

countries," states a press release accompanying the report.

Based largely on interviews with trafficking victims, the report says that many prostitutes are young women lured from remote villages and poor border communities in Nepal by local recruiters, relatives or neighbours promising jobs or marriage. They are then sold to brokers who deliver them to brothels in India.

The women then must work to pay off both their purchase price plus interest. However, most never know what they "owe" or the terms of repayment. They are under constant surveillance and face threats, beatings and other worse treatment if they misbehave.

Hoping for help from police or other officials is a waste of time. "Police are often the brothel owners' best clients," says HRW. "In India, police and local officials patronize brothels and protect brothel owners and traffickers." And despite human rights organizations in Nepal reporting extensively on the problem of forced trafficking and identifying traffickers, there have been few arrests and even fewer prosecutions.

The report outlines the distressingly cyclical nature of the abuse. Women who have managed to survive the system of debt bondage frequently become recruiters to fulfill their owners' requirement that they find another girl to take their place.

The report also notes that in 1993, Vinit Muntarbhorn, United Nations Special

Rapporteur on the Sale of Children, questioned the role of officials in trafficking in Nepal. "Law enforcement authorities are often weak, understaffed, undertrained and corrupt," said Muntarbhorn. "There is an expansive web of criminality which exploits children and which abuses the open border with India."

Muntarbhorn called for improved law enforcement, investigations and punishment of corrupt officials, better international cooperation against trafficking (including national co-operation with Interpol) and the establishment of national policies to deal with child exploitation. All these are supported by the Watch report. Human Rights

Watch/Asia says that despite an increased awareness of the problem of trafficking in women and children around the world the international community has "failed to make the control of human smuggling and forced prostitution issues of urgency for regional or global crime control initiatives. India, Nepal and the international community have an obligation to ensure that states rigorously pursue persecution of its own forces found guilty of complicity with the industry."

Human Rights Watch calls on India to protect the women and girls whose rights are violated within its territory, and on Nepal to improve the quality of its law enforcement personnel at all levels.

(Source: Human Rights Tribune, Vol. 3, Oct/Nov 1995)

LAY MIDWIVES UNDER ASSAULT IN NYS

by David Yarrow

Albany, NY—Witch hunts are past history, and recent

effort has begun to establish women's rights, and re-establish women's rites—including their role as professional midwives independent of medicine.

But in New York State (NYS) it's still legal to hunt midwives. December 13, 1995 Roberta Devers-Scott was called to the Onondaga County Family Planning front office where she worked as counselor. There, two undercover investigators and a police officer handed her a search warrant and handcuffed her. At the police station she was mugshot, fingerprinted and imprisoned, charged with felony. Her home was searched and records seized.

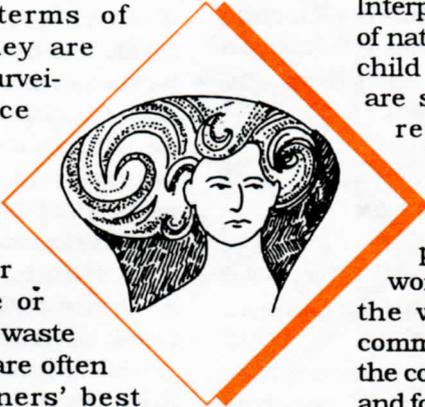
Her crime? Not drug dealing, prostitution, child abuse, street violence, murder. Roberta's felony was to help other women give birth at home, educate them about pregnancy, guide them through the birth process, empower women. Roberta practiced lay midwifery in central NY.

Roberta isn't the only midwife under legal attack in NYS. Rather, a serious effort seems underway to subvert a 1992 NYS law and abolish lay midwifery. To do so drastically reduces women's birth options and home births may become impossible, if not illegal.

An occasional official inquiry into traumatic outcomes of abnormal births was normal—until recently. NYS played "bait and betray" tactics to trap lay midwives and suppress their practice as unlicensed profession.

Statewide Harassment

Summer '93 a Long Island New York midwife investigated



by Education Department Office of Professional Discipline is coerced to agree to stop practicing.

Spring '94 Hudson Valley midwives Julia Kessler and Karen Pardini are charged by Health Department with unlicensed midwife practice.

October '95 midwife Maggie Kern investigated by Education Department Office of Professional Discipline.

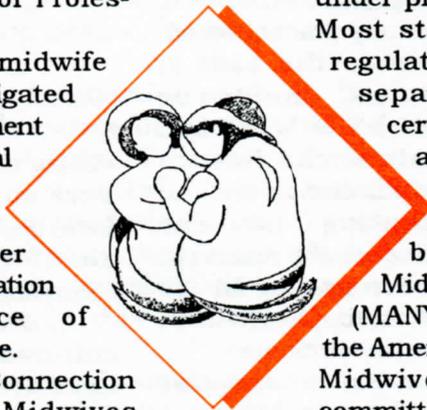
November '95 midwife Susan Frank investigated by Education Department Office of Professional Discipline.

January '95 midwife Hilary Schlinger investigated by Education Department Office of Professional Discipline.

The Midwifery Connection of NY Friends of Midwives reports investigations of other NY midwives. Two midwives who are also nurses, charged with professional misconduct for practicing outside the scope of nursing, face internal hearings and loss of nursing licenses.

NY midwives are under legal attack—just when it seemed no longer under medical definition and lay midwives had gained recognition.

Politicians and preachers crow about “family values” while families are denied a basic right and rite: where and how to birth new family. Abortion is a raging national controversy while a woman’s choice of how and with whom to birth her child is restricted. Rising medical costs challenge state, federal and family budgets while a low cost, safe tradition—tested by time and proven effective worldwide—home birth with a midwife-is threatened with extinction.



Legislative Bait

In 1982 the Midwifery Practice Act was introduced to NYS' Legislature to establish midwifery as its own profession in NYS under the Education Department jurisdiction. Prior to this, NYS only recognized midwifery as nursing under the Health Department, and nurse-midwives practiced under physician supervision. Most states recognize and regulate midwifery as two separate professions: certified nurse-midwives and direct-entry midwives. The NY professional licensing bill, lobbied for by Midwives Alliance of NY (MANY) and NY Chapter of the American College of Nurse-Midwives (ACNM), sat in committee until 1988.

The law's intent is to license all midwives, regardless of route of entry—not only nurse-midwives, but also those trained and experienced outside the medical system (lay midwifery). The act addresses standards for direct-entry midwives through non-medical education and apprenticeship. Nurse-midwives certified by the Health Department are immediately eligible for licensure. Midwives trained and licensed outside NY must validate their education and experience before a licensure exam.

NYS Health Department Ad Hoc Advisory Committee on the Education and Recruitment of Midwives (April 1990) and Task Force on Midwifery (April 1990) both recommended direct-entry midwifery as a response to the dire need for more midwives in various care settings in NY.

In June 1992, the law passed, sponsored by Senator Tarky

Lombardi and Assemblyman Richard Gottfried. But last minute negotiations with the medical society changed “licensed individuals who represent a cross-section of midwifery practice and education” to “persons licensed or exempt under this section.” This eliminated direct-entry education, leaving nursing the only education route, and lay midwives no voice or vote on the Board.