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## **Women Vulnerability in Informal Entertainment Sectors in Kathmandu: A Human Rights Perspectives**

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# **Women Vulnerability in Informal Entertainment Sectors in Kathmandu: A Human Rights Perspectives**

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## **Abstract**

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The objective of the research was to explore the vulnerability of women working in the entertainment sectors towards prostitution and their social problems. Natural calamities, armed conflict or any other social and economic problems make women and girls more vulnerable in Nepal. There is no fixed data on the number of women working in these sectors. Research methods such as key informant interviews and participation in the interaction programs were employed to gather information. It was found that female sex workers on the street in Kathmandu sit in the crowd area of the city. Unemployment and poverty in the urban area have made especially the migrant young women involve in sex profession. Participants in the interview said that domestic violence has made women do anything for their sustenance. The sex worker women suffer from social stigma and reproductive health problems. However, they have hidden their health problems. Finally, due to the orientation and assistance of non-government organizations, the sex-workers have started to organize in groups and are more empowered than before.

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**Keywords:** entertainment sectors, prostitution, women and girls, qualitative study



# **La Vulnerabilidad de las Trabajadoras Sexuales en Kathmandu: Una Perspectiva de los Derechos Humanos**

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## **Resumen**

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El objetivo de la investigación fue explorar la vulnerabilidad y los problemas sociales con que se encuentran las mujeres que trabajan en el sector del ocio enfocado a la prostitución. Las mujeres y chicas de Nepal se vuelven más vulnerables con los desastres naturales, los conflictos armados y cualquier otro problema económico y social. No hay ningún dato definitivo sobre el número de mujeres trabajando en este sector. Para recoger datos se utilizaron métodos de investigación como las entrevistas a informantes clave y la participación en los programas de interacción. Encontramos que las trabajadoras sexuales de las calles de Kathmandu se asientan en el área más poblada de la ciudad. Son el desempleo y la pobreza del área urbana lo que empuja especialmente a las chicas migrantes a ejercer la prostitución. Las personas entrevistadas dijeron que la violencia doméstica ha empujado a las mujeres a hacer cualquier cosa para sustentarse. Las trabajadoras sexuales sufren el estigma social y problemas de salud reproductiva. Sin embargo, ellas esconden sus problemas de salud. Finalmente, debido a la orientación y asistencia de organizaciones no gubernamentales, las trabajadoras sexuales han empezado a organizarse en grupos y están más empoderadas que antes.

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**Palabras clave:** sector del entretenimiento, prostitución, mujeres y chicas, investigación cualitativa

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**A**rticle 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines human trafficking as recruiting, taking a person from one place to another by deception, threat, coercion, abduction or giving something to get control of another person for exploitation. The exploitation may be of any kinds, such as sexual, forced labor or removing organs from the human body and the human trafficking constitutes three elements such as the act, the means and the purpose (UNODC, n.d.).

Prostitution is an act of selling a woman body for a sexual purpose to a man. However, it is done voluntarily or involuntarily. Some women do so as a source of income, but many poor women are forced to involve although they do not want to do so. It is estimated that only a handful of them are engaged in prostitution for sensual pleasure. In the poor country like Nepal, women are engaged in forced prostitution because they do not have other alternatives for their livelihood. Similarly, there are also many girls and women in Nepal who are unknowingly landed in the profession.

Since 1950, Nepal has been continuously moving towards political changes. After each change, there has been a slight positive breakthrough in establishing women's rights. After the immense people movement in 2006, women's legal, political, property and some reproductive health rights have significantly established. Nevertheless, till now prostitution is not legalized in Nepal. On one side, women are forcefully engaged or unknowingly involved in prostitution by their job masters and on the other side, police arrest and torture them in the name of maintaining rules and orders. The helpless women engaged in forced prostitution are trapped from both sides. Nonetheless, the commercial sex in the capital city, Kathmandu became more visible after the political change/restoration of multi-party democracy in 1990.

After the 1990s, the Nepalese society became open in many aspects and different entertainment businesses were opened in Kathmandu, the capital city of Nepal. In the capital, there are many massage parlors, cabin restaurants, dance bars, *dohori saaj* (duet folk songs)<sup>1</sup> where many women work. These places are termed as so-called entertainment sectors. In these sectors, many women knowingly or unknowingly have landed or are continuously landing in sex profession. The women working in the so-called

## 26 Niroula - Women Vulnerability

entertainment sectors have a high chance of entering into the sex profession. They are mostly found to be from the poor and rural background. They were unknown about the sex activities that take place inside the hospitality sectors, however, the owner of the business take advantage of their poverty and make them obliged to be involved in sex. In other words, it is a type of internal human trafficking.

Women in the entertainment sectors are low paid and also do not have fixed working hours. It is believed that women offer sex to the customers as their source of income/livelihood or in some cases, just for one meal and shelter for one night. Yet, commercial sex is not permitted by the law of Nepal. In this article, the situation of forced prostitution, the problems of women in these sectors, how do they engage in this sector, their vulnerability and human rights issues, any positive work from any organizations to assist in overcoming from the difficult situation of women, and short terms and long terms solutions to these problems will be discussed.

The general objective of the research article is to explore the vulnerability of women working in the entertainment sectors towards prostitution. More specifically,

- a. To explore the chance of women working in the entertainment sectors to get involved in commercial sex/ prostitution
- b. To know the work condition and the status of street female sex workers
- c. To examine the social and health problems faced by the sex workers and also the difference between general people and sex workers in terms of rights they are enjoying

### **The Problem**

In Nepal, before 1950, the Rana Prime Ministers from one Clan had owned the country's administrative, political, military, financial and all other forms of power, the rulers were very autocratic and there was no rule of law. In their palaces, many young women in the different names such as girls (Nepali name: *keti*), servant (Nepali name: *sushare*), maiden (Nepali name:

*maiya*) were recruited in order to provide them entertainment and sexual pleasure. Although the rulers officially had many wives (also called their queens). The young women were exploited according to the rulers' will. These girls were mainly brought from nearby districts of Kathmandu, the capital city. It could also be argued that it was a form of internal trafficking by the rulers (CDPS & ILO, 2002).

When the Rana regime was abolished in 1950, some powerful Ranas migrated to big cities of India such as Bombay and Calcutta for Nepal. They took the women with them. Unfortunately, when the Ranas settled in India kept young women with them and sold the old women to the brothels for money (*ibid*). Again, when the trafficked women from Indian brothels came to see their parents in Nepal, they started taking other girls luring by fake promises of good life and attractive salary. The chain of cross-border trafficking continued, the government also could not control it because the government officials, police were purchased or given bribe by the brokers or traffickers.

After re-installation of democracy in 1990, huge campaigns were organized by women activists, civil society members and human rights activists to stop cross-border trafficking and there was also awareness programs in different places throughout the country. The media like TV/radio disseminated and broadcasted information against trafficking and also the ways for self-protection which helped in reducing the number of cross-border trafficking.

However, after the six years of re-installation of democracy, a left winged revolutionary communist party called Maoist started a civil war against the Government in order to establish Nepal as a Communist republic and there was an armed conflict between the Government and the Maoist. This battle adversely affected the poor people. Both the agitating parties put the poor people in torture and insecurity which resulted in an increase of internal displacement from the remote areas to the capital city in search of security and livelihood.

Among the displaced people, women, children and especially the girls were more affected. The illiterate and helpless women started to search jobs in the city. They did not get jobs because they were unskilled and were bound to work in the hospitality sectors also so called entertainment sectors,

## 28 Niroula - Women Vulnerability

although they were not fully informed about the activities that used to happen inside there.

The government of Nepal has classified different workplaces as informal entertainment sectors in Kathmandu such as massage parlor, cabin restaurant, dance bar and *dohori saaj* (duet folk songs)<sup>2</sup> centers. Dance bar and *dohori saaj* are open only at night, however, massage parlor and cabin restaurant business are run during the daytime. It is found that the owners of these business centers have recruited under aged girls to attract the clients, and most of them girls and women who work there are illiterate. There is a high chance of exploitation of those girls and women because of their poor economic condition and lack of knowledge. They are recruited by their owners to work as a crew only however, they are obliged to work as sex workers.

The women and girls do not want to work as the sex workers but they are forced and compelled to obey their job masters in order to survive. The main reason which has pushed them into forced prostitution is their economic vulnerability. The so-called entertainment sectors consumed more vulnerable women as the workers and the owners of such sectors exploit them through different ways including rape, sexual assault and involving in forced prostitution. Although almost all of the women are working for their livelihood and bring up their children, but the society has stigmatized such populations as immoral and worthless. People blame them to be valueless. They have no options. They are socially, economically, mentally and psychologically deprived and distressed. This is the main problem.

The campaigners and organizations which work for the rights of women workers claim that the owners of entertainment sectors in Kathmandu are powerful and have a nexus to police and politician. They further assert that with the silence support of powerful authorities the owners are running illegal sex business to make more money. It is an irony and injustice that the girls and women who are recruited for hospitality service provider purpose are forced to work as sex workers. Unfortunately, the girls are not pre-informed about their job conditions and do not have any job contract papers. It is a duty of any owner to provide clear information regarding job descriptions, working hours and payment. An employer cannot involve any worker against the prevailing law of the country and also cannot violate

human rights of any individual worker. Nevertheless, the owners of the entertainment business in Kathmandu are acting against the law and also defying human rights of women workers.

Culturally, in Nepal, the role of a woman is subordinate to male and their voice is unheard or is not taken seriously. It is seen that in the case of any difficulty or sufferings inside a family, females suffer more than males. However, in the harsh situation also, the males suffer less than females and still enjoy some facilities. During the very difficult time throughout the ten years long internal conflict (1996-2006), poverty and unemployment made women and girls work in the so-called entertainment sectors. Due to the vulnerability of women, lack of legal punishment and impunity to the business owner who exploits women also made the situation favorable to increase prostitution in the Kathmandu city.

### **Review of Situation of Women Working in Entertainment Sectors**

Tandon et al. (2014) explain prostitution is dangerous; it affects vulnerable women and also insults their dignity. There are two perspectives on prostitution. First, it is a consequence of trafficking, violence, and exploitation and second, it happens in mutual consensus between two adults for money or valuable things. Pescinski (2015) categorized trafficking mainly as sex trafficking or labor trafficking and it is not easier to get actual statistics on trafficking. However, the two categories of trafficking overlap also because those who are trafficked for labor in restaurants are also forced to involve in sex work. Sex trafficking is merged with prostitution which is not morally accepted by the society.

The sex workers suffer from harassment, abuse, and rape and sometimes are denied to access from basic health facilities and housing. The woman who is forced to sell sex is not a sex worker; she is a trafficked woman and deserves protection. The injustice and discrimination against sex worker should be stopped and those people who abuse or exploit sex workers should be criminalized. But ironically the laws which criminalize brothel keeping and promotion of sex trade, in reality, prosecute or arrest the women who are trafficked and being coerced to work as a sex worker (Murphy, 2015).



### 30 *Niroula - Women Vulnerability*

Despandhe et al. (2013) claim that sex trafficking and prostitution are not same things. Sex trafficking is an umbrella term which denotes prostitution, pornography, live sex shows, military prostitution, and sexual tourism. Traffickers or the pimps recruit potential victims who are socially and economically vulnerable. The victims are likely to suffer from different physical health problems such as sexually transmitted disease, and physical injuries. Similarly, they also suffer from psychological trauma, stress, depression and suicidal thoughts. Willis et al. (2016) claim that two very critical health risks and human rights issues of sex workers around the world have been neglected; maternal mortality and morbidity among female sex workers and the health and well-being of the children. Many female sex workers have a chance of high mortality due to HIV/AIDS and complications of unsafe abortion. Globally, a large number of sex workers are a mother and their children are at high risk for HIV, syphilis, and tuberculosis.

In the past, Nepal has had a sex work but today Nepal has a sex industry. Only in Kathmandu city, the capital of Nepal, it is estimated that there are 11.000-13.000 girls and women working in the entertainment industry. All the girls and women who work in those places are not sex workers, however, those who do not sell sex are placed in such situations in which they are subjected to sexual harassment and abuse so that the customers will be pleased and buy food and alcohol (Frederick et al., 2010). Sunar (2014) depicts that sex workers prefer to work in the entertainment sectors instead of sitting on the street for selling their body because they will be safe from police and also could make more money. Most of them are illiterate and do not have knowledge about pros and cons of being involved in sex profession and later they will be either HIV infected or suffer from social trauma (Sunar, 2014).

Nepali women are also trafficked to cross border countries for the sex trade. The human trafficking act of Nepal has categorized forced prostitution as a crime and the act has also stated the act of involvement in sex and human organ transplantation as a crime. In the fiscal year 2013/14, the women cell of Nepal Police investigated 185 cases of sex and labor trafficking whereas the number of the case was only 144 in the preceding fiscal year. Mostly it is being accused that the political cadres and the police

officers have investment over the places where sexual activities are performed such as dance bars, however, no direct evidence has been found (U.S. Embassy in Nepal, n.d.).

In a study conducted by ILO in three major cities of Nepal (Kathmandu, Biratnagar, and Pokhara) clearly indicated that the working environment in the entertainment sectors for women and girls is not good. They are low paid, work more hours and endure sexual harassment and abusive treatment from their employers and customers. They said that their salary is not paid on time. Most of the women and girls during their interview reported that they do not encourage others to work in such places. They further opined that are not satisfied by their jobs because the society looks down upon their jobs (ILO, 2006).

The report of National Human Rights Commission (NHRC, 2012) imparts that in Nepal the major areas of human trafficking are: internal trafficking (in the entertainment sectors, brick kilns and in embroidering industries), cross-border trafficking to India and beyond India. Human traffickers take the people for organ transplantation to India and also take in the name of marriage to Korea and Hong Kong. The actual number of women/girls working in the entertainment sectors is not recorded in Kathmandu valley and the trafficking of girls/women in the entertainment sector and their exploitation has been documented since 2000.

In the survey conducted by Raksha Nepal in 2006, it was found that 71% worked in massage parlor followed by dance bar (27%) and guest house (2%). The majority of the respondents 91.5% were between the ages of 15-28 years. Likewise, among the women working in massage parlors, 60.5% said that they were involved in sexual activities. Similarly, 20% women working in dance bar and 2% of women working in cabin restaurant accepted that they were involved in sex profession. The ILO estimate indicates that majority of women and girls are trafficked for commercial sexual exploitation (98 per cent). The young women are trafficked across hidden border. They suffer from exploitation, deception, coercion, and violence. (ILO, n.d.).

Natural calamities or any other troubles in the rural areas may lead to internal or international trafficking of women because the desperate people may easily trust the brokers or the criminals. From this, it could also be said

that the root cause behind the trafficking or exploitation is poverty (Shakti Samuha, 2013). Due to the lack of skills, education and other income generating opportunities the rural girls who had come to Kathmandu due to the armed conflict had landed up in the entertainment sectors such as dance and cabin restaurants. The girls are extremely vulnerable to sexual abuse and exploitation in such places (Saathi, n.d.).

A report of CWIN (a non- governmental organization) tells that there also have been some studies from the government sides. For example, two studies ordered by the Supreme Court and conducted by the Government of Nepal in 2008 disclosed that there were nearly 1,200 massage parlors, dance bars, and cabin restaurants in Kathmandu alone. The studies found that about 50,000 working in the sectors, out of which 80% were women, aged 12 to 30 years. It was estimated that among them 50% of them suffer from some form of exploitation and 9,000-15,000 of them were underaged (CWIN, n.d.).

### **Research Methods**

Generally conducting research on women issue is not easier in the culturally not open country such as Nepal. Moreover, speaking and doing research on the issues of sex, sex worker, and prostitution is extremely complex. It is very difficult to find the respondents or participants to take part in such research. The research was only focused on qualitative study and among qualitative research methods; Key Informant Interview with key persons who have been working with the women of informal entertainment sectors for more than ten years was considered the most suitable technique to gather detail information on such sensitive topic. Hence, based on their more than ten years of experience, the researcher chose three key informant women who are currently working in the leading NGOs (which work for the rights of women workers of entertainment sectors) in Kathmandu.

At first, the researcher talked with the three selected KIs and informed about the research and its objectives. They were asked to be the KIs and take part in the research and share detail information. The KIs were informed by the researcher that their name will not be disclosed and they will not receive any financial incentives except a big thank you from the researcher. The KIs

agreed on it, their voice was not recorded however, the researcher noted down their points in his notebook.

It was really very difficult to get information from many sex workers. However, detail information about the subject matter was collected from the key persons who had long experience with the sex worker during different empowerment and advocacy programs. The number of the key informants was decided until the researcher felt saturation or he got the right information, three key informant women were interviewed.

Similarly, the researcher also took part in two different interaction programs and workshop to gather information as a participant. The researcher during the research had been working as a staff of one NGO in Kathmandu. Thus, it was easier for the researcher to attend the interaction program and workshop as a guest. These types of participation helped the researcher to know the issues in depth and also became able to clarify the confusions immediately through questioning. Finally, the interviews and the discussions over interaction programs are analyzed in the research to come in conclusion.

Moreover, the researcher had attended one interaction program of an NGO who work with female sex workers in Kathmandu. In the program, women working in the entertainment sectors such as massage parlor and cabin restaurant openly expressed their opinions why and how they got compelled to involve into forced prostitution. The discussion points are also included in the research to analyze the objectives of the research. Similarly, the researcher also participated in another interaction program which was organized by an organization about to discuss the child vulnerability to trafficking after the big earthquake of Nepal in 25th of April 2015. The important discussion points of the program are mentioned to analyze and understand the situation of internal trafficking issues.

Most importantly, there was a workshop to discuss violence against women working in the entertainment sectors of Kathmandu, there was the participation of as many as thirty women working in those sectors. Among them, thirteen women had openly put forward their problems. The discussion points and the problems presented by women are also discussed and analyzed in the research.

## **Demographic Information of the Key Informants (KIs)**

Three Key Informants (KIs) were chosen to collect information about the situation of women workers in the informal entertainment sectors such as massage parlor, dance bar, cabin restaurant and *dohori saaj* and also about the sex workers in Kathmandu. The three KIs were working in the NGOs for more than ten years and all of them were females; they had their educational level ranging from primary to intermediate levels and were aged between 34 to 43 years. Females were chosen as the KIs because without them it would not have been possible to gather information.

### **Details of the Information Collected**

The information collected is presented in this section which contains a transcription of three Key Informants' interview, discussion details of the interaction programs and workshop where the researcher attended.

## **Key Informant Interview Transcription**

### **key informant no : 1**

It is difficult to say about the exact number and workstation of sex workers in the capital city, Kathmandu of Nepal. It is also not easy to know where they live. Usually, they are found in many places. Some of the sex-workers are found in *Ratna Park* and some also in front of *Bir hospital*. They are available in day and night time and charge the sum Rs 100-5.000 depending upon the customers.

Some of them are found in Thamel, in front of the office of the *Sanchaya Kosh* (provident fund) building and some are found in Naya bazaar town planning, *falful chowk* (fruit center). Some of the sex-workers sit in rented flats. However, they often migrate from one place to another. If their neighbors know about their businesses they move to another place.

The sex workers are reachable through contact and circle of similar people. They may be contacted through a mobile phone and friends. They sit in different places such as tea shop, a small shop selling beetle and a

cosmetic shop. Likewise, the women who work in massage parlor are also engaged in sex profession. The customers who come to take service of massage make contact with the women and girls in their regular visits and do sex in the massage parlor. In terms of charging amount, the women negotiate with the customers.

There will be no forced sex in dance bar because some girls dancing in the bar are drugs addict; they also have more income than others. They do not tolerate abuse and may hit when somebody tries to abuse them. However, those girls who work in cabin restaurant have low income. Their salary is between 2,500-3,000 rupees per month and gets more tips from the owner if they are able to procure the customers. Large numbers of cabin restaurants are in *Kalimati*, *Rabi Bhawan* and *Koteswor* area near BNB hospital. There is also sexual exploitation in the cabin restaurant.

Moreover, sex workers are also found in garment industries. Nowadays many sex workers are found in *Khaja pasal* (a place where snacks are prepared to serve the customers). In 95% of the *Khaja pasal*, most of the women sit for commercial sex and even some people sell the bodies of their own wives for income. Some women serve sex for more than 30 people a day.

### **key informant no : 2**

The key informant work for the NGO and her duty is to identify new sex workers who have recently landed in the same field and she also does regular STDs check up for the sex workers in the Kathmandu. Her duty station is from *Ratnapark*, *Tripureshwor*, *Kalimati* to *Balkhu*. She said that she could identify the new SWs when she speaks with them for three times. In a question, how does she know them, she replied that through the language, gesture of eyes and through her walks.

She said there are about forty sex workers in the *Ratnapark* area and they only sit at day time. There are other women who only sit there at night and the number of such women sitting at night is about thirty. The age group of women sitting at *Ratnapark* differs. She claimed that there are about 6-7 girls below the age of 16, other are mid age between 25-40 and some are also between the age of 50-60.

### 36 Niroula - Women Vulnerability

The researcher also asked the key informant about the rate they charge to the clients. She said that the minimum rate is 1000 rupees. She also said that if a Sex worker goes with a client in 500 rupees only, then she will be beaten by other SWs. When the client and the women agree at the price, then the SW will take the client to the guest house either in *Sundhara* or *Bagbazzar* where they have to pay half the amount to the owner of the guest house where they will have regular contact.

Some of the SWs have rented houses in cheap places, such as, the houses that have been cracked by the earthquake where they take their clients. However, they could not run their businesses in the place for a long time because if the neighbors or the house owner are informed about their businesses then they would have to move from that place. She also informed that there are many newcomers who joined the sex work profession from the mid hilly region of Nepal.

#### **key informant no : 3**

The women who work in the massage parlor and cabin restaurant have different problems. They do not want to share all their information with everybody. Sometimes, when they are depressed or in trouble then at that time they share something to the women whom they have known for a long time.

Most of the women who are involved in sex profession for a long time have serious reproductive health problems. For example: when they come near other people they smell very bad. So, they hesitate to go near unknown people thinking that they may know their profession. Moreover, they do not also go to the doctor because they do not want to share their history.

The women who are engaged in sex profession have psychological stress also. Many types of customers come to fulfill their sex desire with them each day. They are always worried that their male relatives may also come to their workplaces because they never inform anybody that they are working in such professions.

Some women who have worked in the massage parlor for many years have a good income. They have become owners of the business and have recruited young women for the job as workers. Mostly the women who work

in these sectors invest money in their children education hoping that they do not want their children's future similar to theirs.

From the three key informants' interviews, it could be inferred that there is a violation of women and girls' human rights seriously inside the entertainment sectors. For example, the first key informant said that the girls who work in cabin restaurant are low paid and are sexually exploited. It is an injustice to pay anyone below the national minimum payment level and to exploit somebody sexually. However, the key informant informed that the pay was merely between 2.500-3.000 rupees. This is a serious human rights issue. Similarly, the second key informant said that some sex workers are below the age of 16 years. It is against the international law to involve or abuse anybody below the age of 18 years in any type of work because anyone below the age of 18 years is considered as a child. However, it is learned that some sex workers are below the age of 16 years. It is illegal, distressing and a crime.

In addition to this, the third key informant said that working in entertainment sector do not want to share where they work. They are also in stress and have psychological and reproductive health problem. It can be concluded that being not able to clearly share about the own job to others will surely induce a great humiliation in one's mind which is a kind of psychological trauma and frustration. Overall, the situation of women working in the entertainment sectors seems to be a big human right issue. Moreover, sex profession in Nepal is illegal, in this condition the women have adopted such profession for fulfilling their basic needs. They are always in fear and upset mind.

## **Details of the Interaction Program**

### **First Interaction Program, Addressing Child Labour Vulnerability in Post-Earthquake**

The researcher had participated in a program on the second week of June 2015 in Kathmandu, which was about the child vulnerability after the big earthquake of April 25. There were 30 participants from different NGOs and most of the participants expressed serious concerns and worry about the



## 38 *Niroula - Women Vulnerability*

trafficking of young girls from the most earthquake affected twelve districts of Nepal. Some people said that new people had reached the quake-hit areas in the name of relief distribution to take the girls out from those areas.

Similarly, some claimed that even the traffickers lured the parents through money and fake promises for their children's bright future. So, the parents themselves help to take the children out from their villages so that the police would not suspect and would also be easier to hide the issue from police.

If the traffickers become able to take children from the villages through fake promises, then it is trafficking. The children may be exploited inside the country or trafficked to India. In most of the cases, it is found that the internally trafficked children become victims of sexual exploitation and finally bound to work in the vulnerable sectors where there is a very high risk to fall prey of sexual exploitation.

### **Second Interaction Program**

There was an interaction program on last week of July 2015, organized by the USAID-funded project in Kathmandu and there were about 12 participants to discuss gender-based violence and the issue of a sex worker.

Among them, half of the women said that sex workers want rehabilitation and if they get alternative livelihood they would leave their sex profession. However, among the participants, some argued that all of the sex workers do not have similar behavior. They opined that all sex workers do not want to remain in a rehabilitation center. Some sex-workers may leave the rehabilitation center because they want free life and do not want to remain inside the boundary of a house.

One of the rehabilitation centers operating social worker said that her organization is providing skills to the sex workers. But the social worker further said that her organization will only provide skills to the sex-worker who really want to quit that profession and live a common life like other general people.

### **Workshop with Policymakers/Stakeholders on Violence against Women Working in the Informal Entertainment Sectors**

There was an interaction program with women working in the entertainment sectors, female sex workers, police officer, lawyer, journalists and stakeholders such as massage parlor union representative on the second week of November 2015. More than a dozen women openly put forward their problems and opinion in the program. Among the participant women, most of them were working in the entertainment sectors such as cabin restaurant, massage parlor, *dohori saaj* center (duet folk songs), *Khaja pasal* (snacks house) and one-quarter of them were female sex workers who sit in the street.

In the workshop, women pointed out some sensitive issues relating to human rights, their problems and how they are harassed by the police. One woman who works on the street as a sex worker said that at midnight while she was on the street, a police caught her and put in custody for seven days. She did not get any food to eat while in the custody. She was also asked for NPRs 10,000 as fine. However, in the law of Nepal, police has no right to (could not ask) demand fine, unless the case is filed in the court for any offense (only the court could ask if necessary). Another woman said that police took their photos and also intimidated to make public if they do not offer them money. This seems a severe case of violating human rights issue.

Most of the women said that police come to their workplace and insult them calling *bhalu* (derogatory slang word in Nepali to the prostitutes) in front of their customers or relatives. One woman aged nearly fifty years said that her husband is paralyzed and have no alternatives so she comes to the street to make money, however, she said she is insulted by her house owner, police and other people. She opined that she does not want to be a prostitute, but she does not have other alternatives to bring up her children and to buy medicines for her husband.

One woman working in the *Khaja pasal* (snacks shop) said that police come and sleep with them and again disgraces them as prostitutes. One of the participants said that police come at their workplaces to raid and directly push them into the corner. However, one woman working in the massage parlor said that she has been working in the place for twelve years, educated

her girls up to higher secondary level through the income and she denied to call her profession to be illegal and bad.

During the workshop, one participant clearly said that if the entertainment sectors will be closed by the government then all the females working in the sectors will come to sit in the street because they have no other option. Overall, women said that they are working in those places or involved in prostitution because of lack of skills and possible alternatives. Some even said that they neither work as laborers nor do hard physical work, so they have chosen this profession. One of the participants argued that all of the women working in the entertainment sectors are not involved in prostitution.

### **Evaluating the Problems of Women Workers in Human Rights Perspective**

The constitution of Nepal 2015 in the section of fundamental rights article 17.2(f) has clearly stated that a citizen has a right to run the business according to his/her will unless the business is considered illegal or unethical. Furthermore, the supreme court of Nepal has made directives in 2008 to regulate the entertainment sectors and manage the rights of the workers in those sectors. Hence, it is clear that running an entertainment sector business and working in these sectors is legal.

The women and girls work in the cabin restaurant, dance bar and massage parlor in Kathmandu. These are hospitality and entertainment sectors; the females work there in order to generate income for their livelihood. However, they are not able to inform their relatives and friends about their workplace because generally people in Nepal rate these sectors as a place for entertainment or sex profession. In other words, these sectors are not considered as prestigious in Nepal.

Moreover, unfortunately, these females' families also do not ask about their job and source of earning. Mostly, those women, whose economic condition is poor and have no alternatives, enter these sectors for livelihood. The family members know that if she does not work, they cannot get food. In this way, the parents or family members have hidden the pain or sufferings inside their heart even being informed about the nature of her job.

On one side, the female is exploited by the owners and customers and on the other side, they are blamed as a prostitute from the society. They are working as workers in the hospitality sectors without job appointment letter, fixed salary and also do not have fixed working hours. They are exploited physically, economically and mentally. It is a big issue of human right and their rights to live as a citizen that has been violated.

Similarly, the sectors which provide hospitality and entertainment services such as massage parlor, cabin restaurant, and dance bar could run their businesses only after registering in the government body. Although the businesses are registered in a government office, pay tax but are often raided by the police. Surprisingly, the police, during the raid, take only the female workers but do not touch the business owner.

In addition to this, the female workers blame that when police find a couple indulging in sex at the spot only the girl is arrested but the male member is released without any action. The women argue that it is a kind of violence against them. The women also complained that the police disgrace and insult them publicly through filthy and abusive words. If this allegation against police makes sense, then it is a serious violation of human rights.

Prostitution is not legal in Nepal and keeping sex relationship outside marriage tie is considered unethical. However, in a survey of Raksha Nepal in 2006, it is said that police and army are the major customers of sex workers in Kathmandu. Even in the in-depth interview with the key informants, they said that army and police personnel often come with the girls and women for sex as customers. Although, the women working in the entertainment sectors complain that police often harass them asking for a bribe. To sum up, it could be said that there are unfair activities from the police side whose duty is to maintain and regulate law and order, but they themselves are acting against the human rights.

The Constitution of Nepal 2015 states that everybody has a right to live a healthy life and be healthy throughout the life ([Constitution Drafting Committee, Constituent Assembly Secretariat, n.d.](#)). Notwithstanding, the female sex workers either working on the street or in the entertainment sectors do not have a sound health. Although, they earn money for their living but they cannot explain their health problems to others. They think that if they share their health problems to their friends or relatives they will

## 42 Niroula - Women Vulnerability

be considered as characterless women. So, they are reluctant and not confident in sharing their health problems to others. One of the key informants shared that the sex workers body stinks when they sit near other persons, moreover, their reproductive health problem is serious.

In the workshop, the women said that they want to work in those sectors no longer if they are provided an alternative. It is a duty of a government to provide some alternatives to solve the problems of women. However, the government is doing nothing to protect the rights of a woman to live a decent life.

Finally, it seems that no one has followed and taken sincerely about the concerns of the human rights regarding those working in the entertainment sectors. Although they are working legally, their rights to live as a citizen has been evaded because they are helpless, stigmatized and dishonored socially and culturally.

### **Conclusions**

The study was concentrated on to explore the vulnerability of women working in the entertainment sectors towards prostitution and also to know the work condition and the status of street female sex workers. Moreover, the study also endeavors to evaluate the social and health problems faced by them. It was designed in a qualitative research framework comprising of three Key Informant interviews and attendance at the interaction programs and workshop to gather information. The researcher was solely responsible for interviewing the informants and participating in the programs and workshop.

It is not clear yet the actual number of women working in the entertainment sectors and hospitality sectors such as cabin restaurants, dance bar, massage parlour, *khaja pasal* (snacks shop), *dohori saaj* (duet folk songs) and hotels because the girls and women working in these sectors do not remain in the same place for longer period. Similarly, the exact number of street female sex workers is also difficult to estimate because they are mobile and frequently changing their station.

Through the information collected by the researcher, it was found that most of the women either working in the entertainment sectors or on the

street for commercial sex have fallen prey to violence inside their families. They are obliged to involve in sex profession for their livelihood in the absence of other income generating sources. So, if the women in the rural areas or in the poor family background are treated equally as a male in terms of social, economic and cultural atmosphere then there will be very few number of woman obliged to sell their bodies.

Although commercial sex or prostitution is not legal in Nepal but it is happening in many places in a hidden way. There is no fixed place where this happens. However, in Kathmandu, it is common inside places such as massage parlor and *khaja pasal* (snacks shop). In many places of Kathmandu, women working in cabin restaurants and hotels also are involved in sex profession; they go to the places where the customers take them for sex.

Street female sex workers usually wander in the *Ratna Park*<sup>3</sup>, Bir hospital, and *Thamel*<sup>4</sup> areas during the day and night time in search of the customers. They take the customers for sex to the guest house or lodge in the surrounding areas where they have regular dealing with the owners. Moreover, *Gongabu*<sup>5</sup> and the new bus park area of Kathmandu are the common places where the sex workers are found.

The relation between the police and the women workers of entertainment sectors seems to be strongly opposed. The women have complaints towards the police, they said that the police insult and humiliate them as prostitutes. However, women workers insisted that all of them are not prostitutes. They are obliged to work there for their sustenance and further argued that if they are given the option for their livelihood they are ready to quit their current roles.

No doubt, a woman should get an opportunity to live as a responsible citizen of a nation by doing any job according to her will or run a business for sustaining her life. It is a serious issue of human rights to be insulted or degraded in a society for working in any legal sector authorized by the government. Either the government should not give permission to run the business or should regulate and manage the sector providing security and maintaining the dignity of the workers.

Furthermore, women have an opinion that they want no longer stay in the job of massage parlor and restaurant it is only their compulsion in the

## 44 Niroula - Women Vulnerability

absence of other options. A little portion of the women also argued that it is not a bad job because they have educated their children and maintained livelihood expenses from the same job. However, key informants in the interview informed that the women working in the entertainment sectors and sex workers of the street will not easily quit their profession because it is a source of easy money without hard work. Once, even if they are rehabilitated they will again return to the previous job.

To sum up, culturally Nepali society does not give permission to commercial sex and even at present the society has not become open and free to make prostitution legal for commercial purpose. Most of the women who are obliged to sit in the street for exchanging sex for money are either due to the violence from their husbands or due to the lack of livelihood opportunities. In addition to this, some of the girls and women working in the entertainment sectors are also the victims of internal trafficking. The reason behind internal trafficking is also poverty and lack of awareness. Hence, until the poverty and low status of women in the society remain as the unsolved problems in Nepal, the situation of hidden commercial sex as a social problem never comes to end.

## Notes

<sup>1</sup> *dohori saaj* (the restaurant where duet folk songs are sung for entertaining customers)

<sup>2</sup> *dohori saaj* (the restaurant where duet folk songs are sung for entertaining customers)

<sup>3</sup> *Ratna park* (a place of Kathmandu city)

<sup>4</sup> *Thamel* (a tourist centre of Kathmandu city)

<sup>5</sup> *Gongabu* (a place near new bus park of Kathmandu city)

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