



Understanding Human Trafficking in the Eastern Himalaya: Case of India-Nepal and India-Myanmar Border

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ABSTRACT

Human trafficking is a serious crime and is considered a violation of basic human rights. It is also one of the fastest-growing illegal trades, which has affected the developing countries of South Asia. This paper suggests two different borders in the eastern Himalayas that have addressed border activities differently. First, the India-Nepal border has been prone to Human Trafficking due to its porous border, where there is no formal agreement. Secondly, the India and Myanmar border has a specific agreement to prevent human trafficking and has recently ended the Free Movement Regime due to cross-border activities. This paper uses snowball methods to collect data with its narrative to provide a picture of the day-to-day activities. It studies the collaborative effort of state and non-state actors and their success and failure in those two different borders.

Keywords: Human Trafficking; India; Myanmar; Nepal; SDG 5, SDG 16

INTRODUCTION

The word 'Human Trafficking' has been contested for some time, and Eastern Himalaya is not an exception. This paper focuses on the India-Nepal and India-Myanmar borders, which involve a critical examination of socio-political, cultural, and economic factors that contribute to trafficking activities in these regions. In terms of India-Nepal, the porous border zone is shaped by complex dynamics of underdevelopment and fragile governance, making it vulnerable to human trafficking. The prolonged ethnic tensions in the India-Myanmar border further destabilise the region, with a vulnerable, marginalised, especially women's population being targeted by traffickers. According to the United Nations (UN) Palermo Protocol to Prevent, Suppress and Punish Trafficking in Person of 2000 as part of the UN Convention against Transnational Organized Crime, trafficking involves all types of recruitment, transportation, transfer, harboring, or receipt of persons by the use of force with the purpose of exploitation (Zheng, 2010, p. 2). These interlinked factors create a multi-dimensional trafficking ecosystem that requires both cross-border legal frameworks and culturally sensitive interventions. By examining these variables through a comparative lens, this paper aims to undercover the systemic drivers of trafficking and recommends informed region-specific solutions.

According to Bharatiya Nyaya Sanhita (Section 145), trafficking means anyone exploiting, recruiting, transporting, harbouring, transferring, or receiving a person by the use of force, deception, fraud, kidnapping, or transaction is considered an offence of trafficking (BNS Section 143, 2024). Maggy Lee (2007) highlights Human Trafficking specifically in connection to slavery, prostitution, organized crime, migration, and human rights. She highlights human trafficking has been conceptualized as a form of slavery, and slavery is the worst exploitation in human history, which leads to violence, absolute control, and economic exploitation (Lee 2007, p. 3). Human trafficking has also coalesced on issues of prostitution, individual agency, and consent. Such types of trafficking are evident in sexual exploitation by kidnapping, child trafficking, and selling into the sex trade. There is evidence that human trafficking is organised by criminally sophisticated transnational organised crime groups. This type of trafficking threatens the state's sovereignty and creates an unambiguous threat to peace and security. The other way of looking at this is through migration, which is linked with the migration-trafficking nexus.

The International Organization for Migration (IOM), as an intergovernmental organization for migration matters, has been working on the issue of trafficking since the early 1990s, when they understood

trafficking as migrant smuggling (Gallagher, 2010, p. 19). By the year 1996, the term trafficking in women was underscored by the illicit transportation of migrant women. In 1997, the Council of the European Union issued a Joint Action concerning trafficking in human beings and sexual exploitation of children (ibid. p. 20). According to research cited in 2008 by the U. S. Department of State, each year, approximately 800,000 people are trafficked across national borders, and millions are trafficked within their own country's borders. Eastern Himalayas comprise countries that are the source and transit destination countries for human trafficking for sexual exploitation, forced labor, organ removal, etc. The region consists of socio-economic inequalities and intense internal migratory flows. This is due to many instances of open and passable borders between some regional countries. UNODC (United Nations Office on Drugs and Crime) "Global Trafficking in Person Report 2024" states in 2022, over 70 percent of trafficking were convicted of trafficking for sexual exploitation, while 17 percent were convicted of trafficking for forced labor (UNODC, 2024, p. 51).

This study brings a case study of the India-Nepal and India-Myanmar borders. These regions are also vulnerable due to poverty, gender discrimination, and gender-based violence, including as drivers of conflict, natural disasters, the re-trafficking of victims, lack of awareness about human trafficking at the borders, insufficient knowledge and skills amongst border control to identify victims of trafficking at borders (UNODC, 2009). Nepal shares a 1751 km long open border with five states of India, such as Sikkim, West Bengal, Bihar, Uttar Pradesh, and Uttarakhand. Myanmar shares a 1643 km long land border with four states of India, such as Arunachal Pradesh, Nagaland, Manipur, and Mizoram. This paper have addressed border activities differently; the India-Nepal border has been prone to Human Trafficking due to its passable border, where there is no formal agreement. The India-Myanmar border has a specific agreement to prevent human trafficking and has recently ended the Free Movement Regime due to cross-border activities. Thus, this paper highlights the challenges and recommends a proactive engagement framework for policymaking in the two borders.

METHODS

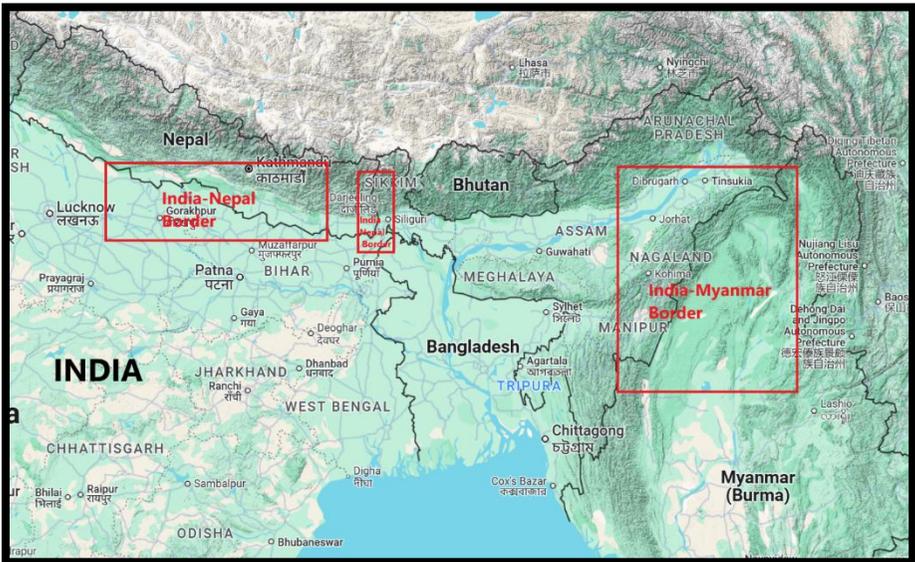
Case of India-Nepal Border and Human Trafficking

The Indo-Nepal Treaty of Peace and Friendship of 1950 provides an open border, allowing free movement of Indian and Nepalese citizens without any travel documents. This border is guarded by Sashastra Seema Bal (SSB), a central armed police force in India under the Ministry of Home Affairs, responsible for guarding India's border with Nepal. India's SSB has 389

Border-Out-Posts (BOPs) in the India-Nepal border, out of which only 160 BOPs were connected to roads, limiting troops' mobility for faster operation. The open border gives opportunities for cultural and economic exchanges, but also provides an opportunity for traffickers to exploit vulnerable individuals, especially women and children. The UN Children's Fund (UNICEF) estimates 1.2 million children are trafficked every year. Due to this scheme of open and porous nature, the India-Nepal border is vulnerable to anti-social activities such as Human Trafficking. This may be one of the primary reasons that Nepal is often seen as a source country for trafficking victims. Many of them are trafficked to India for forced labor, sexual exploitation, or domestic servitude. This is supplemented by the political instability in Nepal, which contributes to the increase in trafficking activities.

Map 1

Study Area



Source: Author's conceptualization

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A heartwarming testimonial shared by Raju Nepali, 56 years old (Founder of Duars Express Mail), describes in connection with the above paragraph-

“It was in 1996 when I was an ordained pastor of the Assembly of God Church, and I had to travel to Nepal for missionary work. At that time, I met a girl named Radha (name changed) on social media, “Yahoo Messenger.” We became brothers and sisters through the ritual of rakhi (customary practices in India and Nepal to consider brother and sister), and she invited me to her engagement in Nepal. After the engagement ceremony at Damak, Nepal, I came to India, and after a few days, I sent a message in ‘Yahoo Messenger,’ asking her about her wedding. Since there was no response, later I was informed by her parents that her wedding was over and she went with her husband. So, I left enquiring about her. After seven years, I traveled to Mumbai for a seminar. My hotels were booked in Mumbai, and my friends had given me little money to spend during my stay because my flight was after 7 days. A driver from Bihar told me to pay for some petrol, but with a fare charge, he advised me to explore Mumbai. In the evening, he again suggested I travel to Pune. He took me to a narrow passage where Nepali songs were being played, and I ate my food at one restaurant. Lately, I learned that the place was a red-light area and that the driver from Bihar was a client. I started observing slang usage and lots of activities in red-light areas. Suddenly, someone called me ‘Raju Dai.’ I later realised she was a girl I used to chat with on ‘Yahoo Messenger.’ She took me to her room and told me that her husband had sold her. She described her story and requested to take her with me. Somehow, we took her outside that place to the bishop's house in Mumbai. She narrated her story the whole night. After some time, a flight was booked to Bagdogra, and I managed to bring her to Bagdogra. From there, we took an auto-rickshaw and proceeded to the Nepal border. She was suffering from severe diarrhoea and was not in a condition to travel to Nepal after

reaching Panitanki (the border of India). There was church, and I requested the pastor to shelter her for a day, so I went to Oodlabari at my house. After two days, I informed her parents in Nepal via telephone, but her parents did not want to see her in Nepal. So, I went to Panitanki, where the Pastor told me that because of a serious medical condition, she was referred to the Medical Hospital in Siliguri. There, in the Medical Hospital, I was told that there was a dead body, and I recognised her face, turned in the worst condition. So, I informed the authorities about her parents. I promised to mobilize village to village to discuss these issues with vulnerable people. In 2007, I also resigned from my pastorship and began to work in anti-human trafficking” (Interview of Raju Nepali, February 12, 2025).

This might be the case for anyone like Radha. So, it is crucial to sensitize this issue from the grassroots level to high-alert rehabilitation centres at each border checkpoint for timely interventions. Radha could have been saved if there had been a good medical facility and rehabilitation centre, or her parents could have been compassionate or vigilant.

Nature of Trafficking

According to the Annual Report of Nepal’s National Human Rights Commission (2022), 35000 people were victims of trafficking in 2017-18, which shows that human trafficking remains a heinous crime today. Nepal Police’s Annual Factsheet on gender-based violence shows 136 cases of human trafficking registered in the fiscal year 2021-22 . In the fiscal year 2021/22 (Nepal calendar 2078/79), there were 145 cases related to human trafficking registered at the Nepal Police Human Trafficking Investigation Bureau (National Human Rights Commission of Nepal, 2022, p. 15). Out of them, 211 people were found to be the victims of human trafficking, with 94.7 percent being female and 5.2 percent being male.

Table 1

Nepal Police Human Trafficking Investigation Bureau on Human Trafficking

FY	No	Victim		Accused		Arrested		Absconding	
		M	F	M	F	M	F	M	F
2019/20	258	71	316	407	117	249	84	157	34
2020/21	136	14	190	233	107	127	71	106	36
2021/22	134	4	183	202	95	111	51	91	44
2022/23	145	11	200	215	76	135	45	80	31
		100	889	1057	395	622	251	434	145
Total	673	989		1452		881		579	

Note. Reproduced from Nepal Police.

Table 1 shows that such incidents are more common in entertainment and hospitality services such as Dohori Sangh, dance bars, massage centres, Khaja Ghar, and parlours. In particular, women and girls are subjected to labour exploitation, such as sexual abuse and mental harassment. In India, this trafficking and transportation are most commonly in the mode of flesh trade (sex trafficking) and child marriage. This is the trend of trafficking abroad without documentation through irregular routes in the name of foreign employment. Numerous cases show women and children trafficked to metropolitan cities like Mumbai, Delhi, and Kolkata.

Moreover, the Sashastra Seema Bal (SSB) report entitled “Human Trafficking: A Vision Document” in South Asia shows Nepal remains the country with the highest number of children and women being trafficked to India (Bachpan Bachao Andolan, December 10, 2020). This report cites the estimation that 10,000 to 15,000 Nepali women and girls are being sold annually in India, and between 7000 to 10,000 girls between the age of 9-16 years old are being trafficked each month from Nepal to India (Ibid. p. 2). The South Asian March Against Child Trafficking observes the presence of source, transit, and destination points for human trafficking. These points were highlighted as Raxual, Kishanganj, Siliguri, Malda in India, and Bhairwha, Banbasa in Nepal (South Asian March Against Child Trafficking, September 2017). The National Crime Records Bureau data shows that the total trafficked victims in India have increased to 2.8 percent, with a total of 2,250 registered in 2022 as compared to 2,189 cases in the year 2021. A total of 6036 persons were reported trafficked, of which 2,878 were children and 3,158 were adults in the same period (National Crime Records Bureau, 2022, p. xv). Moreover, the Trafficking in Persons 2020 reports show that traffickers use vulnerable children to transport drugs across the India-Nepal border.

Legal and Enforcement Agencies

Both India and Nepal have key legal frameworks for human trafficking. The Constitution of India prohibits the traffic of human beings or forced labor. Article 23 (1) of the Constitution of India states, “Traffic in human beings and beggars and other similar forms of forced labor are prohibited, and any contravention of this provision shall be an offense punishable under the law” (Legislative Department, 2022, p. 14). Other legislation, such as the Immoral Traffic (Prevention) Act of 1956 (ITPA), is the premier legislation for the prevention of trafficking for commercial sexual exploitation (Ministry of External Affairs). Criminal Law (Amendment) Act

2013 has come into force where Section 370 of the Indian Penal Code, substituted with Section 370 and 370 A, provides a comprehensive measure to counter human trafficking (ibid). Similarly, the Protection of Children from Sexual Offences (POCSO) Act, 2012, came into effect on November 14, 2012, as a special law to protect children from sexual abuse and exploitation (ibid). Likewise, the Constitution of Nepal 2015 guarantees the right against exploitation (explicitly under Article 29). It recognizes rights regarding labor (under Article 34), the rights of women (under Article 38), and the rights of children (under Article 39) who are vulnerable to the offense of trafficking. The Child Rights Act of 1992 prohibits the trafficking of children for exploitation purposes.

The Human Trafficking and Transportation (Control) Act of 2007 criminalized trafficking in person and sets penalties for traffickers, including fines and imprisonment. Nepal's Anti-Human Trafficking Bureau (AHTB) under Nepal Police is trained to investigate trafficking crimes. Nirnay (2025) highlights one case during the Nepal earthquake 2015, when one girl was missing from Sindhu Palchok, Nepal, and landed in Delhi. Nepal-based NGO Maiti Nepal approached us to seek her in the Darjeeling and Dooars region. We were informed that she was very active on social media, Facebook, with the name Crazy Kanchi. Gradually, we matched her Facebook account with the photos shared by Maiti Nepal. Somehow, we came to know that she was in New Delhi. With the Students Against Trafficking Club (school-based club), we were able to connect with Crazy Kanchi on Facebook. We could not rescue her because India and Nepal had no extradition treaty. Although we knew she was crossing the Nepal border, Sunawli border, we informed Maiti Nepal, and they informed Nepal police, who intercepted her at the Sunawli border on the Nepal side. We could not bring her to court because there was no extradition treaty, but one working with her was from Darjeeling and was still behind bars. With this case, we came to know that Crazy Kanchi's contact was a brothel owner in Bangkok, and it was a big racket. We also came to know that "Crazy Kanchi" was also planning to visit Bangkok. With this initiative, the students from Darjeeling received the Geeta Chopra Award (National Bravery Award) (PTI, Jan. 17, 2017).

However, there is no formal anti-trafficking agreement between India and Nepal at the government level. Despite having all the laws in both India and Nepal against human trafficking, Nepal is the source of the Indian human trafficking business. Nigam (2018) writes about 50 women are trafficked from Nepal to India every day, and the 2015 earthquake has made Nepal a source country for women trafficking. Many Indian police blame the border force of the Nepal police for the unchecked trafficking of women. Poor

screening at the porous India-Nepal border is one of the primary motivations for traffickers to be persistent in human trafficking. India and Nepal can replicate the India-Bangladesh model of the Memorandum of Understanding (MoU) 2015, which covers human trafficking. This MoU agrees to take steps to prevent all forms of illicit cross-border activity with a coordinated border management plan. It includes provisions for the rescue, recovery, repatriation, and reintegration of victims of human trafficking.

Table 2

Nepal-India Border check posts

Sl. No.	Nepal border checkpoints	India border check posts
1	Pashupatinagar	SukhiaPokhari
2	Kakarbhitta	Naxalbari/Panitanki
3	Bhadrapur	Galgalia
4	Biratnagar	Jogbani
5	Setobadha	Bhimnagar
6	Rajbiraj	Kunauli
7	Jatahi	Pipraun/Jaynagar
8	Jaleswar	Bhitamore (Sursand)
9	Malangawa	Sonbarsa
10	Gaur	Bairgania
11	Birgunj	Raxaul
12	Bhairahawa	Nautanwa/Sunauli
13	Taulihawa	Khunwa
14	Krishnanagar	Barhni
15	Koilabas	Jarwa
16	Nepalgunj	Nelpalgunj Road
17	Rajapur	Katerniyaghat
18	Prithvipur/Sati (Kailali)	Tikonia
19	Dhangadhi	Gauriphanta
20	Mahendranagar	Banbasa
21	Mahakali	Jhulaghat
22	Darchula	Dharchula
23	Vishuwa	Sikta
24	Matiarwa	Adapur

Note. Reproduced from the Consulate General of India, Birgunj, Nepal <https://cgibirgunj.gov.in/docs/16209874855.pdf> Copyright 2018 by Consulate General of India, Birgunj.

In the above Table 2. Nepal-India border check-post, Raju defines “three transit routes for trafficking in the India-Nepal border. First is the heavy trafficking that occurs via Nawalparasi in Nepal, Bhairahawa, and Nautanwa/Sunauli. It connects from central Nepal. Second is the Birgunj and Raxual border, which connects to Hitora and other places in Nepal. Third is the Kakarbhitta and Panitanki border that connects eastern and central Nepal, connecting to Northeast India or mainland India via train” (Interview with Raju Nepali, Feb. 12, 2025). To this, Rangu Souriya highlights that “in 2003, at the ground level, the concept of human trafficking was a new topic in Siliguri. Siliguri has become all three transit, source, and destination. For example, it is the destination for Nepal and the Northeast, a source for Mumbai and Pune, and a transit to major cities by car, bus, train, and plane” (Interview with Rangu Souriya, Feb. 12, 2025). Nirnay Chettri asserts the Nepal-India border is very porous, but most traffic is used in Raxual (Interview with Nirnay Chettri, Feb. 12, 2025). We have been able to repatriate many. Many people have come to Darjeeling in a place called mini-Nepal, which is just below the Botanical Garden (named as Gawshala). So, whenever there are missing cases, and we get information from our partner NGOs in Nepal, many of them are recovered from this place, Mini-Nepal in Darjeeling. These are not the cases of human trafficking, but from here, mini-Nepal also goes to the Nepal side. Ankita adds that Gawshala is a hinterland of Darjeeling. She says, “We were part of the anti-human trafficking from our school level. When we were in class IX standard, we had a program called SAT (Student Against Trafficking), where we were asked to make blankets and present at Gawshala, where vulnerable people live” (Interview with Ankita Gupta, February 14, 2025).

Case of India-Myanmar Border and Human Trafficking

The Myanmar law definition of human trafficking derives from the UN Trafficking Protocol of the Transnational Convention on Organized Crime (aka Palermo Protocol), which defines human trafficking as employing the use of force or persuasion for exploitation (ASEAN Main Portal, March 2009, p.1). The Assam Rifle mainly guards this border on India’s side. The India-Myanmar border was demarcated in 1967, and in 1994, the border trade was formally signed. This allowed the movement from both sides, commonly known as the Free Movement Regime, to cross each other territory for 16 km without any documents. India’s Northeast, sharing a border with Myanmar, is

also prone to human trafficking. The National Commission for Protection of Child Rights (NCPCR) reports that the states of Manipur, Assam, Meghalaya, Nagaland, and Arunachal Pradesh are the sources in the Northeast from where children five years old were trafficked in the name of free education. The destination states inside India for children trafficked have been Tamil Nadu, Karnataka, Andhra Pradesh, and Kerala. For outside trafficking, the Myanmar border has become the gateway to a foreign world.

Nature of Trafficking

The Office of the United Nations High Commissioner for Human Rights (OHCHR) estimates that around 120,000 people were controlled by Myanmar's pro-military groups bordering Thailand and China, where they were forced to work in cyber scams and illegal gambling run by criminal gangs (Amnesty International, 2023). In Myanmar, the use of children for soldier recruitment, women for forced marriage, drug trafficking, and organ trafficking are ordinary. Trafficking victims are forced to work in scamming operations and are forced to sell their organs if they do not meet the quotas (The Straits Times, Nov. 12, 2024). An international organization report shows 479 victims (282 men and 197 women) in 2023, of which 84 were foreign nationals exploited in forced labor in online scam operations (US Department of State, 2024).

The Myanmar Police Force Anti-Trafficking in Persons Division (ATIPD) in 2023 reported 27 cases with seven sex trafficking cases, six labor trafficking cases, and 14 cases of unspecified forms of trafficking, which included forced marriage of women that may have included sexual exploitation. This shows an increase compared to 2022 when ATIPD reported investigating 17 cases. One of the recent issues has become a fake job racket targeting Indian youths in Myanmar. The Embassy of India in Yangon issued a fresh notice on May 31, 2024, that Indian nationals are falling victim to the international crime syndicates active in the Myawaddy region on the Myanmar-Thailand border (Embassy of India, May 31, 2024). The location at Hpa Lu area, which is the south of Myawaddy town, is reported of the Indian victim being trafficked into via Thailand.

The table 3 provides statistics on human trafficking cases in Delhi and cases reported in the Northeast from 2018 to 2022, based on National Crime Records Bureau data. The response also outlines the actions and policies implemented by the Indian government to combat human trafficking, including legislative measures like the Immoral Traffic (Prevention) Act and sections within the new Bharatiya Nyaya Sanhita, financial assistance for Anti-Human Trafficking Units, training for law enforcement, and national

databases for offenders. The document includes data on the number of women rescued from human trafficking in Delhi during the same five-year period. Moreh in Manipur, which is the most extensive trade border of India with Myanmar and is also known for the upcoming Trilateral Highway connection, has been utilized by traffickers from time to time. Moreh has emerged as an essential transit point for human trafficking, where women and minor girls from Manipur were trafficked to another province of India as well as Southeast Asia for the sex trade (Mahadevan, Nov. 2020, p. 31). Kengurusie (2017) highlights that Pangsa, under the Tuensang district international border in Nagaland, is a transit point for trafficked victims from India to Myanmar. Dimapur is another transit for women and children trafficked from upper Assam, Luming, and Guwahati. From Dimapur, the victims are moved to Moreh in Manipur or the international border at Tuensang in Nagaland and trafficked to Myanmar. Mahadevan (2020) highlights that now, traffickers have found new ways to trafficked victims via their multiple networks. For example, the new route for trafficking is to flow from Kathmandu (the capital of Nepal) to Bagdogra, a small Indian town in the Siliguri corridor. From here, trafficking victims are taken by train to Dimapur in Nagaland and then by bus to Imphal. From Imphal, they are bussed to Moreh. The handlers obtain Myanmar e-visas for the victims, available to Nepali passport holders; they can travel to the Persian Gulf. Since the Nepali government has banned female travelers from direct flights to Gulf countries, so in order to be trafficked, the trafficking network uses the Myanmar route via India

Table 3

Human Trafficking cases reported in the Northeast as per the NCRB Report

Sl. No.	State	Cases Reported				
		2018	2019	2020	2021	2022
	Arunachal Pradesh	3	0	2	3	4
1	Assam	308	201	124	203	140
2	Manipur	3	9	6	1	0
3	Meghalaya	24	22	1	1	2
4	Mizoram	2	7	0	0	0
5	Nagaland	0	3	0	0	0
6	Sikkim	1	0	1	0	0
7	Tripura	2	1	1	1	0
8	Total	343	243	135	209	146

Note. Developed from the Ministry of Women and Child Development. https://sansad.in/getFile/annex/265/AU1907_1UDjyR.pdf?source=pqars
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Map 2

Trafficking route from Nepal-India border to Northeast India to India-Myanmar border



Source: Author's conceptualisation

On April 24-25, 2019, Mizoram police rescued 23 Nepali citizens on the Indo-Myanmar border who were trying to travel to the Middle East without proper documents. Nirnay Chettri (2025) says, “We were part of a reintegration process where 23 Nepali citizen girls traveled to the Middle East by Mizoram. This was not the first time but the second time. And this is labor trafficking, which will ultimately turn into human trafficking. They are taken there as labor but later turn into sexual exploitation, mental exploitation, and physical exploitation. However, law enforcement doesn't consider it as trafficking. Only when victims feel exploited that/she has been tricked will that time be too late. So, we recommend that law enforcement act early. They were being trafficked to Iraq, Kyrgyzstan, and other Gulf countries” (Interview with Nirnay Chettri, February 12, 2025). He adds that there was also another case with 179 Nepali citizens (147 women and 32 men) who were rescued from Manipur (India-Myanmar border) being trafficked to the Gulf.

Law enforcement and Legal Agencies

Myanmar celebrated the 12th anniversary of “Myanmar's Anti-Trafficking in Person Day” last year by remembering that 13 September was

the day the country enacted the Anti-Trafficking in Persons Law (The Global New Light of Myanmar, Sept. 13, 2024). Myanmar acceded to the 2000 UN Convention against Transnational Organized Crime (UNTOC) and its protocols. It also ratified the ASEAN Convention against Trafficking in Persons (ACTIP) on January 6, 2017. Moreover, the Central Body for Suppression of Trafficking in Person (CBTIP) has played the leading role in developing and implementing to combat human trafficking with five-year national plans (UNHCR, June 27, 2017). CBTIP coordinates anti-trafficking programs and politics, and it works with the ATIPD and other international organizations to draft a new five-year comprehensive trafficking prevention strategy. Under the 2005 Anti-Trafficking Law, forced labor, including the recruitment of children in the military, is a criminal offense. ATIPD maintained anti-trafficking task force (ATTF) police throughout the country. However, a lack of clarity between the roles and responsibilities of ATTF investigators results in poor prosecutor cooperation.

Myanmar-India collaboration

The 2014 MoU between India and Myanmar on border cooperation highlights the smuggling of arms, drugs, wildlife, contraband, and human trafficking (Narcoindia, May 8, 2014). Article 8 of this MoU focuses on cross-border crimes such as human trafficking, where parties shall conduct investigations as soon as possible and consult each other under the aegis of respective law enforcement agencies with regulations of the two countries. In 2019, India and Myanmar signed another MoU on bilateral cooperation for the “Prevention of Trafficking in Person” (PIB, Nov. 17, 2019). This MoU aims to increase bilateral cooperation on the issues of prevention, rescue, recovery, and repatriation related to human trafficking. They also plan to set up Working Groups/Task Forces to make efforts to prevent human trafficking. However, due to unrest in Myanmar, most of the states or regions that share a border with India are out of the jurisdiction of the Junta government. Continued escalation in the border region in Chin, Kachin, and Sagaing regions where law enforcement officials cannot exercise their authority in conflict areas. For example, on 1 and 2 February 2019, Manipur authorities rescued 179 Nepali nationals, of which 147 were women, and 32 were men, who were planning to cross Moreh along the India-Myanmar border and being trafficked to the Gulf (The Kathmandu Post, July 13, 2020). Also, in 2022, the National Investigation Agency (NIA) registered four cases of criminal syndicates, including the human trafficking of Nepali women and girls trafficking through Manipur to other countries via Myanmar (Pandey, July 10, 2022).

RESULT

Through a comparative study, this paper concludes that human trafficking arises not solely from inadequate border security but rather from a complex interplay of socio-economic, political, and cultural factors particular to each situation. Our findings show that human trafficking is not only due to the socio-economic condition of victims, but also to available open and passable borders where traffickers find it easy to engage in cross-border activities. This adds to geo-political cooperation between states in strengthening the border through sensitised communities in the regions. This paper is limited to India-Nepal and India-Myanmar cases. However, it opens the research door for further connecting its Nexus towards South Asia and Southeast Asia. This should include enhanced legal frameworks and treaties (notably extradition agreements); collaborative anti-trafficking task forces; culturally sensitive awareness initiatives targeting local trafficking drivers; investments in socio-economic infrastructure to lessen vulnerabilities; and ongoing collaboration between government entities, border security forces, and NGOs. By basing these recommendations on a comparative analysis, this paper emphasizes that cross-border human trafficking is not a monolithic issue. Therefore, interventions must be customized, context-specific, and thoroughly informed by the distinct socio-political landscapes of each border region.

RECOMMENDATION FOR PRACTICAL IMPLICATIONS

Many parts of India are a source as well as a destination for the trafficking of persons. The source countries are Nepal and Myanmar, from where women and girls are trafficked in the guise of providing better lives, jobs, and good living conditions in India. A majority of the minor girls and women of younger age are sold in India into commercial sex work. These women and girls are trafficked in cities like Mumbai, Delhi, and Hyderabad, from where they are taken out of the country in the Middle East and Southeast Asia. Under the Nirbhaya Fund, the government of India strengthens Anti-Human Trafficking Units (AHTUs) in every district of the country (Ministry of Women and Child Development, July 11, 2023). In addition, funding has been provided for AHTUs in Border Guarding Forces such as BSF and SSB, out of which 30 in Border Guarding Forces are functional. Myanmar emerges as a transit hub for trafficking Northeast Indian girls as well as from Nepal to Southeast Asia and the world. This is why the bordering states must be vigilant and have adequate facilities to provide relief and rehabilitation services to the victims.

Nowadays, NGOs, community leaders, and media have played a vital role in the past regarding awareness campaigns; with cross-border collaboration, it is helpful to disseminate information in border areas where traffickers operate. This is done uniquely by some NGOs. MARG works very closely with Northeast NGOs; we are members of the Northeast NGO Forum. They closely work with the Nidhan Foundation (based in Kokrajhar), Impulse NGO Network (based in Shillong), FXB Suraksha (based in Manipur); we also work with the Child Welfare Committee (CWC) and District Child Protection Units (DCPU) in the Northeast region. So, with their help, they operate. Duars Express Mail runs a social media WhatsApp group called “Stop If You Can” with members and volunteers from all over India. This group contains people from all prominent groups or departments, such as CWC, DCPU, CID, police, social activists, and media persons, where they can work together. These NGOs must frequently organize sensitization programs at the India-Nepal and India-Myanmar borders. For example, FXB India Suraksha in Manipur organized the MUKTI Anti-Trafficking Programme, which identified two central source states, Manipur and West Bengal. This program reached more than 20000 stakeholders, and around 250 victims were assisted in rescue, rehabilitation, and repatriation services.

Regional organizations, such as the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children, as a regional initiative, have provided a platform for India and Nepal to collaborate on human trafficking. This framework can be expanded to address trafficking between three countries: India, Nepal, and Myanmar. Further, India-Nepal bilateral mechanisms, such as cross-border issues, including human trafficking, must be strengthened. For example, joint task forces have been established to track and dismantle trafficking networks. Likewise, Myanmar’s National Plan of Action aims to combat human trafficking, which also includes collaboration with neighboring countries like Thailand and India. This coordination can be established to ensure real-time data exchange on trafficking patterns and identify criminal networks operating across borders. Thus, key collaboration efforts must strengthen border control, enhance surveillance, and share intelligence can be vital. Chettri says, “We have identified that Delhi, Mumbai, and Kochi are usually traffic people. Since surveillance has increased, their trafficking routes have also changed” (Interview with Nirnay Chettri, February 12, 2025). Even in Bagdogra, there were cases where our partners identified 23-13 girls who were traveling to Delhi, were very uncomfortable with their dresses, and were very scared. When we approached them, they knew nothing about where they were going, but the client who had

booked their tickets was in Delhi. This is how the modus operandi of trafficking has changed. Earlier, a person used to come to the source area and take it; now, the person is at their destination; they buy tickets and arrange everything, and the victims travel to the destination (ibid).

To combat international crimes such as human trafficking, India, Nepal, and Myanmar must seek international support from the United Nations, Interpol, and the International Organisation for Migration to collaborate efforts with global actors in getting assistance for funds, resources, and expertise to combat trafficking effectively. Central Industrial Security Force (CISF) mans the airport, and we feel that they should be sensitized to human trafficking. They are sensitized to bomb disposal and combatting security issues, but why are they not sensitized to human trafficking? Second is airline ground staff, who need to be sensitized and are the first to encounter this incident. National Commissions for Women have taken initiatives with CISF Kolkata and Siliguri. Moreover, community leaders and panchayat leaders have to be sensitized. Nirnay Chettri (2025) highlights that “very recently, the SSB has formed anti-human trafficking units. However, they are not trained to handle these types of human trafficking cases”. For example, if a boy and girl fold hands when crossing the India-Nepal border, the security personnel will define it as eloping. That is why there must be partners with local NGOs and police stations. There is a need for collateral meetings with police, SSB, NGOs, and other stakeholders in the field.

However, to execute its success, the India, Nepal, and Myanmar governments must find solutions to political differences and seek long-term commitment to anti-trafficking efforts. For this clear policy direction are necessary for sustained collaboration. Moreover, the first initiative should curtail the corruption issues hindering anti-trafficking efforts. Thus, transparency, accountability, and oversight mechanisms must be strengthened to enforce laws effectively. Moreover, the world is changing where Artificial Intelligence (AI) is leading, and because of AI, many illegal activities are being encouraged; nowadays, with mobile Apps, people are doing scams and blackmailing the victims. So, the government must take strong measures. For example, recently, Indians have been deported from the US to India. Before that, they must have been taken to Mexico or other places, but who are the agencies involved in the documentation transport? Are they registered? So, these issues and challenges must be considered as soon as possible, considering the case of India-Nepal and India-Myanmar cross-border connections.

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Appendix 1 (Key Stakeholders and Questionnaire)

Key Stakeholders (interviewed for the study)

Sl. No.	Name	Selection Criteria in the methodology (due to involvement in Anti-Human Trafficking/Profession)	Area of Expertise, where they are involved
1	Nirnay Chettri	Founder of MARG, Darjeeling/NGO	India-Nepal, India-Myanmar
2	Raju Nepal	Founder of Duars Express Mail, Jalpaiguri/NGO	India-Nepal, India-Myanmar
3	Rangu Souriya	Founder of Kanchanjunga Uddhar Kendra, Siliguri/NGO	India-Nepal
4	Ankita Gupta	Student of Christ University, Bangalore/Intern at NGO	India-Nepal
5	Bijetri Pathak	PhD research on Anti-Human Trafficking/ Assistant Professor at Sikkim	South Asia
6	Anonymous	Practitioner (Personal Conversation)	South Asia
7	Anonymous	Practitioner (Personal Conversation)	South Asia

Questionnaire Sample (prepared for study on Anti-Human Trafficking)

General Information:

1. Name:
2. Organisation:

3. Role/Position/Designation:
4. Department/Agency:
5. Station/Location:

Questionnaire:

1. What are the most common forms of trafficking observed in this region (e.g., sex trafficking, labor, child trafficking)?
2. Which routes are most commonly used by traffickers?
3. What are the major challenges you face in identifying and intercepting trafficking cases?
4. How do you coordinate with your counterparts across the border (Nepal/Myanmar)?
5. Are you aware of any standard operating procedures (SOPs) or MOUs with neighboring countries?
6. What is the average number of trafficking cases intercepted monthly/annually?
7. What training or resources do you think are lacking in tackling trafficking?
8. How do you work with NGOs or civil society organizations?
9. Are there any recurring trends or profiles of traffickers/victims?
10. What suggestions do you have for improving cross-border cooperation?
11. What services does your organization provide to trafficking survivors?
12. What are the most common psychosocial and health issues faced by survivors?
13. How do survivors from Nepal/Myanmar differ in needs compared to Indian survivors?
14. How effective is the referral mechanism from border agencies to your organization?
15. Are survivors willing and able to reintegrate into their home communities?
16. Do you coordinate with NGOs across the border? If yes, how?
17. What challenges do you face in repatriation, especially for cross-border survivors?
18. Are there cases of survivors being re-trafficked? If yes, what were the circumstances?
19. What legal support mechanisms exist, and how accessible are they to survivors?
20. What additional support (policy or funding) is needed for effective rehabilitation?
21. What are the main challenges in keeping youth safe from traffickers?
22. Is there a community-level alert or vigilance system?
23. How are victims treated upon return to the community?
24. What support would you require to reduce trafficking vulnerabilities?
25. What improvements do you suggest for preventing trafficking?