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Child Labour Action Research Innovation in South & South Eastern Asia

WORKING PAPER 1

SOCIAL NORMS, LABOUR INTERMEDIARIES, AND TRAJECTORIES OF MINORS IN KATHMANDU'S ADULT ENTERTAINMENT INDUSTRY

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ABOUT THIS WORKING PAPER

In Nepal, the adult entertainment sector (AES) is perceived as a high-risk environment for children where sexual exploitation is known to occur. The AES is made up of a diverse range of venues that includes restaurants, folk dance bars, erotic dance bars, massage parlours, guest houses, and hotels.

This Working Paper seeks to understand the reasons why the commercial sexual exploitation of children (CSEC) exists in the AES, focusing on how social and cultural norms reinforce and reproduce the material and structural realities of the sector. It also explores how these norms affect the employment trajectories of minors and looks at the role of labour intermediaries – both formal and informal – in intentionally or unintentionally supporting the employment of minors in the AES.

Findings are based on two scoping visits that will inform a multi-year mixed-methods participatory research programme on the worst forms of child labour in Nepal. The research aims to achieve a better understanding of the social norms, the stakeholders, and the political economy of the AES in order to develop innovative and realistic interventions to reduce CSEC that can be scaled up and supported by key stakeholders.

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ACRONYMS

AES adult entertainment sector

CSEC commercial sexual exploitation of children

CSO civil society organisation

IDS Institute of Development Studies

INGO international non-governmental organisation

NGO non-governmental organisation

VOC Voice of Children

WFCL worst forms of child labour

Section 1:

INTRODUCTION

1 INTRODUCTION

In Nepal, the adult entertainment sector (AES) is perceived as a high-risk environment for children where sexual exploitation is known to occur (Frederick, Basnyet and Aguettant 2010). Commercial sexual exploitation of children (CSEC) is always considered one of the worst forms of child labour.[1] This Working Paper is part of CLARISSA, a consortium of organisations committed to building a strong evidence base and generate innovative solutions to the worst forms of child labour in Bangladesh, Myanmar and Nepal.[2]

The AES is made up of a diverse range of venues that includes restaurants, folk dance bars (known as *dohoris*[3]), erotic dance bars, massage parlours, guest houses, and hotels. Several studies have examined the causes, frequency, and responses to CSEC in Kathmandu. The numbers of children estimated to be involved in sexual exploitation in the AES vary (MoWCSW 2008; Frederick *et al.* 2010). Earlier estimates based on research conducted over ten years ago suggested that a substantial proportion – over one third – of sex workers were minors (Shakti Samuha and Free the Slaves 2008). More recent research has found the absolute number of minors to be less than 2,000, representing 17 per cent of those working in the sector (Dank *et al*. 2019). Some studies have found high numbers of minors from ethnic minorities (Frederick *et al*. 2010: 36). Those involved in the AES live all over Nepal, including Kathmandu Valley.

Social norms are important in the (re)enforcement and (re)production of the material and structural realities which have resulted in the involvement of children in the AES. Social norms, also called societal or cultural norms (Gelfand and Jackson 2016), are unwritten rules shared by people in a given society or group that define appropriate actions for the members of that group (Cislaghi and Heise 2018; Cislaghi and Shakya 2018; Elster 1989). To understand the reasons why CSEC exists in the adult entertainment sector, this Working Paper explores the social norms and material and structural realities of the AES and the employment trajectories of minors into this sector. It focuses particularly on labour intermediaries – both formal and informal – in intentionally or unintentionally supporting the employment of minors in the AES. CSEC is considered one of the worst forms of child labour (WFCL) and WFCL is a subset of modern slavery. Research on modern slavery shows that high-interest informal moneylending and the provision of advances by labour intermediaries can play important roles in some forms of modern slavery. The research therefore also briefly explored whether moneylenders played similar roles in CSEC. Through the scoping the authors hope to gain a better understanding of the social norms, the stakeholders, and the political economy of the AES in order to develop innovative and realistic interventions on CSEC that can be scaled up and supported by key stakeholders.

There is an acute scarcity of research which looks at perpetrators (Oosterhoff *et al*. 2018),[4] who are the targets of interventions on WFCL and modern slavery. It is not clear who are the people involved in the labour trajectories that end with children involved in CSEC: for example, what their aspirations are and if and when they act with the full knowledge of the consequences of their involvement. A lack of understanding of the motivations and norms of these actors hinders the development of interventions. This Working Paper reports on two scoping visits to inform a multi-year mixed-methods participatory research programme on WFCL in Nepal. The insights from this scoping will help us to unpack and decide if, how, and who can be involved in the CLARISSA programme to reduce CSEC.

1 Children also perform dangerous tasks in the production of bricks, carpets, embellished textiles, and stones (see www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods).
2 CLARISSA is working with partners in Bangladesh, Myanmar, and Nepal to identify ways in which children's options to avoid engagement in hazardous, exploitative labour can be increased. Core partners are Terre des hommes, ChildHope, and the Consortium for Street Children.
3 A *dohori* is a venue that offers traditional folk music and dance. Most of them serve liquor and food, which can be light snacks or full meals. There is variation between the many *dohoris*. We use the term '*dohori* sector' to describe this diverse group of venues.
4 An exception to this neglect of what perpetrators think is the work of Choi-Fitzpatrick; see Choi-Fitzpatrick (2017).

Section 2:

THE DEVELOPMENT OF KATHMANDU'S AES

2 THE DEVELOPMENT OF KATHMANDU'S AES

Hospitality and entertainment are relatively new and growing sectors in Kathmandu, developing rapidly since the 1980s when international aid and trade relations led to the growth of a consumer economy and the development of a consumer culture (Liechty 2005). Not all venues in the AES are exploitative or engage children in sexual services. Some of the venues cater primarily to families or tourists seeking food and entertainment. However, the sector has developed in response to increased demand for entertainment from a growing urban (particularly male) population engaging in a more consumer-based economy. At the same time, the AES provides employment for women and girls in a context where alternative work opportunities have been limited. Within this setting, social norms around gender, masculinity, food and alcohol, and entertainment (including 'traditional' performative culture) have contributed to sexual services and CSEC in particular being associated with Kathmandu's AES. These factors are discussed in more detail below.

Nepal has one of the highest migration rates in the world. High levels of male migration, including men from rural areas with limited economic opportunities who depart or return from the Gulf and other foreign countries such as Malaysia, the Maldives, and South Korea, have profoundly changed gender relations (Kaspar 2006; Reisman 2018). It has also contributed to a wide variety of venues primarily catering to male customers seeking music, food, drinks, and (female) companionship. In addition, the rapid increase in rural-to-urban migrants who often reside in cities without a family has added to the demand for such urban entertainment (MoUD 2016).

At the same time, social norms around entertainment and alcohol consumption have been changing with the growth of a more consumer-based economy. Nepal, like other parts of South Asia, has a complex relationship with alcohol. Alcohol is traditionally regarded as 'polluted' or tainted among Hindus belonging to 'high castes' and is also contested among Muslims. Yet the proliferation of adult entertainment venues has offered new, male-dominated spaces providing opportunities for the public consumption of what was previously taboo: alcohol, cigarettes, meat, and in addition, sexual services (Liechty 2005). A growing culture of alcohol consumption has been met by increased restrictions from the government; for example, recent measures have been introduced to reduce alcohol abuse such as banning alcohol advertisements (*The Kathmandu Post* 2018b).

A rapidly increasing urban population, particularly men without families, seeking entertainment is a pattern which is seen across the whole subcontinent. The AES offers entertainment for adults, some of which involves singing and dancing, in a context where there has been limited state involvement in supporting modern performative arts such as music and theatre. This reflects a discomfort with some forms of modern entertainment among political and religious elites (*The Kathmandu Post* 2018a) and has resulted in Kathmandu having very few modern performance arts venues for a capital city. Performance artists – both traditional and modern – have needed to support themselves. With few other options available, many performers have turned to the less mainstream venues of the AES where there are performances in 'Bollywood' dance bars or 'traditional' Nepali music in *dohoris*. The quality of these performances and background of the performers is very diverse, as is the audience.

There are examples of entertainment being instrumentalised and politicised across the subcontinent; for example, some prominent 'Bollywood' entertainers have been linked with a specific type of highly contested Hindu nationalism (Schultz 2019). Within the AES, perceptions of the traditional and more modern 'Bollywood' style of entertainment have impacted on the development of the sector and its association with sex work. Perceptions of traditions – particularly 'traditional dancing or singing' – as being ancient often ignore its complex history and the dynamic socio-political and economic constructions which are often linked to norms about sexuality and gender. Support or lack of support of 'traditional' music is not necessarily non-political: the selection and content of some traditions over others is related to power and inclusion of some groups in relation to others. But the conflation of 'traditional' music with sex work by various stakeholders in specific neighbourhoods, and the use of umbrella terms such as 'AES' (with which traditional music is often associated) is a development observed across the border in India, as well as in Nepal.

The conflation of traditional music with the AES and sex work in a context where sex work is illegal has myriad implications. Traditional performers can have difficulties competing with a 'Bollywood'-influenced style of entertainment, and traditional music can be seen as inferior by clients encouraging impoverished artists to offer something else. This is happening with Muslim entertainers in Muzaffarpur (Bihar, India) with a proud and long Muslim traditional music history, and with the Devadasis (female temple dancers) in South India. Traditional music can also become a disguise or space for sex workers, as it has in Cambodia (Overs 2013).

Neither situation is helpful for the development of professional adult musical entertainment, creating instead shady half-legal spaces in which abuses – including CSEC and sexual harassment of staff – can flourish.

Within the AES, CSEC could not flourish without tacit or explicit support from employers and customers. Qualitative research based on in-depth interviews with the owners, managers, and customers of the venues where CSEC takes place, shows a widespread prevalence and acceptance of a culture that permits and justifies exploitation, including the sexual harassment of young girls. At the same time, sex with children violates social norms around gender, sexuality, and children. To explain this cultural cognitive dissonance and to justify their morally reprehensible behaviour, different actors involved in the AES (owners, managers, customers, workers), create social narratives which blame other groups of actors for the exploitation of children. Phrases such as '*Naya Keti'* [new girl] or 'Comfort Girl' are social innuendos used in these settings to make asking for a girl a socially acceptable way to be flirtatious. These social narratives allow individuals to normalise their behaviour and make it possible to evade any responsibility for CSEC, creating a psychological and emotional distance from the implications of their actions (Risal and Hacker 2018).

The structural changes to society due to migration trends and a more modern economy led to the development of new spaces where predominantly male consumers could transgress existing norms associated with caste and kin, including those around alcohol, food, and sex. At the same time as certain norms were being transgressed, other norms (particularly those pertaining to women and girls) were 'carried over' or reinforced in the AES. A lack of support for performance artists and the way in which it has been associated with sex work, and the development of a culture that tolerates the harassment and sexual exploitation of women and girls reflects broader unequal gender norms. The social norms which justify the sexual exploitation of minors and shift the blame of CSEC to the victims clearly need to be challenged.

2.1 Women and girls in the AES

It is important to have a good understanding of gender norms when examining work in the AES. The majority of workers in the AES are women and girls, but there are many different types of work in and around AES venues that are performed by men and boys, such as bouncers and touts. There are boys who engage in sex work both voluntarily and involuntarily.[5] Research shows that women working in entertainment services have a higher HIV infection rate than the general population, which is an indication of risky sexual behaviour (Thuy *et al*. 2000). They may not consider themselves commercial or professional sex workers. Men who have sex with men also have a higher HIV infection rate. The HIV epidemic is one of the reasons why sexuality is on the development agenda – and this medical lens has justified a focus on medical risk and diseases – less on the political-economy and relational aspects of sexuality (Oosterhoff, Waldman and Olerenshaw 2014). HIV prevalence and incidence rates in and by themselves do not tell us anything about if and how and who among these workers has given sexual consent.

Sexual harassment and unequal treatment – including unequal pay for women who enter the urban workforce – is not unique to Nepal. It is well documented in countries like the USA by historians and lamented by musicians such as Dolly Parton.[6] Much has been said about the exploitation of migrant women working for low pay in factories. Recently, feminist scholars and journalists have re-examined some of the victimising narratives relating to working women and girls, shown in major exhibitions on urbanisation and women.[7] Women and girls who migrate for work face unfamiliar risks, but there can also be a sense of independence and excitement associated with making this choice (Chang 2009). Portrayals of changes to sexual norms resulting from urbanisation and modernisation as a social tragedy and a medical risk, such as narratives around the vulnerability of young women to HIV, are countered by more liberating sexual narratives (Phinney 2008). In Nepal, sex work is illegal and often conflated with trafficking (Frederick *et al*. 2010). Similar legislation that conflates sex work and trafficking exists elsewhere, for example in India, Bangladesh, and Cambodia. This conflation means that voluntary sex workers are at risk of being involuntarily rescued and is an important obstacle for the organisation of sex workers to increase their safety from harassment, extortion, and other forms of abuse (Pai, Seshu and Murthy 2018; Overs 2013).

5 Sex workers – male or female – are considered a key population central to reducing the spread of HIV through risky sexual behaviour (WHO 2012).
6 Dolly Parton's *9 to 5* is a global hit (www.youtube.com/watch?v=UbxUSsFXYo4). It has also been played by female presidential candidates like Hillary Clinton and Elizabeth Warren.
7 See www.tenement.org/tenement-women-agents-of-change/

Harassment of waitresses and female staff working in hospitality is also well known in Europe and the USA (Hackman 2017; Giuffre and Williams 1994; Huebner 2008). Some behaviour at the workplace which might have been acceptable until recently is increasingly viewed as sexual harassment in many countries (Zarkov and Davis 2018; Roy 2019). In Nepal, as in other countries in Asia such as Vietnam, Cambodia, and Thailand (Webber *et al*. 2012), working in a poorly regulated AES can lead many girls and young women to a gradual or forced familiarisation with, and immersion in, the sex industry.

2.2 Trajectories into the AES

Understanding the trajectories of minors into the AES where they may become involved in the associated sex industry is essential. Although criminal networks that traffic women and girls using physical force (including rape) exist in Nepal, as they do elsewhere (Smith and Smith 2011), research suggests that their role as labour intermediaries in the AES is limited. Girls reported that they were invited to join or had found work in the AES through friends or relatives rather than through these more formal 'labour intermediaries' or 'brokers' as one would find, for example, in international migration for construction to the Gulf states or elsewhere (Yunus 2020). A recent study shows that the majority of young people were connected to their job in the AES through someone they knew: friends (35 per cent), family members (23 per cent), or neighbours (11 per cent) (Dank *et al*. 2019). In a different study, several owners and managers pointed out that while the AES was subject to laws and regulations, the real issue was actors operating informally outside the actual venues. They reported that these 'guides' or 'gatekeepers' acting independently from the venues recruited women into sex work, or that girls would arrange to meet privately with customers themselves (Risal and Hacker 2018). These studies highlight the importance of informal recruitment strategies that lead women and girls into the AES and the related sex industry.

In Nepal, borrowing money is widespread in areas with agricultural bonded labour – among families both with and without members in bondage (Oosterhoff, Sharma and Burns 2017; Shakti Samuha and Free the Slaves 2008). Many families with a member in bondage are in debt to moneylenders or have taken advance payments and have to repay their debt to the moneylender by working for them for less than the minimum wage. They are often threatened with violence and have no alternative source of income (Oosterhoff 2019a, 2019b). Moneylenders, who provide informal loans at high interest, justify their inflated rates by citing the high risks of default and their clients' lack of assets.

While stories of people who lose everything to moneylenders can be found throughout South Asia, for the poor, they may also offer convenient, personal, and flexible ways to access credit (Dank *et al*. 2019; Oosterhoff and Sharma 2018; Ghate 2015; Aliber 2015; Parussini 2015; Thomas 1992; Idris 2020). Both moneylenders and labour intermediaries may operate informally (and illegally) under the guise of a shopkeeper, landowner or family friend; both are seen by the poor as people who are providing valuable services.

Nonetheless, studies have shown that debts and advances play important roles in modern slavery, especially in bondage (Oosterhoff *et al*. 2019a, 2019b; Oosterhoff, Sharma and Burns 2020). Several community-based responses to reduce bondage have set up credit and savings groups to tackle the reliance on moneylenders. But credit and savings groups can and do coexist with moneylenders – and a systematic literature review found no studies on interventions on moneylending to reduce the prevalence of modern slavery. Therefore, to help with designing interventions, CLARISSA commissioned a broader literature review on interventions that aim to combat high-interest informal moneylending in the intervention countries (Idris 2020).

Most young people report to researchers that they enter the AES voluntarily (Dank *et al*. 2019). Consent is a complex and contested issue, and minors' agency may be constrained due to their age and lack of opportunities to support themselves and their families. However, young people do have a voice and the ability to make decisions, and programmes with a child-centred approach need to take the perspectives of minors into account. This Working Paper focuses on the role of moneylenders and labour intermediaries in intentionally or unintentionally supporting the employment of minors in the AES. In this scoping, we probed whether high-interest loans by informal moneylenders play a role in CSEC and should therefore be part of the intervention design. Rather than assuming that moneylenders and intermediaries are acting unscrupulously by exploiting minors who have no agency and no ability to give consent, we explore the motivations of minors, their parents, and these intermediaries to enter into these relations. We assume that people have constrained agency and that people are innocent until proven guilty. In order to design an effective response to CSEC, a better understanding of the stakeholders in the political economy which (re)enforce the norms that lead children into work in the AES is essential.

Section 3:

APPROACH AND METHOD

3 APPROACH AND METHOD

This Working Paper is informed by a systematic literature review (Oosterhoff *et al*. 2018), literature on prevalence of WFCL,[8] purposive literature reviews of observational and qualitative recent research on the AES in Nepal, and our own research and experiential knowledge of Nepal and the topic in Asia gained over two decades. These insights helped to contextualise the data and two scoping visits in Nepal with programme partners Voice of Children (VOC) and Terre des hommes in February and November 2019.

The scoping missions were commissioned by the CLARISSA work stream on social norms. The initial choice of the work stream to explore the AES as an area of focus in Nepal is underpinned by the fact that CSEC is one of the worst forms of child labour. Secondly, there is a legal framework for addressing WFCL in Nepal in which the AES is recognised, and there is room for improving the implementation. Thirdly, Nepal has a number of policies which show a political commitment to children, gender equality, and family wellbeing. Finally, the partners have relevant experience and networks on this topic. Kathmandu was selected because it has the largest number of AES venues, spread out across various geographical areas within the city (Dank *et al*. 2019).

The two scoping visits build upon each other. The first scoping visit aimed to (a) help the work stream decide whether work in the AES would be feasible and whether social norms work is relevant; (b) identify potential partners and beneficiaries; and (c) scope areas where programme activities could be developed in Kathmandu. The second scoping visit focused on AES source communities: it aimed to (a) improve understanding of the political economy and social norms on moneylending and labour brokering that justify or reward choices which result in minors working in the AES; (b) gain an understanding of whether the trajectories of customers, employers, and (minor-aged) workers into the AES are similar or different from other sectors with reported forced child labour; and (c) assess whether action research could be undertaken on moneylending and labour intermediaries safely, and if so, how. This would build on insights from interventions to reduce child labour previously undertaken in Nepal that might not have been documented.

During these two scoping visits we conducted over 75 individual interviews with policymakers, non-governmental organisation (NGO) practitioners, law enforcement agents, survivors of CSEC, labour intermediaries, and owners of entertainment venues and brick kilns. Almost all interviews were conducted in Nepali, with ten in English (usually mixed with some Nepali), and two in Hindi. Survivors, all female, refused to be interviewed by men, reflecting experiences of other researchers working on sensitive topics in Nepal (Axinn 1991). Observations were conducted in AES hotspot areas and brick kilns, and participatory social norms and social norm benefit and cost analysis mapping exercises were conducted with groups of workers and survivors of CSEC (who are now over 18 years old). These were facilitated in rehabilitation centres and other safe spaces with the support of NGO employees and other stakeholders.

For both visits a joint data analysis with the international team was undertaken, before presenting preliminary results to key stakeholders in Kathmandu for their feedback and additional analysis.

8 We have used data from ILO, UNICEF, and the US Department of Labor to identify sectors and lists of goods and narrow down the locations that we can work in. Forced labour involving the state will be outside the reach of the work stream – and perhaps the consortium to address.

Section 4:

RESULTS

4 RESULTS

4.1 Kathmandu's AES

The scoping visits highlighted the complexity and fragmented nature of the AES in Kathmandu. The capital has a number of distinct AES areas, each with its own character and price levels depending on the clientele that visit the particular area. For example, in Thamel, a major tourist area, venues are generally more expensive, whereas Bhalaju, due to its position next to Kathmandu's main bus station, attracts clients who are leaving for and returning from employment abroad.

Within each area there are different types of venues, mostly small and medium-sized businesses, that are all broadly categorised under the umbrella term 'AES'. Some of these facilitate CSEC, but the term AES is used for many different types of venues. The owners may also manage the venues (reflecting the relatively small scale of many businesses in the sector) and establishments often have between three and five managers or owners. Venues include, but are not limited to, dance bars, cabin restaurants,[9] *dohori* restaurants, *khajaghars* (snack restaurants), hotels, and guest houses. Each caters to the specific subgroup (or requirements of the subgroup) within that particular area.

Some services offered in these areas, such as selling grilled meat, also take place in many other parts of town that are not associated with the AES. However, other services are specific to AES areas; for example at transit points, touts offering to take arrivals to a hotel, perhaps with the promise of female companionship, are common. Touting or selling drugs – hustling – provides an income to young men and boys, some of whom may be homeless or in unsettled lodging arrangements. This hustling can be related to CSEC when young boys are used as messengers to advertise CSEC venues and services and act as a link person to the clients, but they may not know that certain venues offer CSEC.

Within a venue, clients have a variety of choices: food, hookahs, and drinks (alcoholic and non-alcoholic) are served in many establishments, often at inflated prices. In some establishments girls are expected to drink and smoke with clients. The same building may house a number of different AES venues, each floor offering a different kind of entertainment: at street level or in front of the building, a *khajaghar* may serve grilled food, whilst *dohoris* and exotic dance bars occupy the higher storeys. The entertainment on offer is varied: in a dance bar it is possible to see girls wearing traditional Nepali costume lip sync and move to the rhythm, followed by a hip-hop act of two girls with tattoos and piercings in silver space outfits. Meanwhile, in the *dohori* restaurant, girls dressed in ethnic costumes perform gut-wrenching songs of (failed) migration, accompanied by traditional Nepali live music. Some *dohori* performers are highly skilled performers, able to spontaneously create lyrics based on basic personal information provided by clients sitting at the tables. Both exotic dance bars and *dohoris* are open early in the evening, but most clients visit after 9pm, and in some places after 11pm, till 3am.

This has practical implications for programmes that aim to eradicate WFCL in these areas. NGO workers, researchers or government officials have to work well beyond office hours to understand what is going on in this area when a lot of the action is happening. Being seen as NGO staff in these areas can also bring other risks such as to their security and reputation. And while large hotels or restaurants in Kathmandu might be organised and registered there is a lack of formal organisation of these very different smaller and often more informal venues. Increased connectivity is changing the ways of recruiting girls into work and of interacting with clients, offering potentially discrete ways of meeting up, but also bringing new dimensions to off-line risks such as sextortion and control by boyfriends or self-appointed pimps.

4.2 The trajectory of girls and women into the AES and CSEC

Social norms across different stakeholders, including children, parents, employers, customers, government agencies, and law enforcement bodies, support the idea that migration is a way out of poverty: children migrate to contribute to the family income. At the same time, children's employment as sex workers is unacceptable (discussed further below). Stories of women and girls who entered sex work as minors revealed complex sets of circumstances that led to girls being involved in the AES and CSEC: for example, girls from poor, marginalised, and broken families, whose circumstances created a desire and a need for employment; women who had been abandoned by abusive boyfriends, husbands or their own families, ending up in Kathmandu where they had to find

9 A cabin restaurant is usually a small restaurant with small, private sections that allow customers privacy. Services include being entertained by waitresses with flirting and touching.

a place to stay and the means to live; and very young girls (as young as nine) from rehabilitation centres, who were involved in CSEC.

> *I married my husband when I was 14. I came to Kathmandu to escape the violence in the countryside. I stayed with my brother in Kathmandu and worked in a factory. I met my husband in a restaurant nearby. My parents agreed but it was against the will of my brother. I got pregnant and he put me to work in a bar. I found out he had several other women and left him and needed more money so I looked for ways to get it. That's how I ended up doing other things.* (Survivor CSEC)

There is a high demand for young girls in general in the AES, particularly because turnover can be high as venues seek different looks and images: 'Let me be clear. In some places it is all about the looks. No need to be able to sing or perform. It is not always and everywhere about our artistic talents and abilities' (*dohori* worker). However, these stories did not support the idea/narrative of a directed or deliberate plan by organised criminals to groom young women and girls in rural areas to work in the capital's AES. The reality appears more fragmented and messy, involving the often fractured and disrupted lives of women and girls navigating the challenging economic context of rural Nepal. For young girls from rural areas, there is a perception (based on reports from their peers) that the AES provides an opportunity to earn a relatively high income for work that requires no formal education.

In terms of the specific trajectories of young girls into the AES, the scoping visits found that the labour intermediaries that facilitate girls' entry into the sector are mostly people that are close to the young girls and their families; for example, members of their extended family. They are usually 'friends' rather than strangers. During the first scoping visit, most stakeholders described a simple trajectory between the source and destination communities in which an intermediary facilitated the employment of young women and girls (and some boys) from a source community to an AES destination in which CSEC takes place.

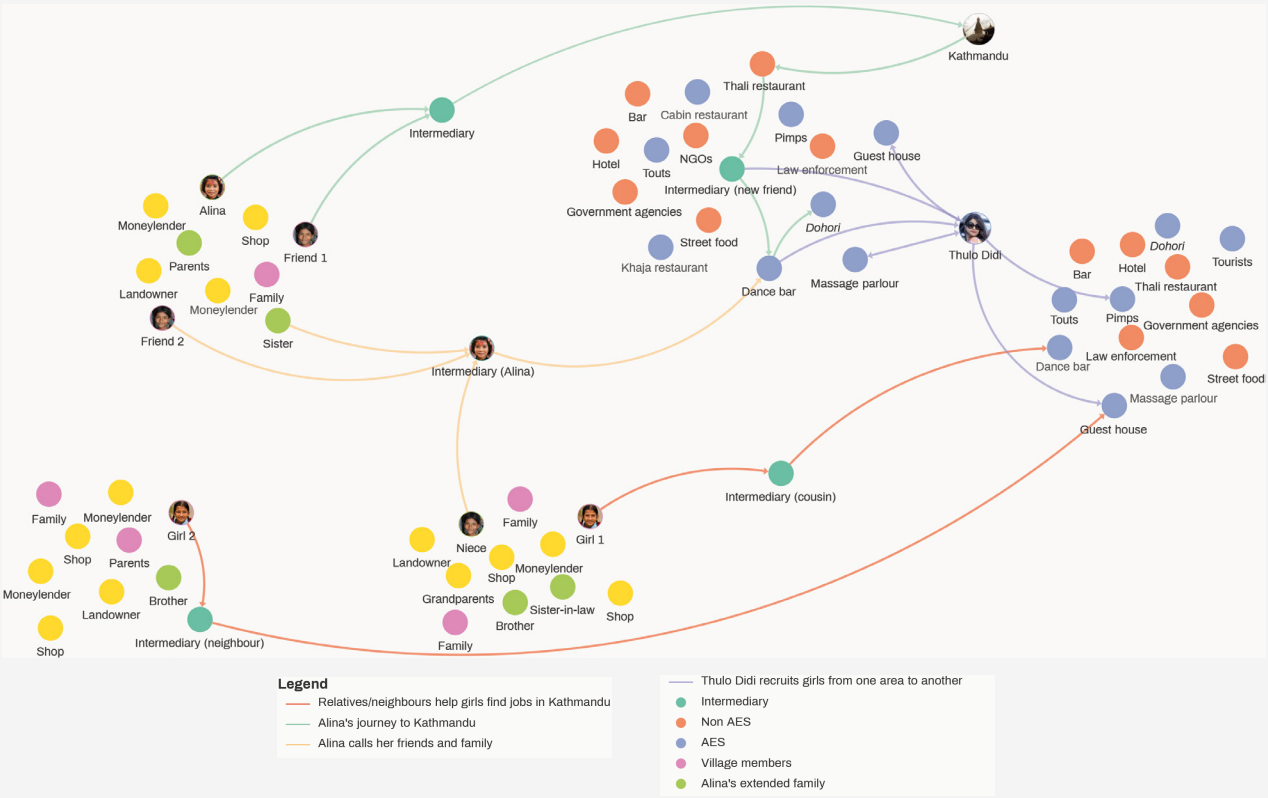
However, further research, particularly with CSEC survivors, might suggest that these trajectories are more complex. Survivors reported that they had friends who helped them find a job in a restaurant or a hotel in Kathmandu. They would often be unclear of the receiving venue's expectations or their options until they arrived. Following their arrival, they would learn of new opportunities through their friends/peers in the AES: 'I started cleaning tables. I then asked a girl who was singing how to get that job. She helped me' (AES worker).

> *I worked cleaning tables. I shared a room in a house with a girl who worked in a* dohori*. She helped me get a job to perform.* (*Dohori* worker)
>
> *I was stuck in a bad job and poor housing. A friend helped me to find a better place to live and a job with more money after I got here. I owe her so much. She has helped so many of us.* (*Dohori* worker)

The second scoping visit in November 2019 built upon the findings from the scoping in February 2019. It aimed to improve the understanding of the political economy in source communities, and the social norms on moneylending and labour brokering that validate choices which result in minors working in the AES. Prior to the field visit, Institute of Development Studies (IDS) and VOC staff refined the theory on labour intermediaries to reflect a more complex picture of their role between source communities and a high-risk AES. It was theorised that families in one community would use different labour intermediaries for different jobs or for different parts of the trajectory. Labour intermediaries are predominantly informal in this context: friends, (distant) relatives, neighbours. A labour intermediary such as a family member or friend may help to find a job in Kathmandu, and then a new, separate set of intermediaries (again informal) may help to find different work or housing. How long an individual stays in a certain venue/job before moving on is determined by many factors including looks, customer preferences, earnings, and the colleagues in their original place of work.

The scoping team also looked at the role of intermediaries in the employment of adults and minors in the brick-making/kiln sector of Kathmandu Valley, as this offered a useful point of comparison to trajectories into the AES. Like the AES in Kathmandu, brick kilns are reported to have a high number of bonded labourers and child labourers (ILO 2017; Child Labor Coalition 2016). The workers (male and female), employers, and labour intermediary we spoke with all reported a more straightforward trajectory of workers into brick kilns. Porters, brick moulders and shapers, and brick bakers are roles carried out by different people with specific ethnicities, usually from the same area (often a few people coming from the same village). Usually each village will have one or more labour intermediaries with ties to a particular brick kiln. The seasonal nature of

Figure 1: Pathways from village to Kathmandu: the role of informal labour intermediaries in recruiting women and girls into the AES



Source: Authors' own.

brick making means there is a sudden high demand for workers during the dry season. Intermediaries receive commissions from the brick kiln employers which they use to entice and tie in workers, by paying advances at the end of the previous season. The intermediary, brick kiln owner, and worker become tied together through a system of advances.

Workers reported living from advance to advance, feeling trapped: 'I feel like I am never getting out of this. I borrow 350,000 NPR [approx. US$3,000]. I go from season to season. My advance runs out before the season starts, which means I have to take an advance to live, and that I have to go to the brick kilns to work' (female worker at brick kiln, Kathmandu Valley). Employers and the labour intermediary agreed that they are trying to lock people in: 'If I don't give an advance nobody will come to work. I have to give an advance to make sure that we can produce the orders for which we, [the] owners, have been given an advance' (brick kiln employer). Intermediaries can make money through brokering but they also risk losing advances when people take an advance and run away.

The trajectory and the roles of moneylenders and labour intermediaries was found to be very different from that of young girls entering the AES. Unlike the brick kiln sector, workers and survivors of CSEC in the AES come from multiple source communities across Nepal. In addition, for most girls the migration to Kathmandu was not seasonal and often semi-permanent: there was no clear end date in their planning. While women and girls reported needing money to pay their own or family members' bills, and also reported borrowing money, they mentioned many sources for acquiring this: friends, room-mates, family members, microcredit, their employer, and only in rare cases an informal moneylender. None of the women reported going to a moneylender to borrow money, including those who said they had high debts. The credit opportunities of women and girls in the AES appear to be quite different from brick kilns, or other sectors – such as agricultural work in Nepal.

The role of traditional kinship and an extended network of friends is significant – most girls described how they came to Kathmandu because they wanted to leave their village and knew somebody in the city who said they could stay with them, or help them find a job. Contacts

and discussions often took place by mobile phone without parental involvement, although some came independently to Kathmandu to work or stay with a family member based on a joint family discussion that involved parents and caretakers. Being alone or feeling lonely and a dislike for their first job often drove the girls to look for something better, which usually meant entering the AES.

Girls who found a decent job would inform and possibly invite other girls in the village to join her. What one girl perceives as decent might not be what others think qualifies as such. This depends on the criteria people use, and there is a margin of miscommunication there. Job offers and opportunities can be initiated by the working girls who reach out to their contacts or vice versa. They may receive a bonus from an employer for helping to find new employees, but this did not seem to be the primary motivation. Rather, the connections look more like a version of LinkedIn (a service for professionals): an exploding network of migrating friends and relatives who link to various jobs in the AES. There is no single organisation or 'master mind' at the centre, but a complex web of overlapping connections that includes multiple intermediaries and employees. The key difference between this network and LinkedIn is its informal and hidden nature. This reflects both the informal, marginalised, and stigmatised nature of the AES, and the fact that there are illegal aspects of the AES (i.e. sex work) and aspects which involve coercion and the involvement of minors (CSEC).

In Kathmandu's rapidly changing urban context, increased interconnectivity through social media allows for ever widening networks that facilitate the recruitment and employment of girls further afield.

> *We are seeing young women and girls from different parts of Nepal now coming into the Valley. There are Nepalese* [sic.] *girls in India and the Gulf. We also learn about Nepali girls working in sex work in places that are new to us such as Kenya. How do they get there? People have mobile phones and they are finding new ways to reach and connect these young women.* (NGO researcher)

4.3 Social norms in the AES and beyond

There is no narrative, social norm or traditional practice in Nepal which justifies or supports the employment of children in sex work. Being beautiful is important, and often being beautiful is conflated with youth, but this does not equate to all employers, customers or workers finding it morally acceptable for minors to be present in the AES. Research has highlighted the patriarchal nature of Nepali society where discrimination against women and girls is highly institutionalised (Stallard 2014), and where traditional practices and norms, such as child marriage, have contributed to the commodification of children for sexual pleasure (Davis 2004). Further, recent evidence from research suggests that some male customers do actively seek under-18s because they find them more fun, beautiful, and compliant (Risal and Hacker 2018). But none of these co-relations add up to being able to make broad claims about social norms in Nepali culture or about employers or customers in the AES.

From our scoping visits there appear to be norms about gender and sexuality that justify sexual harassment of young single women who are working in the AES in Nepal. As a result, minors have to engage in sexually exploitative environments where they are subject to abuse: 'People view women like us badly. Customers shout at us when they are drunk. We are just serving food and drinks. We don't want this kind of abusive treatment. We just want to work' (*dohori* bar worker). This complaint of waitresses being harassed is shared by many waitresses in many other countries (Hackman 2017; Giuffre and Williams 1994; Huebner 2008; Zarkov and Davis 2018), highlighting broader issues with patriarchy, masculinity, and femininity.

The AES is a growing sector and competent, disciplined workers who are skilled, for example, in communicating with clients, can make good money compared to other sectors. Some young women and girls describe the AES as an enjoyable sector to work in because of the opportunities to meet people, entertain, and make trips to new exciting places at the expense of customers seeking the company of a good-looking girl. However, while some are able to effectively navigate this context by asserting themselves where necessary and utilising their own individual agency, harmful social norms make the sector risky for many others:

> *I had discipline. I saved. I did not drink a lot. I made sure I ate well and slept. That is why I could save and I now have my own hotel. I introduced my daughter to a dance bar but she did not like it. So she does not work there. If you can do the work it is fine. The worst part of the job is the harassment by drunk customers, verbally and physically.* (Former dance bar worker)

For the owners and managers of venues, the AES provides an investment opportunity in a growing sector,

within a context that offers few economic opportunities. They need workers that do the job and can deal with the demands of their customers. Allowing an environment where harmful social norms lead to the harassment and abuse of young girls can be lucrative for some employers, especially as some customers actively seek out (new) young girls (their lack of education and age making them easier to dominate and control). Building up relationships with clients takes time for new workers in any sector. The illegal status of sex work makes it particularly difficult for girls who are engaging in sex work to organise and protect themselves.

Venues that accommodate these kinds of customers tarnish the whole AES. Many employers are eager for the sector to change and become more professional, perhaps also because it hurts them as individuals, parents, and employers to be involved in a sector that has a poor reputation. Those associated with *dohori* restaurants in particular (including owners and workers) widely agree about the need to make the entire AES more respectful and change the current norms which adversely affect workers:

> *I want to offer entertainment for clients that fit their budget and tastes. I do not want drunken customers who harass the girls. I want a professional business where clients can enjoy Nepali music and have a good night out. As a chair of the Dohori Association I want the norms in this sector to change and also to show how it has already changed. Members in the association have worked to improve the establishments. We want to offer good quality entertainment and promote Nepali culture. The norms have already changed and we are getting more organised. Some venues are still employing children and minors. This is not acceptable and has to stop for the whole sector to grow and benefit.* (*Dohori* owner, chair of the Dohori Association)

More generally, sex work, including sex work by minors, is a public secret in Nepal. Public silence is enabled by social norms on gender, masculinity, and sexuality. Gender norms result in a narrow set of expectations for young women: 'Girls are supposed to marry and take care of their children in the village. Sex before marriage is looked down upon' (NGO staff member). These norms can lead to young girls facing discrimination beyond the AES. For example, upon arrival in Kathmandu unmarried girls have difficulty renting accommodation, which means they have to share it with others (who may help or harm them, or both). Not having citizenship documentation can also be an issue in being able to rent, getting a bank account, and accessing other services.

> *It is difficult for girl to find a rental space. House owner don't* [sic.] *trust them. This means that most of the girls say that they are married and show the house owner random men as their partner. We need to make the work in* [the] *AES respected and dignified work… Girls from well family background*[s] *are also in* [the] *AES. So this is not only about* [being in a] *poor economic situation, but about culture and social norms.* (NGO Programme Manager working in the AES)

The sense of shame associated with sex work, in addition to its illegal status which criminalises women and girls, contributes to the public silence around sex work and CSEC in Nepal. The silence has to be reproduced by intermediaries and underage victims of trafficking. Reintegration of survivors into their families and communities is often conditional on the survivors and their families maintaining this silence. There are economic and emotional consequences for not doing so: survivors may be ostracised from the community, seen as unfit for marriage, and have fewer employment and/or education opportunities. Survivors are blamed and bear the burden of this silence.

In public discourse, sex work is often associated with particular groups or types of women. Rumours and some written accounts single out certain villages, ethnicities (such as the Tamang), or physical characteristics (such as light skin), which are seen to make some young women and girls more likely than others to work in the AES. These views reflect much older socioeconomic and political hierarchies based on ethnicity and caste established during the Shah regime (1768–2008). Pahari Hill Hindus of the Khas Gorkha tribe, Brahmin/Bahun and Chhetri castes, and certain castes within the Newar ethnicity have long dominated certain positions in the army, civil service, and judiciary. During the Shah regime Nepali and Sanskrit became subjects at school, putting those who belong to other ethnicities and speak other languages such as Maithili, or languages related to the Tibetan-Burmese languages, at a structural disadvantage. This history shapes today's stereotypical attitudes towards people from the long-excluded ethnic groups as being naive, innocent, unable to ask difficult questions, and docile workers who can be easily manipulated. However, recent research reveals the ethnic make-up of girls in the AES challenges these perceptions (Dank *et al*. 2019). During the scoping visits, we also noted a great

diversity in the women and young girls we saw and met, in terms of their age, image, and physical characteristics.

Several young women, Nepali and Indian, mentioned having difficulties obtaining identity papers – and it is noteworthy that this included a female manager in a high-end dance bar.

> *I'm from a rural area. My parents did not know how to register me at birth and we have bad relationships now. To get these papers I have to pay 3,5 lakh* [US$3,000] *in bribes. Without these papers many things like renting a house or getting a bank loan are difficult for me. I am stuck.* (Manager, dance bar)

Narratives that single out a particular ethnic group may represent an 'internal orientalism' which is well documented among other minorities in Asia such as the Hmong in Vietnam (Huong, Oosterhoff and White 2011). Such narratives can be a way of attributing the shame of sex work to the most marginalised/poor ethnic groups of Nepal, allowing dominant national groups to distance themselves from any association with the sector (Gibson 2003). It can also be a form of patriarchal punishment by these dominant group(s) of matrilocal or matrilinear communities such as the Tamang for transgressing dominant gender norms, as has been found in other communities in the region (Oosterhoff, White and Huong 2011).

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Section 5:

DISCUSSION

5 DISCUSSION

Approaches that focus on CSEC face a number of challenges, as the research conducted so far highlights. The scoping exercises reveal the complex characteristics of the AES: an informal, fragmented and diverse business landscape, concentrated in many different parts of Kathmandu. Those operating in these areas may be employing children, but not directly involved in CSEC. Conflating different services and employers, and treating the AES as one homogenous sector where CSEC is ubiquitous is inaccurate. It also stigmatises already socially marginalised, poorly regulated, and poorly protected businesses.

The boundaries of the umbrella term 'AES' are not clear. AES can refer to a certain area or a cluster of 'entertainment' venues such as cabin restaurants, *dohori,* and exotic dance bars. The presence of other businesses operating in close proximity – small groceries, clothing stores, and shops selling other basic items – makes it difficult to target or tailor activities and to develop a more detailed understanding of the political economy of a particular sector within the AES. In addition, facilitated by the use of mobile phones and social media, arrangements and transactions can take place outside of the venues typically associated with the AES, resulting in parts of the sector being increasingly hidden. An understanding of the complexity of the AES and the challenges this brings is essential. Targeted approaches are needed that focus on a specific type of service within the sector, where there is documented evidence of CSEC.

Many interesting initiatives on social collective change (rather than individual behaviour) have been taken to combat child labour in different sectors. Unfortunately, robust documentation and evidence on their impact are often lacking (Oosterhoff *et al*. 2018). The export-oriented segment of the carpet sector is often mentioned as an example where WFCL was successfully reduced. Customers of large companies such as IKEA became more aware of the use of child labour in carpet production, partly in response to campaigns of NGOs and the media. In Nepal a multi-stakeholder collaboration involving NGOs, policymakers, and law enforcement agencies worked with carpet producers to eradicate child labour in these shops.

> *This is an example of a sector where we have overall been quite successful. You can go into these shops yourself in the valley and you will not find large numbers of child labourers – as was the case before. We can learn some lessons from this in terms of collaborations for better policy implementation.* (Policymaker, Labour Office Kathmandu)

However, the carpet sector also reveals the unintended consequences of interventions, and the need for child-centred approaches to programming. For example, the policymaker noted that some children 'ended up in front of the temple begging' once the carpet industry began changing its practices around child labour. Approaches need to recognise that some children may desire or need to work: 'We need to have a holistic approach that also looks at the family background and what these children really want' (policymaker, Labour Office Kathmandu).

There is a need to define the objectives of the different parts of the AES such as the dance bars.

> *Why are dance bars existing? By which act or law? There is needed a regulatory body to monitor their activities like* [the] *Tourism Board of Nepal which is regulating all hotel*[s] *of Nepal.* (Government official, Department of Labour, Labour Office Kathmandu)

Within the AES, initiatives for collective action include citizen committees of residents in areas with a concentration of AES establishments. These committees monitor venues together with law enforcement agencies or government officials. There are support groups for victims of trafficking and CSEC that provide a practical and emotional safe support space after rescue and rehabilitation. Safe spaces for workers in the AES where they can relax and chat before and/or after working hours double up as places to access information on a range of topics including health and employment rights.

However, some interventions continue to conflate sex work with trafficking. While this is in line with Nepali law and policy, this approach results in conflicts with voluntary sex workers and can *de jure* and *de facto* support the involuntary rescue of sex workers. Such approaches can cause harm and result in further marginalisation and exclusion. For example, the legal conflation of trafficking and sex work can result in minors being rescued against their will. With few alternative opportunities, this can unintentionally result in young girls living on the street. It may also lead to women and girls having to engage in more risky behaviour within the AES.

In Cambodia for example, a crackdown on small brothels and freelance sex workers led to the sex industry becoming embedded within entertainment venues. As in Nepal, 'entertainment workers' serve drinks to customers,

and often drink with them. Sexual services are provided outside of the venues, making them ostensibly legal. The workers in Cambodia would be required to stay until the end of their shifts to maintain the perception that the venues had no involvement with the provision of sexual services, and there is strong evidence that this resulted in excessive alcohol consumption by both clients and sex workers. As a result, the risk of violence and unprotected sex are more likely as workers have to provide sexual services in isolated places (Overs 2013).

There is a growing body of excellent qualitative and quantitative research on customers, source communities, victims, and survivors conducted by INGO, NGO, national, and international researchers. But the scoping visits highlighted important knowledge gaps on perpetrators, 'gatekeepers', and intermediaries. These are often treated as distinct groups of actors, but findings suggest a great deal of overlap between the categories:

> *Street children who get a commission from an establishment because they bring in a new underage girl for work or a client who buys a service are minors. They can be both victim and perpetrator depending on the time. In real life the lines are blurry.* (NGO staff member)

For programming this requires an integrated approach to child protection and child welfare that recognises that individuals can be victims, survivors, workers, and perpetrators across a lifetime – even during adolescence – or occur in compartmentalised spaces within a life. Individual narratives might differ depending on the time of day not because people are hiding or are traumatised – although that certainly is possible – but because they are navigating between different roles in their life.

Continued work to understand the complicated networks, facilitated by phone technology and social media, that allow the recruitment of girls from multiple communities to Kathmandu's AES and beyond is essential. This research should explore the roles of different actors within these networks and how they interconnect including family, friends and neighbours (who may be acting as formal and informal intermediaries) in source communities; moneylenders; actors such as employers, managers, customers and workers within the AES; and those occupying the spaces around the AES such as touts, pimps, and those engaged in the local economy of a particular area.

Challenging harmful social norms on gender that result in sexualised environments where abuse and harassment are common is also needed. Harnessing the push from relatively significant players in the sector, such as *dohori* and exotic dance bar owners, who can act as industry leaders in projecting good practices that help to create a respectful and professional sector. Changing the sector and its norms is not something that an individual can or should be expected to do, or which could be solved by raising awareness among the girls. Finding ways to challenge the behaviour of customers and break the silence which allows CSEC to continue in the AES alongside a whole range of other (child) labour abuse will be a key step in reducing CSEC in the AES. Improved practices promoted by those within the sector, and/or improved opportunities for women that mean they do not have to engage in the sexually charged atmosphere of parts of the AES may lead to improvements for workers in the sector relatively quickly. However, changing entrenched gendered norms which allow for a culture that permits and justifies the harassment and exploitation of women and girls may be a slow process.

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Section 6:

IMPLICATIONS FOR PRACTICE, POLICY, AND RESEARCH

6 IMPLICATIONS FOR PRACTICE, POLICY, AND RESEARCH

- **Focus on improving the gendered norms around sexuality and gender that justify the sexual harassment, discrimination, and marginalisation of all people working in the AES. Begin by harnessing the motivation to change by several key stakeholder groups involved in the AES (employers, workers (adults and children), community, government agencies, and law enforcers) and particularly in the *dohori* sector where there is a clear economic and moral imperative to improve the working environment.**
- **Work with the *dohori* sector and other stakeholders (e.g. workers, performers) to set up joint systems to monitor the arrival of new and minor-aged girls. The *dohori* sector already has a collective association (the Dohori Association) and is interested and willing to collaborate to improve the sector and eradicate WFCL. The sector could be seen as an industry leader that models best practices.**
- **Break the culture of shame and silence which surrounds sex work and the AES. Use successful approaches developed in the fields of domestic violence, intimate partner violence, HIV, and/or from 150 years of feminist labour history to design modified evidence-based strategies that tackle the social norms that lead to silence. Avoid reinventing the wheel by using strategies that have tackled similar subjects previously seen as taboo. This may include working with survivors' groups and their families; convening law makers and duty bearers to explore strategic and practical possibilities such as social protection schemes, identity cards, and other essential documentation to address broader citizenship problems; and mobilise and strengthen the capacity of social workers.**
- **Work with people's aspirations and strengths for their lives and their wellbeing, which includes the need to relax and enjoy cultural activities. Avoid a focus on what the Diffusion of Innovations (DOI) theory (Rogers 2010) would call a focus on laggards – people who do not want to change – rather than the majority of people. Generate creative ideas and innovations in a sector which thrives on creativity and human connections.**
- **Disaggregate and separate the AES from sex work and separate sex work from trafficking. 'Raid and rescue' missions should be replaced by a system that recognises and protects all AES workers. Ensure approaches are child-centred and have mechanisms that ensure children's voices are listened to, and their needs and desires are taken into account.**
- **Consider integrating welfare services for rescued minors from the AES with services for other minors as a way to reduce stigma and recognise the need for tailored support for all children.**
- **Examine how social media and increased connectivity are changing the labour recruitment into the AES. Rather than seeing the AES as an unusual sector, it might be more effective to look at it as a lens through which we can understand the links between local and global labour markets in the digital era, or draw comparisons with how a multimedia marketing strategy might work. How different are the recruitment strategies into the AES from LinkedIn or bitcoin marketing strategies?**
- **Examine the interaction between gender norms and the political economy of the AES by studying the trajectories and interactions of women and girls and men and boys into the AES using social network analysis (SNA). An effective, innovative way to do this would combine digital mobile applications with participatory action research methodologies.**

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CLARISSA works by co-developing with stakeholders practical options for children to avoid engagement in the worst forms of child labour in Bangladesh, Myanmar, and Nepal.

The participatory processes which underpin the programme are designed to generate innovation from the ground which can sustainably improve the lives of children and their families.

The programme's outputs are similarly co-designed and collaboratively produced to enhance local ownership of the knowledge, and to ensure that our research uptake and engagement strategy is rooted in the direct experience of the people most affected on the ground.