**Input for SR VAWG's report on violence against women and prostitution-The Survivor`s tale**

My name is Kamala Poudel and I am a Nepalese woman. I am a victim of child trafficking for prostitution at a young age of about 5 years when my step father sold me to the child traffickers. This happened about 40 years ago and right now I am about 45 years of age but the bondage of prostitution still looms large in my psyche and keeps threatening my daily existence every now and then. My story in details is available at <https://www.koshishnepal.org/campaigns/the-braveheart/>

Child trafficking in those days was very common and even today in the garb of child labor/child migration girl children are trafficked to many countries including India with whom Nepal shares an open border.

Prostitution is illegal in Nepal under the Human Trafficking and Transportation (Control) Act and criminalizes the act, and living off its earnings, by including it in the definition of human trafficking. However, prostitution has not been defined nor has it been recognized as an offense under the act.

Since prostitution is illegal in Nepal, brothel owners do so through massage parlors and dance bars rather than on the streets as they can be safe from police raids and also maintain their social status with better earnings. UNICEF estimates 11,000 to 13,000 girls and women are working in the “night entertainment industry” in the Kathmandu valley alone.

I ran away from the brothel house and started working at small roadside eateries for money to buy food and to seek shelter. I could not go back to my biological family because I had no memory of my family or any ties with them since I was separated from them at such a young age of about 5 years.

Living on my own and living off myself I experienced life in many colors. I tried to fight back with my destiny but soon realized that a destiny of subordination cannot be modified by the women in asian countries such as Nepal. This is so because the prostitution is not just physical exploitation but is a form of subordination as well.

I grew up literally on the streets and as such have accumulated a lot of experience.I feel the social lens which views prostitution as an erotic lust for a good, orgasm hides behind it a conspiracy of ages long, the subordination of women who otherwise could dominate men because they have child bearing capacity. Rather this power of the women has been brandished as her biggest weakness. Sex in any form –voluntary or rape can make women pregnant and that is not an empowerment but a weakness of women gender.

Who, why and how these social strereotypes were made to uphold supremacy of males I have no idea but the fact is women/girls are driven to prostitution by their men folks who generally are the near and dear ones by coercion, emotional blackmailing , and other pressurizing tactics.

1. **What forms of violence are prostituted women and girls subjected to (physical, psychological, sexual, economic, administrative, or other)?**

The violence is reflected in all the spheres of the prostitution victim`s life.it is not just any kind of violence, it is institutionalized form of gender based violence unleashed on the women and girls focused on their female gender. And all these forms of violence are ultimately projected/propagated through the more and more pronounced form of prostitution directly or indirectly.

The women/girls are victims of prostitution are suppressed/exploited/subjected to the interconnected and institutionalized form of violence such as physical, psychological, sexual, economic, administrative, or any other situation such as stigma, prejudice, discrimination to ensure that a women/girl child in prostitution cannot be rehabilitated and included in the community.

I am the unfortunate example of this phenomenon. I was sold by my step father when I was the age of barely 5 years to child traffickers and ever since the Damocles sword of prostitution has not left me even for one day. The prostitution has its own horses it seems and racing away from them in not easy. The cruel treatment meted out to me at the brothel house led me to develop mental health issues , beating , expletives was almost my daily diet , I was never given a penny from the money they received from my prostitution and ofcourse I was under constant terror, till I manged to escape after about 5 years in the brothel house.

1. **Who is responsible for the perpetration of violence against women and girls in prostitution?**

The society is responsible. The orthodox patriarchal society in Nepal ensures has institutionalized role models based on gender and these role models cannot be challenged or modified unless somebody is ready to fight the system and its systems as a whole.

In this system men are not blamed rather all the blame is put on the women/girl prostitute. if a woman/girl tries to seek justice she has to fight with the entire society –she is always on the wrong side of the fence. You can imagine how difficult it is for a woman/girl to fight single handedly against the system and its morality codes which all castigate the women/girl prostitute without bothering to verify facts on the case to case basis.

All women are not prostitutes but most of the prostitutes are women/girls. Some are from the third gender. All of them however are bearing the same fate as that of prostitutes which is social impunity to the perpetrator of violence against them.

1. **Describe the linkages, if any, between prostitution and the violation of the human rights of women and girls.**

The basic human right is right to dignity and freedom to choose the life style a girl /women desires voluntarily without any compulsion or coercion by anyone /any circumstance is violated when a women and girls are put into prostitution.

I, for example, wanted to be a tourist guide but my past in the prostitution although forcible did not let me become the tourist guide. But I was adamant that no matter what I will not get into prostitution. Resultantly, I landed in the streets with no money on me for almost a year and my mental health issues became more and more pronounced. Finally, my luck favored me and KOSHISH Nepal (an OPD for persons with mental health issues, [www.koshishnepal.org](http://www.koshishnepal.org)) FOUNDER, Matrika Devkota (<https://www.ashoka.org/en-in/fellow/matrika-devkota>; <https://www.linkedin.com/in/matrika-devkota-065a14a9/?original_referer=https%3A%2F%2Fwww%2Egoogle%2Ecom%2F&originalSubdomain=np>)rescued me from the streets and after giving treatment and therapies for mental health at the KOSHISH transit home, gave me job in KOSHISH, where presently I am working as a program Officer (sensitization and awareness). My job gives me an opportunity to work for women and girls in my kind of situation and to support and rescue them from their inhuman existence and to rehabilitate them back into the society. I may stress that in a traditional and orthodox society like Nepal I was lucky otherwise it is impossible for a women/girls to change their fate and destiny.

**How effective have legislative frameworks and policies been in preventing and responding to violence against women and girls in prostitution?**

A separate treaty is required admonishing current situation and circumstances and to prevent violence the concept of violence including emotional blackmails, pressurizing tactics etc. The current laws and policies are distorting, derogatory and discriminating. At KOSHISH, we want to do legal research on these laws and policies but as of now no donor has come forward to support research on such controversial subject matter. After thorough research we have filed a public interest litigation in the Supreme Court of Nepal on the annulment of discriminatory and derogatory laws and policies against the persons with mental health issues (both the men and women) in Nepal but we want to do research on laws and policies regarding women and girls victim of gender based violence(including prostitution). This is so because more than 50% of the women taking our services for mental health disability are victims of gender based violence (including prostitution,) proving a direct nexus between gender based violence and mental health issues. It may be relevant to note here that in Nepal the leading cause of death of women within the reproductive age group, 15-49 years is suicide. Almost 61% of the women do not report violence perpetrated against them. (<https://nepal.unfpa.org/en/publications/fact-sheet-gender-based-violence-nepal>)

1. **What are the obstacles faced by organizations and frontline service providers in their mission to support victims and survivors of prostitution?**

The obstacles arise in many forms. The socio-political sanctions, loss of job/economic consequences, ostracism as also extermination in extreme cases cannot be ruled out.

1. **What are some of the lessons learned about what works and what does not when it comes to stemming any negative human rights consequences from the prostitution of women and girls?**

Makingthe women/girl self advocate works –accordingly, direct /indirect capacity building of such a women /girls is desirable. Peer support self help groups of such women/girls would work the best in the long run.

We have promoted peer support self help groups for the beneficiaries of our services where they can share their problems and find solutions together. Mental health matters are equally stigmatized as the cases of the gender based violence. Accordingly, if given support, we want to promote self help groups and senior peer support groups for our women beneficiaries who developed mental health issues because of gender based violence (including prostitution).

 A class action like a pro bono public –a public interest litigation cannot be filed it will backfire on the women/girls. Also, advocating for such a women/girl by a third party cannot work in the long run. Probably it is the oldest trade in the history of human civilization.

1. **What recommendations do you have to prevent and end violence associated with the prostitution for women and girls?**

As suggested in the paragraphs above, self advocacy and group action by these women through their senior peer support is the best way to eventually curb the violence associated with the prostitution of the women and girls. Since the Nepalese support in terms of finance, empowerment, spirituality, psychosocial would with sway with the notions of stigma and bias against these women and would therefore be unreliable for these women, support and finance flowing from foreign sources from western countries would be ideal. This is so, the role models for women in the western countries are much better than in Asian country like Nepal and women are more strong there than in Nepal.

So the empowerment and capacity building of these women through foreign investments would work wonders. The local Nepalese investment would not work. Along with investment exposure of the Nepalese women to the western role models like Erin Brockovich (who is an American paralegal, consumer advocate, and environmental activist who was instrumental in building a case against Pacific Gas & Electric Company involving groundwater contamination in Hinkley, California.) would be ideal.

Here, I have to acknowledge the blessings Nepal has in terms of the presence of international communities ,namely the UN agencies  and the foreign embassies and the multinational corporates. These have helped me a lot personally and without their support I would not have been able to survive myself and work steadfastly for women and the girls in my kind of situation.