

A review of the National Report on Human Trafficking 2008/2009
By the research project team Economic and Social Research Council (ESRC) UK
Project Res-062-23-1490:
Post Trafficking In Nepal: Sexuality and Citizenship in Livelihood Strategies

For the last couple of years Nepal has published a landmark document, an annual report on trafficking in persons. Recently the Office of National/Special Rapporteur on TiP (OSRT) published the National Report for 2008/2009 which is currently being circulated to various organizations involved in addressing trafficking. The objective of this report is to analyze the activities carried out by various stakeholders in Nepal addressing human trafficking in the country, mapping out the new dimensions emerging in human trafficking and suggesting appropriate government policies.

While the report is informative we consider that it has some serious flaws. Our review aims to help the TiP producers improve the report both conceptually and methodologically.

1. The major flaw of the report is its conceptual deficit. Globally there are established theoretical perspectives in relation to human trafficking such as the human rights perspective, which need to be considered in its production. Human rights matter a lot in anti trafficking campaigns because human trafficking is considered to be a crime against humanity. Some of the organizations and particularly the government view it as crime against the state. While some others understand it to be a legal problem. However, the report has not taken into account Human Rights framework/perspectives. This could mislead both the stakeholders addressing the issue as well as the resource agencies investing funds in anti trafficking.
2. The conceptual deficit is reflected in the quality of the report. While it aims to provide an analysis of human trafficking in Nepal, it concentrates largely on a detailed description of the activities carried out by various stakeholders with little or no contextual (social, cultural, policy) analysis.
3. Data myths: Human trafficking is such a complex issue in Nepal that it is hard to trace quantitatively. This is not to say that data is not important, indeed they are crucial however qualitative analysis is required to trace any event recorded and to track down incidences in the trafficking process. This is particularly crucial in the context of Indo – Nepal cross border trafficking where the reality is that thousands of individuals cross the Nepal India boarder daily due to economic, social and cultural reasons and hundreds of individuals fly abroad for foreign employment. Given this situation, without reliable sources, providing tentative data may mislead readers and policy makers. The data currently used in the reports are outdated and in some instances sources are either not cited or wrongly quoted. Magnitude should be the main criteria for mapping out the problem so that stakeholders are clear about the nature and depth of the problem.
4. Methodological dilemma: The absence of a conceptual framework and the quality of report raises questions about the methodology used to prepare the report. It stated that both primary and secondary data were analyzed however it is not clear which methods were used to collect data and narrate the findings.

Ways to move forward:

1. **This report:** The project researcher (Dr Poudel), who is also the programme advisor for the IOM Mission to Nepal met with the TiP production team (NHRC/OSRT) and the UNDP (TiP report donor) to discuss the above concerns. Both parties agreed that these flaws could be addressed by acknowledging the gaps and adding a page or two into the Nepali version before translating the report and circulating it to local NGOs. It was not, however, possible to rewrite final report which has already been released.
2. **Next report:** There has also been discussion within OSRT, UNDP and IOM suggesting that both organizations (IOM and UNDP) convene a project team and work together to ensure the quality of future reports. The IOM which has a strong TiP team with a long track record of committed academic and practical experience could offer expertise/technical support on the conceptual framework, methodology and intellectual analysis of the report. The UNDP could resource this process. Such a joint effort is envisaged in order to build the institutional capacity of the TiP team at NHRC and ensure a high quality product.

Dr. Meena Poudel, on behalf of the ESRC research project team, August 26, 2010