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Access to Justice to Victims of Human Trafficking: Nepalese Perspective

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Human Trafficking across borders: Human Rights Violations of women and children, challenges and remedies

Om Prakash Vyas



Kathmandu School of Law (KSL)

Dadhikot-9, Bhaktapur Nepal, Ph: 6634455, 6634663

Email: info@ksl.edu.np, Website: www.ksl.edu.np



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Identifying Justice: The Economic Way Out

- Adity Karki¹

The essay titled as "Identifying Justice: The Economic Way Out" deals with trafficking problem of young girls and women in Nepal. In the essay, an attempt is made to discover the core reason behind the trafficking problem of Nepal. Also, the essay discusses whether the justice provided to victims of trafficking is itself just or not? What are the legal provisions of Nepal that deals with trafficking issues of Nepal? Despite of the legal provisions, why trafficking is still not controlled by the authority? The essay aims to solve these questions. As a result, poor economic circumstances come forward as the root-problem which ultimately brings many other problems in the society. The essay suggests the idea that the victim of trafficking is not only a particular woman or girl but also the entire society. Finally, in the later part of the essay, some alternative way outs are suggested that would help to minimize trafficking problem in Nepal.

“Kala Ji, Get Ready. The program starts in 5 seconds.”

“Ok Nirajan. I am set.”

Every Saturday, exactly at 2 pm, Kala runs a program about trafficking in fm station of Sindhupalchowk district.

“Ghyangfedi village now seems like women less society. As per the records of Village Development Committee, almost three thousand women and young girls have been sold to brothels of India.²”

Kala goes on saying, “The issue has become more serious. As there are very less women and girls in the village, lots of men are unmarried. People opine that trafficking problem has started to affect the natural order of society.”

Kala is herself a victim of trafficking. She managed to escape from Bombay some three years ago. She was sold by her husband who had introduced himself as an Indian army. Today Kala

¹ Currently pursuing LLB at Kathmandu School of Law; First Runner-Up in the 1st KCIL National Essay Writing Competition organized by Kathmandu Center of International Law.

² ‘Young girls sold by their relatives’, *Gorkhapatra*, 2068-6-24.

is living with HIV virus and one life-time goal that is, creating awareness about trafficking issues.

She continues the program after a short commercial break, “Similarly Ghyangfedi and the nearby village Sikharbesi are in grave danger of HIV/AIDS. In last three years, twelve people have lost their life because of AIDS. Likewise half dozen HIV infected people are in critical stage of life and death.³”

The above mentioned plot is a true story where Kala is the only fiction character. Yet, Kala also resembles a serious truth. There are many Kala in Sindhupalchowk district who are yearly sold to brothels and live a miserable life. Also there are few Kala who manage to return back. Among them some Kala(s) return with mental disorder, many return with infection and few of them return with a faded hope of living a new life.

Human trafficking is one of the fastest growing global criminal activities and now it is considered as a leading source of profits for organized crime. Taking one person from one place to another by alluring or enticing, under threat, forcing into bondage by undue influence and misuse of authority for sexual exploitation or any other purposes amounting to violation of human rights is trafficking.⁴ Similarly *The Global Alliance Against Traffic in Women* (GAATW) defines human trafficking as:

All acts and attempted acts involved in recruitment, transportation within or across borders, purchase, sell, transfer, receipt or harboring of a person involving the use of deception, coercion (including the use of threat, force or the abuse of authority) or debt bondage for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude (domestic, sexual or reproductive), in forced or bonded labor, or in slavery like conditions, in a commodity other than the one in which such persons lived at the time of the original deception, coercion or debt bondage.

This definition focuses on the human rights abuses the victim encounters, as it does not focus on the victim’s consent or the lack thereof. This means that also women, who were aware of the nature of the activities they would be carrying out, count as victims of trafficking when faced with the above mentioned abuse. This definition also includes trafficking for purposes

³ *Ibid.*

⁴ Definition suggested by AATWIN (Alliance Against Trafficking in Women and Children) Nepal.

other than sexual exploitation. However, the emphasis on “sex-work” will continue to grow at the expense of these other exploitative work circumstances.⁵

Trafficking into the sex trade has been a global phenomenon. It is reported that 600,000 to 800,000 people are trafficked across borders around the world of which two thirds are found to be compelled into prostitution or sex slavery. A large number of women are trafficked in South Asia and are forced into prostitution. Nepal has one of the highest incidences of trafficking of women into sex trade in the South-Asian region. There is no accurate figure of the scale of trafficked girls from Nepal. Despite published figures and NGOs(Non-Governmental Organization) suggests that between 5000 to 7000 Nepali girls are trafficked for sex work each year, and about 200,000 Nepali girls are working in the sex industry in India.⁶ Also, a significant number of girls have been trafficked to work in Indian circuses where they face sexual exploitation and torture. The Indian Government, which has ratified most of the human rights instruments, has been tolerating red-light areas where young girls and women from Nepal are deceptively inducted every day. The border between India and Nepal is open and the Governments of Nepal and India are pretending ignorant about over 5000 Nepalese girls and women being smuggled every year.⁷ Ironically the fear of AIDS has led to the ongoing search for younger girls who are taught to be more pure and thus more safe. As per the report of human Rights/Watch Asia, “Awareness of AIDS among potential customers has driven the sex industry to supply more and more young girls, who can be sold as virgins and therefore AIDS-free”⁸. As a result, younger girls (age 8-12) are being demanded and forced into trafficking in India, which has ultimately increased the trafficking rate of Nepal.

Talking about the initial history of trafficking of women and girls in Nepal, during the Second World War, employment was available for Gorkhas in the British Army, as it still is.

⁵ Paula Maatta, *Trafficking in Girls and Women from Nepal to India*, Enlargement and Globalization Issues of the European Union, 1st edition (University of Tampere 2002), 1.

⁶ ‘Antecedent and Sequel Issues of Nepalese Women trafficked into Prostitution’, (2009) *Journal of International Women’s Studies* 12, 79.

⁷ Yubaraj Sangroula, *Analysis of Causes behind Trafficking, Trafficking of Girls and Women in Nepal*, 1st edition (Kathmandu School of Law 2001), 50.

⁸ Human Rights Watch Asia, *Rape for Profit: The Trafficking of Nepali Girls and Women to India’s Brothels* (New York: Human Rights Watch 1995).

The comings and goings of people from every part of the country for army recruitment centers provided a pretext for agents to take Nepali girls to the Indian prostitution markets⁹.

Women and girls of Nepal are also trafficked to other Asian destinations, including Malaysia, Hong Kong and South Korea. As per CIB (Central Investigation Bureau) Nepal, there has been rise of trafficking of women migrant workers in the guise of foreign employment in the Middle East over the past couple of years. Few months back CIB police had arrested two foreigners, one Moroccan and one Sudanese, for human trafficking. Investigators said that they had been involved in trafficking Nepali girls to Gulf countries illegally.¹⁰ “The duo would forge Labor Agreement to send men and women abroad promising them lucrative jobs. A preliminary investigation suggests the two had teamed up with around three dozen manpower companies to serve their interest.” an official of CBI informed¹¹. Moreover, trafficking of girls and women often follows the same route as legitimate migration. This has made trafficking a difficult crime to detect. Thus trafficking is increasingly becoming an act of organized criminal rackets from both inside and outside of Nepal.

Yet the mess doesn't end here. The problem is more severe and serious from victim perspective. Some Nepali girls and women do manage to escape the brothels or forced sex slavery when there are police raids. Women who return after having been trafficked face lifelong marginalization, mental distress and psychological disorders. Compared to other women in Nepalese society, women involved in prostitution are regarded as ‘soiled’ and are rarely considered acceptable in the society. They are often regarded as a carrier of HIV, resulting in rejection and ostracism by families and communities. According to Shanta Chaudhary, author of “Every Young Girl's Nightmare,” Nepali girls who have AIDS often end up prostituting themselves in Nepal. Many women who return from being trafficked have lost their identities. Being disconnected from their nuclear family or having been displaced during childhood from parents, these women face difficulties in obtaining citizenship cards.¹² There are very few organizations that addresses girl trafficking and provide “safe-houses” for returning girls in Kathmandu. However none exists in the rural village. The non-government organizations that are active in addressing issues concerning trafficking are the Women's Security Pressure Group, Child Workers in Nepal (CWIN), WACN, Alliance Against

⁹ Prativa Subedi, *Women and Trafficking, Nepali Women Rising*, 2nd edition (Sahayogi press 1997), 24.

¹⁰ ‘Moroccan, Sudanese held for human trafficking’, *The Himalayan Times*, 2069-3-28.

¹¹ *Ibid* 9.

¹² (n 4), 81.

Trafficking in Women and Children (AATWIN), Maiti Nepal, Stri Shakti and Shanti Rehabilitation Centre.

As the reports speak, trafficking is gradually becoming the complex and organized form of crime in Nepal. At the same time, trafficking-related complicity by government officials remained a serious problem in Nepal, with traffickers using ties with politicians, businesspersons, state officials, police, custom officials, and border police to facilitate trafficking.¹³ As a result, accessibility of justice to victims of trafficking is becoming even more unfeasible and unworkable. This fact is supported by one incidence of Sindhupalchowk district occurred few months back in July. Bajar Singh Tamang, who was accused of trafficking six girls in India, threatened the victims in front of the court saying, “I will see all of you after I come out”¹⁴. It shows his good connection with the concerned authorities as he was earlier also released from trafficking case.

Now let’s talk about access of justice to victims of trafficking in this scenario where crime is getting more formal and organized instead of laws and policies. Obviously there exist laws to regulate human trafficking in Nepal.

Legal Provisions of Nepal

2007 *Trafficking in Persons and Transportation (Control) Act* (TPTA) prohibits all forms of trafficking and prescribes penalties ranging from ten to twenty years imprisonment, which are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In Section 11, Clause 1 referring to the crime of trafficking persons the Nepali Code of Laws stipulates:

“No individual shall take any person by temptation out of the territory of Nepal with the intention of trafficking. If the individual is arrested before selling the person being taken to a foreign land, he or she will be imprisoned for ten years, but if the victim is already sold, the culprit will be imprisoned for twenty years. If the purchaser of the victim is found inside the territory of Nepal, he or she will also receive a penalty equal to that of the seller. Those who support such a crime knowingly will receive half the penalty of the main culprit.”

¹³ ‘Trafficking in Persons Report 2009’, available at http://www.nepalmonitor.com/2009/06/human_trafficking_in.html (accessed on 10 August 2012).

¹⁴ ‘Victims threatened in front of court’, *Nagarik Dainik*, 2069-3-6.

Nepal has ratified the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) in 1991. This instrument obliges State Parties to take all appropriate measures including legislation, to suppress all forms of traffic in women and the exploitation of prostitution of women. Nepal is a State Party of the *Convention on the Rights of the Child* (1989) and optional protocol, and it needs to take all appropriate measures to prevent the abduction of, the sale or the traffic in children for any purpose or in any form. Children are also to be protected from all forms of sexual exploitation and sexual abuse. Nepal has also ratified *Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery* (1956), *ILO Minimum Age Convention*, 1973 (No. 138), and *ILO Convention on the Worst Forms of Child Labor* (No.182).

Similarly, the National Legal Code (*New Muluki Ain* – 1963) lays down that separating a minor below 16 years from the guardian or enticing the minor for the purpose, without the consent of the guardian is an offense and “Nobody should allure persons to cross the border with the intent of trafficking or strike a deal in this regard”. The Code also prohibits the sale or purchase of any person. The 2007 *Foreign Employment Act*, through its chapter 9, criminalizes the act of an agency or individual sending workers abroad based on false promises or without the proper documentation, prescribing penalties of three to seven years of imprisonment for those convicted.

Nonetheless, the problem is lack of legal enforceability. Laws against trafficking are strict, but application of the law is very weak. As a result the law exists merely on paper. Global Human Trafficking Research conducted by ‘State of Department’ of United States of America has placed Nepal in second position.¹⁵ The report mentions that the countries which are actively involved in anti-trafficking are placed in first position, those countries which have policies against trafficking but lack in implementation are placed in second position, and third position is occupied by the countries with zero effort to stop human trafficking.

Of course the weakness lays in legal implementation and execution part which has encouraged the traffickers to victimize the young girls and women of Nepal. Meanwhile, some progressive actions are also being taken in the part of judicial remedy to control trafficking in Nepal. Sindhupalchowk District Court has sentenced a convict of human trafficking to 170 years in jail. It is the severest jail term ever served to someone in country’s

¹⁵ ‘Report: Nepal Second in Human Trafficking’, *Rajdhani Dainik*, 2069-3-7.

judicial history of Nepal¹⁶. Quite ironically Sindhupalchowk district is still the major hub for trafficking of girls and women in Nepal. But, is the legal punishment, the ultimate justice to victims? The time in which the young girls could have acquired light of education, or have learned some earning skills, went all wasted. Rather they were tortured and exploited for forced labor and sex-trade in such precious time. With no fault of their own they became victims of vulnerable diseases like HIV/AIDS and other sexually transmitted disease. Only because of state's irresponsibility they were forced to suffer physical and mental torture. Can all these be compensated by punishing a single trafficker? Will his/her imprisonment heal all the sufferings of victims?

Yes, legal punishment is a very essential component of justice. It is important from the perspective of both society and the particular victim. Every law-abiding citizen feels menaced and frustrated until the criminals have been struck down; the main thing is to destroy the concrete scoundrels whose acts has alarmed everyone, and thus made everyone unhappy; when the law has been executed upon them there is a sigh of relief. Even for the victim, the judicial punishments provide the ground for healthy expression of victim's emotion or revenge. In other words, it is *Katharsis*¹⁷.

Nevertheless, *Katharsis* is only one element of Justice. It cannot be the ultimate justice especially for the victims of trafficking because they lose more than what *Katharsis* gives. As per the report of Social Science and Median of 2008 on *Mental health of female survivors of human trafficking in Nepal*, 97% of trafficked victims suffer from extreme depression and PTSD (Post-traumatic Stress Disorder).¹⁸ The report suggests that the victim's condition would become more severe if they are not treated psychologically.

Similarly, as mentioned earlier, re-joining the homeland is not easy for trafficking victims. Firstly, they are not easily accepted by the society as they are considered prostitute. Secondly, they will not be able to find economic opportunities easily. (The victims were earlier trafficked with false promises of well –paid jobs as there was lack of economic opportunities in their place). Lastly, the victims usually return with poor health condition which may not be affordable for them to cure. There remains only sympathy for victims but not care. As a result

¹⁶ 'Girl trafficker sentenced to 170 years in jail', *The Himalayan Times*, 2069-3-28.

¹⁷ Aristotle defined *Katharsis* as means of salubrious discharge of emotions, a healthy letting off a steam. H.L Mencken, 'The Penalty of Death' in *Encounters. A Prose Reader* (Sthapit Offset Press, 1998).

¹⁸ Available at <http://www.science.com/sciencedirect.com> (accessed on 10 August 2012).

they become forced to enter into prostitution within the country or live a downhearted life. Obviously, something like this cannot be called just.

Now, here arrives a great question, in such a complex scenario of un-just, how do we identify justice? To be more precise, what is justice? Who defines justice: victims or the law-makers? Or, maybe there is an in-between answer, or a different dimension to look into?

Getting to Yes. Negotiating an agreement without giving in is a book by Roger Fisher and William Ury, in which they have mentioned about effective and practical principles of negotiation. The book guides how to negotiate with people so that we can turn conflicts and haggling into constructive joint problem-solving. It provides four basic steps as negotiating skills¹⁹:

1. Separate the people from the problem.
2. Focus on Interests, not positions.
3. Invent options for mutual gain.
4. Insist on using objective.

Here, the book is suggesting about negotiation of people's personal and commercial problems only. But if we observe and analyze deeper, the negotiation skills can be utilized from victim's perspective, for their benefit. It means negotiation between the *victims* and the unjust circumstances, in which they are living. The idea would possibly be clear with the following explanation:

I. Separate the people from the problem

It means the attack should be made on problem rather than on particular people. Trafficking and selling of women and girls is not an isolated problem, but closely linked with our national and social reality.

The lack of economic alternatives for girls and ingrained cultural beliefs regarding gender roles make young girls particularly vulnerable to trafficking. Whereas men often leave the rural areas for the city in search of job opportunities, young girls do not have the same opportunities.²⁰ As a result they are deceived by the traffickers who promise them good

¹⁹ Roger Fisher and William Ury, *Getting to Yes. Negotiating an agreement without giving in*, 2nd edition (Arrow Business Books 1996), 11.

²⁰ Jennifer Aengst, *Girl trafficking in Nepal* (Human Rights Advocacy Clinic 2001), 6.

money with good lifestyle. Meanwhile, the increase in globalization has forced men and women to seek opportunities elsewhere, women and children have been more severely impacted because of the dramatic decrease in government subsidies and economic opportunities²¹. Especially women, mainly coming from poorer strata of the society are victims of trafficking being misled with false promises of employment, tricked into marriages, sold by relatives or acquaintances.

The economic situation with the unemployment among women plays a major role in the growing incidence of trafficking. The diminishing possibilities for employment in Nepal and for legal labor migration for women outside Nepal combined with the demand for women's labor in the service sector mean that more and more and more women are seeking to find employment elsewhere. Unlike the patterns of male migration, many women do not know where to go are not aware of the opportunities available and have no support to plan the migration.²² The traffickers fill the gaps that the legal and social structure has denied women. Some other factors, frequently cited as the cause of trafficking are poverty, low social status of women and girls, lack of education and awareness, inadequate legislation and weak law enforcement. However, poverty is the major factor and many women either sold into prostitution or left their homes to escape poverty.²³ Hence, the problem is not about one girl being trafficked. The root-problem is the trend of girls being deceived into trafficking in search of lucrative jobs or better economic opportunities.

II. Focus on interests, not positions

As the problem is already identified, solving the employment crisis should be the interest of the state. Government and the concerned authorities like NGOs (Non-Governmental Organization) often launch awareness campaigns in the rural areas but the progress is rarely seen. It is because their interest only revolves around the circumference of the problem but doesn't hit the problem.

30.9% of Nepal's population is below poverty line as per the records of 2011 census. The unemployment rate of Nepal was est. 42% in 2004 and it increased up to est. 46% in 2008.

²¹ Aiko Joshi, *The Face of Human Trafficking* (2002), available at <http://www.geocities.com/CapitolHill/Lobby/9491/pub/bangkok/casestudy.html> (accessed on 10 August 2012).

²² (n 4), 2.

²³ *Ibid*, 20.

The labor force of Nepal is only 18 million, as per the records of 2009, in which 75% is occupied by agriculture (large portion is occupied by subsistence form of agriculture), only 7% by industry, and 18% by services. Moreover there is severe lack of skilled labor and the unemployment rate is high in rural areas.²⁴ In addition to this, the harsh tragic segment lays in women's livelihood. Women are still vulnerable to gender inequality and subordinate position in society, exposed to violence, limited access to resource for capacity building, social and personal development, inadequate protection of law/ weak enforcement mechanism, ineffective monitoring, limited access to justice – all factors hindering the empowerment and advancement of women²⁵. In such circumstances even a married women voluntarily and unknowingly becomes victims of trafficker's false promises of well-paying jobs and better life style in foreign countries.

However empowerment of women cannot be perceived as an isolated issue but must be deemed as a holistic approach. Development of women is not possible unless there is progressive change in entire socio-economic structure of the society.

Thus, government and the concerned authorities should collaboratively work on forming progressive economic policies that would bring employment opportunities in rural as well as urban areas and equally for men and women.

III. Invent options for mutual gain

Here the mutual gain does not refer to the understanding between traffickers and the victims. Mutual gain refers to the benefit of victims as well as the security of society from sustainable perspective (as the negotiation is between victims and the social circumstance).

From victim's point of view, there should be programs which include interventions (such as psychological support) to improve survivor's mental health status, paying attention to the category of work performed during the trafficking. The *Social Science and Median Report* suggests that there should be factors like economic and social, to help victims revive from their depression.²⁶ Economic factor apparently means generating employment opportunities for the victims, which would make their livelihood easy and help them forget their sufferings.

²⁴ 'Nepalese Economy Profile', available at www.indexmundi.com/nepal/economy_profile.html (accessed on 10 August 2012).

²⁵ Kamala Visweswaran, 'Existing Status of Women in various Countries in the Region, Gendered States: Rethinking Culture as a Site of South Asian Human Rights Work' (2004) 26 *Human Rights Quarterly*, 12.

²⁶ *Ibid* 13.

Furthermore, social factor is more significant as it has direct relation with psychology. There should be awareness programs which would build positive attitude of people towards the victims of trafficking. At least the victims should not be perceived with defamatory mind-set. This will provide victims, their right to live a dignified life.

Similarly, inspecting from a larger horizon of society, the eventual justice means a trafficking-free society. One of the ways of providing justice to victims is not letting the victims to be victims. Prevention is better than cure. And, the ultimate prevention refers to the economic reformation of country through which poverty will be reduced. Doing this is essential because various researches shows that socially and economically marginalized girls and women are increasingly becoming prey of the traffickers. Thus, economic empowerment of women is not an isolated issue rather it is linked with the overall development of society.

Nelson Mandela has rightly said, "Poverty is not an accident like slavery and apartheid, it is man-made and can be removed by the actions of human beings." Poverty is closely interlinked with access to economic opportunities and utilization of resources, which ultimately determines the people's hold in employment services or opportunities.

Nepal has considerable scope for exploiting its potential in natural resources like hydropower, forests, minerals, herbs, geographical bio-diversity, etc. Also, there are immense possibilities in tourism industry and agricultural development. However, there should be effective mobilization of human resource to utilize such economic possibilities. For instance, Small and Medium Forest Enterprises (SMFEs) has been launching employment programs like bee-keeping, community based milk production, non-timber forest production, etc. These enterprises are commonly found in small villages, operated locally, and contributed significantly to rural employment and livelihood generation.²⁷ With 54% of illiteracy rate of Nepal²⁸, there should be such income generation activities which would not require educational criteria or higher educational qualification. Nevertheless, the trafficking in literate women and girls is also increasing recently. Trafficking of migrant workers is emerging as a trans-national crime with well-challenged international rackets exploiting legal loopholes and lack of proper coordination among concerned authorities, according to the Central Investigation Bureau (CIB)²⁹. Such trafficking, in the guise of foreign employment, is

²⁷ See generally, *Challenges and Opportunities for Nepal's Small and Medium Forest Enterprises* (FAO 2009).

²⁸ Central Bureau of Statistics, *Census Report* (2001).

²⁹ 'Human trafficking rackets thriving', *The Kathmandu Post*, 2068-12-26.

taking because people do not find well-paid employment service despite of their educational degrees. Thus, the point is there should be enough employment generation activities (both skilled and unskilled) within the state so that people will not be trafficked with false hope of well-paid jobs.

IV. Insist on using objectives

It means to insist that the result will be based on some objective standard. In a more simple sense, the methods used for anti-trafficking action should be legal. For instance, in the name of employment generation, prostitution should not be encouraged within the country. It should be guaranteed that no unjust is done for the sake of so called 'justice'.

The synonym for justice can undoubtedly be said as righteousness and fair dealing. The emphasis on 'fair' reflects the most essential component of justice. However, Tom Campbell replicates a different angle in *Issues in Political Theory* where he discusses that "Justice is normally the language of complaint and sometimes of revenge" which seems much relevant in the context of victims of trafficking. Yet, the revenge need not to be unlawful rather it can be expressed through healthy outlet within the legal circumstances. Legal punishment to the trafficker and dignified socio-economic surrounding for the victims can be a way out to endow justice to the victims of human trafficking. Campbell has supported this ground of 'fair-dealing' as he further explains that justice is often analyzed as negative virtue whose demands can be met simply by doing nothing beyond correcting the wrong inflicted on others. Hence, whatever the step is taken it should be with no wrong intention or unlawful deeds.

Conclusion and Recommendation

Trafficking is a complex issue resulting due to combination of cluster of factors – poverty, unemployment, illiteracy and corruption, which is ultimately driven by a significant factor called economy. Reviewing many research done in Human Trafficking issues, what comes fore is the issue of trafficking has been more limited only in philosophical and academic debate and therefore addressing the trafficking problem seems to be heading towards wrong track. Serious concerns need to be taken to tackle trafficking, dealing with the problems of entire economic structure, which gives rise to vulnerable crimes like human trafficking. It is

the state's responsibility to eradicate this problem, where other concerned authorities and public can contribute by maintaining rule of law in the country.

Yet, coming back to reality, Justice can never be equated with Negotiation otherwise there will no longer remain the true essence of justice. Negotiation somewhere refers to compromise but justice strictly denotes the fair and proper administration of law.

However, the idea is not about negotiating justice. Instead the concept is about utilizing the skills of negotiation so that justice can be maintained. Identifying justice through negotiating skills is only one dimension of looking into the accessibility of justice to the victims of human trafficking. There can be other perspectives as well.

To put in nutshell, the main concern is to stop the increasing trend of organized form of human trafficking in Nepal. Interim Constitution of Nepal 2007 has guaranteed right to equality to every citizen and therefore no one can be subjected to inhuman crimes like trafficking. Justice should be guaranteed to every victim as well as the entire society. In spite of the progressive laws, trafficking has not decreased; rather the forms of trafficking have changed with the development process.

Hence, finding new ways for adapting to the changed situations and managing the trafficking problem is not only crucial but also the immediate need of the hour.

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