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Nepal: unions advocate peace to secure development

Nepal is struggling to recover from the years of civil war that tore the country apart. In response to attacks by Maoist unionists, the democratic trade unions are advocating dialogue. Their aim is to unite workers behind priorities such as the introduction of social security, to bring them out of poverty. At the forefront of the fight to defend migrants and domestic workers, they are also making progress with organising the informal economy. Report.

Democratic trade unions reach out to their aggressors

Anarchy and non-respect for the law constitute a barrier to healthy industrial relations in Nepal. Democratic trade unions are advocating peace, in spite of the numerous attacks on their members by Maoist trade unionists over recent years.

Nepal is struggling to recover from the armed conflict between the government and the Community Party of Nepal (Maoist), which claimed the lives of over 13,000 people between 1996 and 2006. The abolition of the monarchy in 2008 has not succeeded in bringing political stability. The peace process concluded in 2006 remains fragile and is further weakened by the armed groups still operating in the Terai region, in southern Nepal. Armed youth groups linked to the main political parties also continue to fuel the climate of insecurity across the country.

The integration of former Maoist rebels into civil society is among the many challenges to be met before there can be talk of any real stability in Nepal. This integration process is not proving easy at any level, even for the trade union movement. The most recent ITUC surveys of trade union rights violations denounce numerous violent attacks suffered by democratic trade unionists at the hands of their Maoist counterparts. In March 2009, for example, TP Khanal, assistant general secretary of the Nepal Trade Union Congress – Independent (NTUC-I) and Krishna Pandey, one of the leaders of the Nepal Tourism, Hotel, Casino and Restaurant Workers' Union (NTHCRWU) and the union leader at Katmandou's Anna casino, were beaten up by members of the Maoist union. TP Khanal's injuries were so severe that he had to spend two weeks in hospital. "It was a group of around fifty assailants, some of whom were not members of the casino's staff," explains Krishna Pandey. "The attack took place during the break, in the staff room. Just two of us were beaten; the other union members didn't intervene, out of fear."

It is public knowledge in Nepal that when attacks on democratic trade unionists come from Maoist camp, they are executed by members of the Young Communist League (YCL). They are usually former guerrilla fighters from the People's Liberation Army, who fought a long civil war and are well-versed in the art of combat. "In Kathmandu and other large cities, these militants occupy houses, companies or public places, where they live and train. There are over 3,000 in the capital," says Bidur Karki, a GEFONT representative on the committee of Nepalese ITUC affiliates. Their arrival at places where any form of protest is being held often stirs fears in those targeted by Maoists, as aside from being martial arts experts, some carry weapons under their clothes.

Trade unionists' families threatened

The Maoist trade unions often use force to impose their presence at the negotiating table. This was the case just recently at Kathmandu's casinos, one of the most profitable sectors of the Nepalese economy. "GEFONT and the NTUC-I have representatives at all the casinos, but in most cases we can no longer hold union elections there," explains Ramesh Badal, of GEFONT's international relations department. "If a ballot is called, the Maoists call our trade unionist's wife and advise her to buy some white clothing, which is worn when one's spouse dies."



The members of the democratic trade unions are still often the target of attacks by young former Maoist guerrillas. → Reuters

The NTUC-I and GEFONT accuse Maoist trade unions of not always respecting the rules during negotiations with employers. "When a union presents demands, the law gives employers a period of 30 days to respond. The Maoists do not wait, they immediately take action, organise strikes etc. GEFONT and the NTUC-I follow the legal procedures, but because there are a lot of loopholes in the law, we do not always succeed in having our demands met. The Maoists use brute force, which some workers' like," explains Radha Chalise, vice president of the Nepal Press Union (NPU). Surya Bhandari, head of the NTHCRWU within Casino Nepal, expresses regret that many Maoist trade unionists do not show solidarity with all the workers: "When they engage in collective bargaining, they only do so for their own members, so as to press the other workers to join them. The employers are happy to see the negotiations limited to just a section of the workforce and, as a result, the Maoists often receive pay increases, promotions and other advantages more easily."

Bringing Maoist trade unions to the negotiating table

In spite of the attacks on their members, democratic trade unions are reaching out to the Maoist trade unions, to try to bring them to the negotiating table. They prefer this peace-making strategy to confrontation with thousands of Maoists trained in combat techniques. A Joint Trade Union Coordination Centre (JTUCC) has been set up for this purpose. Supported by the Danish trade union council for development cooperation, the LO/FTF Council, it is a platform bringing together representatives from seven trade unions, and its aim is to curb the acts of violence. "The only solution is to continue to integrate the Maoists in the peace process," explains Laxman Basnet, president of the NTUC-I. "It's hard sometimes for our members who have been attacked not to lose patience, but what else can we do? If we respond with violence, their members will respond even more violently. Taking them to court would be useless; they'd be released the next day."

"On 30 May 2008, I had posted a trade union notice on the notice board at Casino Nepal, where I work. In the evening, when I finished my shift, over 25 Maoist militants attacked me and five other colleagues. I think at least two of the aggressors were former Maoist rebels. We took refuge in the manager's office. He asked them to stop the beating, but he did not dare intervene. None of the security staff came to our aid. I had to spend three days in hospital following this attack, and I am still suffering from headaches because of it. The Maoist union leaders apologised and said it would not happen again, but a month later, we were confronted with a renewed attack (on that occasion we were able to defend ourselves). Some of the assailants are our work colleagues, so you can imagine how heavy the atmosphere is after such acts."

Laxman Sah, member of the Nepal Tourism, Hotel, Casino and Restaurant Workers' Union (NTHCRWU)



The ITUC's other Nepalese affiliate agrees with this approach. "It's true that it's awkward at times," says Bishnu Rimal, president of GEFONT. "Whilst we are sat around the table with the Maoist trade union leaders, their members are beating up ours at the grass roots. But if we abandon the talks, we will be plunged into even greater anarchy. We have observed that there has been a reduction in the acts of violence committed by Maoist militants over the last three years. Their leaders recognise that such acts are unacceptable."

The link between the Maoist trade union ANTUF (1) and the Maoist political party would seem to explain why the commitments made by ANTUF in favour of peaceful trade union relations are not always implemented on the ground. Although the main Nepalese unions are all more or less close to one political party or another, the ITUC affiliates note that in ANTUF's case it is totally under the party's control, espe-

cially at local level. "The Maoist members carry out attacks at local level without informing ANTUF's leaders. When we meet the leaders within the Joint Trade Union Coordination Centre, they call the local Maoist politicians. It's the only way they can control the local Maoist trade unionists," underlines the negotiator for an ITUC affiliate.

Although it may not have resolved all the problems of violence, the ITUC's Nepalese affiliates comment that the Joint Trade Union Coordination Centre has opened the door to joint trade union demands in a range of areas that are crucial to the country's future, such as the introduction of social security for all, the revision of the labour legislation and the drawing up of the new Constitution, etc. They are hoping that the unity behind these key trade union demands will bring Nepal greater social justice and, as a result, greater stability.

(1) All Nepal Trade Union Federation

"The only solution is to continue to integrate the Maoists in the peace process."

Laxman Basnet, president of the NTUC-I



"We want to evolve toward peaceful trade unionism"

The leaders of the Maoist trade union centre recognise they have some difficulty controlling their members on the ground. "For ten years, our trade union only worked underground, as the Maoist political party we are close to was at war," explains Shalik Ram Jamkattel, president of ANTUF (1). "A lot of our members were arrested during that period. Many received combat training. They do not have the same thought processes as the other trade unionists. Our official and active participation in trade union initiatives and training only dates back to 2006."

ANTUF's leadership is clear about its will to evolve toward a peaceful trade union movement. Baburam Gautam, vice president: "We need time to resolve the problem of violence, by training and educating our members. In some places, discussions between rival trade unions or between Maoist trade unions and employers still lead to conflict on occasions. What has to be understood is that our members are really from the grass roots, they are blue collar workers with little education and many are heavily exploited by their employers. They work hard and barely have time for the training activities; we cannot make them evolve overnight."

ANTUF's political discourse takes its distance from Maoist ideology. "Our aim is to take Nepal along the path of economic growth," underlines Baburam Gautam. "We want to invite multinationals to invest in Nepal, within the framework of a socialism that distributes the profits equally and as widely as possible. We are fighting for social justice and the introduction of social security for all. But this is not possible in the Nepal of today: we need to develop economically first."

(1) All Nepal Trade Union Federation

"Less than 2% of Nepal's workforce benefits from social security. We want to progressively extend this coverage to all, both in the formal and the informal economy."

Umesh Upadhyaya, general secretary of (GEFONT)

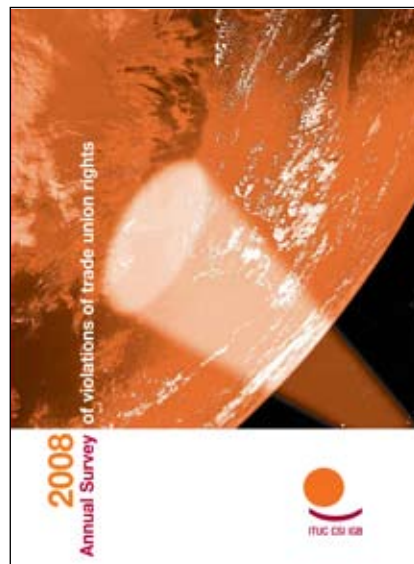


See the full interview at: <http://www.ituc-csi.org/spotlight-interview-with-umesh.html>

Respect for trade union rights under ITUC scrutiny

The ITUC denounces the non-respect of the labour legislation and the weakness of collective bargaining in Nepal. Whilst condemning the attacks perpetrated by Maoist unionists, the ITUC welcomes the setting up of a joint trade union platform to promote dialogue. In its 2009 Survey of Violations of Trade Union Rights, the ITUC reported on the repeated police violence against trade unionists peacefully trying to defend their rights (two union activists were killed by the police and another 50 workers were injured in August 2008, within the framework of a strike at several factories).

Produced by the ITUC Human and Trade Union Rights Department, which has also financed the production of this issue of the Union View on Nepal, the 2009 Annual Survey can be consulted at: <http://survey09.ituc-csi.org> (the 2010 edition of this report will be published on the ITUC website in June).



Concrete services to organise the informal economy

The informal economy absorbs the bulk of the Nepalese workforce. The two ITUC affiliates are offering them concrete services, an organising strategy that has attracted thousands of members.

One of the oldest Nepalese unions in the informal economy brings barbers together within the Nepal Trade Union Congress - Independent (NTUC-I). Founded 19 years ago, it has 7,000 members, 5,100 of whom pay an annual affiliation fee of 65 rupees. "Barring a few rare exceptions, they are all men," explains the union's president, Lajaran Thakur. "Some are self employed, others work in a barber shop and receive commission for the work done. Our union sets prices, in consultation with other unions in the sector. The self-employed workers apply the same rates. It's a great step forward because, in the past, some barber shop owners didn't pay the commission on time, or didn't pay it at all, and there was no fixed rate. At present, a haircut costs 40 rupees (0.50 dollar), half of which goes to the worker. We have also concluded an agreement on the closure of all barber shops one day a month. It's important, as it is a very tiring job, being on one's feet all day. The fact that they all close the same day is also a sign of trade union unity."



Helping members secure a more stable income

Occupational training is a way of attracting informal economy workers to trade unions. The Home Based Workers Union, affiliated to the NTUC-I, is a good example of this. "We have 3,500 members across the country. They are women who take work subtracted by companies, such as wrapping chocolates, and do it in their own homes," explains its president, Usha Acharya. "We offer them training in how to make candles, incense and paper bags. Thanks to support from Solidarité Mondiale (Belgium), 500 have followed these courses so far and 150 of them have been able to start a small business that gives them a more stable income."

Putting pressure on the owner

"In January, the owner of the land occupied by a street vendor in the Basundhara district of Kathmandu, suddenly decided to increase the rent by 200%. His strategy was undoubtedly to rent it to a newcomer willing to pay this extremely high fee. We contacted the owner, explaining that in Nepal it is not customary to increase the rent by so much in one go. To put pressure on him, we "reminded" him that he is supposed to pay taxes to the authorities, which many owners don't do. Faced with the threat of being reported to the authorities, which would cost him dearly, a midway solution was found."

Naryan Neupane, president of the Nepal Street Vendors Union

The NTUC-I estimates the number of members in the informal economy at over 100,000 (out of a total membership of 350,000). It also has an affiliate in the women's hairdressers and beauty salon sector. In this case too, one of the services it provides the members is to try and set prices for the various services, to avoid cut-throat competition. "It works quite well outside of Kathmandu Valley, but in the capital, we have to come to an agreement with other trade unions in the same sector, and this slows the process down. Moreover, the quality of the salons varies greatly in Kathmandu, so it is more difficult to standardize the prices," explains Sarita Gautam, president of the union.

Stop wage discrimination and violence against women

One of our priorities in the area of equality is the fight against the wage discrimination that penalises women. In agriculture, for example, women are paid 40 to 50% of men's wages. To help women work outside the home, men also have to do their share of the housework, such as going to collect water from the pump. During GEFONT's meetings and workshops, we ask all the men, including the trade union leaders, to set an example and take part in all the household tasks, such as the work in the kitchen. We also want to eradicate violence against women in the workplace, including sexual harassment. Many women dare not talk about it, as they are unaware of their rights and they fear the reaction of the people around them. We encourage the victims to speak out in our activities.

Shrestha Bina, President of the GEFONT Women's Committee



We offer them help opening a bank account and drawing up a marketing plan. Those making incense can earn between 150 and 200 rupees a day (2 to 2.70 dollars). One of our members employs two of her relatives and after deducting the cost of her supplies and their wages, she earns a net salary of 12,000 rupees a month."

The General Federation of Nepalese Trade Unions (GEFONT) is also organising informal economy workers, such as street vendors. *"In the seven years since the union was founded, we have managed to recruit 15,000 members, 7,000 of whom pay an affiliation fee of 75 rupees a year,"* explains Naryan Neupane, president of the Nepal Street Vendors Union. *"We do not have any employees, but work through small local committees made up of members who are street vendors themselves and dedicate a few hours to trade union activities. We intervene, for example, if there is a problem with petty delinquents who try to extort money or merchandise from our members. We do not use physical force, but we can speak up, complain to the police, interact with the people with influence, in short, try to find a collective solution."*

Combating police harassment

One of the main services this union offers its member is to fight against the expulsions affecting those occupying public places without a permit. *"There are three types of street vendor: those who have a permit to rent a fixed space, those who move around with a cart, and those who set up shop on the roadside without a permit. The latter are constantly under threat from the police, who can confiscate their goods at*

any time, given that it is an illegal activity. In such cases, we go to the authorities and put our case forward collectively."

In Kathmandu, where two thirds of its members are concentrated, many street vendors are grateful to the union. *"We managed to come to an agreement with the authorities to seriously reduce police harassment,"* explains Yasota Pokhrel, who sells clothes in Kathmandu's Ratna Tark park. *"In the past, the police would accuse us of illegally occupying a space, arrest us, and confiscate our merchandise, the equivalent of several months' income. They would demand that we pay a fine of 3,000 rupees (41 dollars) to get our merchandise back, but a number of items would often have 'gone missing'. Our union has negotiated very clear rules: vendors can set up shop in specific places at specific times. If any of us does not respect the rules, the fine is 100 rupees."*

GEFONT has several other unions in the informal economy, such as in the transport sector. Bidur Karki, a GEFONT representative on the committee of Nepalese ITUC affiliates, is in charge of the transport workers' union: *"We have managed to affiliate 80,000 members, 54,000 of whom pay regular union dues. One of the services we offer them is a social security net: thanks to the fees they pay, we can cover their medical costs or compensation in case of an accident or injury, legal aid and financial support if they are accused of causing an accident. Bus and truck drivers are often held responsible for traffic accidents, but in most cases they are due to the catastrophic road network and poor traffic management. The union can help clear them of the charges if they are innocent."*

The workhorses of the Nepalese economy are organising

Fixed rates of pay, protection against police harassment, health and safety... the first results of the porters' union set up five years ago.

In Nepal, goods transport over short distances is performed on the men's backs. So common a sight, the image of the porter is often used as the symbol of Nepalese workers. The workhorses of the Nepalese economy, over 300,000 porters trek up and down roads and paths every day, carrying heavy loads on their backs, attached by straps around their foreheads. There are between 40,000 and 50,000 in Kathmandu Valley. Fifty-two-year-old Rabilal Gautham, a member of the Nepal Porters' Union, NPU, is one of them: *"We are people from the lower classes of society. We come from rural areas where we only have miserable lodgings and we cannot provide for our children. In the cities, we are the victims of people from higher social classes, who do not hesitate to exploit and harass us. That's why we made contact with the trade union movement. We told ourselves that with a union behind us, we could ensure respect for our rights and earn a better living."*

One of the union's first tasks was to set a fixed rate of pay for porters, based on the weight carried and the distance covered. *"The most educated members in each section get together to set the prices, but it is up to us to ensure the rates are respected, through our discussions with the customers and the other workers,"* explains Rabilal Gautham. *"We usually try to get 100 rupees (1.30 dollars) for a load weighing 50 to 60 kilos, carried over a distance of two and a*

half to three kilometres. The members of our union may go down to 70 rupees after negotiation, but we think that some porters who are not members agree to do the same work for 50 rupees!"

Curbing unhealthy competition between porters

With only 4,000 members at present (of which 1,500 are paying members), the NPU does not yet have the weight needed to secure a decent level of pay. Bisnu Kunwar, also an NPU member, nonetheless points out that some progress has been made: *"Prior to organising, there was unhealthy competition between all the porters in Kathmandu. It now only exists between members and non-members of the union. It's a positive development, as it has allowed us to boost our income a little."* According to most members, this rise in income has, however, had little impact on their living standards, as it barely compensates for inflation. *"Five years ago, we used to be able to save 500 to 700 rupees (7 to 9.50 dollars) a month. Now we sometimes manage to save 3,000 rupees a month, but because of the rise in the cost of living, we are no better off,"* underlines 50-year-old Thala Bahadur Shrestha, who toils every day in the streets of the capital to feed his six children.

300,000 porters

The workhorses of the Nepalese economy, over 300,000 porters trek up and down roads and paths every day, carrying heavy loads on their backs, attached by straps around their foreheads. There are between 40,000 and 50,000 in Kathmandu Valley.





One of the NPU's priorities is also to tackle the harassment by the police, who often put pressure on these workers because of the traffic disruptions they sometimes contribute to. *"Since the return to democracy, we have increased porters' awareness about their rights. We have managed to curtail police harassment. I myself have been attacked several times by the police, who demand 100 rupees in some instances, under threat of a beating. It doesn't happen as much anymore,"* explains union member Nir Bahadur Shrestha.

"Health camps" identify back and heart problems as common ailments

When it manages to find subsidies, the porters' union organises health and safety activities, such as awareness raising about HIV and "health camps". *"The 'health camps' are medical checkups that we organise in the street, under tents, in the places where porters meet up,"* explains Bhakta Lama, president of the NPU. *"They are the fruit of cooperation between an NGO and the Nepal Trade Union Congress - Independent (NTUC-I), which we are affiliated to. A doctor and some medical equipment are housed in a tent; the porters do not have to pay anything, it's all free, including the medication. During the most recent checkups, the most common ailments were backaches and heart problems."* The huge loads carried by these workers explain the back problems. *"The young porters carry as much as 150 and sometimes 200 kilos,"* says Thala Bahadur Shrestha.

In the future, the NPU is hoping to develop its activities through the small credit and savings groups it had formed among the porters. Bhakta Lama: *"The number of members*



"I'm from the Dolhaka district. My father died when I was just four years old. As my family was extremely poor, I was brought to Kathmandu by an adult from my village. I started to work in small eateries, but I cut my hand so I left that job to become a shop helper. When I was around eight years old, I started carrying weights of 10 to 15 kilos, and was earning 800 rupees a month. I was married at the age of 15 to a girl from my home village. We have a child of 18 months and another aged five, who goes to school. I only see them once a month as my village is a day's journey away from Kathmandu. You don't really see child porters anymore in Kathmandu, but street children can be seen collecting and sorting waste."

Bisnu Kunwar, aged 28, member of the NPU

in these groups varies, but the principle is to pay a monthly fee to create a fund deposited with a bank. If required, a member can borrow up to 5,000 rupees (68 dollars), to be paid back at an annual interest rate of 12%, whilst the banks charge a rate of between 13 and 18%. The loan has to be repaid within six months. One of our dreams is to get enough money together to buy a small vehicle for transporting goods, which would give us a considerable rise in income. In the long term, we also hope to develop health insurance schemes."

"I am originally from Dhading, a three-hour journey from the capital. I used to go to school, but my parents were poor and were afraid that my brother and I would be forcibly conscripted into the Maoist army, like several other pupils at my school. At the age of ten, my father took me to Kathmandu, where I became a domestic worker."

Rohini Prasad Dahal, NIDWU general secretary



"Domestic work must become decent work"

The majority of Nepal's domestic workers are heavily exploited children. A new trade union formed in January is working to reverse this trend and to defend adult workers' rights.

According to a study conducted among 2,000 households employing domestic labour in Nepal, around 70% of the workers are under 18 (1). The working hours are extremely long: over 60% of domestics work more than 12 hours a day. A third of the workers surveyed complained of ill-treatment (physical and verbal abuse) at the hands of their employers. Debt servitude and unpaid work are not uncommon.

The vast majority of domestic workers employed in cities come from rural areas. Isolated within their employers' homes, they often have no one to go to in case of abuse. To come to their aid, the General Federation of Nepalese Trade

Unions (GEFONT) has been working to organise the Nepal Independent Domestic Workers Union (NIDWU), founded in January. *"We want to raise our members' awareness about the exploitation suffered by the vast majority of Nepalese domestic workers, with the aim of ensuring that domestic work becomes decent work,"* says GEFONT general secretary, Umesh Upadhyaya. The British TUC is also supporting the NIDWU's development.

Many children were sent by their parents to work as domestics in Kathmandu during the civil war, to save them from forced military recruitment by Maoist rebels. Such was the case for the NIDWU general secretary, Rohini Prasad Dahal.

Young but experienced union leaders

The NIDWU's leaders are very young but already have many years' work experience, so they know their subject. At age 18, Rohini Prasad Dahal, is perhaps the youngest general secretary in the world, but he already has eight years' experience as a domestic worker under his belt. The union's president, 24-year-old Sanu Danuwar, has been employed as a domestic since the age of seven. "One of our aims is to build awareness about the problems domestic workers experience," she explains. "It is hard to imagine the scale of them if you haven't done this type of job yourself: there are no limits on the working day (often early in the morning until midnight), we are not recognised by the labour legislation, we are ill-treated, and have no leave or free time, etc. The only thing child domestics know is that they belong to their employer. They know nothing about their rights and so they are exploited to the hilt."

CWISH (2), a Nepalese NGO, has been running "child clubs" and "youth clubs" for a number of years. Many of its members are domestic workers. "CWISH organises a lot of activities related to children's rights through these clubs," explains Sanu Danuwar, "but there are many problems that cannot be resolved within a youth club, so we had to set up a union. CWISH worked in cooperation with GEFONT to train the leaders of the NIDWU. We currently have 900 members, but have great scope for development as there are an estimated 200,000 domestic workers in Nepal, and 15,000 in Kathmandu Valley, where our members are concentrated."

"Isolated, a domestic worker has little chance of making her voice heard"

One of the NIDWU's first tasks is to help build domestic

workers' awareness of their rights. "The government has set a minimum wage of 4,600 rupees (63 dollars) a month, but most live-in domestics do not receive any pay," explains Sanu Danuwar. "An isolated domestic worker has little chance of making her voice heard, faced with an employer who is determined to exploit her. Within a union, however, we can protest collectively; we can go to the employers and confront them with their behaviour. We can take them to court in the case of ill-treatment. We recently helped a girl who had been working for five years without any pay. When the employer recruited her through her parents, he promised to pay her 500 rupees (7 dollars) a month and give her financial support when she got married. She asked him for the help promised when she was getting married, but her employer only gave her a good beating. She escaped. We threatened the employer with legal proceedings. In exchange for our silence, he agreed to pay out 65,000 rupees (890 dollars) to his former employee."

New ILO convention

NIDWU and GEFONT are also involved in advocacy work to promote the adoption of a new ILO international standard on domestic work. "Other conventions are to be ratified, such as Convention 87 on freedom of association and the right to organise, which could benefit all workers, but the adoption and ratification of a convention on domestic workers would mean that they are recognised as workers and protected by specific legislation, which is not the case at present," underlines Pemba Lama, deputy general secretary of GEFONT.

(1) "A Study of the Domestic Labour in Nepal", by the National Labour Academy-Nepal, http://www.cawinfo.org/wordpress/wp-content/uploads/2008/12/domestic_labour_report_nepal.pdf
(2) Children – Women in Social Service and Human Rights, <http://www.cwish.org.np/index.html>

"It's hard to imagine the scale of the problems experienced by domestic workers if you haven't done this type of job yourself: there are no limits on the working day, we are not recognised by the labour legislation, we are ill-treated, and have no leave or free time, etc. The only thing child domestics know is that they belong to their employer."

Sanu Danuwar, NIDWU president



"According to my boss, because I receive board and lodging I have no right to anything else"

Sanu Danuwar is the president of the Nepal Independent Domestic Workers Union (NIDWU). At the age of just 24, she already has 17 years' experience as a domestic worker.

"I started working as a domestic at the age of seven, in the district of Jhapa, to replace my mother at her employer's. She had to go back to our village when my father died, to take care of my five brothers and sisters. I received no pay. I was working to pay back the money the employer had lent for my father's funeral. It was a loan of 300 rupees and six kilos of rice, and I don't know how long I would have had to work to pay that amount back. It was a very hard job for someone of my age: I had to do the cooking, the washing, collect the wood, etc. On top of that, I was often beaten by my employer. I ended up running away and going back home.

Shortly after my return, my mother heard about a woman from our village who had married someone in Kathmandu and was looking for a domestic worker. She placed me with the woman, who I went to work for at the age of nine. I am still with her now. During the first few months, I slept in the kitchen; then I was allowed to share the room with my employer's daughter. I do all the housework and have never received a wage. No pay had been agreed on before my departure. On occasions, when I visit my family, my employer pays the bus fare. I have only received money on four or five occasions since I've been working there, sums of between 1,000 to 5,000 rupees (14 to 70 dollars) to buy sandals or a few other items. I also occasionally receive clothes that used to belong to my employer's daughter, who is more or less the same age as me. She says that because I receive board and lodging, I have no right to anything else.

After working for two years in Kathmandu, I met up with members of CWISH, a non-governmental organisation. I told them that I would like to go to school and they convinced my employer to let me attend informal bridging classes.

Nine months later, I was able to enrol in the fourth year of primary school. CWISH gave me the school materials. I would get up at 5 a.m. and work for an hour, then I would go to school until 10.30 and would then work for my employer until 10 or 11 at night. I was able to keep up with my schooling in this way until the end of secondary education."

Preventing the exploitation of migrants

The Himalayan mountain range and the wealth of culture in Nepal attract hordes of tourists to the country every year. They cross paths, on the roads and in the airports, with millions of Nepalis who are going abroad to flee poverty. The trade union movement is working to prevent their exploitation.

Estimates of the number of Nepali migrant workers vary hugely according to the source. "The government set the figure at two million in 2009, but does not have access to reliable data," explains Samar Thapa, head of GEFONT's migrant desk. "Every day, for every 600 migrants who leave the country legally, there are as many migrating illegally. We estimate that between five and six million Nepalis are migrant workers, including three million in India alone, where Nepalis are free to travel and work. The other main destinations are the Gulf countries (around 700,000 Nepali migrants, 200,000 of whom are domestic workers), Malaysia (400,000), Israel (60,000) and South Korea (7,000). Some 50,000 Nepalis are working in Afghanistan and 60,000 in Iraq, but most of them are illegal; they work as drivers, security guards...."

The vast majority of these migrants leave with the help of recruitment agencies, which have branches in the remotest parts of Nepal but often take advantage of the candidates' ignorance to exploit them. The ITUC's affiliates are developing a number of activities to prevent this. "In 2008, we launched a 'Safe Migration' campaign in 13 districts," explains Samar Thapa. "Our members went from village to village and gathered people together to give them simple advice on how to migrate in safety. We explain that many migration agencies swindle them, asking them to pay sums higher than those agreed between the Nepalese government and the authorities in the destination country. If they do not ask for a receipt for these payments, we cannot help them get it back."

Bogus contracts

The Nepali unions also warn against the bogus contracts migrants sign before their departure. They promise high salaries, but as soon as they reach Kathmandu airport, the recruitment staff often present them with a new contract with a much lower salary, and threaten to call it all off if they refuse to sign. Similarly, it is not uncommon for the agency's connection in the destination country to claim that the contract concluded in Nepal is invalid, even the one signed at the airport, resulting in another cut in the pay promised. The fact that nearly all the documents are drawn up in English makes it all the easier to hoodwink the migrants. By law, a Nepali translation should be provided, but the legislation is rarely applied.

"We are trying to assist migrants in the destination countries through a variety of support groups," explains Samar Thapa. "In Malaysia, for example, a Nepalese union and the Timber Trade Union of Malaysia have concluded an agreement. This Malaysian union has an organiser in charge of migrants in the wood sector. Between 800 and 900 Nepali migrants are



GEFONT is seeking to help migrants by promoting contact with the unions in the destination countries, like here in South Korea, where GEFONT advises Nepali workers to affiliate with the migrants' union set up by the Korean Confederation of Trade Unions (KCTU).
→ Reuters/Kim Kyung Hoon

members. In South Korea, the Korean Confederation of Trade Unions (KCTU) has set up a migrants' union and GEFONT advises Nepali migrants to join it. In Hong Kong, migrants in the construction sector have their own union, which groups all nationalities. There is also a trade union of Nepali domestic workers in Hong Kong."

GEFONT is also trying to assist Nepali migrants in the Gulf countries. "We have good relations with a union in Bahrain, which has started to organise migrants and is quite powerful. The problem is that some Gulf countries have no labour legislation or no trade unions. In Qatar and Saudi Arabia, for example, there are no trade union rights, so we are trying to work underground, through small support groups. We have not had much success thus far, as the migrants fear they will be imprisoned if they get involved in groups like these."

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Recruitment agencies

"The recruitment agencies bribe government officials in some instances. Israel used to be a good destination for the wages, so the cost was higher: it was set at 300,000 rupees (4,100 dollars), but some recruitment agencies demanded over a million rupees from migration candidates. The Israeli government called on the Nepalese authorities to take measures against these agencies, but nothing was done and Israel closed its door to Nepali migrants."

Samar Thapa, GEFONT Migrant Desk