought someone to work for me	22.7	4.7	28.8	38
Previous domestic worker brought /referred someone	16.7	13.4	4.2	1
Domestic worker in another household brought someone	15.4	6.3	2.5	4.2
Some recruitment/employment agency brought someone	–	1.6	–	0.8
Brought from the worker's house	–	–	2.5	–
Others	7.8	3.1	0.8	–
Total	100	100	100	100

Table 5.2: Persons who compelled domestic workers to accept the present work

Person involved	Bangladesh (n=168) %	Indonesia (n=127) %	Nepal (n=118) %	Sri Lanka (n=120) %
My parents (father/mother/both) put me into it	14.9	57.1	87.1	21.08
My stepfather/stepmother put me into it for their benefit	0.5	–	1.4	3.25
Some relative put me into it to help my family/to get benefit	1	28.6	15.4	2.7
I was taken away from my family by marriage and ultimately placed in domestic work	0.5	–	2.9	10.8
Husband	1.1	14.3	8.6	–
Not applicable	81.4		–	69.19
Other	–	–	1.4	2.7
Total	100	100	100	100

has nearly one-fifth, while Indonesia has the lowest proportion at only 4 per cent.

As Table 5.2 shows, family members (father/mother/both) were the most frequently cited persons in all four countries (Nepal, Indonesia, Sri Lanka and Bangladesh, in that order) as having put the respondent into this type of employment. A stepfather or stepmother was noted in some cases, particularly in Sri Lanka and Nepal. Two other groups frequently mentioned in Indonesia and Nepal were relatives (with intention to help family or to take personal benefit) and husbands. A good many were taken away from their families in Sri Lanka to be placed in domestic work. Some similar cases were noted in Nepal as well. Overall, parents and relatives were reported as the person forcing the respondent into this work.

5.7 Willingness of domestic worker to continue in the job

Whether or not a domestic worker respondent was willing to continue in the current employment may be regarded as an indicator of the workers' satisfaction/dissatisfaction with the conditions in that particular household, or with the nature of the work in general. It may also be more a reflection the worker's perception of job options, given her/his background and family characteristics, which impose some pressure.

The findings suggest that the workers who want to leave their current employment range from 20 per cent in Indonesia to 33 per cent in Sri Lanka. In the two other countries, the proportion of worker respondents who said they were willing to leave is close to that in Indonesia. In other words, the workers who seemed willing to continue with the present work ranged from 66 to 80 per cent. This finding echoes the responses given when workers were asked if they can leave the job if they choose to. Those who said they could leave the job ranged between 71 per cent in Bangladesh and 95 per cent in Indonesia. These two findings indicate that although workers believe they have freedom to leave, a smaller proportion of them are actually willing to do so.

The most frequently cited reasons for those who want to leave the present work do not vary between countries. In Indonesia, the reasons given were very poor payment or desire to take a better job and the uncomfortable work conditions or pressure to do certain work against the worker's will. The reasons cited in Nepal and Sri Lanka were the same, but in the reverse order (uncomfortable work conditions was the most frequent reason, poor payment the second most frequent). Poor treatment and physical abuse also were mentioned in both Nepal and Sri Lanka.

Among the workers who stated that they cannot leave the present job were mostly those who had no place to go; the next group were those who said they feel captive. Workers in a captive situation were more frequent in Sri Lanka, followed by Nepal and Bangladesh. Indonesia had the least frequency of captive domestic workers.

5.8 Trafficking of persons into domestic work

The most critical concern about domestic labour is the situation where the workers were brought or put into this work against their will. Several types of conduits were reported to have been involved in placing the worker respondents in domestic labour (Table 5.3): most frequently cited were family members, relatives, friends and neighbours who were close to the family. This finding is consistent with the previous finding on who compelled the respondents to be working in domestic labour. The other conduits not close to the family and unknown were brokers. In Indonesia and Sri Lanka, brokers were the most frequently mentioned conduit. Truck and taxi drivers were also involved in placing domestic workers, especially in Sri Lanka and Indonesia.

Table 5.3: The person involved in bringing the respondent to the household against their will (according to the workers)

Person involved*	Bangladesh (n=188) %	Indonesia (n=121) %	Nepal (n=124) %	Sri Lanka (n=86) %
Family member	32.4	23.6	69.4	17.44
Relative	25.5	30.3	66.9	13.95
Friend	4.3	62.9	37.1	17.44
Neighbour	16.5	29.2	42.7	6.97
Dalals/broker	10.6	68.5	42.7	37.21
Truck/taxi driver	0.5	3.4	0.8	4.65
Not applicable	3.7	–	–	–
Unknown person	18.6	–	–	–
Known people/police	1.1	–	4	–
Bad people	2.7	–	–	–
Divorced husband	0.5	–	–	–
Don't know	39.5	–	–	–
Other	–	3.3	0.8	2.3

*Multiple responses allowed

5.9 Migration and getting into domestic labour

The findings indicate that a large majority of the child and women respondents had migrated at their own will or under family arrangement, though not necessarily in a process that constituted trafficking. The highest proportion was in Nepal and three-fourths of both children and women in Indonesia reported that they had migrated by their own will. About a half or more of the children in the other three countries migrated by family arrangement; the proportion was lower in Nepal.

Bangladesh had no children migrating under pressure, whereas in the other three countries 5 to13 per cent of children had migrated under pressure, with the highest proportion being in Indonesia, closely followed by Nepal. Women who had migrated under pressure varied between 2 and 10 per cent, with the lowest proportion in Bangladesh and the highest in Indonesia. Families had not arranged for the migration of any women or children in Indonesia.

Reasons for migration

Two dominant reasons common to all countries for children as well as women were i) "in search of a better living" and ii) "help parents/families". The third most frequently stated reason was to "have a different life experience", which was relatively frequently mentioned in Indonesia and Nepal.

5.10 Conditions of work

The literature on domestic labour consistently describes conditions as unacceptable from a human rights perspective; for many children, the conditions make it one of the worst forms of child labour.

Long working hours

Some 24 per cent of workers in Indonesia and up to 39 per cent in Nepal said their work day was about eight hours. The proportions of workers having to work 9 to 11 hours a day varied between 21 per cent in Indonesia and 38 per cent in Bangladesh. About one-third of the respondents each in Bangladesh, Nepal and Sri Lanka had to work as much as 12 hours a day; in Indonesia it was 55 per cent of the respondents, with another 14 per cent reporting they worked up to 17 hours. Overall, some three-fourths of respondents in each country work long hours (beyond eight hours).

Abuse /punitive measures taken by employer

The findings (Table 5.5) from the employers present a wide range of abuses that they reported as being aware of in other households. At least three-fourths of the employers in all four countries mentioned physical abuse. The next serious type of abuse, by the measure of the frequency of employers' responses, was rape, as mentioned in Indonesia, Nepal and Sri Lanka. Sexual harassment was noted in Bangladesh, Indonesia and Sri Lanka. Verbal abuse was mentioned in Indonesia and Nepal. In Indonesia, even murder was reported, as well as in Bangladesh, though at a lower frequency. Giving no payment or wage deduction for minor faults was relatively frequent in Nepal, compared to Bangladesh and Indonesia. Giving insufficient food was noted in Bangladesh and more frequently in Nepal. Giving more workload was especially noted in Nepal. Keeping the worker locked inside a room was reported in both Bangladesh and Nepal.

Abuse and exploitation of domestic workers include punitive measures in the name of disciplinary or corrective action by an employer. Workers varying between 20 and 40 per cent reported that employers take such measures; most frequently reported were verbal warnings. There were situations of dismissal (15 per cent) from the job and deduction or withholding payment (6 per cent) in Indonesia. Physical punishment, such as slapping and beating/hitting in a rather cruel manner, was reported in Bangladesh and Nepal, with the frequency of the comment higher in Bangladesh. A negligible number of respondents in Bangladesh, Indonesia and Nepal mentioned reactions such as putting them under more difficult conditions of work or delays in making payment.

Table 5.4: Total working hours of the domestic worker each day

Daily hours of work	Bangladesh (n=188) %	Indonesia (n=173) %	Nepal (n=208) %	Sri Lanka (n=185) %
0.1-5.99 hours	3.7	12.1	9.6	7.3
6-8 hours	22.3	11.6	29.8	23.80
9-11 hours	37.8	20.8	29.8	34.60
12-14 hours	32.4	39.3	26.9	24.8
15-17 hours	3.7	13.9	3.8	9.7
More than 18 hours	–	2.3	0.5	–
Total	100	100	100	100

Table 5.5: Types of abuses reported by the employers of neighbouring households

Kinds of abuse*	Bangladesh (n=168) %	Indonesia (n=121) %	Nepal (n=88) %	Sri Lanka (n=61) %
Physical abuse	77.6	80.2	71.6	73.77
Sexual harassment	9.2	11.6	–	9.82
Rape	–	43	39.8	16.39
Verbal abuse	1.2	13.2	13.6	
Murder	6	22.3	–	
Deception	–	5.8	–	
No payment/wage deduction	5.4	3.3	10.2	
Provide inadequate food	11.3	–	33	
Give more work	–	–	26	
Keep locked inside the house	11.9	–	18.2	
Don't know	27.4	–	–	–

*Multiple responses allowed

5.11 Facilities provided to domestic workers and deprivations

In some societies, it is accepted as a norm to help the most disadvantaged by providing shelter and other basic necessities to them in exchange for domestic labour. But many domestic workers do not receive sufficient provisions or actually work in conditions akin to servitude.

Facilities/benefits, as reported by domestic workers

As high as three-fourths of the workers in all four countries said they were provided with acceptable meals, snacks, sleeping quarters and sanitary toilet facilities. In 50 to 70 per cent of the responses, the workers said they had an annual holiday leave. More than 90 per cent of them in Indonesia could take sick leave, with slightly smaller proportions in Nepal and Bangladesh. The respondents also noted that employers allowed them special leave when necessary, opportunity for occasional recreation, family visits, and to participate in special ceremonies along with the members of the employer's family. Cosmetics were provided in Bangladesh and Nepal. Higher proportions of employers in Indonesia and Nepal provided an occasional bonus. Offering gifts on special occasions also was commonly noted. (Employers in Sri Lanka were reported to have provided all the facilities and benefits just mentioned, although the figures are not comparable with the other countries as multiple responses were not allowed in Sri Lanka but were in the other three countries.)

Medical care

The workers said they received medical care during sickness, at proportions ranging between 87 and 96 per cent (highest in Nepal, followed by Sri Lanka and Indonesia). In Bangladesh, only about 27 per cent of the workers claimed to have received medical care. This information appears to be quite consistent with the tendency of the employers to provide benefits, as previously noted.

5.12 Key findings on the domestic labour sector

Characteristics of Employers:

- Generally, the employers of domestic labourers come from households with relatively high or stable incomes. Most male head of households employing domestic labourers work in the public sector (government), private organizations, business, industry (production/ manufacturing), and banking. Interestingly, the majority of the female head of households were housewives. Most employers had having a secondary or higher level education. A significant proportion had a university education. However, there were also a considerable group of employers with only a primary or junior secondary level education.

Employer's preferences and demand patterns:

- Overall, employers seemed to prefer workers who would be neat and clean and capable of doing hard work; someone obedient and docile was also preferred in half the countries. Preference for cheap labour was frequently mentioned in Bangladesh. Most employers in Bangladesh, Indonesia and Sri Lanka preferred women older than 18 as domestic workers. However, in all countries there were a significant proportion of employers who preferred girls and boys younger than 18. In Nepal in particular, child domestic labourers were desired.

The recruitment process:

- The most common process of recruitment in all four countries appears to be through reference from friends, colleagues and relatives whom the employers generally trust. Other processes mentioned were parents bringing their child, would be workers approaching the employers and former domestic labourers or labourers employed in other households bringing a new person. In other words, did a lot of the recruitment take place through both the employers and the domestic labourers social networks. However, in all countries there was a significant group of employers who directly hired domestic labourers from guardians against a payment on a contract basis or made contract with an agent (third party) who controlled the domestic labourer. Whether trafficking takes place in any of these situations depends on the age of the would-be domestic labourer and if he/she endures abuse or other forms of exploitation once employed.
- A high proportion of domestic labourers in all countries said they felt compelled by others to work. Parents and relatives were most frequently cited as having put a pressure on domestic labourers to accept the work.

Working conditions and exploitation:

- Three-fourths of the domestic labourers in all five countries reported to work more than eight hours a day – typically, 9 to 14 hours a day. As many as 31 to 53 per cent of the domestic labourers in all countries were working 12–17 hours a day.
- A large proportion of child respondents in all four countries reported receiving various forms of disciplinary action from their employers. Psychological abuse also seemed very common. When asked about their awareness of the conditions of domestic labourers in other households, the employers reported a disturbingly high incident of abuse, such as physical abuse, sexual abuse, rape, insufficient food rations, withholding or deduction of wages for minor faults, increasing the workload and keeping the domestic labourers locked up.
- Three-fourths of the domestic labourers in all four countries said they were provided with acceptable

meals, snacks, sleeping quarters and sanitary toilet facilities. Furthermore, most reported receiving some kind of health care from the employers.

Reasons for being in domestic labour and degrees of voluntarism:

- Almost all of the child domestic labourers in this study migrated from their home in order to help their parents financially or in search of a better livelihood for themselves.
- A high proportion of the domestic labourers felt compelled to work; however, the majority seemed willing to continue with their present job and said they were free to leave if they choose to.
- Among the labourers who stated that they could not leave the present job were mostly those who had no place to go and those who were kept captive.
- The most frequently cited reasons for wanting to leave the present job were very poor payment, uncomfortable working conditions, pressure to do certain work against the worker's will, and physical abuse.
- The majority of domestic labourers reported they were free to leave their jobs if they wanted to. However, it is important to bear in mind that even those who reported voluntarily engagement in domestic work are treated as trafficking cases according to the United Nations Trafficking Protocol if they are younger than the legal minimum working age and/or endure abuse or other forms of exploitation once employed. It is also important to take into consideration the labourers' responses in light of the general structural constraints where extreme poverty and lack of employable skills and alternative occupations may well be what motivate women and adolescents to accept domestic work, though they would have preferred something different. Finally, it is possible that a person at first has been forced/trafficked into domestic labour and then after some time gets used to it and no longer considers it to be involuntary work. These aspects still deserves further examination.

Organized Begging

6. Organized Begging

6.1 Introduction

In many societies begging has been long practiced as a means of survival in the absence of other options. Individuals most likely to take up begging are those with physical or social disabilities or those with a personal deficiency (lack of education or skills). While begging is widely practiced though-out much of Asia, organized begging is an illicit activity that remains outside any regulatory measure.

The supply of beggars responds to demand-side factors. The supply situation is rooted in poverty and linked with the increasing migration of the rural poor to cities in search of sustenance as well as the destitution of children because of family disintegration, increasing displacement of people and lack of other options to make a living.

The demand side is less clear in terms of how and to what extent organized begging makes use of human trafficking for business. However, the age-old tradition of giving alms to the poor, and certain social and religious customs/rituals tend to encourage begging. Certain categories of people, such as orphaned children, disabled infants and migrants who become destitute, can attract sympathy from alms givers. But there has been a lack of empirical investigation to give hard data on organized begging or on what constitutes "demand", other than it is typically attributed to syndicated gangs.[23]

This short chapter presents a profile of who are the beggars, factors contributing to the demand for young beggars, the actors and processes involved in trafficking them, the link to migration and the nature of the exploitation. The research covered four countries: Bangladesh, Indonesia, Pakistan and Sri Lanka. The data comes from purposive samples of beggar groups and beggar masters. No other theoretically sound sampling procedure was possible.

6.2 Beggars and their physical characteristics

Age group

Most of the child beggars in the study were younger than 10, with some less than a year old. The adult beggars were mostly younger than 40, while some were aged 50

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23 Studies on begging have usually concentrated on the perspective of worst conditions of poverty, destitution, absence of social safety nets to emphasize the need for institutionalization of welfare measures. Organizing charity and having legal restrictions on begging for delivery of welfare services have been the conventional measures to deal with the problem. Developmental perspectives in more recent times have paid more attention to eliminating extreme poverty and to capacity building of the vulnerable population groups along with establishing a social safety net to provide a minimal guarantee of livelihood for the disadvantaged. But the dimension of trafficking of persons into organized begging, as an emerging issue, has become an issue under recent discussion yet to be looked into by systematic research.

Table 6.1: Occasions that encourage begging

Occasion	Bangladesh (n=199) %	Indonesia (n=167) %	Nepal (n=197) %	Sri Lanka (n=210) %
Religious or other festival	16.8	–	41.1	65.2
After harvest	2.5	–	22.5	1
When workers get paid	4.5	3.6	19.9	7.6
No pattern/no specific season	13.1	46.7	14.2	26.2
During Eid	19.1	–	–	–
At the beginning of a month	2	–	–	–
In the morning	0.5	–	–	–
During Ramadan	7	34.9	–	–
Friday/Sunday/Saturday/Monday	18.1	15.6	–	–
Thursday	2	–	–	–
Shab-e-barat (important night of religious significance)	2	–	–	–
At noon	0.5	–	–	–
At night	2.5	–	–	–
If foreigners come	1	–	–	–
When more patients attend the hospitals	0.5	–	–	–
During Uros (occasional religious feast of common mass)	1	–	–	–
Others	2	1.2	–	–
Total	100	100	100	100

and older. Some country variation is noted: For instance, Pakistan and Sri Lanka have a sizeable proportion of respondents aged 4 years or younger; Bangladesh has a smaller proportion in that age group. Indonesia has a relatively high proportion of respondent aged 50 and older.

Physical condition

In Sri Lanka, 21 per cent of the child beggars in the study had some physical deformity; in Indonesia there was only one child with a physical deformity. Adult beggars with physical deformity of any kind were very few in any country, except Bangladesh where they made up about one-fourth of the total adult beggars. The deformities/disabilities of the respondents included blindness, crippled leg or arm, skin infection and burns/wounds (physical injury). Adult beggars in Indonesia included able-bodied beggars of productive age who are farmers who go to the cities during the season when they remain unemployed [There was no information provided on the nature of physical deformity/disability of child beggars in Sri Lanka.]

6.3 Factors that contribute to the demand for beggars

It is widely assumed that during social and religious festivals and other occasions, people in general and particularly the affluent, like to give alms to the poor. There are such occasions in the Muslim community,

especially the holy month of fasting followed by the Eid festival, when alms giving is a common practice. Similarly, there are certain days and certain periods when people seem to like helping people who are poor and destitute. The findings from these studies substantiated this perspective. The most frequently cited occasions/events and days when alms giving take place in all the countries were religious or other festivals. Such occasions, according to the respondents, were the month of Ramadan in Indonesia and Bangladesh, some specific weekdays (Friday is considered the holiest weekday) in Bangladesh and Indonesia and the Eid festival in Bangladesh. Also, beggars get alms relatively frequently on pay days, during the post-harvest period in Pakistan and Bangladesh and to a lesser extent in Sri Lanka (Table 6.1).

A general willingness among many people to give alms to the hapless tends to encourage begging and has in turn encouraged some people to organize beggars in an area and/or to engage more individuals in begging under his/her control in exchange for a percentage of their earnings. Some organizers – so-called beggar masters – take all of the earnings in exchange for food and shelter – albeit in impoverished conditions. However, the findings from the four countries indicate that the concept of organized begging often consist of a loose relationship among beggars and between some beggars and their beggar master. There was no reference in the findings to “syndicated gangs” controlling the beggars, but in many cases the beggar masters play an active role in recruiting the beggars and in managing the activities of their begging. Although the incidence of trafficking does not appear equally significant in all the countries, the demand for possible beggars exists and to some extent this facilitates trafficking for this purpose.

6.4 The persons involved in this business

In Bangladesh and more frequently in Sri Lanka, it was the father or the mother, and in Pakistan it was a relative or friend who worked with a child to beg. Stepfathers and stepmothers were also reported to be involved. Some wives were begging in Bangladesh and Sri Lanka at their husband's urging. More than two-thirds of the beggars in Bangladesh said that they got into this practice on their own to find a way of living. (Indonesia did not report any data on this question.)

6.5 The process of getting into begging

A large majority in Bangladesh (71 per cent) stated that they had taken up this practice on their own volition as a means of survival. This suggests that in Bangladesh, poverty or some other conditions of helplessness pushes people into begging. This also was noted in Pakistan and Sri Lanka to a considerable extent. Indeed, poverty-driven beggars made up the majority in all countries. While the need for individual survival was the most common reason reported during the research, the need to provide financial support to family in the absence of other options was frequently mentioned, especially in Pakistan and Sri Lanka. For some respondents, begging was taken up as an easy way of earning money and having a better life. While this implies poverty as a motivator, it also suggests a lack of access or willingness to find some other opportunity. There were some beggars (2 to 9 per cent) in the three countries who ran away from home and started begging. In addition, a few (2 to 5 per cent) individuals said they had moved in with relatives because their parents could not support them but subsequently had turned to begging as a means of living.

Who put a child into begging?

The situation appears to differ among the three countries, but consistent with the previous statements: In more than two-thirds of the cases in Bangladesh, individuals took up this practice as the means of survival or to support their family. Ranking second was either a father or mother who put a child into begging. Other notable groups of persons instrumental in putting the beggars into practice included stepfather/stepmother, relative, friend and husband. A beggar master was responsible only for a very insignificant proportion of beggars (1.5 per cent). A very small proportion in Bangladesh and a sizeable proportion in Pakistan reported that the owner of their former workplace put them to beg.

A majority of respondents in Pakistan took up the practice on their own for survival. A relative or friend putting them there was the second more frequently mentioned response, followed by those who blamed their former employer. A stepfather/stepmother was responsible in other cases (7 per cent) and father/mother accounted for some cases (5 per cent).

In Sri Lanka, unlike Bangladesh or Pakistan, the father/mother was responsible for more than half of the child beggar respondents. Next in proportion was a stepfather/stepmother, relative, friend or husband. A neighbour or another beggar brought a few persons (5 per cent) to the streets to beg. None of the beggars said they took up the practice on their own. There were references to "others" but this covered a variety of people. Indonesia did not report any information on this question.

6.6 Voluntary/involuntary involvement in begging

Involuntary acceptance of begging was the most frequent response given by the beggars in Sri Lanka, followed by those in Pakistan and Bangladesh, in that order. The processes described typically involved parents telling the child to beg, an offer from someone of "interesting work" or shelter, kidnapping, desertion by family members/husband, marriage or offer of marriage or asked to accompany parent/relative already begging.

Some other processes noted were getting a child with a physical deformity from the parents, taking children from parents through some agents with the offer of money, inviting persons for a visit and then trapping them, and using agents who find them somehow and sell them.

Begging under forced conditions is a form of trafficking. When children are compelled to beg by use of force it is a grave human rights violation. The researchers asked the beggar masters if they were aware of any forced begging. In Nepal, nearly three-fourths of the beggar masters affirmed that begging was practised under force; it was mentioned quite frequently in Sri Lanka, followed by Bangladesh. The beggar masters in Indonesia said the use of force was insignificant. The variation may be associated with economic, social, cultural and historical factors and their interaction, even mediated by legal and administrative conditions, and is an area for further research.

Children, especially the younger ones, are more frequently subjected to forced begging, which is one of the worst forms of child labour caused by trafficking. Based on their comments, the beggar masters did not seem to regard forced begging as a cruel practice. Rather, they regarded the context of poverty, unemployment, no other options, single women with young children, elderly persons left uncared for, orphans and the need for survival as pressure requiring the begging – and not coercion by someone else. The majority of child beggars in Bangladesh and Sri Lanka said they were free to quit begging. But in Pakistan, more than 92 per cent of the child beggars said they had no freedom to leave and about 73 per cent of the beggars are purchased by their beggar masters.

6.7 Beggar masters and how they recruit

As Table 6.2 shows, beggar masters were involved in 6 to 34 per cent of the respondents across the four countries (Bangladesh: 6 per cent; Sri Lanka: 7 per cent; Indonesia: 11 per cent and Pakistan: 34 per cent). However, what seems most common is for someone to approach the beggar master typically wanting to beg. The distinctive picture in Bangladesh is that one-fourth of the beggar masters take his/her family members to beg. An equal proportion of beggar masters recruited beggars through direct contact with others. In Indonesia, the process of making direct contact was the most prominent one, used by nearly three-fourths of the beggar masters. In Pakistan, the predominant process of recruitment was buying persons who can be used for begging – a practice that proofs trafficking. This is also applicable in Indonesia, but at a much lower frequency. The other processes in Pakistan included recruitment through other beggars, offering shelter and other support to persons in exchange for begging and taking children from parents and relatives who offer up a child (particularly one with a disability). In Sri Lanka, recruitment through other beggars was the most frequent method mentioned. The second common process was to accept those who approached them. In both Pakistan and Sri Lanka, many beggar masters married someone whom they then made beg.

6.8 Training persons to beg

The involvement of a beggar master is seen as relatively small in proportion, while in some countries family member involvement was much larger. A few beggars in each country reported that they had some "training" to prepare for begging. In Pakistan, the most frequent mention was training from a beggar master. In the three other countries, family members or fellow beggars provided the training. When beggar parents take their children to accompany them, the children automatically pick up the techniques. (Indonesia did not report on this question.)

6.9 Whether migration is involved in begging practice

The findings from the beggar masters in all four countries confirm that begging involves geographic mobility or migration and that beggars in the cities mainly are migrants from rural areas (Table 6.3). Notable is the variation among the countries in terms of proportions as permanent or temporary/seasonal migrants. Considering both the categories of migrant beggars, Bangladesh has the highest proportion, especially of the permanent migrants (80 per cent). This is possibly due to the increasing proportion of the rural landless population and displacement of people by frequent natural calamities, including river erosion causing loss of all assets and even homestead, that force people to permanently migrate to the cities. Nepal has more temporary migrants (68 per cent), with Sri Lanka having the lowest proportion – despite having a majority of the total beggars at 60 per cent (33 per cent permanent and 27 per cent temporary). Indonesia has a total of 71 per cent migrants; 42 per cent of them are permanent, which is a higher proportion than that of Sri Lanka or Nepal, but lower than that of Bangladesh.

For a large majority of beggars in all four countries, the cause of migration was reported as a need to earn a living. The other frequently stated reason was "dissatisfaction with the family condition". "Attraction or charms of city life" was mentioned more frequently in Sri Lanka than in the other countries.

Table 6.2: How the beggar masters recruit the beggars

Process of recruitment	Bangladesh (n=12) %	Indonesia (n=18) %	Nepal (n=68)* %	Sri Lanka (n=15) %
I directly contact and recruit	23.1	72.2	36.4	–
I recruit though other beggars	15.4	–	63.6	66.7
Parents/relatives bring them to me	15.4	–	54.5	6.7
I purchase persons who can be used for the purpose	0	11.1	72.7	–
I take persons by marriage	0	–	18.2	6.7
I take persons by giving them shelter and other support	7.7	5.6	40.9	–
I take persons as they come to me	15.4	11.1	22.7	20
Family members	23.1	–	–	–
Total (Multiple responses allowed)	*	*	*	*

*Multiple responses allowed

Table 6.3: Migrant status of beggar respondents

Migration status	Child				Adult				Total			
	Ban n=126 %	Indo n=112 %	Pak n=26 %	Sri n=210 %	Ban n=73 %	Indo n=55 %	Pak n=21 %	Sri* %	Ban n=199 %	Indo n=167 %	Pak n=47 %	Sri n=210 %
No migration	68.3	70.6	46.15	92.9	67.1	40.0	23.81	–	67.8	60.4	36.2	92.9
Temporary migration/ Seasonal migration	8.0	8.9	53.85	1.9	8.2	5.5	52.38	–	8.0	7.8	53.2	1.9
Permanent migration	23.8	20.5	–	5.2	24.7	54.5	23.81	–	24.1	31.7	10.6	5.2
Others	–	–	–	–	–	–	–	–	–	–	–	–
Total	100	100	100	100	100	100	100	–	100	100	100	100

*No adult sample

6.10 Key findings on children in organized begging

Characteristics of child beggars:

- Most of the child beggars in the study were younger than 10 years old, with some less than a year old. In Pakistan and Sri Lanka, more than 50 per cent of the child beggars were younger than 10 years old and sizeable proportion was 4 years old or younger. In Indonesia, 10 per cent of the child beggars were aged 5 years or younger. In Bangladesh, the child beggars of a younger age group were fewer.
- A notable number of child beggars were physically disabled. In Bangladesh, Pakistan and Sri Lanka, the proportions ranged between 21 and 29 per cent. In Indonesia there were fewer. The most common disabilities/deformities were crippled legs and hands, blindness, skin infections and burns and wounds.
- Many beggars had migrated from rural areas to cities. Some were permanent migrants while others were seasonal migrants who came to beg in the cities during cultural and religious festivals, etc. Some 24–54 per cent of the child beggars in Bangladesh and Pakistan were migrants, whereas about 24–55 per cent of the adult beggars were migrants in Pakistan, Bangladesh and Indonesia.

Recruitment and reasons for being a beggar:

- In most cases, beggars took up this practice as the means of survival and/or to support their family. In Bangladesh, more than 70 per cent of the beggars stated that they begged for their survival and it was their own decision given their difficult socio-economic situation, while 55 per cent of the child beggars in Pakistan engaged themselves in begging to help their family financially.
- When another person was responsible for putting a child into begging it was typically a father, mother stepfather/stepmother, relative, friend, husband or former employer. More than half of the child beggars in Sri Lanka said that their father or mother put them into begging, in most cases against their own will. This was noted to a smaller, but still significant extends in Pakistan, Indonesia and Bangladesh.
- So-called beggar masters were involved in organizing begging for 6–34 per cent of the beggars interviewed in all four countries. The number of child beggars under one beggar master ranged from one to four (although the nature of reporting on this aspect is not uniform in all four countries).
- In general, beggar masters recruited new beggars through informal social networks, such as current and former beggars. However, a disturbingly high proportion of beggars, especially in Pakistan, had been purchased by the beggar masters for the purpose of begging – a practice that only can be categorized as trafficking.

Working conditions and abuse:

- The child beggars most often identified police, security guards and the general "public" (by passers) as those who harassed and created problems for them.

Freedom and force in organized begging:

- Involuntary involvement in begging was frequently reported by the beggars in Sri Lanka, followed by those in Pakistan and Bangladesh. In Pakistan nearly three-fourths of the beggar masters reported that begging was practised under force; this was mentioned quite frequently in Sri Lanka and Bangladesh as well. The beggar masters

in Indonesia claimed that the use of force was insignificant.

- The findings from all countries indicate that the "organized" begging often consists of a loose relationship among beggars and between some beggars and their beggar master. There was no reference in the findings to large "syndicated gangs" controlling the beggars, but in many cases beggar masters play an active role in recruiting, purchasing and controlling beggars. Although, it was not possible to make a general estimate on the incidence of trafficking in organized begging, it is evident that a significant number of children has been trafficked for this purpose.

Fireworks Production Industry

7. Fireworks Production Industry

7.1 Introduction

Sri Lanka was the only country researched concerning fireworks production, which is regarded as a special industry employing children. Children are preferred over adults due to the nature of work and the ability to easily exploit them.

Fireworks production is seasonal and takes place in factories and homes. Although it has been in existence for a considerable period, it continues to use low-tech, manually operated methods. Working in the fireworks industry is often a very important means of livelihood for people living around the factories. In small-scale household production, the workforce consists mainly of the members of a household. But medium- and large-sized factories employ workers from different areas of the country, which creates potential for the trafficking of child labourers.

The data derives from purposive samples of 31 children and 22 employers. The data was gathered through interviewing child workers between 9 and 17 years of age.

7.2 Why is there a demand for children?

Compared to adult workers, employers find it advantageous to have child workers for a number of reasons:

- It is possible to extract the maximum labour from child workers for the lowest possible wage;
- Employers have no obligation to provide child workers with benefits such as employee provident (one-time benefit after separation from employment) funds, employee trust funds, standard overtime pay or holiday pay, all of which are provided to adult workers;
- Children are considered more efficient at this form of work;
- Children can be easily controlled, and
- Children coming from distant areas do not have to be paid special benefits, such as loans, advance wage payment or periodical cash payment.

Given the abundant supply of children, employers said they prefer to recruit children. Among the reasons, more efficient and can pay low wages were most frequently mentioned. Frequency of wage payment is also flexible for child workers, which is an added advantage for employers as their profit depends on the sales of the season. A majority of the child workers said they received payment only once every three or more months.

7.3 The supply situation and vulnerability

Child workers are easily persuaded by employers to bring their friends to work in the factory. This makes the supply

of child labour to the industry abundant. For each year's production season, children who previously worked in the factory returned, often bringing friends who have dropped out of school. The drop-outs prefer to work away from the area where they attended school. Adult workers also provide child workers to the factories. Child workers all come from families living in poverty; the parents have difficulty finding work and need to have their children earn an income. The findings revealed that the children in the industry share their income with their families.

Most of the children employed in the industry have dropped out of school for various reasons, but primarily due to economic difficulty. School drop-outs from the remote rural areas are commonly found working in the fireworks industry, though children from broken families, often raised by single mothers, also work the industry.

7.4 How the employers recruit child workers

Given the competitive nature of the fireworks industry, most employers at large- and small-sized businesses prefer to take child workers from distant areas rather than the areas where their factory is located. This, the employers noted, is because they have less trust in the local children who tend to take away raw materials and other things from the factory. The employers recruit workers, always or often, through contact with people known to them, current and former employees and their family members. The workers included in the study sample reported that they came to the factory through relatives, friends and family members. The employers said that they have many workers from rural areas and who introduce many new employees to them. Information derived through discussion with villagers and other informants revealed that the conduits who take children to these employers receive some money in return.

7.5 Trafficking of children

Methods of recruitment of workers, as discussed previously, suggest the incidence of trafficking. Given the exploitative conditions, that the employers in the fireworks industry want children and purposefully use others to recruit new child workers from the remote rural areas in particular confirms that children are trafficked into this industry.

It is clear that the employers prefer to use children primarily because they can economically exploit them and that children will follow orders more readily than adults. Driven by economic hardship, the workers said they had migrated from their residence for employment. Employers paid cash or other benefits to the non-workers who brought a child to them. The child workers said that they think the boss will treat them well or be happy if they bring new child workers. The majority of the children brought to the factory did not know beforehand about the nature of the work they would be required to do.

7.6 Conditions of work

Most of the child workers said they had to work eight or more hours (up to 15) per day. The typical employer's perspective is reflected in the following statement:

> "The best among the child workers are the ones from remote areas who start early in the morning and work till nightfall, as they have been provided with meals and accommodation facilities. In the peak season, it is the child worker from remote areas who is of value to me because they do not break their work shift for lunch, etc. They provide me the best service among all employees."

Al least half of the workers said they worked all seven days of the week. Not all workers are provided with food, or free accommodation. Overtime work was not compensated.

The employer does not take into consideration the health risks involved in the use of gunpowder without adequate safety measures. The children said they were not at all concerned about it either. Also, the employer provided no safety measures, such as gloves or gowns for working in.

Two-thirds of the workers said they do not enjoy the work but have to do it, and at least one-sixth said they disliked the work. Almost all the child workers who said that they liked the work also gave information that indicated they had been trafficked. They had a bit of a positive feeling about the job because when they went home the employer gave them fireworks as a gift. They distributed the fireworks among their friends, which pleased them. This also helped attract their friends to the firework industry. The friends were from very low-income families who are unable to afford even one firecracker. This provides an ideal opportunity for employers to exploit children. The attraction that the children have to firecrackers makes them easily drawn to the industry, although they do not know before going to the factory what the work involves. Lack of awareness about the bad conditions in the industry makes children's it easy to recruit child workers.

7.7 Key findings on the fireworks production industry

Characteristics of the child labourers:

- The Child labourers generally came from families living in poverty; the parents had difficulty finding work and needed their children earn an income. Most of the child labourers shared their income with their families.

Employer's preferences and demand patterns:

- Employers said they preferred children to adults because they work efficiently, that it is possible to extract maximum labour for the lowest possible wages and because children can be easily controlled.
- Factories operate seasonally and employers preferred to recruit out-of-school unemployed children coming from distant rural and disadvantaged areas. Children from such areas were also preferred because the employers had less trust in the local children who tended to take away raw materials and other things from the factories.
- The abundant supply of out-of-school children from poverty stricken locations also encouraged the employers' preference for children, simply as they were cheap and easy to get.

Recruitment:

- Employers recruit new children through informal social networks. Most often by persuading the child labourers to bring their friends to the factory in the next season. Furthermore, there were a few references to conduits that supply some of the young workers and receive cash or other benefits.
- The majority of the children did not at first know what they would be required to do.

Working conditions and exploitation:

- In general, children worked up to 15 hours a day, usually seven days of a week, without any overtime compensation.
- The employer did not take into consideration the health risks involved in the use of gunpowder and they provided no safety measures, such as gloves or gowns for the child labourers.

Children in Armed Conflict

8. Children in Armed Conflict

8.1 Introduction

The Coalition to Stop the Use of Children as Soldiers believes that the incidence of young combatants remains at the same level as it did seven years ago when a compelling United Nations report presented an estimate of 300,000 children worldwide. Considering the global pressure to keep children away from combat, the degree of disregard for the protection of children remains an outrage. This study of children in armed conflict centred on Nepal and Sri Lanka; but each followed a different format and thus the findings could not be synthesized and are discussed separately.

8.2 Child soldiers in Nepal

The research team interviewed about 60 demobilized soldiers of whom 40 per cent were children. One-fourth of them were girls and women ex-combatants. The research team consisted of two core members (consultant and study coordinator) and five other local human rights defenders. Interviews were conducted in rehabilitation centres, children's shelter homes and private residences and were mostly one-on-one, with one group interview.

The Communist Party of Nepal (Maoist) instigated a "People's War" in February 1996 that continues to gain fiery momentum – they currently control most of the countryside. Their actions and the Royal Nepalese Army's (RNA) counter actions initially ignited a level of violence that has physically and psychologically affected thousands of children. During the last ten years, 15,521 children have been abducted, some 213 children have been arrested[24] and more than 1,200 children have been killed or injured. Among those, 361 (256 boys and 105 girls) died while around 314 (208 boys, 99 girls, with 7 unknown) children were injured.

In 2004 alone, a total of 88 children (67 boys and 21 girls) were killed and 169 children (118 boys, 43 girls and 7 unknown) were injured. News reports during that time contained stories of three rape cases of girls, attacks made by both Maoists and the RNA.

More than 2,000 children have been orphaned from the decade-long strife and another 8,000 children displaced. The conflict has made the general conditions for poor children even more difficult and thousands of children have been forced to work in vulnerable situations in brick kilns, stone quarries and wool spinning mills, while others have become domestic workers and a few ended up on the streets of urban centres. Furthermore, the education of thousands of school-going children has been hampered.

24 Child Workers in Nepal website: www.cwin.org.np

Hundreds of schools have been closed down and frequent strikes have disturbed the pace of education greatly. Forced recruitment of children and women into the Maoist ranks is a common practice, often using schools as recruitment platforms.

In the areas under their control, the Maoists exercise a recruitment policy of “one family, one member”.[25] Financial penalty, seizure of property, torture and even capital punishment have been used to coerce and intimidate families who tried to refuse. According to the research team, children are increasingly being singled out for recruitment by the armed opposition group and exploited as combatants. The Maoists are said to have formed “a youth wing to reach out to school children”.[26] They are indoctrinated with ethnic, nationalistic or religious hatred and then being armed. Interviews with former child soldiers revealed that some had been used in dehumanizing acts such as killing a relative and chopping off the heads of dead comrades. In the Maoist-controlled areas, children are taught violence as a fundamental means of securing political control.

Although most abducted students are allowed to return home after a couple of weeks or even months, the ideological and military training they endure traumatizes many of them, as noted by a high ranking police officer who was part of a Human Rights Treaty Monitoring Coordination Committee study team.

While human rights groups claim that more than 30 per cent of the Maoist militia fighters are younger than 18, many end up as human shields rather than as frontline combatants, according to a high-ranking military official from the Royal Nepalese Army (RNA) headquarters.

On 22 February 2004, the leader of the Maoists student wing, Kamal Shahi, announced that the rebel leadership a month earlier decided to develop child militias. That marked a major departure from their previous commitments to not recruit anyone younger than 18. Human rights activists and international organizations denounced the practice, which had been consistently denied by the Maoist leadership, described it as approaching serious proportions. In the past couple of years, the Maoists have resorted to mass abductions, particularly of young students in grades 6 to 10 (12- to 16-year-olds) in western Nepal, a hotbed of the insurgency.

In February 2004, the Maoists abducted hundreds of students and dozens of teachers from Holeri in the southern Rolpa district and took them to an unknown location. Witnesses said a group of Maoists arrived there and forcibly herded away students and teachers. The Maoists announced they would provide military training to students and teachers of the Bal Udaya Secondary School in Rolpa district. In addition, the rebels forced 13 girls into their army in Achham district. According to CWIN, a leading child rights NGO, around 950 children were abducted and some two dozen children died in a six-month period (between September 2003 and February 2004) of conflict in the country."[27]

The Himalaya Times claimed the Maoists are recruiting children between 14 and 18 years of age who are then sent out in groups of six or seven on guerrilla operations. A large number of children in the rural areas are now contributing substantially in the guerrilla war by collecting information. The Maoist leadership also has declared that the increasing participation of females is proving a bonanza for their cause. A large-scale rebellion

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25 A policy that began with their movement in 1996.

26 Information provided to the Asia Pacific Conference on the Use of Children as Soldiers, Kathmandu, 15–18 May 2000

27 “Nepal Rebels Plan to Train 50,000 Child Soldiers”, posted by Chetriya on 27 February 2004

of young girls, mostly high school- and college-aged, has caused many of them to leave home to join the Maoist proclaimed People's War.

Children and women are preferred because conventionally trained soldiers and policemen are less likely to identify them as threats – in the same way that the media and the legal system are sympathetic to children. Such factors and conditions make children perfect targets for guerrilla recruitment and school abductions take place in mass scale, reportedly for recruitment as frontline combatants and also for mass indoctrination. In addition to gathering first-rate intelligence and participating in ambushes, they also form the first wave of an offensive attack, assaulting across razor wire that encircles a military installations, according to a high-ranking official of the RNA in the mid-western region.

Work conditions in the rebel army in Nepal

Training: The majority of the former combatants interviewed by the research team said they were given basic warfare training that usually lasted three to six months. They were taught to perform parades, make socket bombs and handle small arms. Most of them also reported that they were taught to work as sentries, guards, informers and porters in the initial phase of their entry with a short-term training.

Many of the former combatants remarked on the lack of opportunity for formal schooling in the camp. They were taught political ideology, science of war and combat strategies even though they were told during the recruitment that they could continue their "education" and other regular activities.

Duties: For many new recruits, the initial phase was seen as a real adventure and a moment for romance. They were treated like special guests and were gradually asked to do basic jobs, such as cleaning, cooking, collecting firewood, whistle blowing, dancing or singing. However, as time passed, they had to engage in harsher labour, such as tough parades, carrying heavy guns and other weapons and food stuff as well as trench digging and front-line fighting. The former soldiers interviewed talked of children used as fighters, messengers, cooks, porters and suppliers by the rebel group.

A majority of those interviewed also mentioned that working as a camp guard had been the easiest job whereas becoming part of a human shield was the toughest and scariest one. Many of the former soldiers mentioned that younger children were often used as human shields in the major strikes, along with civilians.

The former fighters also reported that they had participated in combat at least once. According to them, the number of child soldiers among the rebel faction increases when they have clear victories and the desertions increase when there are major defeats on the battlefront.

Children, including girls, are deployed in combat situations, often to help provide ammunition or assist with evacuating or caring for the wounded, a 16-year-old boy reported.

Treatment: Usually the rebel officers treated the child soldiers fairly well, except in some cases when the commander beat them, even for minor mistakes. The former soldiers interviewed generally described the top-ranking commanders as caring, kind and passionate.

No one interviewed reported any systematic torture, cruel or inhumane behaviour being inflicted upon them. However, in the case of a mistake in a parade march and other training, a light beating with stick and scolding was a typical reaction. Verbal abuse, according to the majority of those interviewed, was rare.

Nearly two-thirds of those interviewed reported that they

did not directly kill any "enemies" even though they took part in an attack. Many did say they saw other young soldiers being killed and/or a government soldier killed by them. They also said they found it hard initially to cope with the chilling circumstances but became accustomed to the violent environment in a very short time.

A majority of the former combatants interviewed reported they were required to work 16 hours a day in the initial probation period. All talked of how tough the conditions were and that most of the time they had to spend the night in the jungle or in open air. Periodically they would seek shelter in a *janata's house* (public house) where accommodations and food service were much better. However, threats and intimidation were used on any host family not willing to provide food and shelter for the rebels.

Severe penalties and threats of disciplinary action were meted out if anyone failed to follow orders. This included instant demotion without judicial review and being sent to a "labour camp".

Basic needs: The former fighters interviewed reported that most of the time the food was just enough but there was no possibility for a nutritionally balanced diet. For a number of days in a month, almost all the ex-combatants stated, they had hardly one meal a day. Most of the time, it was rice and lentils and a little bit of vegetable. Meat was served twice a week, on average.

There was no provision for clothing in the initial six months. After that, they were given a camouflage uniform with canvas shoes. Repairing torn shoes was not possible, as they spent most their time in the mountains, away from the cobbler's service.

According to former child soldiers interviewed, sleeping and bathing conditions depended on the situation; in the combat time, they could not imagine resting or sleeping or even bathing. Sleeping bags usually were provided to cadres. Limited numbers of toothbrushes, toothpaste and soap were also available.

There was no official monthly payment although some pocket money was provided – 200 to 300 rupees (US$ 3 to $4) per month to each rebel soldier. Upon being demobilized or leaving the rebels for refuge with the government security forces, no pay or benefits were given either. The security forces helped send some of the demobilized child soldiers to an NGO shelter for children; adults are sent to the government rehabilitation centre in Dhakaltaar.

Health care: Those interviewed mentioned headaches, stomach aches, fever and flu as the common illnesses for which basic service was available. Bullet injuries usually were treated with professional medical help, though it depended on the severity of injury and availability of medical facilities. They also said that all major battalions and platoons are equipped with doctors, assistant health workers and nurses and there always was a comprehensive medical contingency plan for major assaults. Everyone was treated fairly when it came to medical help, and the seriously injured soldiers received first aid on the spot. In the event of needing referral, they were even taken to India where better medical services were available. Those interviewed thought the medical personnel treated them with the best available medicines and other facilities; the use of allopathic medicine was more common than homeopathic.

Mental state: Two of the former child soldiers interviewed reported having nightmares or trouble sleeping at least twice a week on average, while the others said they were gradually returning to normalcy. Most of the respondents commented that depression was prevalent, particularly when they had to spend several nights in the jungles without enough food, adequate shelter and communication, a bad situation exacerbated by their fears

of security forces or when they lost battles. No one recalled any combatants committing suicide but one demobilized female soldier had killed herself inside the rehabilitation camp in 2004. Almost all respondents in the Dhakaltaar Rehabilitation Centre expressed frustrations, anger and depression. Some of them appeared quite angry at both the Government and the insurgents.

Alcohol and illicit drugs generally were prohibited among the rebels. However, to cope with the extreme alpine climate, everyone drank some level of homemade alcohol to "warm up" for a major combat.

Deep trauma and pain seemed to remain among all the interviewed former fighters. Most of them complained that family members, relatives and friends had not been receptive and accommodating toward them. The government authorities seemed hostile toward them because of their past involvement with the insurgency. In the absence of adequate compensation, counselling and care, the young former fighters had become destitute.

The number of casualties during combat was higher among adults than children. However, many among the 60 former fighters interviewed in the Dhakaltaar Rehabilitation Centre in Tanahu district remarked that women are fiercer and more courageous than men in combat. According to them, the women soldiers in the rebel group have a strong zeal and conviction to fight for the cause. The women among the interviewed former fighters claimed that they were more disciplined than their male counterparts.

Child recruitment into the government forces

There are military schools in Nepal where children receive formal education that is based on the national curriculum. These places, according to a UNICEF representative, are usually reserved for children of military personnel and students are not automatically enrolled in the army.[28] The Government denies the involvement of anyone younger than 18 in its armed forces, but interviews with former Ghurkas (professional soldiers) suggest some boys do enlist, either by lying about their age or through irregularities in their birth registration.[29] The lack of birth registration is an obvious obstacle to protecting children. One anonymous source estimated that some 10 to 15 per cent of recruits in the government forces may actually be younger than 18.

In August 2004, a 13-year-old boy from Rolpa district was "demobilized" by the army allegedly after having defected from a Maoist outfit. However, he was used as a "guide" by the army for more than three months in different succeeding operations before he was sent to a shelter home in Nepalgunj.[30] In recent months, there have been reports of security forces using children caught from Maoist-controlled areas as spies to locate the hideouts of rebels.

Relevant laws and practice on forced conscription

According to information provided to the Asia–Pacific Conference on the Use of Children as Soldiers in Kathmandu (May 2000), the minimum age for recruitment is 18. However, the 1971 Young Boys'Recruitment and Conditions of Service Rules states that boys must be between 15 and 18 years old to be recruited. The Government has explained this means

28 UNICEF, 16/6/99, op. cit.

29 Rana, B., "Gurkha soldiers in Brunei want Government to Government working pact", Bernama, Malaysian News Agency, 19/3/98. Dhakal, P: "Nepali Child Soldiers: Do we know the truth?", paper tabled at Asia Pacific Conference on the Use of Children as Soldiers, May 2000

30 Information provided during an interview with the research study team.

that boys can enlist starting at 15 years of age in order to follow military training, but nobody younger than 18 can be recruited into the army."[31] Officially, enlistment is open to all Nepalese, regardless of caste, religion or ethnic background. However, in practice, recruits tend to be drawn from certain ethnic and caste groups.

Government treatment of suspected child soldiers

There are reports of so-called armed "encounters" in which children as young as 10 were killed by police; many of the killings took place in disputed circumstances, which could amount to extrajudicial executions. There also have been reports of security forces detaining children for alleged involvement in Maoist activities.[32] While the Government has set up separate centres to receive surrendering rebels, they have not made any tangible efforts to take care of the special needs of demobilized child soldiers.

8.3 Child soldiers in Sri Lanka

This report is based on a literature review and interviews with former child soldiers, military officers and other informants that took place over the last few years.

A civil war has troubled Sri Lanka on and off over the past 19 years, although a ceasefire was agreed upon in 2002 between the Government forces and the Liberation Tigers of Tamil Eelam (LTTE), who have been fighting for an independent Tamil state. The ceasefire nearly crumbled in 2004 and 2005: Both the LTTE, or Tamil Tigers as they are frequently called, and the Government accuses each other of carrying out covert operations. The war has left an estimated 65,000 people dead since 1983.[33]

The militant rebels recruited youth shortly after their inception in 1976, though their use of child fighters was reportedly mostly symbolic (perhaps typically as sentries or gathering intelligence on the Sri Lankan Army) until 1984 when the LTTE Bakuts, or "Baby Brigade", was formed.[34] When a young recruit turned 16, he or she was sent to a gruelling four-month training course. Several members of the Baby Brigade also served as bodyguards of the LTTE Chief of Intelligence[35] after the Baby Brigade was temporarily dismantled in 1987 and its units were placed under the LTTE military intelligence directorate. The child forces then were trained to run small businesses – selling ice cream, newspapers, fruits, lottery tickets and working in cafes and restaurants and then re-infiltrated into general society. After a while, many of them began to live with the parents, relatives and families of LTTE sympathizers, thus becoming the eyes and ears of the LTTE. With the intelligence they provided, LTTE "sparrow teams" began killing Tamil informants and supporters of the government as well as Sri Lankan troops.[36]

The enlistment of very young children for military activities began around November 1987. The LTTE allegedly has used children as young as 10 as assassins. The LTTE seems to have stepped up its recruitment of young fighters in the past several years and integrated them in other units to offset heavy losses of adult fighters due to a variety reasons (see next section).

The LTTE troop strength is estimated at 10,000 fighters;[37]

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31 Summary Record of the 302nd meeting of the Committee on the Rights of the Child, Consideration of the Initial Report of Nepal, UN Doc. CRC/C/SR.302, 24/6/96, para. 31

32 Information provided to Asia Pacific Conference on the Use of Children as Soldiers, Kathmandu, May 2000

33 ibid.

34 ibid.

35 ibid.

36 ibid.

37 Global Security website: http://www.globalsecurity.org/military/world/para/ltte.htm

what proportion of that are children younger than 18 is unclear. Since April 1995, an estimated 60 per cent of LTTE personnel killed in combat have been children.[38] Sri Lanka's Directorate of Military Intelligence estimates that 60 per cent of the ranks also may be younger than 18.

Over the years, the combat efficiency, technological innovation and leadership qualities of the LTTE have been integrated into the young fighting units. To gain greater speed and surprise, the LTTE mixed Black Tigers – psychologically and physically trained-suicide units with the Baby Brigade.[39]

The LTTE formed an elite "Sirasupuli", or Leopard Brigade of children drawn from LTTE-managed orphanages. Within the LTTE ranks, this brigade is considered to be its most fierce fighting force.[40]

Why are children and youth recruited in preference to adults?

The LTTE have suffered significant setbacks over the past several years. The first was the break away of a major division composed of several thousand cadres. The LTTE is believed to have abducted children to fill its reduced ranks. The tsunami in December 2004 caused much devastation to the rebels, with thousands of high-ranking cadres left dead. The loss of arms, ammunition, boats and other facilities was enormous. However, it led to the opening of other "doors" for new recruitment of the unprotected tsunami orphans and possibly even new fundraising. Reportedly children who survived the tsunami were children mainly older than 10,[41] ideal for recruitment and the rebels reportedly offered them "protection". UNICEF and government forces documented several instances of abductions of tsunami orphans. Previously, orphanages in Kantharuban and Sencholai were seen as points of recruitment.

Also, adult interest in fighting has been waning, partly due to their feeling less isolated with the construction of a major highway, to changes in the political environment (such as Tamil finally recognized as an official language) and to the decrease in atrocities committed against the Tamil public by government forces. The international war on terrorism has created some fears as well as reductions in funding to the rebels. The international Tamil community that for so long provided considerable funding is said to have grown weary of the protracted war.

In addition, the LTTE insistence on "taxes" and other payments collected by force, combined with the abductions of young people, have increased their unpopularity. At the moment, they use power and fear to control communities rather than friendship, trust and credibility.

The loss of adults and funding has caused the rebels to fill their ranks with young people, and more children in the rebel force these days have been abducted than have volunteered.

The preference for children also stems from the following:

- Children can be paid less than adults, if at all. In the middle of dwindling funding for rebel organizations, it is a major attraction (demand factor) for recruitment/abduction.
- Children eat less and demand less food. The

38 Dushy Ranatunge, a UK-based Sri Lankan researcher and reporter to the Island Newspaper in Gunaratna, op. cit.

39 Rohan Gunaratna, "LTTE Child Soldiers", Jane's Intelligence Review, July 1998.

40 Gunaratna, op. cit.

41 National Child Protection Authority database

cultural dominance of adults, especially those with power, usually inhibits children from even asking for more food because it would be culturally "unacceptable" for a child to behave in such a way.

- Considering the cultural factors, children are less demanding for other needs as well. Some of these needs are sleeping time, rest and play. If any of these conditions are restricted or not given and when protests are reacted to with punishment, the children learn to bear it silently. Eventually, these conditions become "norms" the children feel obliged to endure. When these children become adults, they are likely to behave in a similar fashion – imposing restrictions and adverse conditions on children.
- Children and youth are easily "brainwashed" – they have less lateral thinking and believe more blindly what is told to them. They are not used to questioning "if", "why", "what" or "how". This may be due to traditional cultural values in which children are not supposed to question adults.
- Children and youth are less aware or do not yet comprehend the difference between reality and idealism. Thus they can be more easily motivated toward "heroism" and "martyrdom" through "class teachings" and public meetings that encourage retribution through "emotions". It is a manipulation that results in their willingness to take on suicide missions more readily than adults.
- It is easier to maintain discipline of children through fear than to control adults. Threats, ranging from something trivial to death, frighten children more than adults and prevent them from deserting more easily than with adults.
- Easy trainability and efficient hand-eye coordination are ideal attributes in children/youths.
- The lightweight automatic weapons are readily available and children can use them easily.
- Children and youths have "vibrant" and "hot" emotions that could be manipulated easily for retribution and/or suicide.
- Children are more "expendable" to families, compared to wage-earning adults needed for the family's survival.
- Children are least suspected as spies or detonators of landmines by conventional forces. This makes children an ideal choice for specific roles.
- International standards (or even local standards) for the perpetration of violence or "terrorism" is less likely to assign blame to a child or youth, compared to an adult. The argument would be that the child was used (exploited) by an adult who would not be available to take responsibility. Therefore, the use of children by "proxy" by adults is an extremely attractive reason for child recruitment. For example, many youth who stayed at a rehabilitation camp had committed grave crimes against humanity but were not charged for their crimes.
- Children can be more easily recruited by their peers.

Enabling factors for child recruitment

Before the United Nations Graca Machel report on child soldiers, some media coverage treated underage fighters as "heroes" or "martyrs". Until the Optional Protocol to the United Nations Convention on the Rights of the Child clearly set 18 as the minimum age for recruitment for combat, teenagers older than 15 could legally be conscripted. Calling children brave soldiers and martyrs was especially common during the late 1980s and early 1990s. This helped win over children to the idea that serving in the rebel army was an attractive option.

Among other factors that enable the use of children as soldiers:

- The lack of law and order in the rebel-controlled areas and the Government's inability to hold rebel

forces accountable to national laws creates an environment in which children can be abducted or recruited.

- The international community and the United Nations have no system to make recruiters/abductors of children accountable, especially in territories held by the rebels. The United Nations Secretary-General is currently seeking sanctions against armed groups who conscript underaged soldiers. The difficulty in identifying individuals responsible for recruitment helps "protect" them as well.
- Minimal sincere concern for children's rights enables rebels to feel no pressure to stop abducting or taking in young people.
- The abundant availability of poor children with poor prospects for education, vocational training and employment makes conscription of them more attractive.
- Children's attraction to military paraphernalia such as uniforms, armaments, and belts and the general public's acceptance of heroism through violence helps "pull" children into volunteering. Also, in a period of life when someone is neither considered a child nor an adult, "identification" comes with a gun and uniform and fear by the public.

8.4 Voices from former child soldiers

Ambigar, 16, who joined when she was 12:
"I am an expert in karate. Even the boys were scared of me. I was given the leadership of my group because I am fearless. … When I was given an order by my leaders, I did everything that they wanted. It did not matter whether it was too risky or not. Everyone should think and fight that way and not care about death. …"

Krishna, 15:
[To the translator:] "How can I trust you? You are Tamil and translating for a Sinhala man for money. How do I know who you are really? I will never tell anyone, not even my mother, anything. Some day somewhere they will get to know about what I said and they will get me. They get to know everything everyone says, wherever you are. Their intelligence is the best in the world. They have always told us that."

Abhimani, recruited at 17:
"I am tall, big and strong. My task was to go with the ambush team from behind and carry back the dead and the injured to the medical aid group. … It was not too bad because most of the injured were children or women and not heavy. … I did not like this task because it was not a 'heroic'task, like shooting and killing. …"

Ravi, 22, recruited when he was 14:
"My task was to befriend boys of my age or younger children. I used to tell stories of how I fought and escaped death by being brave. They all wanted to listen and I was looked upon as a hero. I was also supposed to talk about the bad things the government soldiers did. I was good at telling these stories. Very often they liked to join and I directed or took them to others for them to join."

8.5 Key findings on the use of child soldiers

Reason and preferences for children in armed conflict:

- The study in both countries found that children often are preferred by fighting groups because they are receptive to high levels of indoctrination, willing to engage in high-risk operations and because they are obedient and easier to control than adults.
- Children can be paid less than adults, if at all. They demand less food and are less demanding in general.
- Relatively lightweight automatic weapons are readily available and children can use them easily.
- Conventionally trained soldiers and policemen are less likely to identify children as threats. Thus, children are least suspected as spies, detonators of explosives, etc.
- Both guerrilla forces in Sri Lanka and Nepal had losses, and declines in new adult recruits resulted in the recruitment of children. In Sri Lanka, the tsunami in December 2004 result in LTTE recruiting children who had been orphaned.
- Children can be more easily recruited by their peers.
- International standards (or even local standards) for the perpetration of violence or "terrorism" is less likely to assign blame to a child or youth, compared to an adult. For example, many youth who stayed at a rehabilitation camp in Sri Lanka had committed grave crimes against humanity but were not charged.

Recruitment:

- In Nepal, forced recruitment of children and women into the Maoist ranks is a common practice, most often using schools as recruitment platforms.
- Many new recruits were at first fascinated by the rebel groups and saw the initial phase of recruitment more as an adventure. They were among peers and at first only given light responsibilities. Later, they would have to do far more demanding tasks. In general they would be indoctrinated with ethnic, nationalistic or religious hatred and then thrown into the firing line.
- Peer recruitment was another common recruitment strategy both in Sri Lanka and Nepal.
- In Nepal, the lack of birth registration and the uncertainty of a person's age was an obstacle to protecting children from being recruited into the government forces.

Working conditions and exploitation:

- Casualties among children seem to be very high in both countries. Some 60 per cent of LTTE fighters killed in action in Sri Lanka since 1995 are estimated to be younger than 18. The majority of them were 10–16 years old.
- Demobilized child soldiers in Nepal revealed that the Maoist rebels had adopted a strategy to send young soldiers storming en mass on military installations prior to a gun battle. They also revealed that some children been used in dehumanizing acts such as killing a relative and chopping off the heads of dead comrades.
- In Nepal, there were reports of so-called armed "encounters" in which children as young as 10 were killed by police; many of the killings took place in disputed circumstances, which could amount to extrajudicial executions.
- Most of the respondents from Nepal commented that depression was prevalent, particularly when they had to spend several nights in the jungles

without enough food, adequate shelter and communication, a bad situation exacerbated by their fears of security forces or when they lost battles.

- Almost all respondents in the Dhakaltaar Rehabilitation Centre in Nepal expressed frustrations, anger and depression. Some of them appeared quite angry at both the Government and the insurgents.
- Many of the former combatants remarked on the lack of opportunity for formal schooling in the camp. They were only taught political ideology, science of war and combat strategies.
- Former soldiers in Nepal talked of children used not only as fighters, but also messengers, cooks, porters and suppliers by the rebel group.
- Although many respondents in Nepal had faced enormous hardship, they often described the top-ranking commanders as caring, kind and passionate. However, severe penalties and threats of disciplinary action were meted out if anyone failed to follow orders. This included instant demotion without judicial review and/or being sent to a "labour camp".

Recommendations

9. Recommendations

As both "demand" and "supply" factors influence the nature and end results of trafficking, the States must try to understand and address the underlying dynamics of both of these subsets of factors in order to address and eliminate trafficking of children and women for labour and sexual exploitation. Addressing only the "supply" factors or the "demand" factors alone will not be an effective strategy in combating human trafficking.

"Demand" that exists in the minds of the consumers for certain products and services should not be equated with "demand for products and services produced by trafficked persons". Only where there is explicit "demand" for certain types of services that require specific types of persons, for example, young girls/boys and virgins, that should be seen as "demand-lead" trafficking.

The consumers may have "demand" for different products and services, but it should be the State responsibility to make sure that the employers and third parties can not bring in the trafficked persons for producing those products and services. The consumers/clients who manifest direct demand for such services that can only be produced/delivered by a trafficked person, should be heavily penalized. Similarly, the third parties and employers who hire or facilitate such hiring and exploitation should be punished.

The existing legal frameworks in many countries are either inadequate or the laws are antiquated and are in urgent need of reforms. Thus all countries should enact comprehensive anti-trafficking laws to prosecute traffickers/exploitative employers and third parties who facilitate trafficking through official or private services systems. As the underlying dynamics and end results of trafficking have significantly changed in the recent past, each country should carefully review its relevant laws, identify their loopholes and inadequacies in dealing with modern forms of trafficking for labour exploitation in addition to trafficking for sexual exploitation, and should make necessary legal reforms in line with the international instruments to combat human trafficking. More specifically, trafficking for "labour exploitation" should be included where anti-trafficking legal frameworks refer only to trafficking for sexual exploitation. All countries should consider increase in penalties associated with trafficking of children and women.

In addition to necessary legal reforms, the respective governments must take necessary proactive steps towards effective enforcement of those laws without which laws will remain only in shelves. State must establish effective inter-agency coordination mechanism for victim identification, investigation, extradition in cases of cross border trafficking, and prosecution. This will require comprehensive training of the police, border control and security forces, immigration officials and other relevant agencies of the government.

The States must develop appropriate mechanism to

monitor and control the employers and third parties that determine the fate and exploitation of the victims of trafficking at the points of destination. At the moment most of the anti-trafficking interventions are geared towards addressing the supply side of trafficking and the processes involved in this crime.

Geographical mobility may help desperate and hapless people find alternative options for living and thus state should carefully facilitate such migration. Thus legal migration should be simplified by minimizing bureaucratic requirements. Cross border migration of children that involves risk of trafficking, should be discouraged by providing adequate information about the risks of such migration.

In case of domestic labour and workers of other informal sectors, the State authorities should devise and administer a standard contract form which defines, work responsibilities, work hours, holidays, wages, medical facilities, and compensation for injuries. Use of such form should be made mandatory and where the labour laws formal sectors do not cover such sectors of the informal economy, the NGOs, members of the unions, employers and international organizations should be allowed to monitor use of such forms and working conditions of the workers. States should also create provisions for receiving complaints from the victims of forced labour and other types of exploitation

In addition to cross border trafficking, the countries must recognize internal trafficking for labour and sexual exploitation and should do the needful to address such internal trafficking.

Clients who are found to buy sex from children and sex establishment that recruit children should be prosecuted.

Education Policy and Labour Policy in each country must aim at providing quality education and access to facilities that enable all to have decent standard of work in the areas that suit individuals' interest and capacity so that the young people do not have to consider 'migration' as the first option for livelihood.

States should also adopt poverty focused development strategies. They should design and implement programmes for generating livelihood for the poor and vulnerable, particularly in the disadvantaged areas where children and women are mostly recruited by the traffickers, employers and their agents for exploitative employment.

Require all direct or indirect profiteers of trafficking to financially compensate victims, and apply civil and criminal statutes and penalties against them to the extent that such actions work as effective deterrent to trafficking.

All countries should form community surveillance groups to monitor the use of children and women in exploitative working conditions, particularly in commercial sex work and domestic labour.

States should sign bilateral and multilateral Memorandum of Understanding (MOU) to facilitate inter-country investigation, extradition and prosecution with regard to cross border trafficking.

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Note

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