

Implementation of the anti-child trafficking framework in Nepal: An impaired diffusion process

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Abstract

Applying the ideas of policy diffusion, this paper investigates how anti-child trafficking policies and frameworks have been diffused in Nepal, and critically analyses their implementation in practice. The findings show how different socio-cultural and regulatory factors have either individually or collectively stifled the diffusion trajectory of a comprehensive anti-child trafficking response in Nepal. As a result, anti-child trafficking interventions have been impaired at the implementation stage. The fact that policy diffusion is driven by pro-innovation bias has meant that globally inspired policies and frameworks have fallen short in terms of delivering the intended benefits to the victims and making their voices heard.

Key words: child trafficking, diffusion policies, Nepal

Introduction

In recognition of the fact that child trafficking is a violation of human rights, governments, non-governmental organisations (NGOs), and international non-governmental organisations (INGOs) have adopted several international human rights instruments during the last few decades. Key legislation includes the 1989 *United Nations Convention on the Rights of the Child (CRC)*, the 2000 *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* and the 1930 *ILO Forced Labour Convention*. These frameworks emphasise that governments should take effective steps to ensure Prevention, Protection and Prosecution (known as the 3Ps) (Drew 2009). The 3Ps have been central to the anti-trafficking strategies pursued by many governments and NGOs, mainly in Global South (hereafter, GS) countries (Hudlow 2015, 276). However, critics have argued that the frameworks and embedded standards do not necessarily lead to changes in local practices and policies, nor do they address the specific requirements of local contexts (Fontana and Grugel 2015). A key issue concerns the claim that the understanding and application of the concepts

of ‘human trafficking’ and ‘childhood’ are very context dependent and that the frameworks do not effectively address these contextual elements which trigger the agency of both stakeholders and victims.

Within the research area of trafficking, studies exploring policy diffusion to prevent child trafficking and the challenges faced by child trafficking policies and measures during the implementation phase in GS countries are limited. For instance, Samarasinghe and Burton (2007) identify various challenges relating to the anti-trafficking interventions used by NGOs, which include donor dependency and a lack of monitoring and evaluation of programmes. Dhakal Adhikari and Turton (2020) examine both individual and structural vulnerabilities and argue that anti-trafficking policies and programmes must be integrated within the broader child protection framework. Rarely have studies explored contributory factors at ground level, which have made the adoption of intervention strategies based on international frameworks redundant. By reflecting on the adoption and implementation of anti-child trafficking strategies in Nepal, the current study intends to address this knowledge gap.

Nepal provides an interesting research setting in which to study human trafficking, and child trafficking in particular. Approximately 12,000 Nepali girls and young women, the majority of whom are under 16, are trafficked every year to Indian brothels (KC et al. 2001). New destinations for trafficking have recently emerged, including the Middle East, Africa, Korea and China (NHRC 2017). Along with cross-border and external trafficking, internal trafficking (particularly in the entertainment sector) is also on the rise (Frederick et al. 2010). Another interesting aspect of the Nepali context is that trafficking and migration are very interconnected and overlapping. It is estimated that almost 50% of households in Nepal have at least one family member either living abroad for work or who have returned home after working abroad (Sapkota 2015). Overseas employment accounts for approximately 23.45% of Nepal’s GDP, making the country heavily reliant on the remittance economy (ibid). Identifying and separating economic migrants from those who have been trafficked for forced labour and sexual exploitation has therefore become increasingly problematic.

For many years, Nepal has identified itself as a pro-reformer at the international level, embracing recommended regulations and best practices with regard to trafficking. For instance, the country was one of the first in South Asia to ratify the Convention on the Rights of the Child (CRC). In addition, several international human rights policies and frameworks have

been adopted over the last few decades in recognition that child trafficking constitutes a violation of human rights. These include the introduction of an anti-trafficking law and regulations to control both cross-border and internal trafficking, the establishment of national level anti-trafficking networks, cross-border surveillance activities, awareness raising programmes, rescue and rehabilitation activities and the prosecution of offenders. Moreover, various participatory approaches have been promoted offering the trafficked women and children a platform to make their voices heard. However, despite the adoption of these policies, frameworks and internationally acknowledged approaches, they have rarely been enforced as intended or moved beyond the adoption stage. The divergence between policy discourses and field practices is notable. For instance, prostitution/sex work and illegal migration continue to dominate trafficking discourses. State security takes priority over individual security and few efforts have been made to identify and address the root causes of trafficking (Uddin 2014).

In this paper, we draw on the idea of ‘policy diffusion’ (see e.g. Shipan and Volden 2012; Rogers 2003; Abrahamson 1991) to delineate the dissemination of global anti-trafficking frameworks and policies in Nepal, and to critically analyse their implementation in practice, exploring the role played by socio-cultural and regulatory factors, as well the agency of various actors, including NGOs, bureaucracies and victims of women and child trafficking. In doing so, the study contributes to extant work identifying and demonstrating the factors that make global policies ineffective in preventing trafficking in GS countries.

The remainder of the paper is structured as follows: The following section sheds light on policy diffusion at different stages. The third section explains the research methodology, while our empirical analysis is presented in the fourth section. The conclusion analyses our findings in light of ideas policy diffusion, as well as suggesting policy implications and avenues for future research.

Perspectives on policy diffusion

Shipan and Volden (2008, 2012) have extensively discussed the notion of ‘policy diffusion’, which involves understanding why one organisation’s or government’s policy choice is influenced by the choices of other organisations and governments. In particular, four mechanisms of policy diffusion have been discussed in the literature: competition, learning, imitation and coercion (Shipan and Volden 2008, 2012). Policy diffusion through competition

implies that governments and organisations compete with each other and this influences their policy choice. Competition can take different forms, ranging from reactive to strategic and from anticipatory to pre-emptive (Baybeck et al. 2011). It is also claimed that policies become diffused as governments/organisations tend to learn from each other's experiences. However, diffusion through learning is time-consuming and requires specific skills and therefore only tends to occur during times of crisis. Diffusion through imitation implies that governments and organisations imitate each other's policies without evaluating the policies' effectiveness within their own specific contexts. Coercive diffusion involves the presence and use of force, threats or incentives by one government or organisation towards another government and organisation in order to embed a particular policy.

The process of how policy diffusion advances has also been investigated in prior work. For instance, Rogers (2003) outlined five linear but distinct diffusion trajectories: prior knowledge, persuasion, decision, implementation and confirmation. At the outset, organisations and stakeholders should be aware of the existing policy choices and their dissemination in wider contexts. Persuasion constitutes the second stage of the diffusion process. Whether the policies diffused in a particular setting are accepted or not is determined at the persuasion stage. The capacity of policy makers, the political contexts surrounding policy alteration, and the features of the policies themselves are the key determinants at the decision stage. Of all the stages of the diffusion trajectory, probably the most complex stage concerns the implementation of the policy. At this stage, policies tend to undergo a process of alteration and modification, thereby embedding dominant political interests and other contextual requirements. Studies have shown that the implementation stage of the diffusion trajectory is still poorly understood and thus call for more research focusing specifically on this aspect (Adhikari et al. 2021). It is generally argued that the ceremonial implementation of international policies is more obvious when they are supplier-led; policy reforms led by international organisations and donors in developing countries serve as examples. Such attempts at policy changes are often driven by 'pro-innovation biases', which implies that externally propagated policies and practices are superior to existing ones and are likely to bring benefits to those organisations that adopt them (Abrahamson 1991).

Our aim in this paper is to examine the diffusion of a global anti-trafficking framework/anti-trafficking policies in Nepal, identifying the factors that have either individually or collectively influenced their effective implementation. In addition, we explore the responses of various

individuals involved in the diffusion process and seek to uncover the causes of unintended consequences which have meant the goals of protecting and supporting vulnerable groups have remained ineffective in practice.

Methods

Data used in this article were derived from 60 semi-structured interviews conducted with key stakeholders working on anti-trafficking interventions in Nepal, and document analysis. Our participants included former entertainment workers, government agencies and I/NGOs, donor agencies, lawyers and human rights activists. Having obtained ethical approval, the interviews were conducted in Nepal over the course of four years between March 2014 and August 2018. Initially, participants were recruited through gatekeepers in Kathmandu, while further informants were subsequently enlisted via the snowballing technique. By holding the interviews over a four-year period, we were able to identify and reach informants who were either directly or indirectly involved in policy making and intervention in trafficking generally and child trafficking in particular. Key informants included representatives of the Ministry of Women and Children and Senior Citizens; the National Human Rights Commission; and several NGOs (including CWIN Nepal; Shakti Samuha; the Transnational Psychosocial Organisation; the Child Women Empowerment Society; Change Nepal; Biswas Nepal; CWIN Helpline Nepal; and ABC Nepal). In addition, interviews were conducted with representatives of INGOs/Donor Organisations, including Save the Children, World Education; Plan International, Terre Des Hommes Foundation; the United Nations Children's Fund Nepal, and the Asia Foundation and Anti-Trafficking Network (AATWIN).

The interviews were supplemented by document analysis. We analysed regulations, policy documents, annual reports, information booklets and CRC reports made public by government bodies, NGOs, and donor agencies including UNICEF, OHCHR, Save the Children, and Plan Nepal. Document analysis provided us with a more in-depth understanding of the construction of 'child trafficking', as well as the role of anti-trafficking organisations in Nepal.

The data gathered from the field were organised and coded manually. The interview transcripts, field notes, and documents collected were all closely scrutinised. Thematic analysis was employed in order to identify, analyse, and report patterns (themes) (Braun and Clarke 2006).

Each theme was assigned a code, using a number or keywords. This enabled us to analyse our data within two broader themes: the diffusion of anti-child trafficking policies in Nepal; and barriers to the implementation of diffused policies.

Empirical analysis

Diffusion of anti-child trafficking policies in Nepal

The anti-child trafficking interventions of the government (regulators and legislators), NGOs and INGOs in Nepal have largely been driven by the ‘3Rs’- rescue, rehabilitation and reintegration (Pradhan 1996). The rehabilitation programmes implemented by NGOs such as ABC Nepal, Maiti Nepal, and CWIN are focused on providing healthcare and other social support to trafficked girls and reintegrating them into society. However, many of these rehabilitation programmes have been criticised, mainly due to their failure to protect the rights of the victims. Local contexts, the institutionalised agency of various actors, including NGO representatives and government officials, and victims’ voices are largely ignored, and this has resulted in the re-victimisation of trafficked girls and women, as an NGO officer noted:

“There was a series of human rights violations, from rescue to reintegration. The girls were tested for HIV and AIDS without their consent, and the test results were published by the organisations. Information about and photos of the girls were widely covered in the media. Such interventions re-victimised them.”

Along with human rights, addressing children’s issues has been another important focus of government interventions. This has resulted in wide-ranging institutional restructuring, including the expansion of the scope and powers of several organisations. For instance, the Ministry of Women has been restructured into the Ministry of Women, Children and Social Welfare (MoWSC) and granted extended authority to develop, coordinate and monitor anti-child trafficking policies and programmes. The National Committee on Controlling Human Trafficking (NCCHT) has been constituted within the MoWSC, including representatives from line ministries and NGOs, and with a mandate to protect women and children from trafficking. In addition, District Committees on Controlling Human Trafficking (DCCHTs) and Village Committees for Controlling Human Trafficking (VCCHTs) have been set up across all 77

districts and 225 communities respectively. However, during our interviews, an NGO officer stated that:

“NGO representatives are included in such committees but none of the representatives are from NGOs working on child trafficking and child rights. Neither is there anyone from children’s clubs in such communities.”

The above statement provides an example of the limited awareness of child trafficking issues, as well as a lack of wider participation in policy making. In addition to these committees, the MoWCSC has also introduced two action plans with a view to curbing child trafficking: the *National Plan of Action against Trafficking in Persons, Especially Trafficking in Women and Children* (2012); and the *National Plan of Action for Children* (2004/05-2014/15). When the former was enacted, particular attention was paid to ensuring that the programmes formulated for both survivors and children at risk should be guided by the principles of respecting and protecting rights. The latter, formulated in 2004, has adopted a comprehensive approach to child development and protection, including strategies to protect children from sexual harassment, exploitation and trafficking. Commenting on the importance of these action plans, one INGO officer stated:

“We have to work in the best interests of the child because the trafficked child has full potential, just like other children. Based on the interests of the child, she/he should be given access to education, technical education, life skills training, etc. If given life skills training, she/he can protect himself/herself.”

Anti-child trafficking programmes based on the ‘3Rs’ have also been expanded to incorporate the 3Ps, as outlined in the global anti-child trafficking framework. At the policy level, there is an expectation that such extended programmes would help mitigate the problem of trafficking by complying with international guidelines. However, agencies of state bureaucracies, as well as many NGO representatives, appear to be more focused on policy prescriptions rather than their effective implementation. Institutionalised practices at the local level have continued, thereby making the policy prescriptions and institutional set-up largely ineffective; the following statement from a children’s rights officer serves as an example:

“The committee [DCCHT] is there, but I do not think it is working actively because, when the trafficking cases are filed by the police, there is a system followed by the police which functions independently - therefore, the committee does not have any influence - the

majority of whom are unaware of what is happening or being discussed at the central and policy level.”

Policies and attempts initiated at the central level have therefore failed to address institutionalised practice at the local level and to alter the agency of local stakeholders such as the police. Child trafficking has continued to be handled in a way that prevents wider participation and disregards the interests of the child. The emulation of international best practices has consequently failed to live up to expectations in terms of preventing the re-victimisation of the trafficked children.

Barriers to the Implementation of diffused policies and practice

Three factors have been identified in the context of Nepal as affecting the implementation of diffused anti-trafficking policies and frameworks: socio-cultural and regulatory constraints; the blurring of the definitions of trafficking and migration; and resource limitations.

Socio-Cultural and Regulatory Factors

Despite adhering to international frameworks, certain terms applied in the existing regulatory frameworks have remained ambiguous, as these are based on the notion of the ‘ideal victim’. Doezema (1998) argues that this has created a dichotomy in which some victims have been envisaged as ‘madonnas’(vulnerable/innocent) who need assistance and others as ‘whores’ (conniving, tainted) in need of rehabilitation. The fact that these notions have remained unchanged within the regulatory frameworks perhaps shows the bureaucratic power in Nepal which has produced hierarchies of knowledge about issues such as child trafficking and other forms of exploitation, while silencing local knowledge and voices.

Studies have shown that informal forums play an important role in local policymaking in Nepal (Bhusal and Pandeya 2022). Such participatory approaches at the grassroots levels have not proved to be very effective for victims of trafficking, however, despite the involvement of child protection committees and community-based children’s clubs. Commenting on children’s participation, a child rights officer remarked:

“The concept of child participation is included in the local to national mechanisms - and in many instances; children are given the opportunity to participate in various committees but

children's views and feelings are not respected. Meaningful participation is not there, even if child participation is mentioned in the policies.”

Due to the limited involvement of children, their voices as well as the circumstances of their lives are often not reflected in the regulations. For example, section 2 of the HTTCA defines a victim as a ‘person who is sold, transported or put into prostitution’. As a result, the use of the term ‘prostitution’ has been viewed as inapposite in the context of the HTTCA. Similarly, the term ‘exploitation’, as it is used in existing law, has posed several challenges. Section 2 of the HTTCA defines the term ‘exploitation’ as an act whereby a human being is kept as a ‘slave and bonded’, or as an act of removing a ‘human organ’. Such notions of slavery have overshadowed other forms of exploitative practices in which victims may not explicitly be enslaved or bonded. The distinction between the trafficking of children and child exploitation in its various forms (for example, the institutionalisation of children, child migration and child labour) has therefore become blurred. A government officer provided the following comment on this issue:

“If we look at UN Protocol, the Nepali Act has not taken all forms of labour exploitation into account ... there is no clarity about labour exploitation or sexual exploitation because the Act does not include child labour.”

The existing socio-cultural structures have also played a part in the marginalisation of children's voices. Children are perceived by society as being incapable of making decisions independently and in a manner which could benefit their wellbeing (Kaime 2011). Adults' views are therefore dominant within the decision-making process about children's wellbeing, due to their institutionalised role as guardians. The existing socio-cultural beliefs and practices in the country correspond to the tenets of ‘trickledown theory’ (UNICEF 2006), which imply that children automatically benefit from adults' gains. In relation to this issue, an NGO representative stated:

“Perceptions of children and child-related issues have remained unchanged. Adults decide on behalf of the children, and this is culturally accepted. It is therefore not surprising that the child budgets are spent on development work such as road construction, as these are deemed more important by adults.”

Concerned authorities are therefore unaware of children's voices, and this knowledge gap is clearly reflected in the regulations and policy-making process. For example, the HTTCA falls short in terms of addressing different forms of child exploitation, all of which have the potential to make children the victims of trafficking. The narrow definition of the term 'exploitation' used in the HTTCA has also led to difficulties in prosecuting traffickers who have coerced victims into forced labour or other forms of exploitation. Along with regulatory ambiguities, another issue reiterated by interview participants concerns prosecution. Several agencies have been tasked with responsibility for enforcing laws relating to child trafficking: the police, Women and Children Centres, the Central Investigation Bureau and the judiciary, but limited communication and collaboration between these institutions have benefitted the perpetrators. In addition, this lack of collaboration between these multiple institutions has also complicated the execution of a number of measures embedded in the regulations, for instance certifying statements, in-camera hearings, and victim and witness protection. For instance, it was pointed out that victims are often reluctant to come forward due to the absence of a child-friendly environment and services, as an NGO officer explained:

“Not all courts have a separate room for in-camera hearings, and the ones that do have in-camera hearings do not function well or lack trained people who can operate it. In-camera hearing rooms have big windows, where people can see what is happening inside the court room. The court proceeding itself re-victimises victims”.

Another issue highlighted during our interviews concerns the unwillingness of victims to cooperate, and this is also specific to the country's socio-cultural environment. For instance, victims are often hesitant to report their cases to the authorities due to the social stigma attached to trafficking and prostitution. Reporting a case may prove even more complicated when the victim is a child. The family members of these children tend to hide the cases so as to avoid the shame and other social consequences which they fear may be triggered by reporting them. Little attention has been paid to addressing these cultural issues, as a government officer confirmed:

“A child cannot file a case. If the parents say that they don't want to file a complaint then the case doesn't go forward. This is because parents have custody of the child and they often hide any victimisation due to stigma and shame. Such issues are often ignored in developing rules and regulations.”

Several informants also cited the fear of reprisals from traffickers as constituting another obstacle in terms of fostering collaboration with the victims. Traffickers are often members of the local community and thus are known to the victims and their families. Their access to victims and their families has, on many occasions, enabled them to threaten victims. Such threats have also forced some victims and their relatives to agree to accept a small amount of compensation in order to settle the case. Similarly, the way in which investigations or case processing systems are pursued when dealing with the victims can be intimidating for children. For instance, an NGO officer highlighted the use of offensive terms by the police:

“Police use derogatory language, such as, you are a prostitute if you sleep with others, why not me ... trafficking victims are seen as criminals.”

This statement further illustrates how the diffusion of international policies and frameworks has failed to alter the mindset of the ground-level actors and how trafficking has continued to be conflated with prostitution. As such, the twofold consequences of the existing socio-cultural and regulatory constraints are clearly evident: silencing the victims and enabling traffickers to escape prosecution. In addition, rising corruption at all levels of society has not only promoted the impunity of perpetrators, but eroded trust in overall governance (Uddin 2014). Victims are therefore further discouraged from making their voices heard. All these aforementioned issues reflect the social and cultural realities of life at grassroots level in Nepal. Despite the acceptance of and adherence to international policies and frameworks, the prevailing socio-cultural and legal constraints, as well as the agency of actors who have a greater role to play in combatting trafficking at ground level, have remained largely intact.

Blurring of the line between child trafficking and migration

The underlying norms, values, social roles and power hierarchies relating to child migration and child trafficking continue to overlap in Nepal (Breuil 2010). This has resulted in making cases of child trafficking even more complicated to deal with. Several informants mentioned that, in most cases, children are intercepted because of their status as a ‘child’, with limited assessment of their situation. The factors that arouse suspicion when trying to identify potential victims include: ‘whether she is a village girl, the way she speaks, her gestures and whether she is alone or accompanied’ (NGO officer). This notion of an ‘ideal victim’ can therefore be problematic in that it may lead people to overlook those who do not conform to this notion and disregard their ‘choices’. However, the view was also expressed that such discussions are

largely irrelevant given that children should fall outside the remit of migration. For example, an independent consultant stated:

“In the case of a child, we have to assume that there is cheating involved, lured by jobs and given false hopes about the process of migration – these elements contribute to the understanding of trafficking.”

The consequences of this extensive focus on the status of the ‘child’ and ‘movement’ are striking. Law enforcement agencies often lack adequate knowledge about trafficking and have therefore failed to identify many of the victims, a situation which is further exacerbated by the existing perception of trafficking, namely that it is facilitated by border crossing (Buck and Nicholson 2010). As a result, those children trafficked within the country and for purposes other than sex trafficking are largely ignored (Dhakal Adhikari and Turton 2020). This perhaps explains why most of the cases that come within the HTTCA’s remit are connected to transnational trafficking. In relation to this, one INGO officer remarked:

“In Nepal, after the TIP Act, people have been talking about other forms of trafficking. The previous Act was concerned with buying and selling of women and children to engage in prostitution. This has made it difficult for some to understand the revised definition.”

Furthermore, the narrow conceptualisation of trafficking victims has led to them being viewed as either ‘deserving’ or ‘undeserving’, which has, in turn, forced law enforcement officers to pay less attention to certain types of trafficked children, such as those in the entertainment sector. Thus, interaction between the planners, implementors and the beneficiaries is virtually absent in the process of developing and diffusing the regulations.

Resource constraints

The issue of resource adequacy also featured prominently in the informants’ responses, particularly those of the government and NGO officers. For instance, centres and shelters operated by NGOs provide various types of support to the victims of trafficking, including rehabilitation, psychological recovery, vocational training and education, legal support and income-generating activities. However, many of these centres also accommodate the victims of domestic violence and rape. A number of interviewees highlighted the fact that these centres often experience resource constraints, as they receive minimal government support. NGOs are

largely dependent on donor funding, which is difficult to ascertain and varies from year to year. Their capacity to look after the children for a longer period is therefore restricted, as the following statement from an NGO officer illustrates:

“The government support is for a duration of 6 months to 1 year. But we cannot tell children who have been trafficked at a very young age to leave after 1 year. We rely on donors’ funds to keep providing shelter for the children.”

This statement clearly shows that, despite the enactment of the frameworks and policies, the ground level realities have been largely disregarded. Thus, the enactment and diffusion of these policies and frameworks has been characterised by a technocratic approach. It is therefore not surprising that, in the Nepali context, the victims of trafficking commonly face rejection, stigma and discrimination from their families and their communities (Richardson et al. 2016). Such challenges to reintegration mean that, in some cases, the centres are forced to refer the sheltered children to care homes for children once their project ends. However, many care homes for children are poorly run with inadequately trained staff and a dilapidated infrastructure, all of which has contributed to further victimisation (NHRC 2017). Resource constraints have made it difficult for NGOs to attain the ideal international standards of protecting the rights of children. For instance, a children’s rights officer stated:

“Our government budget is not appropriately allocated to children’s issues. We therefore feel that there should be child participation at the central level when allocating the budget for child-related issues/programmes.”

Extant research claims that the policy implementation stage offers important opportunities for learning and extending the understanding of policy diffusion (Shipan and Volden 2012). Often global policies are diffused across countries due to pro-innovation bias and the success of such policies is championed based on their adoption in different contexts. Throughout this process, contextual, socio-cultural, regulatory and resource-related constraints are often disregarded. The so-called best policy therefore remains impaired when it reaches the implementation stage in GS countries; the adoption of international anti-child trafficking policies and frameworks in Nepal serves as just one example.

Conclusion and Policy Implications

Relatively little is known about policy diffusion during the implementation phase (Adhikari et al., 2021; Rogers 2003). Gaining a deeper understanding of this phase is thus claimed to be of paramount importance in order to shed light on the intricacies inherent in policy diffusion, as well as creating learning opportunities for policy makers (Shipan and Volden 2012). Thus, our key contribution in this paper involves delineating how different contextual, socio-cultural and regulatory and resource constraints play a part in policy diffusion during the implementation phase and why policy diffusion ends at the adoption stage. The study presents evidence showing that the policy diffusion in relation to anti-child trafficking that took place following the introduction of international frameworks and policies has not been successful in Nepal.

Despite the diffusion of the internationally prescribed 3Ps framework, and anti-child trafficking policies, a significant gap between policy adoption and practices at grassroots level persists in Nepal. Numerous socio-cultural challenges, and resource constraints that were previously ignored have been encountered in terms of their implementation. The latter is further exacerbated by the limited collaboration and communication between stakeholders. The agency of key stakeholders has continued to be influenced by institutionalised socio-cultural practices, which have underprivileged the status of children, restricted their meaningful participation in policy making and silenced their voices. Ambiguities inherent in existing regulations have remained intact. For instance, responses to child trafficking have continued to be influenced by specific notions of ‘childhood’ and ‘trafficking’. The construction of the ‘ideal victim’ as ‘innocent, passive, and naïve’ has predominantly shaped the understanding of child trafficking and the design of interventions that regard it as a problem. Consequently, global frameworks and policies have been layered upon the existing structure, resulting in the victims receiving only limited benefits. However, this is perhaps unsurprising given the ceremonial adoption of international policies and practices, thus predicating the superiority of such practices and policies in such a way as to engender benefits for potential adopters and victims without evaluating their effectiveness and applicability within the specific socio-cultural context of the country.

Rethinking policy and practice interventions holistically is therefore paramount as it enables a better understanding of children and their families’ goals, motivations and decisions. Such initiatives may have a profound impact, not only on identifying those children who do not ‘fit’ within the institutionalised notion of a ‘victim’, but also on developing targeted resilience-based interventions which could better protect children with due consideration of their socio-

economic contexts in which they are situated. Developing trust in the criminal justice system is another crucial factor. It is essential that victims are supported by programmes that allow them to fully cooperate with the investigation and prosecution process. Coordination between the NGOs should also be further strengthened. Unless governments allocate adequate financial and human resources to support children in vulnerable situations, protecting children from trafficking will remain challenging. It is equally important to alter the agency of key actors operating at the ground level who play a key role in the implementation of policies through the promotion of education and awareness programmes. This would enable them to depoliticise the issues of trafficking, migration and sexuality and challenge the existing socio-cultural phenomena that have contributed to the revictimisation of victims, while providing impunity to perpetrators.

Lastly, policy diffusion in GS countries does not follow a linear trajectory (Rogers, 2003) and the mere adoption of policies does not imply that they have been implemented in practice and have benefitted the vulnerable. More importantly, the restoration of good governance, the eradication of bureaucratisation and the promotion of social inclusion are of paramount importance for the smooth facilitation of policy implementation. A meaningful participatory approach should be introduced during the policy implementation process, so as to ensure that the voices of the victims are represented. Another important issue concerns the extent to which the policies and practices fit with one another in the existing socio-cultural contexts. If such issues are overlooked in policy diffusion, the goal(s) of the policy implementation cannot be met. In this regard, the adoption of anti-child trafficking policies and frameworks in Nepal offers just one example of why policy diffusion often fails to transcend the adoption stage. However, it is worth mentioning that various factors could have played a significant role in terms of impairing the diffusion of best international anti-child trafficking policies and practices in different contexts. The failure or success of policy diffusion can also be observed in the extent to which the key stakeholders, policy makers and beneficiaries participate in the diffusion process and the influence of socio-cultural factors within this process. Further studies are therefore warranted to cover such issues, as well as to extend our knowledge of policy diffusion and its implementation in other developing countries. Limitations of the international frameworks and policies represent another area in which further studies could be pursued.

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