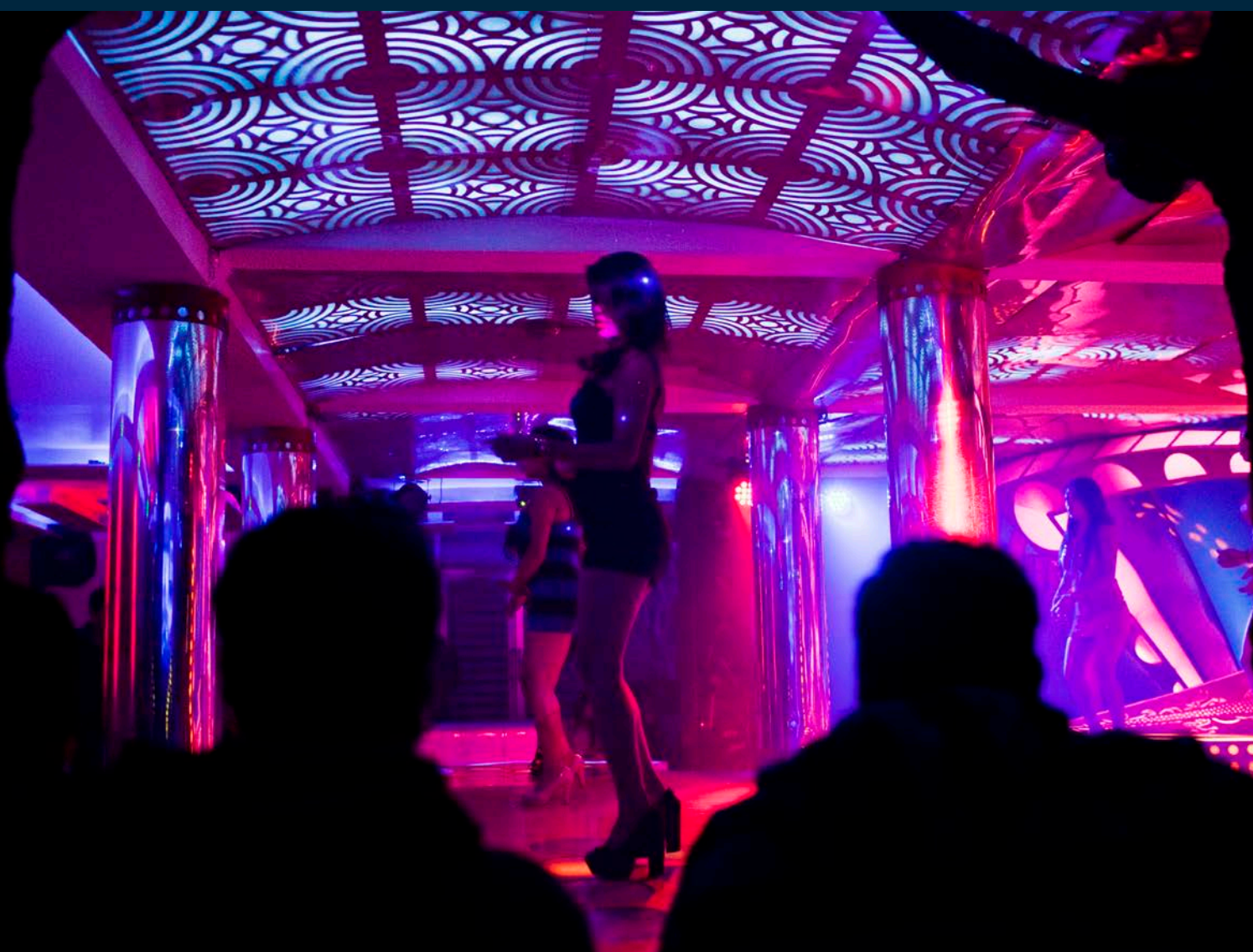


## **Minors in Kathmandu's adult entertainment sector: What's driving demand?**



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## Acknowledgment

We are grateful for the time and willingness of all those who agreed to be interviewed for this report.

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Girls work at a dance bar in the Tamel neighborhood of Kathmandu, Nepal. © Katie Orlinsky, Legatum Limited, 2018.

## Abbreviations

AES	Adult Entertainment Sector
CSEC	Commercial Sexual Exploitation of Children
CSO	Civil Society Organisation
INGO	International Non-Governmental Organisation
NGO	Non-Governmental Organisation
SUTRA	Support to Transformation Nepal

## Definitions

### Cabin Restaurant

Usually a small restaurant with plywood partitions that create small private ‘cabins’ for customers to be entertained by wait staff. Food and drinks are sold at inflated prices, to pay for sexual favours in some cases.

### Dance Bars

Customers are entertained by women and girls dancing to music, sometimes scantily dressed. Waitresses sit with customers and may engage in sexual activities, which may include kissing and touching or more direct sexual acts. Additional income can be earned from receiving commission from the food and alcohol purchased at inflated prices. Dance Bars are generally more expensive than cabin restaurants and attract a more affluent clientele. Direct sex may be arranged between employees and customers but often takes place outside of the dance bar.

### Dohori Restaurant

An establishment where customers are entertained by Nepali music and dance. Some *dohori* restaurants cater to families wanting food and entertainment; however, some primarily attract male customers seeking music and female companionship.

### Massage Parlour

Massage parlours provide traditional massage therapy, but at many venues, customers can arrange to be provided with sexual services.

### Guest House

Guest houses do not provide entertainment but are venues where customers from *dohoris*, dance bars and cabin restaurants take women and girls for sex. They are often found in close proximity to these venues. Some guest houses may have workers in residence who provide sexual services.

### Bhatti Pasal/Khaja Ghar

Small scale eateries where food and alcoholic beverages are available. These venues may also have employees who provide sexual services or be places where this can be arranged.

### Commercial Sexual Exploitation of Children (CSEC)

Includes anyone under the age of 18 who is involved in a commercial sex act. A commercial sex act occurs when someone engages in a sex act in exchange for money or other economic benefits. A person under 18 does not need to prove that they were forced, deceived or coerced into carrying out the commercial sex act.

### Gatekeeper

An individual who manages prostitutes and arranges clients for them, taking a percentage of their earnings in return.

## Executive Summary

Kathmandu's adult entertainment sector (AES) is made up of a complex web of venues that includes massage parlours, dance bars, cabin restaurants and guest houses. These workplaces employ young women and girls as waitresses and dancers who entertain male patrons. Many of these venues have become a front for commercial sex, and, alarmingly, the commercial sexual exploitation of children (CSEC). Similarly, establishments in the wider hospitality industry, such as snack shops (bhattipasals and khajaghars) and some hotels, have also started providing these services and allowed similar exploitation. According to a 2010 report by Tdh Nepal, as many as one-third of females working in Kathmandu's AES are under the age of 18.<sup>1</sup>

This report seeks to understand the profiles of those who use the services of children. After conducting in-depth interviews with the owners, managers and customers of the venues where CSEC takes place, we discovered the widespread prevalence and acceptance of a culture that permits and justifies exploitation. While interviewees broadly agreed that sex with children is morally reprehensible, each group shifted the blame for CSEC on a different group. They created narratives to excuse the use of minors in the sector, supported by cultural factors that have made the coveting of girls acceptable. Those who use the services of children are able to normalise their behaviour and distance themselves from the harmful implications of their actions.

Among those interviewed in this study, reservations about sexual activity with children were easily dismissed. A common justification is that girls are benefitting financially from working in the AES. In a country where the ability to participate in an increasingly consumerist society is highly valued, the girls' perceived economic power is seen as adequate compensation. The inflated prices of food and drink sold at many AES venues also help excuse the presence of minors, as customers believe they are paying good money and expect to be entertained. Moreover, many managers and owners believe they are protecting girls by offering them accommodation and a salary. These actors view themselves as empathetic rather than exploitative, regardless of the exploitation the girls may face at the same time.

All those associated with the AES easily blamed other actors for the exploitation of children. Customers blamed owners who knowingly hired minors. Owners blamed girls who lied about their age. Managers blamed the government's failure to effectively enforce laws prohibiting children from working in AES venues. When the exploitation of children was perceived as being indirect, individuals did not feel implicated.

The research suggests there is a general lack of awareness about the hidden pressures that constrain girls' choices. Interviewees often equated exploitation with force. They argued that if girls are not being forced to engage in sexual activities, then they are not being exploited. Because the AES workers could choose which customers to entertain, the transactions were perceived as being consensual. When the encounters seem to be consensual, it is easier for customers to feel like they aren't doing anything wrong.

Additionally, the exact ages of AES workers are often unknown, and this ambiguity allows those who frequent AES venues to be wilfully ignorant of any involvement in exploitative practices. Customers thought it was inappropriate to ask how old the girls were, and managers and owners reported overlooking missing age verification documents. By not knowing whether or not the workers are children, actors can avoid culpability. Nepal's political environment also facilitates the exploitation of children in the AES. Although laws exist to protect children, weak governance structures and poor law enforcement have rendered those laws ineffective. Persistent governance issues with Nepal's institutions make it difficult to bring about real change.

The purpose of this study was to bring to light authentic accounts of those involved in with the sexual exploitation of children. An in-depth understanding of the attitudes of those who use the services of children could inform behavioural change campaigns and other policies aimed at protecting minors. This research shows that the narratives that normalise, justify and excuse the sexual exploitation of children must be challenged.

# Introduction

## 1.1 Purpose of the study

In the past ten years, there has been a dramatic growth of massage parlours, dance bars, cabin restaurants and guest houses in Kathmandu that are associated with the adult entertainment sector (AES),<sup>2</sup> which is made up of a complex web of venues. These workplaces employ young women and girls as waitresses and dancers who entertain male patrons. Many of these venues have become a front for commercial sex, and, alarmingly, the commercial sexual exploitation of children (CSEC). According to a 2010 report by Tdh Nepal, as many as one-third of females working in Kathmandu's AES are under the age of 18.<sup>3</sup>

This study aims to understand the profiles of the owners, managers and customers of venues where CSEC takes place. Focusing on the profiles of those who use the services of children, the research seeks to understand their attitudes, perceptions and reasons for using, owning and managing venues where CSEC occurs. In addition, this study also explores the perceptions and understanding of the laws and regulations surrounding CSEC in Nepal and other relevant legal provisions that might protect children.

Our hope is to generate nuanced, non-judgemental and authentic accounts of both the outer and inner worlds of those who are involved with CSEC. In-depth understanding could inform potential media and behavioural change campaigns that target these specific groups and those who may influence them (e.g. peers and relatives). The research will also be used to assist service providers to reach owners and managers in more targeted ways that are informed by a nuanced understanding of those engaged in this sector.

## 1.2 Key research questions

This study seeks to understand who the customers are and address the reasons why these customers select (or do not avoid) the services of children in venues where CSEC takes place. It explores customers' perceptions towards the presence of children in the AES and the related sex industry.

### Customers

- Who are the customers? What is their demographic profile and what are their social networks?
- What are their reasons for selecting (or not avoiding) the use of children?
- What do customers understand about the laws pertaining to CSEC and what is their perception and attitude towards these laws?
- How has the earthquake and/or trade embargo affected the presence of different kinds of customers, their spending habits or their choice of activities/venues in the sector?

### Owners and Managers

- Who are the owners and managers of the venues in which CSEC takes place?
- What are the attitudes and perceptions of owners and managers towards CSEC and towards the presence of child workers in these venues?
- Why do owners think that customers may prefer children?
- Why do managers think that owners prefer children?
- How, if at all, do owners and managers perceive their customer base to have changed in the past year as a result of the earthquake and/or trade embargo?
- What do owners and managers understand about the laws pertaining to CSEC and child labour and what is their perception and attitude towards these laws?

### 1.3 Project personnel and partner organisations

This research was undertaken by SUTRA. SUTRA is a consulting firm established by a group of development professionals with longstanding experience, especially in the areas of child protection, trafficking, slavery, social inclusion and access to justice. SUTRA focuses on research, training development and delivery, and capacity building of civil society organisations (CSOs).

[Dr Subas Risal](#) has a PhD in Development Studies from the University of Queensland School of Social Work and Human Services in Brisbane, Australia. He completed his Master of Social Work at Washington University in St. Louis in the United States, and has a Master's degree in Sociology from Tribhuvan University in Nepal. Dr Risal has over 12 years of experience researching and teaching social welfare policies, inclusion, poverty, international development and social protection in the United States, Australia and Nepal. Through these experiences, he has gained deep insights into approaches to understanding the various dimensions of poverty, inclusion and development. Dr Risal has been involved in research projects in various capacities ranging from team leader to research assistant. Additionally, he has taught research methodologies, international development, social and economic policies and monitoring and evaluation in Australia (University of Queensland) and Nepal (Tribhuvan University).

Researcher [Elizabeth Hacker](#) has over ten years' experience of delivering quantitative and qualitative research projects in the UK public policy arena and the international development field. While at the UK's National Centre for Social Research, Elizabeth was Project Manager of the world leading longitudinal study of socio-economic circumstances *Understanding Society* (funded by the UK's Economic and Social Research Council). In Nepal she was previously Lead Researcher for the Institute of Development Studies' *Valuing Volunteering* project, a major two-year global research project to understand and enhance the impact of volunteering on poverty that spanned five countries in Africa and Asia. Elizabeth has in-depth knowledge of a wide variety of research methodologies and regularly provides trainings on qualitative and participatory research methodologies for development professionals and researchers in Nepal and elsewhere.

# Methodology

This research study aims to gain an in-depth understanding of the nature and profile of owners and managers of adult entertainment venues and the customers who visit them. The study adopted a two-stage data collection approach to ensure the collection of robust data. The second stage of the data collection was informed by the first and used several methods to generate rich experiential data.

## Stage 1: Scoping exercise

### Literature Review

A literature review was carried out to look at previous research findings. This aimed at gaining a broad understanding of CSEC, the AES and sex work in Nepal in particular. The research was based on a wide variety of sources that included media reports, I/NGO reports and scholarly articles. The review was largely intended to identify issues that needed to be discussed with the respondents. Additionally, the review was important in exploring relevant methodologies used by previous studies and identifying service providers who were included in the scoping exercise and Key Informant Interview stage.

### Informal group discussions

An informal group discussion was conducted with 19 AES workers who were involved in a variety of venues including massage parlours, *dohori* restaurants and dance bars. The discussion focused on exploring effective ways to approach customers, owners and managers for the interviews. Participants felt that it was essential that research interviewers be referred to owners and managers via an individual who they knew and trusted. It would be important to emphasise confidentiality and their right to withdraw at any time. Participants felt that incentives should be used, but that the use of incentives would not influence owners' decision to take part in the study because they were generally wealthy individuals. Furthermore, they felt there were certain groups that would be more difficult to reach, in particular, well-connected and influential individuals who were involved with or owned a range of venues and would not want to risk exposure.

### Focus groups

One focus group was conducted with a range of service providers, including NGO workers and experts in the area, at SUTRA's office. The focus group aimed to gather information on individuals who had a range of expertise and in-depth knowledge of CSEC and Nepal's AES and the related sex industry. These identified individuals, who represented a range of non-governmental organisations and relevant government agencies, were later interviewed as key informants. Six individuals from six different organisations participated in the focus group.

### Key informant interviews

A total of 13 Key Informant Interviews were carried out with service providers who had in-depth knowledge of the issues. These providers mainly included NGO workers, government employees and female AES employees. Among the respondents, three represented agencies that were not part of the Freedom Fund's network of partners. The interviews with key informants were used to gather information in relation to the owners and managers of AES venues where CSEC is practised and from the customers who visit them. These interviews contributed to the smooth undertaking of in-depth interviews that followed. A semi-structured topic guide, designed following the informal discussions with workers and focus groups with service providers, was used to carry out the interviews.

## Stage 2: Main data collection

### In-depth Interviews (IDIs)

The main stage of data collection was informed by the scoping exercise and used in-depth interviews as the data collection method. The method was proposed taking into account the need for an exploration and understanding of the complex issues surrounding CSEC. It proved to be a robust research method considering the need for a holistic and in-depth investigation of an issue such as CSEC. A total of 62 interviews were carried out with customers (39), owners (12) and managers (11).

The in-depth interviews attempted to engage respondents directly in a conversation in order to generate nuanced, non-judgemental and authentic accounts of respondents' outer and inner worlds. Incentives were provided to facilitate the process.



Four interviewers carried out the in-depth interviews. A three-day long training was provided to the interviewers. The training was intended to familiarise interviewers with the tools and operational procedures of the field work. Additionally, the training aimed to provide information in relation to research objectives and methodology. The theoretical part of the training was strengthened by mock practice sessions.

A semi-structured topic guide containing issues to be explored was used for the in-depth interviews. In addition, a sample screening sheet was prepared to ensure that interviews were carried out with eligible respondents and to ensure a wide range of respondents were included in the sample.

#### Sampling procedure

A purposive sampling scheme was used prior to the application of a snowball design, in which participants were asked to recommend other respondents who were willing to be interviewed. The sampling drew largely on the Key Informant interviews and the literature review. The study ensured that the scoping exercise included a diverse range of actors who were able to link the researchers to a variety of venues and respondents. Agencies working in the field provided information about potential respondents and venues that were particularly difficult to reach.

Following selection, participants were asked to suggest other respondents. This snowball sampling technique was particularly important for reaching all three types of respondents.

The use of trusted referrals and the snowball sampling technique were largely effective. However, there were particular groups who remained hard to reach, most notably managers who operated more informally (e.g. from small-scale eateries or who were street-based). It was also more difficult to access managers, owners and customers from venues which were more 'closed' or where the availability of sexual services was less explicit, for instance, massage parlours and guest houses.

#### Analysis

Thematic analysis was used to analyse the data. The research utilized several steps to carry out thematic analysis. The first step was the transcription of the verbal data. All the study participants were informed that interviews would be recorded and reminded of their rights to refuse or discontinue their participation in the research. The transcription was then carefully translated into English. The focus of the translations was geared towards capturing the essence of interviews rather than literal or word-to-word translations. Particular attention was paid to conceptual equivalence to the original language. The data was then read and re-read and initial ideas were noted. This step was followed by the generation of initial codes and the organisation of data into meaningful groups. The final step was to code key themes that emerged from the data.

Direct quotes from study participants are used in the synthesis report to provide a rich understanding of the themes. Following the quotes in the text, study participants are differentiated by assigned numbers.<sup>4</sup> Interviewers are also differentiated by numbers. Four main interviewers were assigned to collect the required data and were provided with different ID numbers (101, 102, 103 and 104). For example, if a quote used in the text at the end has the following number: 101\_103, it means that the interview was conducted by the first interviewer and his/her third assigned respondent.

#### Ethical considerations

Ethical issues in relation to informed consent, freedom to withdraw from the study, confidentiality and anonymity were considered. Written consent was obtained following the detailed explanation of the aims of the research to study participants. The interviewers were asked to read the informed consent which was prepared in Nepalese and to request the participants for their signature.

Study participants were informed that they could withdraw from the study during the interview or even one month afterwards. They were assured that their identity and the information they provided would not be disclosed to anyone except the core research team.

The Central Child Welfare Board (CCWB) was approached with relevant documents that included final data collection instruments and details about the implementing agency. The ethical approval from CCWB was obtained prior to the field work.

## Literature Review

A literature review of relevant research from the Nepalese context on customers, managers and owners was undertaken to contextualise and inform the research.

Key findings from the literature review are outlined below.

### Managers and owners

The profile of the owners and managers of AES venues outlined in the literature is limited. As a 2010 Terre des Hommes report notes, there is no clear picture of owners.<sup>5</sup> A 2008 Shakti Samuha study finds that the majority of owners are men (80%).<sup>6</sup> Women owners have usually previously been involved in the AES as entertainment workers.<sup>7</sup> The Terre des Hommes report states that many owners own more than one venue and rotate girls to ensure new faces for customers.<sup>8</sup>

Studies show that entertainment workers are often the primary recruiters of girls for the industry. According to the Terre des Hommes study, girls and women are not allowed to leave work until they find a replacement or repay debts by providing new recruits. The report found that older women also often acted as the 'gatekeepers' of younger girls, providing them with accommodation, helping them to resolve problems with owners and generally exercising a degree of 'maternal control'.<sup>9</sup>

Various studies highlight the complicity of public officials in the AES. Although there is limited direct evidence to prove the involvement of public officials (e.g. police officers and political party officials) in the ownership of dance bars, massage parlours and other AES venues, it is alleged that their involvement can result in the underreporting of entertainment workers' complaints.<sup>10</sup> Poudel and Carryer argued that the involvement of politicians and other government officials in the trafficking 'business' can result in a conflict of interest in effectively working to stop the trafficking of women and children.<sup>11</sup>

### Customers

Terre des hommes outlines the profiles of individuals who frequent AES venues. The major groups include small businessmen, government officers, internal migrants and those who have made money in the commercial sector, such as in tourism or from employment agencies involved in the supply of overseas labour. They report that in less affluent areas, migrant labourers also frequent AES venues. The majority of customers are Nepalese who go to venues with friends to socialise in a sexually charged environment and drink alcohol (their primary objective is not necessarily to find a sexual partner).<sup>12</sup>

Several reports discuss a growing trend amongst Nepalese youth of visiting the AES.<sup>13,14,15</sup> Some young men report how touching girls has become a sign of being mature and masculine.<sup>16</sup> Nevertheless, several reports note that the majority of customers are older, in the 50s-60s age group,<sup>17</sup> and the 30s-40s age group.<sup>18</sup> The relatively high costs of beverages and food in AES venues requiring a higher level of disposable income than most young people would have access to on a regular basis.

Terre des hommes notes that a few venues cater to Indian customers, specifically.<sup>19</sup> However, although there is some reporting of a growing trend in sex tourism since the 1990s, or at least, an increased trend of foreign nationals engaging in the AES, the majority of customers are reported to be Nepalese.<sup>20</sup> As Sijapati et al note, it is still not clear whether the Nepalese AES has become a destination for groups from Bangladesh, India or further afield.<sup>21</sup> The perception that the level of foreign involvement in the AES is high can be misleading, particularly in relation to CSEC. CWIN's 2010 study on the sexual abuse of street boys notes that despite the vast majority of sexual abuse being perpetrated by Nepali males, stereotypical perception of paedophiles as foreigners has provided a level of protection for Nepali paedophiles as they are less likely to be suspected.<sup>22</sup>

### Types of venue and the nature of transactions

Several studies note the economic stratification of the AES and the different clientele that are attracted to specific venues. For example, the upscale dance bars and *dohoris* attract more affluent customers because of the high prices of beverages and food. Those with less disposable income frequent more informal establishments such as *bhattipasals* and *khajaghars*, small-scale eateries.

Maiti Nepal found that 67% of customers in dance bars, cabin restaurants and dohori restaurants ask for 'comfort girls'. Transactions are usually indirect: girls sit with customers and engage in a range of activities, from talking and kissing to more direct sex acts, while the customers purchase food and drink at inflated prices. The report asserts that owners of cabin restaurants and dance bars deny workers are being exploited because they do not force waitresses to perform sexual favours and that these are arranged outside of the venues by the employees themselves.<sup>23</sup>

Direct sex can be obtained at venues such as massage parlours (for more affluent, middle-class men), guest houses with resident workers, bhattipasals or with street-based sex workers. The ECPAT report (2015) notes that street-based sex work has proliferated and even venues such as clothes shops and hostels have capitalised on the growing acceptability of buying sex by offering sexual services in areas of high mobility, such as bus parks. Gatekeepers are common in these areas, and the research notes that these venues are known for having more 'exotic' services.<sup>24</sup>

#### The cultural and historical context of CSEC and the AES

A number of studies explore the reasons for the growth of the AES and the proliferation of sex work and sex trafficking in Nepal. Davis looks at the historical and cultural traditions and practices that have contributed to the commodification of children for sexual pleasure.<sup>25</sup> Citing traditional practices such as child marriage, where girl brides as young as eight were married to older men, Davis notes the importance of hierarchical social norms whereby, 'age is valued over youth, men are valued over women and where women are taught to be submissive and cooperative'.<sup>26</sup> Stallard also notes the importance of the patriarchal nature of Nepalese society where discrimination against women and girls is highly institutionalised. The study draws attention to the prevalence of child abuse in Nepal, as well as factors such as poverty, a lack of awareness and a culture of silence, impunity and poor law enforcement which have contributed to the growth of the AES.<sup>27</sup>

Liechty explores the growth of the AES in the context of Kathmandu's transformation into a more modern and consumerist society, particularly since the 1980s.<sup>28</sup> In his exploration of the transformation of the economic cultures of food and sex in Kathmandu since the 1980s, Liechty outlines the modern socio-economic processes (e.g. wage labour, industrialisation and class formation) that have shaped a new culture of commercial sex. The emergence of transient, anonymous zones like Thamel has allowed the possibility of a large-scale AES to emerge. Interestingly, Liechty notes the importance of fantasy: the availability of pornography (e.g. blue films) from the 1980s and 1990s, which began to normalise the purchase of sex: "When sexual gratification becomes a leisure commodity, purchasing it in the form of a prostitute is only one step away from purchasing it in the form of a blue film." He also notes the popularity of paternalistic fictions related to schoolgirls prevalent in this 'fantasy realm'.

Several studies state that a lack of opportunities for secure livelihoods contributed to women and girls' involvement in the AES. The 2010 Terre des hommes report posits that the disruption and poverty caused by the Maoist Insurgency (1996-2006), as well as the closure of the pashmina and carpet industry at this time, meant women and girls had fewer options to ensure a stable income.<sup>29</sup> Sanghera notes that factors such as conflict, natural disasters and poverty, do not cause increased involvement in the AES, but they do make marginalised people more vulnerable and create the conditions that 'free up' these groups to become potential migrants.<sup>30</sup>

The Terre des hommes report also notes the influence of media, in particular on Nepalese youth. Citing the influence of Indian movies and TV on the sexual behaviour of young men, they argue that they increasingly want to engage in premarital sexual relations. Because social norms prevent many girls from doing so, young men more frequently seek sexual services from AES workers.<sup>31</sup>

# Findings

## 1.1 Who are the managers and owners of the venues?

### Age of managers and owners interviewed

Age	No. of managers	No. of owners
18-30	9	2
30-50	2	9
50 and above		1
<b>Total</b>	<b>11</b>	<b>12</b>

### Gender of managers and owners interviewed

Gender	Managers	Owners
Male	10	10
Female	1	2

### Type of venue managed or owned

Venue	No. of managers	No. of owners
Dance bar	3	6
Dohori	6	2
Apartment		0
Massage	1	0
Cabin restaurant		4
Khaja ghar		0
Street-based	1	0

### Length of experience of owning or managing an AES venue

Length	No. of managers	No. of owners
Below 5 years	9	3
5 - 10 years	1	6
Above 10 years	1	3

The majority of owners and managers reside in Kathmandu but are from districts surrounding the capital city. They follow a similar career trajectory: they began undertaking menial tasks (e.g. kitchen assistant) before progressing to a waiter, then captain or cashier, then manager, and for owners, eventually being invited to invest in the venue, making them shareholders. Usually, this progression takes between five and ten years in the AES.

Economic necessity was most often cited as the reason for entering the sector. This necessity was sometimes compounded by the physical and/or mental health needs of owners, managers and/or their family members. For example, one female cabin restaurant manager explained that she was compelled to travel to Kathmandu with her uncle and begin working in the AES because her father was unable to work. A dance bar owner describes his situation before being introduced to the sector by his village relatives:

*"My mental health was affected after I got very sick. People thought I was going insane. When I moved to Kathmandu, I had a really hard time finding a job... I couldn't even get a job as a dishwasher."*  
Owner, Dance Bar, (102\_302; Age 31 - 40)

Most owners and managers first became involved in the sector during their teenage years through contacts in their village, often by family members in their peer group. Their first encounter with the AES was often a memorable experience because of the contrast with their village life. An owner of a dance bar describes his first visit to such a venue as a customer with his peers:

*"I had a very good time there. The music, the lighting, the girls. Everything was so dazzling."*  
Owner, Dance Bar, (102\_302; Age 31 - 40)

The majority of owners and managers felt that most people, even managers and owners, enter work in the sector due to a lack of alternatives:

*"The people who come to this field are all financially vulnerable. You don't see well-off folks here."*  
Owner, Dance Bar, (102\_302; Age 21-40)

Several of the owners' and managers' stories illustrate this. For example, one manager who was unable to pursue a career in electronics gained employment through a cousin working in the AES in order to support his family. A street-based manager of a guest house where sexual services are available, one of the less visible venues, described both his financial need and also his own desire for acceptance and connection within the sector:

*"I have no sisters... There's one lady here. I look up to her like my own elder sister. She runs a centre. You'll find tons of girls there 24/7 in Kathmandu."*  
Manager, Street-based, (104\_101; Age undisclosed)

Women managers' and owners' career trajectory, while similar, suggests that women working in the AES can be more vulnerable to exploitation. For example, one cabin restaurant owner describes how she began working at the age of 14 having been brought from her village to a *khajaghar* by a relative and then later, at 16, to dance in a dance bar. The owner did not have formal education, she was the eldest in her family and her father's ability to work was limited. Another female manager describes how she was taken by a female relative to work in a massage parlour: "I followed my [cousin] gullibly... first she told me it was a shop" (Manager, Massage Parlour 103\_202; Age 21 - 30). While not explicitly stated, the journeys for women from worker to manager/owner in the sector seem to be associated with greater risk.

Although the majority of owners and managers outline a career trajectory from low-status, menial roles to that of manager, shareholder, or outright owner, there were instances where owners entered the AES from a different sector because of the economic opportunities offered by the AES. One participant described how he had previously been involved in the retail of electronic goods, whilst another owned a food outlet. Exposure to the AES as a customer was important in such cases: for example, this provided the contacts within the sector who would eventually become investment partners.

Some describe how the unsociable hours meant that networks were limited outside of the AES and their family. However, some felt that owning a 'night sector' venue offered opportunities to take up varied roles. For example, one dance bar owner is the vice president of a youth club that aims to develop his village economically. Another owner coaches and referees sports during the day. In both cases, the participants were eager to provide information about their positive involvement in community activities, suggesting that being an active member of the community formed an important part of their identity and social status. Most managers were engaged in full-time employment in the AES. However, one manager was studying part-time at the Masters level and used his earnings to pay for his studies.

The majority of owners were actively involved in their AES businesses. Owners who had multiple AES businesses described how they would 'roam' between them or be involved in some more than others.

## 1.2 What are the attitudes and perceptions of owners and managers towards CSEC and towards the presence of child workers in these venues?

Respondents expressed a range of views towards CSEC. These differences related to the type of venue that the respondent owned or managed. For some respondents, their role was directly linked to the provision of sexual services (e.g. the street-based manager). For others, their role was more ambiguous: while they may work in or own venues that create sexually charged environments, they may not directly be involved in arranging sexual activity between employees and customers. Furthermore, although indirect sexual activity such as flirting, kissing and touching may take place within some venues, direct sexual activity such as intercourse or oral sex may not, or may be arranged independently between employees and customers.

Image: The Thamel neighborhood in Kathmandu, Nepal, a tourist hub by day that is laced with dancing clubs and open massage parlors at night. © Katie Orlinsky, Legatum Limited, 2018.



While there were no owners that advocated for children to engage in sexual activities with customers or directly discussed their perceived benefits of using minors in their venues, a number of owners justified the employment of children. A common justification was that the venues offered some protection for young people who faced destitution or were economically vulnerable:

*“What if children below 16 don’t have parents? Don’t they have to survive? Don’t they need food on their table? The law asks us not to employ anyone under 16. But, is it better to walk around like a bum carrying sacks than to get a job?”*  
Owner, Dance Bar, (102\_302; Age 31 - 40)

The owner related this to his personal experience of feeling destitute and alone in Kathmandu, and contrasted it with his own ability to offer ‘shelter and protection’ at the dance bar. Several owners blamed the government for not providing food and shelter, which has led to an influx of young people into the AES. Several owners describe how they are often approached by girls with ‘genuine problems’.

Managers expressed similar attitudes. Economic necessity and the sense that working in the AES is better than destitution was prevalent in their thinking. In one instance, a street-based manager openly admitted his involvement in arranging sexual services between girls and customers, including minors. He felt able to justify his involvement by comparing his role to the girls’ family members who had previously abused them:

*“I’ll tell you one thing... Most of these girls have been molested by their own family members. Even fathers. So, why wouldn’t they come to this field? We’re not the ones who spoiled them. It’s their own relatives. We don’t even touch them. We talk to them very nicely.”*  
Manager, Street-based, (104\_101; Age undisclosed)

Most owners and managers were less open about any involvement in direct or indirect sexual acts. Owners often described their efforts to make venues safer for their workers. For example, several owners described how introducing more stringent security, such as installing CCTV cameras, meant that sexual exploitation, perceived as non-consensual sex, would not take place. For some, this helped justify the use of children.

One dance bar owner, who admitted to guessing the age of young girls who did not have citizenship certificates, was eager to differentiate himself from those who were actively making staff engage in indirect or direct sexual activity with customers. Whereas he had installed CCTV equipment and had sufficient staff to prevent non-consensual sex within his venue, he describes how the gatekeepers outside of the venue were to blame for exploiting and misleading staff.

In general, owners and managers held the opinion that girls will engage in sexual activities in exchange for payment outside of their venues anyway, and that was beyond the owners’ and managers’ remit or control. Even within a venue, managers and owners were not able to influence whether employees engaged in sexual activities with customers.

*“That is their personal wish. If the employees want to spend time with the customers, they can. That is their personal wish and we don’t force them upon it.”*

Manager, Dohori Restaurant, (103\_203; Age: 21 - 30)

Because sexual activity was not directly or actively demanded by owners and managers, they felt able to unburden themselves of any responsibility for the exploitation of minors. The indirect nature of the transactions allows them to downplay any involvement. As one manager says, “the owners just ask the girls to go and sit with [the customers]”.

The fact that staff under the age of 18 are not actively recruited also adds to owners’ and managers’ perception that they are not directly involved in CSEC. For example, while a number of owners, particularly in larger venues such as dance bars, describe more stringent measures to check age, they also admit that at times they have to ‘turn a blind eye’ to the age of potential recruits.

*“We ask their age. But, even if they’re 15, they don’t give their actual age. We ask for their citizenship certificates. A lot of them would say they don’t have it, or they haven’t issued it. In such a case, we take a good look at them, and guess their age.”*  
Owner, Dance Bar, (103\_303; Age: 31 - 40)

### Managers and owners employing staff aged 18 and over

There were a number of instances where owners actively chose to hire staff who are aged over 18. The reasons for this positive deviance were often associated with the type of venue. For example, dohori restaurant owners were more likely to actively employ staff aged 18 and over. Such owners seemed eager to attract a different clientele who primarily visited the venue for good food and music. Although 'flirtations' with staff would occur, this was secondary and business was not dependent on it. They reported that the customer base had changed in recent years - customers were now 'more clever', interested in modern and Hindi songs, and would at times bring their spouses to the restaurant.

*"Not everyone goes to such sleazy bars. Some people like to go to decent places too. Well, the business is good here. You can even bring your family with you. There's nothing here that would make you feel uncomfortable. Hiring over 18's has yielded nothing but positive results."*

*Owner, Dohori Restaurant, (102\_301; Age: 50 and above)*

Several dohori restaurant owners and cabin restaurant owners felt that young girls (aged under 20) were less reliable and less efficient than those with more experience. One female cabin restaurant owner argued that she would be unable to rely on minors and so even though she was asked by customers for the 'youngest girls' to sit and engage with them, she preferred to hire girls aged 20-25 who could efficiently manage the restaurant. The cabin restaurant owners had limited knowledge of the law and regulations and had not been inspected by the police or authorities, which suggests that their decisions were primarily about efficiency. However, more professionally managed venues did point to the influence of regulation and inspection in the way that they conducted their affairs (see section 1.4).

### 1.3 Why do owners think that customers may prefer children?

Owners and managers were rarely specific when discussing why customers may prefer children in AES venues. This perhaps reflects a lack of explicit preference for a certain age group, but rather a preference for beauty that mid-to-late teen girls seem to embody for many customers (see section 2.2). Owners did report that often customers wanted girls who are 'young and new', prioritising youth and beauty. Owners and managers often said they didn't know why this was, but that 'this is just their preference' (dohorimanager). One owner felt that customers were looking for an experience that contrasted from their day to day experience in the domestic sphere:

*"It is easy to form a bond with them [younger girls]. [Customers] want to break free from their household affairs and just relax."*

*Owner, Dance Bar, (102\_302; Age: 31 - 40)*

Almost all owners and managers, excluding the street-based managers, felt that girls had to have reached sexual maturity to be involved in the AES. Some owners described 'sexual maturity' as between the ages of 16 and 25, others between the age of 17 and 19 - or to at least be perceived as being this age. The dominant view was that using pre-pubescent girls in the AES was 'beyond the pale' for most customers, owners and managers. One owner discussed whether girls under the age of 16 would be present in his dohori restaurant:

*"I don't think even the customers can stomach it."*  
*Owner, Dohori Restaurant, (102\_301; Age: 50 and above)*



#### 1.4 What do owners understand about the laws pertaining to CSEC and child labour, and what is their perception and attitude towards these laws?

Most owners and managers were aware that laws existed pertaining to child labour. Some owners believed it was illegal to hire workers under the age of 16, but others believed this to be under the age of 18. Owners of larger, more visible venues such as dance bars and especially *dohori* restaurants tended to be more informed about regulations and had had more contact with those who enforce them. This did vary - for example, one dance bar owner in Thamel described being visited by police only once in 13 years, whereas another owner is regularly visited by police, which he feels is hampering his business.

Owners who had introduced measures to prevent minors working in their venues were often those who were visited most by the authorities. The relationship between the higher levels of inspection and their implementation of such measures was not always clear. One *dohori* owner describes how the Nepal Tourism Development Council regularly visits to check staff age, health, safety and hygiene, and his venue had become more stringent in requiring staff to provide photocopies of all their identification documents, signatures and photographs. However, this venue's owner was eager to distance himself from other venues in the sector, and he reported that the improved professionalism and regulation was something he strove for independently. Another owner describes how visits from the Ministry of Women and Children had been 'useful' for his *dohori* restaurant. They had provided a directory relating to regulations and so he was well informed regarding the legal working age. This owner also checked citizenship cards before hiring staff. These owners had positive relationships with authorities, which is understandable given that they had less to lose since their businesses were already attempting to disassociate themselves from businesses that provide sexual services.

More broadly, several owners and managers pointed out that while the regulations affected the AES venues, the real issue was outside where girls were influenced by 'guides' (gatekeepers) or arranged private meetings with customers independently.

*"These are the ones exploiting the girls, and I have tried to talk them [the girls] out of this. It is the guides who just want to get rich quick."*  
Owner, Dance Bar, (104\_301; Age: 31-40)

In smaller venues such as cabin restaurants, the owners and managers were less aware of regulations. For example, one cabin restaurant owner had no awareness about any regulations pertaining to working age, AES or CSEC, although she said she had 'heard something' (Owner, Cabin Restaurant, 103\_301; Age:37). Her only experience of the presence of authorities was when police would visit her restaurant, make demands for beverages and food, and leave without paying.

#### 1.5 How, if at all, do owners and managers perceive their customer base to have changed in the past year as a result of the earthquake and/or trade embargo?

Owners and managers reported that the earthquake and embargo had affected their business detrimentally. However, the impact was perceived to be short-term, from between one month and a maximum of one year following the earthquake. Most felt that this was no longer affecting their business and had not resulted in any major change in staff composition. One minority view was that the earthquake had changed the way people enjoy their services, with customers becoming more eager to engage in the AES (and in sexual activities) because, as a manager described, they 'have realised how fickle life is, how important time is.' (Manager, Dance Bar, (102\_302)).

While the earthquake and the resulting disruptions had a short-term impact on the sector, a number of owners reported wider trends that were having a more significant impact. Several owners reported that since the earthquake their customers spend in more considered ways (although one owner thought the opposite). It is not clear whether this is due to a change in the clientele or the clientele's spending habits. Several owners cite the impact of more stringent drunk driving regulations, although they disagree on how this has changed their business.



Image: Children walk to school in Haidera, Nepal. © Katie Orlinsky, Legatum Limited, 2018.

## Customers

### 2.1 Who are the customers?

Most customers interviewed were male aged between 21 and 35. When interpreting the results, it is important to keep in mind that this sample was obtained through snowball sampling. The priority was to examine the views and behaviours across a diverse range of customers rather than to obtain a representative sample of the overall customer population.

With regards to the respondents' preferred venues, the most popular were dance bars, followed by dohori, cabin restaurants, massage parlours, apartments and khajaghar (see table 1 below for more details). The majority of respondents were professionals. Other occupations included non-professionals, public sector officials (army, police, government officers, etc.), students and others (those who run their own businesses). Nearly two-thirds of the customers were permanent residents and almost all of them were Nepali nationals. With regard to the caste/ethnicity of the respondents, most belonged to Brahmin/Chhetri caste groups followed by hill Janajatis.

## Background characteristics of respondents

Age of the respondents	
Age	No. of interviews
less than 21	2
21-35	27
36-50	8
50 and above	2
Venue visited	
Venue	No. of interviews
Dance bar	23
<i>Dohori</i>	11
Apartment	1
Massage	4
Cabin restaurant	8
<i>Khaja ghar</i>	1
Street-based	0
Employment	
Profession	No. of interviews
Student	6
Non-Professional	8
Professional	13
Public Sector	7
Other	5

Type of residence	
Residence	No. of interviews
Temporary resident – KTM	13
Permanent resident – KTM	25
Temporary visitor	1
Nationality	
Nationality	No. of interviews
Nepali	38
Non-Nepali	1
Ethnicity	
Ethnicity	No. of interviews
Brahmin/Chhetri-terai	1
Janajati-terai	1
Brahmin/Chhetri-hills	25
Janajati-hills	11
Other	1

## 2.2 What are their reasons for selecting (or not avoiding) the use of children?

### Reasons customers target children

Customers who explicitly reported a preference for engaging with girls aged under 18 or an age range that included under 18s (most commonly starting at age 15), gave a number of reasons for actively seeking to engage with this age group in AES venues. A dominant view was that girls in this age group were the most attractive, with beauty and a good physique often cited as positive attributes that are associated with teenage girls. They were also described as good fun and charming:

*“We go there in a group. If we are four boys, four girls will come to us. There are many employees. We choose the girl who is more interesting or charming ... a young girl who could be 16-17 with a charming look, attractive personality, etc.”*  
Customer, Dance Bar, (104\_107; Age 21-30)

In addition to the physical characteristics or behaviour of young girls being desirable, another reason given was that sexual activity with younger girls could be ‘more fun’ (Customer, Dance Bar, 102\_101; Age: 30).

While these participants felt that teenage girls, and specifically under 18s, embodied qualities that were attractive to them, including physical beauty and charm, others felt that youth in itself was a valuable characteristic to be sought. Girls were desirable not because of the physical or behavioural attributes associated with youth, but because of a quality related to that specific period of a girl's life. One customer, who purposely sought girls aged 16 or 17, described how he preferred 'the ones just entering the age of maturity' [Customer, Dance Bar (104\_106; Age: 21-30).

Another customer who stated his preference for 15 and 16-year-olds and his dislike of 'older women' links the financial worth of workers with a specific age group. Paying for sex could be costly, so he wanted to ensure that his money was spent on girls that he felt were most 'worthwhile' - the younger ones.

*"I think it is important [to ask about age]. Because you pay money for it. You don't want older girls. So, it's important to ask their age upfront."*  
Customer, Dohori Restaurant, (104\_102; Age: 21-30)

Younger workers were also favoured by some participants because they perceived younger girls to be more compliant. Younger girls were less likely to reject the customer and perhaps more likely to ensure their needs were met. One young customer implies that needing to feel wanted is an important aspect of being entertained in AES venues:

*"We prefer the girls' age to be from 16 to 18. We get good entertainment from them. But if the girls are of older ages, that would not entertain us much... We are of a young age ourselves and the girls who are older than us would not want to be with us. It would be better if their age matches ours"*  
Customer, Dance Bar, (102\_101; Age: 21-30)

It is interesting to note that for this young customer social norms related to age-appropriate relationships also apply within AES venues, normalising engagement with minors.

Compliance was also seen as important by some customers because it helped ensure their demands were met. In a context where many customers referred to the rising costs of the AES, ensuring value for money had become a particular concern. Indeed, some customers described how they have felt taken advantage of financially in AES venues in the past and had learnt to be more discerning when choosing girls. Selecting younger girls could help them 'get their money's worth' because the girls' inexperience and relative job insecurity made them less likely to rebuke sexual advances. When asked about the reasons for selecting young girls (including under 18s), two customers said:

*"Young girls are more attractive. Physical appearance does matter along with their behaviour. The way they deal with us is important. Young girls know more about the way they should behave. As they are mostly new recruits they fear losing their jobs if they do not behave properly."*  
Customer, Dance Bar, (104\_106; Age:21-30)

*"It is only because she would obey [the customer]. They go there for the fulfilment of their sexual desire. It is of no use if the girl doesn't obey. So he chooses the girl who would obey him."*  
Customer, Dohori Restaurant, (104\_102; Age: 21-30)

#### Customers who do not avoid under 18s

For some customers, knowing the age of workers in the AES venues was not a priority. There were several reasons expressed for age being a relatively unimportant factor when engaging with AES workers. Firstly, age was not important because a particular age group was not favoured over others:

*"[INTERVIEWER]: Is their age a matter of your interest?"*  
*[CUSTOMER]: Not really. Everyone appears hot to me."*  
Customer, Cabin Restaurant, (102\_110; Age: 21-30)

Age did not consciously factor into the decision-making process when seeking or selecting workers. The customers' desire for entertainment and sexual activity meant that fulfilling this was their main priority:

“Well, we go there, and look for pretty girls. Age doesn’t really make a difference. It’s just for a short period of time.”

Customer, Dance Bar (102\_103; Age:31-40)]

*“Normally, I don’t ask about her age...My main motive is to have a sexual relationship ... activities related to sexual performance ...”*

*Customer, Dance Bar, (102\_103; Age: 31-40)*

*“...I don’t care much about her age.”*

*Customer, Cabin Restaurant, (101\_102; Age: 21-30)*

*“The age of the employees doesn’t really matter. That is it.”*

*Customer, Dance Bar, (101\_108; Age: 21-30)*

While age may not be a priority for such customers, or explicitly a factor when deciding which workers to engage with, this does not necessarily mean that under 18s are avoided:

*“I don’t think it is necessary to find out the age of the girl. If only the age of the girl comes up during a conversation, then it will be good to know. But it isn’t necessary usually. It isn’t important to ask.... Now, if the girl looks very young then what can I do, I don’t do anything. But if the girl is of about 17-18 years of age then it would be great!”*

*Customer, Dance Bar, (101\_103; Age: 31-40)*

Preferences may be subconscious, or customers may not realise that the girls they engage with are minors. For example, one customer describes how age is unimportant for customers: “The age of a girl does not have any influence upon those who go there for the sexual entertainment... If both of them are attracted, anybody will do.” However, he also describes both his preference for girls aged between 15 and 30 years, and how he had avoided engaging in sexual activities with a 14-year-old during his first visit to a venue because her age was too ‘tender’ (Customer, Dance bar (101\_111; Age:21-30)). While age is not an explicitly stated priority, there are nonetheless parameters of acceptability and preference.

### Customers who target young children

The dominant view was that sexual activity involving pre-pubescent children (those aged under 15) is neither desirable nor acceptable. Some customers cited the harm that could be caused such as infections, uterine pain and emotional trauma, as well as the disruption this would cause to young people’s education opportunities and lives in general. In the minority of cases where sexual activity with pre-pubescent children was favoured, the reason was greater sexual gratification due to specific aspects of young girls’ physiques.

### Reasons why customers avoid engaging with children

Some respondents reported that they purposely avoid engaging with workers younger than 18. Even if they expressed a desire for, or attraction to, younger girls, moral considerations and concern for the girls’ welfare affected their decisions regarding which workers to engage with.

*“Well, 16 and 17-year-olds are fun... But it’s their time to study. They unwillingly get tied into this profession due to their economic condition. That is a different issue. So, I think 18 plus is appropriate.”*

*Customer, (104\_105; Age: 31-40)*

*“Oh! Of course. Who can’t resist the charms of young girls? But I try to control myself. My friends go there for these girls.”*

*Customer, Cabin Restaurant, (104\_107; Age: 21-30)*

One customer who reports that he usually seeks girls aged 20 or 21, outlines his particular concern for under 16s and the fact that they may be involved involuntarily:

*“Now, there are very small girls - aged between 12 to 15 - in a large number. Some of them are being misled, others may have their own desires. So, the government should implement strict rules and manage this business... very young sex workers are working in cabin restaurants, dance bars, etc. There is a growing appalling situation... There should be regular monitoring so that those minors can come out of this hell.”*

*Customer, Dance Bar, (101\_111; Age:21-30)*

But responses could be contradictory. It was often unclear whether and how age was explicitly checked by customers who argued that they avoided engaging with under 18s, and responses about how girls were selected could be vague. For example, a customer who argued that engaging in sexual activities with younger girls could cause physical harm described how he would usually select an 'adolescent girl who has come of age'. Although he planned not to engage with girls under 18, he admits that "if the girl approaches me at a favourable time, I won't miss the chance" (Customer, *dohori* restaurant (101\_110; Age 21-30). Although not explicitly stated, the respondent seems to suggest that if the 'mood' is right, and he is enjoying the entertainment and perceives the relationship to be consensual, prior held concerns regarding age can be overturned.

In addition, decisions made to avoid engaging girls under age 18 could be based on self-interest. The relative inexperience of younger girls renders them unfit for purpose for some customers:

*"If the girl is very young, she will not understand the intention of the man to be with her. If the girl is older than 18, then perhaps she will be able to understand my sexual need. This will help me to be satisfied with the whole process."*  
Customer, *Dohori Restaurant*, (103\_103; Age: 21-30)

### **2.3 What are the attitudes and perceptions of customers towards CSEC and towards the presence of children more generally in the AES and broader sex industry?**

Customers' views of the workers in the AES  
Extracting views of child exploitation from more generally held perceptions of entertainment workers in the AES is a challenge, particularly when respondents may not perceive the use of children as exploitation (particularly girls aged over 15), or when age is not actively considered when making decisions regarding which workers to engage with (see section 2.2).

While some customers actively oppose engaging with under 18s in the AES, others expressed a range of reasons that helped justify the presence of minors in the sector. Firstly, customers often noted the perceived consensual nature of interactions. Some customers emphasised how it was workers who often proactively invited engagement. Using terms such as 'luring', they reported that the girls would come to sit with them or would encourage

them to attend the venue. Workers were seen by customers to be in a position where they could exercise a degree of agency and choice, deciding whether or not to engage in sexual activities and with whom.

The indirect nature of these transactions - the fact that often customers pay for girls' services indirectly through higher priced food and alcoholic beverages - also contributes to a sense that the relationship is intimate and based on mutual affection. These interactions reflect relationships that are acceptable outside of the AES, such as those that involve flirtation and intimacy and that are not guaranteed to end in direct sexual activity. Sexual activities can become embedded then within a broader relationship based on two consenting partners, blurring the lines between paid for sexual services and genuine relationships for some customers. This can serve to make the relationship even feel romantic:

*"Even when I go there and just order food, they come and ask me why I have not visited them sooner. They tell me that they missed me and caress me and kiss me as well. When they do such activities, I get that electricity in my body and then start touching her everywhere. There is romance along with the sexual activities. The only thing left at that time is intercourse which can be fulfilled if I wish to."*  
Customer, *Dance Bar*, (102\_102; Age: 31-40)

This dynamic can normalise engagement with minors, making it feel less taboo than a direct sexual encounter.

Another view was that workers themselves could benefit from their involvement in the AES. Working in the AES gives them an opportunity to become economically stable in a challenging city, helping to justify the presence of minors in the sector:

*"One should not be involved in such activities with a minor. But we can do anything if both sides agree. It is better not to permit the under 18 girls to work here. But you know, some girls have the desire to ... there is high demand in the market ... Girls are coming to Kathmandu from their village ... It is very difficult to manage your life in Kathmandu."*  
Customer, *Dance Bar*, (101\_109; Age: 16-20)

Some customers referred to the fact that involvement in the sector could not only provide an income but could also improve the workers' quality of life. One respondent who reports that he usually visits cabin restaurants and engages with girls who are generally under 18 argues:

*"There are many in this sector working on their own will. They are free to do anything during the day; it is like living an American lifestyle. They can stay during the day and drink alcohol or do anything they want to. They can pass their time and cabin restaurant is a good opportunity for them to earn money".*  
Customer, Cabin Restaurant, (101\_101; Age:21-30)

Views on CSEC also reveal that the responsibility for engaging with minors is perceived by customers to lie with the managers and owners of the AES venues, or with the girls themselves. Some customers felt that it was difficult to determine the age of the girl or even inappropriate to ask in that setting.

*"We can't know whether she has already menstruated or not. We can't know her age either. Some girls seem older than they are."*  
Customer, Dance Bar, (101\_109; Age:16-20)

For some customers, it was not necessary to know the age of the workers because it is none of their business:

*"It is the girl who should be responsible for what she is doing... where she is working, etc."*  
Customer, Dance Bar, (101\_107; Age: 21-30)

The personal nature of puberty and menstruation also contributed to the view amongst some customers that knowing whether a girl was post-menstrual was not their concern. When asked what would happen if a worker had not yet menstruated, one customer replied: 'It is not our concern. It is up to the girl herself'. Despite an awareness that engaging with minors constitutes sexual exploitation, he argues that customers are not to be held accountable:

*"If a boy of 26 plays with a girl of 16, it is sexual abuse. It should not happen that way. But you know, it is not the concern of the customers, but of those owners or managers."*  
Customer, Dance Bar, (101\_108; Age: 21-30)

Such attitudes can be used by customers to justify a lack of awareness of workers' age and apportion blame to other actors within the AES.

#### Attitudes towards coercion

When customers were asked if they felt workers were being coerced either by the owners, managers or customers, a range of opinions was expressed. A recurrent view was that, broadly, coercion did not exist. Customers referenced the setup of the venue, whereby girls could choose whether to sit with customers, and customers would have to negotiate with girls to perform sexual activities, and/or the demeanour of the workers which they perceived as showing a level of satisfaction with their role. One respondent, who reports that the girls in the venues he visits are usually under 18, shows how the venue setup allows customers to feel that girls have agency and choice:

*"There aren't many girls who are forced to work in this sector. They are in this work of their own will. If we tell the owner that we want a particular girl; he tells us to talk to them directly. The girls tell us that it is okay for them to accept whatever we ask, otherwise there is nothing [the owner] can do."*  
Customer, Dance Bar, (101\_101; Age: 21-30)

The respondent argues that it wouldn't be economically viable for venues to coerce staff because providing 'good service' to customers depends upon the workers being happy to provide these services and giving good care to the customers. There is the sense that their enjoyment is related to the girls' enjoyment. It is not a clear-cut transaction, and customers value a sense of intimacy and the perceived consensual nature of the relationship. This extends to customers believing that they would be able to know if the girls were being forced:

*"That is easily known - whether the girl is forced or not. Her facial expression, gestures, speech, etc. show us whether it is forced or not."*  
Customer, Dance Bar (101\_109; Age: 20)

Even when customers acknowledged that coercion may exist, some felt that this was not their responsibility. As one customer argues, if there are no obvious signs of coercion, then how could they be concerned?

*“Even if she is facing a situation as such or if the owner is forcefully making her work, we don’t know about it in the beginning. The man has visited that establishment and has called the waitress. If the waitress comes and sits with the man, how can he know whether she is being made to work forcefully or not?”*

*Customer, Cabin Restaurant, (103\_103; Age: 21-30)*

Again, feigning ignorance is a convenient strategy for abdicating responsibility for any mistreatment. But even in situations where customers may be aware of force, some felt that this was “not the customers’ problem” but the responsibility of the venue’s owners and managers [Customer, Dance Bar, (101\_107; Age: 21-30).

Although a more exceptional viewpoint, it is interesting to note that some customers argue that coercion is excusable. The fact that the girls are hired for a role in the AES which in their view necessarily involves engaging with customers, justifies their right to reproach a girl who resists their demands. One customer again highlights the relatively high prices of beverages within venues, which for him, validates his desire for sexual interaction, whether or not this is consensual:

*“We are paying for that kind of service. For example, if you buy a bottle of beer outside, it is cheaper. We go there and pay more for it, hoping that we can enjoy the girls. The owner has also employed girls to attract the customers. He does not want to lose his business. The girls are asked to put on a short dress for the same purpose. So, it is our right to play with the girls. They can’t oppose us.”*

*Customer, Dance Bar, (101\_107; Age: 21-30)*

In contrast, the majority of customers believed that coercion is inexcusable and the issue of consent was often stressed:

*“You know, we are paying certain charges for going there. Our concern is to enjoy with girls. But if she refuses to play with us, we cannot force her anymore.”*

*Customer, Cabin Restaurant, (104\_108; Age: 31-40)*

*“Well. It’s about her freedom too. It isn’t okay to force her regardless... There needs to be consent between the two”*

*Customer, (102\_105; Age: 31-40)*

## **2.4 What do customers understand about the laws pertaining to CSEC and what is their perception and attitude towards these laws?**

Most respondents believed that both the legal working age and the age of consent to sexual activity is 18.

*“Girls under 18 are not allowed to engage in such activities.”*

*Customer, Dance Bar (104\_102; Age: 21-30)*

*“Yes, I am aware. It is 18. Well, the government... They are trying to update the law, I believe. Push the minimum age to 20.”*

*Customer, Dance Bar, (102\_101; Age: 21-30)*

Although customers are aware of the legal age of consent, they acknowledge that these laws are often not followed in the AES:

*“...they are underage if they are under 18 years of age. There are very few workers in this sector who are 30-35 years of age. They are usually under 18 or 20. As soon as the girls reach 20-21 years, they usually hire other girls. I don’t think that the rules are followed much over there.”*

*Customer, Cabin Restaurant, (101\_108; Age:21-30)*

Customers either felt that it was not their responsibility to police the sector or that they were not in a position to do so. Customers thought that owners, managers or the workers themselves should be responsible. For example, one customer referred to the fact that intoxication made it difficult to be aware of laws or the workers’ age. Another view was that while the legal regulations are worthwhile in theory, in practice the situation is more complex (as discussed in section 2.3):

*“It is a very good thing if the laws are implemented properly in all the places. It will not affect anyone in a bad way. However, all of them seem to be working happily there and they work in the cabin restaurants for money. It is an easy job without having to do any hard work. So most of the girls from the villages work in the dance restaurants, cabin restaurants, dohori, etc.”*

*Customer, Dance Bar, (101\_101; Age: 21-30)*



Some respondents believed that the age laws should be followed. Some customers felt that once an individual is 18, s/he would be able to make decisions on his/her own. When asked whether the law in relation to age of consent and working age is appropriate, some respondents reported:

*"I think that is good. It is one's own opinion and wish, and I think they are able to make their own decisions by the time they are 18 years old."*  
Customer, Cabin Restaurant, (102\_111; Age: 41-50)

*"I think that is good, brother. I think that until the girl is 16 years of age, she is very young. After the girl is 18 years of age, she can do anything that she is willing to. She can do what she thinks. I think the rule is okay."*  
Customer, Dance Bar, (104\_104; Age: 31-40)

However, it is interesting to note that while engaging with minors is described as 'child abuse' and malpractice by some customers, this does not translate to a major change in behaviour such as boycotting venues that employ minors.

*"In my opinion, it should be 18 and above, not below. But, you know, now a malpractice has grown - girls as young as 12 are actively involved in this business. It's quite bad. I always oppose it. It definitely affects my behaviour because I keep away from minors, who are there as sexual partners. I want to be on the safe side."*  
Customer, Dance Bar, (102\_101; Age: 30)

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## Conclusion

The adult entertainment industry (AES) comprises a complex web of venues, some of which are engaged in the sex trade. Because not all establishments in the AES are part of the sex industry, the term AES is deliberately used to avoid stigmatising all workers in the sector as sex workers. In Nepal, it is recognised that AES is a high-risk environment for children where commercial sexual exploitation of children (CSEC) is known to occur. This study explores the culture of tolerance for CSEC within Kathmandu's AES and sex industry, although this tolerance does not mean that all customers or venues in the AES engage the services of minors.

This research outlines a broad range of views, attitudes and behaviours of users, managers and owners, including the specific targeting of minors; the indiscriminate use of sexual services where individuals were unconcerned about distinguishing between adult and child; and the active avoidance of minors. This study reveals the different narratives which customers, owners and managers create to justify and excuse the use of minors in the sector. These narratives are supported by underlying cultural factors which historically have made the coveting of youth acceptable, and they help individuals to normalise their behaviour and allow a psychological and emotional distance from considering the implications of their actions.

The research observed a widespread culture that equates attractiveness and beauty with youth. The actors involved in this study covet young girls' beauty and charm, and at times their perceived submissiveness and compliance. Attraction to adolescent girls as young as 15 is often considered acceptable. In Nepal, patriarchal social norms and traditional practices such as child marriage can normalise sexual relations with girls under the age of 18. These social norms can be 'carried over' into the AES, making exploitative relationships feel socially and culturally acceptable and limiting the impact of laws and regulations pertaining to CSEC, even if awareness of these laws exist. As Sanghera (2005) argues, while the Convention on the Rights of the Child (CRC) states that any person under the age of 18 is a child, this ignores the reality that the notion of 'childhood' differs depending on social, historical and religious norms.

Where personal reservations about the morality of engaging with minors existed, these were often easily dismissed. Even if there were strong moral objections to CSEC in theory, these objections were frequently overridden in practice, and many individuals failed to see their actions as contributing to a system where children are exploited.

Customers often framed their interactions with AES workers as consensual and even romantic. The research suggests that features of certain AES venues help to support this perception. In dance bars and dohoris, the indirect nature of transactions means that workers can be perceived as having control over which customers they engage with and which activities they undertake. Often exploitation was equated with force. If workers were not being coerced to engage in sexual acts, then they were not being exploited. There was a general lack of awareness of the hidden constraints that affect girls' ability to make choices and the potential impact that seemingly 'consensual' behaviour could have on them.

Furthermore, the view that girls in the AES were benefiting financially was used to help justify their presence. In the context of Kathmandu, where the ability to participate in an increasingly consumerist society is highly valued and difficult to attain, the girls' perceived economic viability was seen as adequate compensation for minors who could live 'American' lifestyles.

It is interesting to consider the wide gulf between the perceptions of customers, owners and managers, which often frame girls who work in the AES as relatively free agents with a capacity to earn an income, and representations of CSEC presented in common discourse. Gibson (2003) argues that the dominant NGO narrative that frames trafficked girls as victims, has meant that those who 'choose' prostitution are stigmatised as deviant. While beyond the scope of this study, interrogating the implications of these two contrasting narratives is an area for further research.

For some, ambiguity around workers' exact age enabled them to be wilfully ignorant of any involvement in CSEC. Customers felt it could be inappropriate to ask for a worker's age, and managers and owners reported overlooking missing age verification documents. This allows actors to distance themselves from knowing involvement in CSEC, enabling them to avoid moral culpability even where moral concerns regarding interacting with minors had been expressed.

For managers and owners, the protective role offered to workers was often emphasised, and for some there was a sense that a shared history of vulnerability enabled them to perceive themselves as empathetic rather than exploitative. Some managers and owners may actually believe they are helping the girls by providing them accommodation, a salary and other benefits regardless of the exploitation they may face at the same time.

Frequently there was an ease with which responsibility for the exploitation of minors was apportioned to other actors, who were seen to be more directly to blame: customers blamed owners, owners blamed workers and the government's failure to effectively intervene, and so on. CSEC covers a range of activities from involvement in direct sexual activities to passive involvement in venues with sexually charged atmospheres. Exploitation is often associated with the most extreme forms of CSEC, and this perhaps allows individuals to feel less implicated when the exploitation is not as direct or obvious.

This study draws attention to the way that narratives are constructed to justify motives for engaging with or not avoiding minors in the AES and related sex industry. In addition to the historical, economic and socio-cultural factors that help individuals build these narratives, it is important to consider the political environment in which this normalisation of behaviour occurs. While legal frameworks to protect children from exploitation are in place, weak governance structures, a culture of impunity and poor law enforcement have resulted in the inability of this framework to prevent the proliferation of CSEC. Long-term underlying issues related to Nepal's legal and governmental institutions make it difficult to bring about effective change.

In order to change this culture of acceptance, the narratives used to excuse and justify behaviour need to be challenged. Currently, customers, managers and owners frame their behaviour as normal. They believe their actions are innocuous and even at times benevolent. Customers easily avoid confronting the underlying workings of the AES and broader sex industry and their harmful impact on children. Under these circumstances, those who persistently and consciously target children can take advantage of an environment where children are widely available.

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## Endnotes

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32. Child Labour (Prohibition and Regularization) Act, 1999, defines hazardous types of activities and prohibits the employment of children below 16 years of age in those areas.
33. Professionals were defined as those who earn a monthly salary, such as doctors, lawyers, engineers, architects, IT officials, etc.
34. Non-professionals were defined as semi-skilled and skilled labourers who work earn a daily wage.
35. Indigenous nationalities and other ethnic groups that may include Tamang, Rai, Gurung, Tharu, etc.
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Image: Charimaya Tamang, a founding survivor member of Shakti Samuha, holds an anti-trafficking workshop in her hometown of Sindhupalchok, Nepal. © Katie Orlinsky, Legatum Limited, 2018.



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