

Layers of Silence* :
Links between women's vulnerability, trafficking and HIV/AIDS
in Bangladesh, India and Nepal

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Introduction

At the end of 2001 there were over 5 million people living with HIV/AIDS in the South Asia region, according to UNAIDS estimates. Of these, nearly four million were living in India, where the number of new infections is expected to double every fourteen months if appropriate actions are not urgently undertaken. Other countries of South Asia, including Bangladesh and Nepal, also have rapidly growing epidemics. Gender, age and transmission via sex are key elements in the dramatic increase in the epidemic in the region. The fastest rate of new infections is in the age group 15-24, and the epidemic is expanding rapidly amongst women, many below 18 years of age.

An estimated 35 per cent of the HIV positive people in the region are women and girls, and the numbers are growing as a result of their socio-economic, cultural and biological vulnerability to HIV/AIDS. This vulnerability is rooted in the limitations imposed by socio-economic and cultural conditions on the control which women have over their life circumstances and choices, including sexual circumstances. These same underlying factors also heighten the vulnerability of women and girls to being caught in the growing web of trafficking in the region, taking them into situations which remove the last vestiges of choice, violate their human dignity and security, and further increase the risk of exposure to HIV/AIDS. This paper examines the underlying factors of the dual vulnerability of women and girls in India, Bangladesh and Nepal, both to trafficking and to HIV/AIDS, and the particular vulnerability to HIV/AIDS of those who are trafficked into prostitution.¹

Both trafficking and HIV/AIDS occur in South Asia in a climate of denial and silence at all levels. There is a prevailing silence about violence against women and girls, particularly domestic violence, and silence about their circumstances, including the abuse and exploitation they often face in their living and working environments in the process of earning a living. This silence manifests itself in a denial in families and communities and in society at large that trafficking of women and girls is taking place. At the same time there is silence and unwillingness to acknowledge that the HIV/AIDS epidemic is a major development challenge and that HIV positive people are in our midst in increasing numbers and need our care and concern, as well as protection of their rights. There is silence and lack of societal acknowledgement of behaviours that make people vulnerable to HIV/AIDS, and about sex itself, which makes it difficult to address HIV prevention or talk about trafficking into prostitution. This silence is aiding and abetting the epidemic, allowing it to spread, and at the same time perpetuating trafficking.

Voices are being raised across the region to break these layers of silence, and initiatives are being taken to address both HIV/AIDS and trafficking. Women's groups are raising their voices to protest violence against women. There is a People's Forum which addresses trafficking. The commitment from governments is reflected in the SAARC Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution, which has recently been signed.² There are national programmes on HIV/AIDS, and government and civil society organisations are increasingly active in prevention and care and support. However, these voices are not being raised in unison. The effectiveness of responses will be maximised by combined efforts linked with wider programmes addressing the underlying issues of poverty, structural inequalities and women's position in society.

Discussion and analysis in this paper are based on the cumulative field experience, information and data from five NGOs working to address trafficking and HIV/AIDS in South Asia. These NGOs are all partners of the UNDP HIV and Development Programme in South Asia, and have implemented pilot projects on the prevention of trafficking and HIV/AIDS, including rescue, rehabilitation and repatriation, with the active involvement of sex worker organisations. All the pilot

¹ While it is acknowledged that trafficking of men, and especially of boys, is also taking place, and that there are many different sites of trafficking, the focus of this paper, and of the programmes discussed in it, is on women and girls trafficked into prostitution.

² Signed at the inauguration of the Eleventh SAARC Summit, January 5, 2002

projects collect and compile information from girls and women who have been trafficked, as well as from source areas.³

Information was collected through a combination of methods:

- semi-structured interviews with staff of the five NGOs listed in the table;
- focus group discussions with project staff and with women/girls who have been trafficked;
- case studies and preliminary reports provided by the NGOs; and
- secondary data such as statistics and reports.

The Context of HIV/AIDS and Trafficking in South Asia

The socio-economic context

The expanding HIV/AIDS epidemic in South Asia and increased trafficking in women and girls are taking place in a context of rapid economic transition. Changes such as widening social and economic inequality, rural unemployment and increased poverty, new forms of mobility, break up of communities, and erosion of traditional values are increasing the vulnerability of large segments of the population of the region to HIV/AIDS, as well as heightening the particular vulnerability of women and girls to sexual exploitation and trafficking. Gender discrimination in the traditional societies of South Asia seems to have been aggravated by the intrusive impact of the urban world. The anomie and alienation caused by a changing world often affects the least empowered people in a society, which in South Asia includes most women.

South Asia is home to one-fifth of the world's 6 billion people, the bulk of whom –and many of the poorest – live in Bangladesh, India and Nepal. Five hundred fifteen million people in the region, out of 1.3 billion globally, live in absolute poverty, defined as an income of \$1 per day or less. Economic and human poverty, which reduce the power of people to control their circumstances and make choices, remain pervasive problems in the region, with slow growth in per capita income, great unevenness in the distribution of the benefits of growth, and large and persistent gender disparities. Bangladesh, India and Nepal share situations of limited infrastructure for education, health, social services, or facilities such as power, water and sanitation. Rapid urbanisation in each of the countries has led to huge urban slums and squatter settlements, housing 25-60 per cent of residents of some cities without basic facilities.

Table 1: Selected Development Indicators

Indicator	Bangladesh	India	Nepal
Total population (millions, 2001)*	140.4	1025.1	23.6
Urban growth rate (% projected, 2000-2005)*	4	2.8	5.1
Real GDP per capita (PPP \$, 1999)	1483	2248	1237
Human Development Index rank (2001)	132	115	129
Under-5 mortality rate (M/F) (per 1000 live births, estimate for 2000-2005)*	88/97	79/92	91/106
Population not using adequate sanitation (% , 1999)	47	69	73
Population without access to health services (%, 1981-1993)#	26	25	90

³ At the time of compilation of this paper the data collection and compilation was in progress. The paper thus only includes samples of the information available with the NGOs.

Population with access to essential drugs (% , 1999)	65	35	20
Female adult literacy rate (% , 1999)	29.3	44.5	22.8

Source: All data from *UNDP Human Development Report, 2001*, except:

* *State of World Population, UNFPA 2001*

UNDP Human Development Report 2000

Livelihoods in the rural areas of the three countries continue to depend largely on agriculture, which is primarily rain-fed in most places. This is particularly true in Nepal, where only about 10 per cent of the population lives in urban areas (UNDP 1998: 175). Most landholdings are cultivated by their owners, but sizes are small. In 1981/82 more than 50 per cent of the landholdings were smaller than 0.5ha (St BA 1989: 42). Originally the hills were settled, but over the years deforestation compounded by the difficult topography which limits agriculture to terraced slopes and valleys has created situations inducing migration to the lower-lying fertile Terai, with better vegetation and forest cover.

A situational analysis conducted by WOREC for prevention of trafficking found that, for the majority of families studied, migration was clearly linked to landlessness or near landlessness. Of the families from the Terai region with at least one migrating member, 61 per cent had only up to 1 Bigha⁴ of land and 17 per cent were landless (WOREC 2001). Despite a decline in agricultural production, over 80 per cent of families in the WOREC analysis define their primary occupation to be agriculture.

Bangladesh, where 80 per cent of the total population of 140 million lives in rural areas, is one of the most densely populated countries in the world. The poverty situation of the country is worsened by frequent floods, cyclones and droughts which repeatedly reverse advances in development. Agricultural production is often below subsistence which leads to seasonal and long term borrowing for consumption and production.

In India 67 per cent of the labour force is engaged in the agriculture sector⁵. However large scale urbanisation and the resultant creation of industrial-based employment has created economic incentives for migration and resulted in an approximately three fold increase in population mobility in the last half century. With increasing pressure on land, resulting from over-population, large number of the rural unemployed move to cities or other rural areas in search of seasonal or permanent employment. While there is a rising middle class, figures indicate that 30 per cent of all urban residents still live below the poverty line⁶, the majority of whom are migrants who live in urban slums.

In addition to entrenched patterns of landlessness, rural poverty has been affected by large-scale economic reforms in the region, Structural Adjustment Programmes (SAPs), and the advent of globalisation. While these have created many opportunities and promoted modernisation and development in countries of both the north and south, at the same time there have been growing economic disparities between and within countries. The countries of South Asia are now witnessing a phase of economic transition which can be seen to have a two-fold impact on the lives of poor rural people. On the one hand, it is leading to transformation of rural-based livelihoods like farming and fishing in a way that is rendering many people jobless, and on the other, it has flooded the market with consumer goods and marketing strategies which increase demands on individuals and societies.

⁴ 1 A bigha is approximately 0.67 hectare

⁵ The World Factbook- India (<http://www.cia.gov/cia/publications/factbook/geos/in.html>)

⁶ Mehta, S. (1990): Spatial mobility in India: Evolving patterns, emerging issues and implications. *Population Geography*. Vol 12, no 1&2. June - December.

This double impact is felt most by the women. For example, mechanization of agriculture and fisheries has reduced the demand for some women's labor, especially those who were traditionally engaged in harvesting and processing. Simultaneously, one sees the entrance of large corporate interests into industry and fundamental shifts in patterns that transfer priority away from production for local markets to production for international export. The emerging scenario is one of growing rural poverty and unemployment, which in turn puts increased pressure on rural communities to move beyond their immediate locations in search of income.

Table 2: Work Participation Rates and Indices of Underemployment in India (per cent)

Status	Males		Females	
	1987-88	1993-94	1987-88	1993-94
Rural participation rate	51.7	53.8	24.5	23.4
Index of underemployment	0.6	5.1	5.9	18.0
Urban participation rate	49.6	51.3	11.8	12.1
Index of underemployment	3.0	2.9	7.6	13.7

Source: National Sample Survey Organisation, 1997; Tables 6.1, 6.8, 7.2

Table 2 demonstrates that following the implementation of economic reforms in India in 1991 (Singh 1998), rural women were less economically active than before. Even though newer technologies of production were being adopted, the benefits failed to 'trickle-down' to rural households, in part because the new technologies required complementary conditions for their effective implementation, which have not been created (Singh 1998). Studies have indicated that aspects of the India's New Economic Policy have resulted in increased urbanization, and fewer job opportunities for women in the formal sector (Upadhyay 2000).

Women constitute the poorest of the poor as a result of gender insensitivity, discrimination, lack of social status and of basic rights, together with arduous domestic responsibilities, which reduce their access to resources, education, training and labour markets. Within families women, and particularly girl children, generally have less access to food and health care as well as to educational opportunities. Anti-female biases are reflected in the fact that South Asia is one of the few regions in the world where men outnumber women. They are also reflected in the Gender Empowerment Measure (GEM), which places the South Asian women at 0.23 - the lowest value amongst all regions in the world. Furthermore, society in Bangladesh, India and Nepal is predominantly patriarchal in nature, and gender division and the *purdah*⁷ system have intersected to confine women in general to a "protected" and segregated role (UNESCAP, 1995) in these countries. Although people follow different religions, it is common to the three countries that religion itself is an important aspect of the everyday lives of people; and it is not uncommon to use religious sanctions to impose discriminatory practices which put women at a disadvantage.

Preferential treatment for boys in this region is reflected in selective education enrolment and drop out patterns. Although, in theory, there is equal access to educational opportunity for both sexes, the participation of girls is significantly lower than that of boys. In a study conducted for life skills development amongst teenagers in Nepal, two thirds of the 700 girls interviewed reported that they faced discrimination at school, at home or in the community. In citing examples of such discrimination, the girls reported that the boys were more important because of their ability to earn money, support parents and bring in a dowry. Nearly 30 per cent of illiterate girls felt that they were powerless and could do little to change this situation. (UNICEF, 2001).

Table 3: Adult Illiteracy in Southern Asia*

⁷ In its most literal sense, *purdah* means a veil or curtain. In its socio-cultural connotation, *purdah* refers to a system in certain Muslim and Hindu societies of screening/ segregating women from men, and more specifically from strangers.

Year	Illiteracy rate (per cent)			Illiterate population (millions)		
	Total	Male	Female	Total	Male	Female
1970	68	54.4	82.6	299	124	176
1980	60.7	47	75.5	345	138	207
1990	53.1	39.7	67.4	389	150	239
1995	49.5	36.6	63.3	409	156	254
2000	45.8	33.4	59	429	161	268

Source: UNESCO Website

* Southern Asia is defined to include Afghanistan, Bangladesh, India, Iran, Maldives, Nepal, Pakistan, Sri Lanka

There is a continuum of violence against women, which ranges from deprivation of resources and lack of access to property, education and health care, to institutional discrimination imposed by religious and cultural sanctions, dowry harassment and domestic violence, sexual harassment and rape. In India, for example, it is estimated that every 26 minutes a woman is molested, every 34 minutes there is a rape, every 43 minutes a woman is kidnapped and every 93 minutes a woman is killed. (UN India, 2001) Incidents of crime against women are on the rise in the region due not only to socio-economic and cultural factors but also to weak enforcement of legal provisions. The reluctance of women to make public their experiences of physical and sexual violence, in part related to ideas around shame and honour as well as fear of further harassment, contributes to the perpetuation of the situation.

- According to the National Crime Records Board of India, a total of 131,338 crimes against women were reported in the year 1998. These crimes include reported cases of rape, abduction, dowry deaths, tortures, molestation and trafficking. It is widely accepted that these crimes are significantly under-reported, and on the increase.
 - The UNFPA report, *State of the World Population 2000*, declared Bangladesh second highest in the world in the incidence of violence against women.
 - A women's group in Bangladesh has publicised data showing that more women die of burns, suicide, and injury than from pregnancy and child birth (N. Huq, 1997).
 - One study from Nepal reports that more than 50 per cent of all victims of rape are girls under the age of 16, most of whom are raped by relatives. (Pradhan, 1996, cited in Sheikh, 1997). A survey in domestic violence found that 13 per cent of the respondents knew about at least one case of sexual abuse of children (Saathi, 1997a).
 - In Sri Lanka 60 per cent of women interviewed in a sample survey responded that they have been subjected to domestic violence during the period of co-habitation.
- 4b).

In this context of discrimination, lack of choice and vulnerability, increasing numbers of young women and girls, many between the ages of 10 and 20, are being trafficked in the region, mainly for the sex industry. The UN Special Rapporteur on Violence Against Women has recently observed that while the failure of states to protect and promote women's human, economic and social rights has created a situation in which trafficking flourishes, trafficking further subjects women to numerous additional human rights violations.⁸ Girls and women who are trafficked are deprived of their personal freedom and security, and of their dignity as human beings. Moreover,

⁸ *Position Paper on the Draft SAARC Convention on Preventing and Combatting Trafficking in Women and Children for Prostitution*: UN Special Rapporteur on Violence Against Women.

their lives are endangered by violence and illness, and they are at risk of contracting HIV from sexual exploitation and abuse. In addition, a distinctive element of trafficking is the transportation of the victim to an unfamiliar milieu, where she is culturally isolated and marginalised and may be denied a legal identity and access to justice, thereby placing her at even greater risk of abuse, violence and exploitation.

The phenomenon of human trafficking has increased significantly over the past decade both globally and in the South Asian countries, though its illegal and clandestine nature makes it exceedingly difficult to establish accurate figures of the numbers of people trafficked. Globalisation, the professionalisation of traffickers' syndicates and the extension of modern transportation, as well as sex tourism, the feminisation of poverty and the changing nature of prostitution, have all worked towards increased demand for, and supply of, bonded or unfree labour – especially that of young women. Not all women are trafficked for prostitution. Many are trafficked into domestic labour, agricultural and factory work, begging, and other circumstances where they are also vulnerable to sexual and physical exploitation and abuse. The majority of trafficked women, however, find themselves in brothels where they have little or no control over their bodies and lives. Many are physically locked into the brothels, in poor living conditions, facing daily violence, and little or no access to health care. Coercion, an alien environment, fear of deportation and other psychological factors keep them from seeking any kind of help. Sexual exploitation in such conditions makes them highly vulnerable to HIV/AIDS.

Definitions of Trafficking

Trafficking has been defined by the UN General Assembly statement of 1994 as:

“The illicit and clandestine movements of persons across national borders, largely from developing countries and some countries with economies in transition, with the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations for profit of recruiters, traffickers, and crime syndicates as well as other illegal activities related to trafficking, such as forced domestic labour, false marriages, clandestine employment and false adoption”.

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, 2000 defines trafficking as:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of a threat or use of force or other forms of coercion, of abduction, of fraud, of deception of the abuse of power or of a position of vulnerability, or of giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation.”

Existing studies and information provide only a partial picture of the extent and magnitude of trafficking in the region. While governments and civil society organisations are increasingly making efforts to collect data, there are often discrepancies in the numbers resulting from the

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