

## Hazardous forms of Child Labour in Nepal

### Nature and scale

Child labour in Nepal is common. However, a major part is in the form of unpaid family workers and wage based child labour is small in comparison. The proportion of unpaid family workers is larger in the sense that nearly 80% of Nepali population is in agriculture, of which an overwhelming majority is engaged in subsistence farming. Therefore, the unpaid family child workers are also vulnerable as they are deprived of the opportunity of education, health care and their childhood. On the other hand, wage based child workers are extremely suffering in some sectors and comparably less suffering in others. The statistical aspect of child labour in Nepal is as follows:

Total Working Children: 2.6 Millions

Unpaid family child workers: 0.9 Millions

Wage - based child workers: 1.7 Millions

- Agriculture 94.7%
- Services 1.6 %
- Construction, transportation, communication 1.6%
- General Technical Works 0.8%
- Sales 0.4%
- Sex workers 20% (Of the total 25,000)

Causes of child labour in Nepal are the following:

- Poverty
- Failure of the education system
- Informal economy
- Low cost of child labour
- Lack of social Protection
- Social customs and attitudes

### **Nature of official action**

The government has already ratified both the ILO Conventions 138 in 1995 and 182 recently in 2001. Children's Act has also been enacted to protect the child rights. Separate Ministry for Women Children and Social Welfare has also been developed.

Similarly in the initiatives of ILO, following series of tripartite consultations among social partners and with civil society organizations, Time Bound Program for the worst form of child labour has been finalized by the government and is going to be implemented.

The program and activities have been designed on the basis of children's involvement in those works, which by their nature are likely to harm:

- Health,
- Safety
- Education and
- Morals of children.

### **Nepal's priorities have been in the following order:**

- Bonded labour
- Victims of trafficking,
- Porters,
- Rag pickers
- Domestic workers
- Transport and small hotel workers
- Brick kiln workers

From tripartite consultations, a Time Bound Programme has been developed to eliminate the worst forms of child labour within 5 years, where the urgent focus is on:

- The sale and trafficking of children
- Debt bondage and forced labour
- Recruitment of children for use in armed conflict
- Use of a children for prostitution, production of pornography or pornographic performances
- The use of a children in the production and trafficking of drugs

### **Areas of trade union action**

1. Awareness-raising, mobilising and campaigning
  - Local level: mobilising members, unorganised and marginal workforce, lobbying local authority
  - National Level: mobilising members, pressing for action-economic reform, lobbying for legislative reform and enforcement and supporting implementation of international standards
  - International Level: organising industry sector campaign, undertake global campaigns and lobbying for negotiated codes of conduct
2. Collective bargaining
3. Using international labour standards
  - 2000 ILO Conventions No. 87 and 98
  - 2001 ILO Conventions No. 29 and 105
  - 2002 ILO Conventions No. 138 and 182
  - 2003 ILO Conventions No. 100 and 111

The cycle will then be repeated. So for the forthcoming year 2002, Child labour will be the most important agenda with regard to ratification, reorganising national legislation and monitoring-supervising implementation as well as taking a number of effective actions.

4. Using the tripartite structure for improvement of legislation and enforcement
5. Possibility of joint trade union efforts-
  - Action against child labour through education
  - Rehabilitation through the provision of support services
  - Promotion of income-generating opportunities for families

Prior to the Time Bound Programme, a consultation among trade unions was successful to build consensus on the issue of child labour and issued the Dhulikhel Declaration, July 19-20, 2000. The Declaration covered Common Understanding, Policies and Strategies against Child Labour among Trade Unions of Nepal.

**Common Policies:** The trade union organisations consider a "child" as defined by the Children's Act 1992 and endorse the Article 3 of ILO Convention No. 182.

The trade unions believe that "child labour" consists of the employment of children which is

- Economically exploitative
- Interfere with child's education,
- Harmful to child's health,
- Physical, mental, spiritual, moral, or social development

The trade union organisations will take joint initiatives on children:

- engaged in identified worst forms
- working in the formal as well as informal sectors
- working under forced or bonded labour conditions
- working in inherently hazardous environments
- exposed to chemical and other industrial hazards
- vulnerable and exposed to sexual and economic exploitation and physical abuse
- engaged in home based service, i.e. invisible child labour and
- working in agriculture, hotels, restaurants and transport sectors.

**Common strategies:** In the programmes to eliminate child labour, the trade union organisations will adopt the strategies of

- Awareness raising and social mobilisation;
- Application and surveillance of national laws and international labour standards
- Inclusion of the issue of child labour in collective bargaining agreements;

The trade union organisations will focus on:

- Inclusion of the issue of child labour in workers' education programmes; · Prevention, rescue and rehabilitation measures
- Development of a code of conduct for workers and their respective unions;
- Monitoring of the incidence of child labour in the work place to protect child workers from exploitation.

Major Thrust of GEFONT Policies on child labour is Children Out of work and Into the School; Adults into the Work!

### **GEFONT in Action**

- 1990-1993 - Problem Study and identification
- 1993-1995 - Child Labour issue included in Trade Union Education Program
- 1995-1996 - Research and campaign to eliminate child labour in Tea Estates
- 1996 - 1998 - Awareness Raising Campaign, Non Formal Classes and Day Care Centre established in Sweeper Community area
- 1999 - 2000 - Second Phase Campaign and Research in Sweeper Community
- Formal and Non Formal Education, Health Camp, Cooperative and Research on Bonded sector in 5 districts of western Nepal
- 2000 - 2001 Elimination program for Bonded and other forms of child labour in agricultural sector in western Nepal covering 8 Districts, components are NFE, FE Support, Organizational work, campaigns on minimum wage and social security etc.
- 1993- 2001 - Continued awareness program and mass education initiatives in all sectors of work against use of child labour and rescue work.

Up to now, no separate work-plan for especially hazardous forms of child labour has been developed and concentration is on worst forms of child labour, priority has been given to bonded conditions. Under worst forms hazardous are naturally covered. Rescue and rehabilitation works have been conducted in the areas of transport, hotel, carpet weaving, bonded Kamaiya children and domestic work. In addition, the GEFONT Campaign against child labour has covered various other activities also related to hazardous forms as mentioned above.

### **Collaborating organization with GEFONT**

- ILO-IPEC
- IFBWW
- Various NGOs like National Labour Academy, Child Workers Concern Centre in Nepal (CWIN), Informal Sector Service Centre (INSEC)

- Local bodies - Village development Committees/Municipalities/  
District Development Committees
- Peoples Organization
- Political Parties
- Social Workers and
- Experts

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