WALK FREE FOUNDATION

AATWIN

MODERN SLAVERY IN NEPAL: Understanding the problem and existing responses



Photo: Geneva Global/Jenna Mulhall-Brereton

A report prepared in 2014 by Ginny Baumann and Milan Dharel
for the Walk Free Foundation and the Alliance Against Trafficking of Women and Children in Nepal.

Contents

Executive Summary 5

Section 1 Methodology 17

Section 2 Modern Slavery Map and Description 20

Section 3 Government Responses 44

Section 4 Organisational Analysis 56

Section 5 Intervention Effectiveness Analysis 69

Section 6 Synthesis and Strategic Recommendations 91

Appendices

Appendix 1 Summary of international laws and conventions, and relevant national laws 100

Appendix 2 List of organisations interviewed 102

Appendix 3 Results that organisations are measuring and examples of metrics used 107

Appendix 4 Detailed recommendations for slavery eradication in Nepal 111

Appendix 5 Examples of larger scale programmes 125

Appendix 6 Example costs of programme components 131

Appendix 7 Interview questions used with NGOs and International NGOs 136

List of Tables

1 Number of children in Worst Forms of Child Labour 35

2 Examples of Nepal government expenditure on countering forms of modern slavery 54

3 Effectiveness of interventions 80

List of Figures

1 Districts severely affected by bonded labour 26
2 Districts severely affected by domestic servitude 29
3 Districts severely affected by commercial sexual exploitation 32
4 Districts severely affected by forced marriage (including child marriage) 33
5 Districts severely affected by Worst Forms of Child Labour 38
6 Respondent organisation views: Industries most affected by slavery of men across the whole of Nepal 39
7 Respondent organisation views: Industries most affected by slavery of women across the whole of Nepal 40
8 Respondent organisation views: Industries most affected by slavery of children across the whole of Nepal 41
9 Districts severely affected by trafficking of men 42
10 Districts severely affected by trafficking of women 42
11 Districts severely affected by trafficking of children 43
12 Districts included in programmes of organisations interviewed 57
13 Number and type of organisations working on each type of slavery 58
14 Types of intervention carried out by the respondent organisations 60
15 Number of organisations by total number of individuals coming out of slavery during the past year 63
16 Number of organisations by number of paid staff 64
17 Number of organisations by number of staff working on modern slavery 64
18 Number of organisations by number of years of grants management 65
19 Number of organisations by largest grant managed 66
20 Number of organisations by anti-slavery expenditure during current year 66
21 Activities against forced labour 70
22 Activities against CSE 74
23 Activities against forced marriage 75
24 Activities against WFCL 77

List of Abbreviations

HTTCA	Human Trafficking and Transportation (Control) Act
ILO	International Labour Organisation
IOM	International Organisation for Migration
M&E	Monitoring & Evaluation
NCCHT	National Committee for Controlling Human Trafficking
NGO	Non-governmental organisation
NPA	National Plan of Action
SAARC	South Asian Association for Regional Cooperation
UN	United Nations
UNICEF	United Nations Children's Trust
USD	United States Dollar
VCCHT	Village Committee for Controlling Human Trafficking
VCPC	Village Child Protection Committee
VDC	Village Development Committee

Executive Summary



Photo: Katie Orlinsky © Legatum Limited 2015

Executive Summary

Survey data suggests that at a minimum, some 229,000 Nepali's were subject to some form of modern slavery in 2014.[1] While some of this involved victims and offenders within Nepal itself, a significant proportion is likely to have been exploited outside of Nepal itself.[2] Given the limits of surveys in uncovering hidden populations, and that other estimates of related concepts such as forced and bonded labour place the numbers much higher[3], it is very likely that this survey estimate under-represents the true scale of modern slavery as it affects Nepalis.

In order to develop effective responses, estimates of the prevalence of modern slavery need to be put into context. Where specifically within Nepal (or overseas) is exploitation occurring? Who is affected and how? What sectors or industries are implicated? What is known about existing capacity of the Government's responses to modern slavery, in terms of budget and staffing? How are these efforts being supplemented by the work of the many NGOs and International Organisations also working on this issue throughout Nepal?

This report examines these issues, grouped around four main themes:

1. Overview of modern slavery as it impacts Nepal.
2. Nepali Government responses to modern slavery.
3. Non-Government responses to modern slavery.
4. Analysis of gaps and opportunities.

This report is based on data obtained through: reviewing published research and news reports, in-depth interviews conducted in 2014 with 55 civil society organisations and government offices in Nepal, and analysis of random sample, nationally representative survey data from the 2014 *Global Slavery Index* Nepal survey results.

1. Overview of the problem

While much of the research and information remains incomplete, there is no doubt that Nepali citizens – at home and abroad - are heavily affected by modern slavery. Major trends include the following.

Forced labour of Nepali migrant workers outside Nepal

Nepal has a large diaspora population, with remittances accounting for more than 30% of Nepal's GDP.[4] Almost one-third of Nepali families have a member working

[1] Conducted in 2014 as part of the Gallup World Poll, this was a random sample, nationally representative survey of 1000 Nepalis. Further information about sample size, sampling frame and questions used in the Nepal survey is available in *Global Slavery Index 2014* (Walk Free Foundation 2014), 114-115.

[2] Survey results suggest that of the total estimated population of Nepalis who are subject to forced labour, some 43 percent are exploited outside Nepal.

[3] For example, a UN 2011 report refers to a 'ballpark estimate" of 547,000 individuals in Nepal in forced and bonded labour. See further, *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013), 31-32. Available at http://www.un.org.np/reports/country-analysis-2011.

[4] Central Bureau of Statistics, *Annual National Accounts of Nepal 2070-2071 (2013-14)* (Government of Nepal, 2014),15. Available at: http://cbs.gov.np/wp-content/uploads/2014/04/Annual%20GDP%202013_14.pdf.

abroad.[5] This includes Nepali migrants who go to work in low-skilled jobs in India, the Gulf countries, Israel, Lebanon, Malaysia, South Korea and Hong Kong. While many are able to earn valuable remittances and some enjoy decent working conditions, many report that their passports are taken by brokers or employers; they are not allowed freedom of movement; they are not paid for their work; and are subjected to threats, deprivation of food and sleep, as well as physical and sexual abuse.

The migration of Nepalis for work is not limited to adults: it includes children. Within this larger migration, it is thought that levels of child trafficking across the open border into India are high.

Survey results suggest that of the total estimated population of Nepalis who are subject to forced labour, some 43 percent are exploited outside Nepal. Survey estimates, the literature and interviews suggest that key sectors of exploitation include domestic work, and in agriculture construction and commercial sexual exploitation.

Forced labour within Nepal itself:

In certain areas of Nepal, traditional and land tenancy-related forms of agricultural bonded labour are endemic. Also, bonded labour in certain sectors such as brick kilns remains prevalent. While survey estimates such as that included in the Global Slavery Index provide some estimate of order of magnitude, it is likely that these figures miss some deeply hidden populations. For example, the UN Country Assessment 2011 provided a "ballpark estimate" of 547,000 individuals in Nepal who are in forced and bonded labour.[6] There is a need for more detailed sectoral assessments, using innovative methods to map out the prevalence of these practices.

Within Nepal, data from labour force surveys conducted in 2008 confirm there are large numbers of children in the workforce, with many working in hazardous conditions. In 2008, this includes 3.14 million "working children"[7], of which 1.6 million are estimated to be in "child labour", a narrower category of work which is considered harmful.[8] Of the 1.6 million children aged 5–17 years in child labour, 621,000 (8% of all Nepalese children) are engaged in "hazardous work", and 55%

---

[5] *Nepal Living Standards Survey* (Central Bureau of Statistics, 2011). Available at: http://cbs.gov.np/nada/index.php/catalog/37.

[6] *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013). Available at http://www.un.org.np/reports/country-analysis-2011.

[7] "Working children" includes children engaged in any activity falling within the system of national accounts, so it includes both hazardous work, but also non-hazardous non-harmful work: see *Child labour statistics*, 18th International Conference of Labour Statisticians, (International Labour Organisation, 2008). Available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_099577.pdf.

[8] "Child labour" includes children engaged in harmful activities, either because they are below minimum age, or the work jeopardises their health, safety or morals, or other worst forms of child labour including forced labour, slavery, sexual exploitation and use in armed forces. See *Child labour statistics*, 18th International Conference of Labour Statisticians, (International Labour Organisation, 2008). Available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_099577.pdf.
Statistics are from *Nepal Child Labour Report*, (International Labour Organisation and Central Bureau of Statistics Nepal, 2012), p. xiii. Available at: http://www.ilo.org/wcmsp5/groups/public/—asia/—ro-bangkok/—ilo-kathmandu/documents/publication/wcms_182988.pdf.

of working children are below the age of 14.[9] Child labour, some of which would constitute modern slavery, occurs in domestic work, hotels, tea shops and restaurants, agriculture, brick kilns, night entertainment, and in embroidered textiles. There is also a concern about the functioning of some orphanages and care homes in Nepal, including cases where children have been taken from poor families on false documents.

Extensive exploitation (labour and sexual) in the 'night entertainment industry' has been well documented, confirming that conditions frequently cross the line into forced labour and sexual abuse. While it is clear that a serious problem exists, there has not been sufficient focus on quantifying how much of this industry crosses the line into modern slavery, especially outside of Kathmandu.

Child and forced marriage

Nepal has one of the highest rate of child marriage in the world.[10] According to Demographic and Health Surveys 2011, 41% of Nepali women aged 20 – 24 were married by age 18[11] and the Nepali Central Bureau of Statistics reports that as many as 16% are married before they are 15 years old. With regard to forced marriage, in the 2014 Global Slavery Index survey, 3% of the sample (or approximately 6000 people) indicated having been subjected to forced marriage. A further related issue reported by NGOs in Nepal is the widespread pressure on women – sometimes with high levels of coercion – to continue giving birth until they produce a son. In some cases this amounts to forced reproduction.

Geographic hot spots within Nepal

Interviews and research confirm that different forms of modern slavery have different areas of concentration throughout Nepal. Interview respondents provided consistent indications of where these areas are:

- **Bonded labour** as well as the continuing challenges facing *former* bonded labourers are most intense in the central and eastern Tarai, as well as five districts in the mid-west and far west Tarai.
- **Forced labour of domestic workers** is most intense in the Kathmandu valley and Banke district, as well as Kaski and Chitwan districts.
- **Forced labour and sexual abuse of women and children in the sex industry** is likely concentrated in the Kathmandu valley, Kaski, Banke and Morang districts, as well as certain districts of eastern and far western Tarai.
- **Forced marriage** (especially child marriage) was most closely identified with the eastern and central Tarai as well as certain districts of mid-western Tarai and some hilly and mountainous regions of far west and mid west.
- The source areas for **recruitment of children who are then trafficked** for various types of modern slavery were most concentrated in the central region as well as far western and mid western Tarai. **Recruitment of men who are then trafficking** was more common from a few districts such as Sindhupalchowk, Siraha and Saptari, while **recruitment of women**

[9] *Nepal Child Labour Report 2011*, (ILO and Central Bureau of Statistics, 2011). Available at: http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_182988.pdf.
[10] *Child Marriage Profiles: Nepal*, (United Nations Population Fund, 2012). Available at: http://www.devinfo.info/mdg5b/profiles/files/profiles/4/Child_Marriage_Country_Profile_ASINPL_Nepal.pdf
[11] Ibid.

resulting in trafficking was most intense from Sindhupalchowk, Nuwakot, Banke, Makwanpur and Kavrepalanchok.
- So called **worst forms of child labour**[12] were seen as most prevalent in the Kathmandu valley, as well as certain central and Tarai districts such as Banke, Rupendehi, Makwanpur, Parsa, Sunsari and Morang.

Industry / sector concentrations

Key industries affected by modern slavery within Nepal are: agriculture, domestic work, brick kilns, tea-shops, hotels and restaurants, and the night time entertainments industry.

2. Government responses

Many parts of the government of Nepal are making a committed response to modern slavery. This means Nepal has in place, at least on paper, many of the foundations necessary for a response to modern slavery:

- It has relevant laws and a highly comprehensive National Plan of Action against Trafficking.
- There are some relevant budget allocations, for example for resettlement of families affected by some forms of bonded labour.
- It supports and sanctions hotlines and trafficking shelters. It has endorsed national minimum standards for running shelters and caring for victims.
- It actively participates in the SAARC inter-governmental body South Asia Initiative to End Violence Against Children (SAIEVAC).
- It has secured a range of convictions against traffickers and has de-registered and fined a number of fraudulent recruitment agencies.
- It has provided some law enforcement trainings.
- It is working alongside large international funders to improve access to education and health, to sustainably use forestry assets and develop income generation activities – all of which will help protect people against slavery.
- The structures of governmental response at local level, such as District Child Welfare Boards, District and Village Child Protection committees and District and Village Committees for Controlling Human Trafficking are becoming clearer about their mandate and there is increasing focus on making such bodies function.

However, for many years, the government's progress against modern slavery has been held back by political instability. Also, limited infrastructure outside of Kathmandu, means there are major challenges ensuring focus on this issue. Examples of continuing challenges and limitations of the government response include:

- In terms of enforcement, it remains difficult for victims to file complaints through the police because of reluctance to register cases or pursue

[12] The worst forms of child labour are defined by ILO Convention 182 as: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

suspects if they have absconded. Likewise, although some victims may finally be awarded compensation in the courts, they do not receive payment in practice.

- Many recruitment agencies and a large proportion of the 30,000 local labour brokers are not in compliance with the Foreign Employment Act, and they tend to act with impunity.
- Access to reliable guidance for potential migrants about safer migration is difficult even though Migrant Resources Centres have been supported in some districts. Migrants often go for work internationally with very limited preparation.
- The government's ability to quickly assist Nepalis found in modern slavery overseas is hampered by the lack of voluntary repatriation agreements with some important countries (such as India).
- Although a dedicated National Committee for Controlling Human Trafficking is functioning, it lacks sufficient financial resources. Across relevant government departments, staffing levels are quite low in relation to their responsibilities.
- Efforts to support the sustained freedom of former bonded labourers have been under-resourced, and transitional support packages (of land, housing and access to education) have not been allocated for most *haliya* and *haruwa-charuwa* (tiller and herder) families in bonded labour.
- Despite the Supreme Court ruling in 2010 that directs the government on ways to prevent abuse of women in the "entertainments" sector, very little concrete action has been taken.
- No actions on a significant scale are being undertaken to remove children and victims of trafficking from sex industry sites, especially along highways and other emerging sites.
- The National Steering Committee for work on child labour elimination does not seem to have been meeting regularly.

3. Civil society interventions

In general, the geographic coverage of the NGO service providers working on modern slavery is well-matched with the areas that providers also perceive to be significantly affected by modern slavery. While organisations use different, overlapping terminology, the most frequently reported categories of modern slavery that respondent organisations were tackling were: "worst forms of child labour" and "forced labour", with many organisations also focusing on "commercial sexual exploitation" and "forced or child marriage".[13] Among the 46 civil society organisations interviewed, the most common focus was on community-based work to address "trafficking of women and children".

Liaison between NGOs and local government is significant, and engagement with national government is also fairly frequent. It is a strength of Nepali anti-slavery NGOs that they are very much aware of the need for advocacy with local and national government for policy implementation. Meanwhile, international organisations have worked intensively with national government to improve policies, though this has not always led to improved implementation so far.

The research highlighted several key points regarding the readiness of civil society organisations to scale up their work:

[13] The survey instrument used to interview participants is at Appendix 6. The list of organisations and individuals interviewed is at Appendix 2.

- The resources currently available to civil society organisations vary enormously: 13 of the sample of organisations only had between one and 10 paid staff working on slavery, while four NGOs had a large group of employees working on slavery (with 78 staff being the maximum number cited).
- Most of the civil society organisations have many years of experience managing grants. Over one-quarter have more than 20 years experience.
- 25 organisations had managed grants over USD 30,000, and 13 of these had managed a grant over USD 150,000.
- With regard to monitoring and evaluation, the majority of organisations have experience in collecting information and reporting on results. The research ranked 40 of the organisations as having high capacity to provide basic monitoring data. Also, they were readily able to talk about their outcomes as well as simply their activities.

The research found that 42 out of 46 of the organisations showed good potential for immediately taking on or scaling up effective initiatives. However, in order to achieve eradication of modern slavery in Nepal, alongside this existing capacity, there would need to be carefully-planned support for the capabilities of hundreds of small NGOs, to manage operations at a more significant scale and orient their actions toward transformative strategies.

4. Analysis of gaps and opportunities

There is limited agreement on what constitute effective responses to modern slavery. The relevance of each response needs to be considered in its context and within the larger systems that affect modern slavery. For the purposes of this report, we have sought to identify what appear to be "promising" existing interventions, meaning activities that are widely regarded as making an important contribution and could be scaled up as part of seeking eradication of modern slavery in Nepal. These include:

- Better preparation of migrants, and use of migrant networks for tracing and rescue when needed.
- Development of community organising practices to enable highly-affected communities to sustain actions against the root causes of modern slavery.
- Outreach carried out by survivors.
- Economic empowerment through Self-Help Groups for shared savings and loans, and connections to cooperatives, as well as vocational and micro-enterprise training for adolescents and those coming out of slavery situations, such as bonded labour.
- Workers in high-risk sectors joining and mobilising trade unions.
- Raising the average age of marriage through child club and adolescent groups and through action by religious leaders.
- Improving the functioning of anti-slavery-related state bodies at local level.
- Running Non-Formal Education centres and child labour eradication campaigns in municipal areas.

While noting that these appear promising, it is important to further test the impact and effectiveness of these interventions.

For building strategies to end modern slavery in Nepal, the research identified several cross-cutting or over-arching long-term approaches that are particularly relevant. These were:

i) Extending the reach of formal employment arrangements especially into identified high-risk industries;

ii) Resourcing and investing in sustainable state anti-slavery mechanisms, to make sure these do not just exist on paper but are able to make an important difference to their designated tasks of prevention, protection and prosecution;

iii) Supporting activities led by those most affected by slavery (survivors and affected communities);

iv) Enabling locally-based NGOs and social movements to address root causes and recover their role as innovators, including creative use of expanding technologies such as mobile phone; and

v) Mobilising local businesses and cooperatives towards inclusion of the most vulnerable.

A detailed summary of the current levels of provision, the gaps and specific recommendations is in Section 6. The highest priorities are indicated in the programmes recommended in detail for slavery eradication in Nepal in that section.

5. Towards a more effective response to modern slavery

A plan for eliminating all forms of modern slavery in Nepal should concentrate on uniting government and civil society to carry out the following major programmes and activities. The steps set out here arise from this research as well as from reviewing the National Plan of Action (NPA) against Trafficking, though the NPA implementation plan had not been issued at the time of the research.

Law and Policy

1. **Strengthen the legal framework**: Update all relevant legislation and elements of the criminal code, including: **criminal laws** to ensure penalties are appropriate for the severity of the crimes, and that entitlements are in place for victim restitution and compensation; **labour laws** for example to ensure domestic workers are covered; **child labour protection** laws to ensure these meet international standards; and continuing to improve procedures for **issuing citizenship documents** to address barriers to access. Ratify the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons and ILO Convention 189 on Domestic work.

2. **Improve inter-governmental cooperation**: Agree and implement voluntary repatriation arrangements with India, Bangladesh and China, improve existing MOUs with 8 countries, and agree several other MOUs with key destination and transit countries.

3. **Improve performance of law enforcement officials with regard to investigations and victim treatment**: Focus widespread training on local and border police; Women and Children Service Centre staff; National Investigation Department; Child Rights and Labour Officers; criminal justice and labour officials. Upgrade national capacity to collate data on criminal proceedings on all related cases.

4. **Ensure access to legal aid and compensation for victims:** With regard to survivor-sensitive proceedings, train Bar Association members and invest in court facilities. Strengthen procedures for transferring compensation to victims.

Awareness-raising

5. **Use mass media:** Regularly broadcast Public Service Announcements and television documentaries on trafficking risks, safer migration and bonded labour, as well as producing a multi-part series for radio on related issues. Mobilise print and online journalists.

6. **Alert key public service workers:** Train all village health volunteers, such as the Female Community Health Volunteers, and groups of transport workers in each district and municipality on how to identify and provide a first response to modern slavery cases.

Identification of victims and reintegration

7. **Carry out social mobilisation for prevention and liberation in the most affected wards across Nepal**: Enable several NGOs per district to identify and select approximately 8,000 most highly affected wards and form self-determining freedom groups with survivor participation. Use REFLECT-type processes[14] to enable local analysis and 4-year comprehensive actions to eliminate forms of modern slavery, including legal awareness training, formation of mutual support groups for survivors, carrying out group savings/loan and income generation activities (linking with cooperatives), vocational training, and outreach to potential migrants. These groups would especially focus on improving performance of social protection schemes in health and education and access to fair credit. Develop migrant help desks at 1,300 VDCs and Resources Centres in each district. Train and support 1,300 Village Committees for Controlling Human Trafficking (VCCHT) and 75 District level CCHTs. Enable 1,300 Village Child Protection Committees (VCPC) to monitor and respond to movement of children into risky circumstances.

8. **Remove children from harmful child labour**: Support door to door and worksite level identification of children in all municipalities; extend the child helpline to all districts; enable prosecution of illegal exploitation of children and implement Child Rights Officers' decisions about best interests of children and arrangements for family reintegration and on-going support. Create approximately 200 Non-Formal Education centres to help with transition of children to school. Provide vocational training for older adolescents.

9. **Enable child clubs and adolescent groups to take the lead in preventing child marriage and child trafficking, and engage local religious/traditional leaders:** Provide intensive support to approximately 6,000 existing child/adolescent groups for awareness, outreach and direct prevention. Provide training to local religious leaders and traditional leaders.

10. **Improve child protection at children's homes:** Provide compulsory 5 day training for 800 private children's homes on child protection standards and carry out unannounced inspections as well as pre-arranged support visits.

11. **Provide transitional support for families coming out of bonded labour**: Identify approx. 70,500 households who are still in bonded labour and promote their

[14] REFLECT is a participatory method for problem analysis and action planning for which there has been wide training and use throughout Nepal and which has been used by local groups with good results: see www.reflect-action.org.

participation in social mobilisation activities of local freedom groups (described above). Provide a rehabilitation package including access to land, housing support and children's education.

12. **Provide transitional support for individuals coming out of commercial sexual exploitation**: Compile information on successful methods of reaching children and trafficking victims in CSE to help them to leave, including through safer livelihood options. Provide shelter as needed, vocational training, equipment and follow up support for approximately 30,000 individuals.

13. **Improve existing shelters, create new ones, and develop alternative care practices:** Provide facility improvement and staff training for approximately 20 shelters, including exposure to alternatives to shelter-based care. Provide mental health and trauma training for staff of approximately 50 organisations. Support approximately 15 new small shelters. Support inspections of all shelters through District Child Welfare Boards and Women Development Officers.

14. **Provide practical protections for migrant workers:** Provide pre-departure training to all migrant workers and vocational training to approximately 10,000 domestic workers per year. Appoint labour attachés at 6 additional overseas embassies and adequate resources to 14 Nepal embassies for shelter and repatriation of victims. Support a migrant-led responsive system in 14 key countries. Train key staff at 10 border locations and in each district about repatriation arrangements.

15. **Strengthen coordinating mechanisms at ministerial level**: Emerging from the existing National Committee for Controlling Human Trafficking (NCCHT), establish a permanent Secretariat on Slavery and Trafficking (with senior leadership) to coordinate and support federal ministries and local action.

16. **Provide resources for independent feedback on progress**: Support the existing Nepal Special Rapporteur on Modern Slavery and Human Trafficking to give regular feedback on all above programmes as well as a comprehensive report on progress every two years.

Business transformation:

17. **Enable workers in high-risk industries to join and activate trade unions.** Do this through supporting union outreach activities in each district.

18. **Require business registration for high risk workplaces in Nepal.** This will make it possible for officials to undertake inspections and will raise the awareness of employers that they are likely to come under government scrutiny. In addition, require households using domestic workers to register with the authorities and issue proper work documents.

19. **Create voluntary "slavery-free" certification systems for several high risk products:** Create and market these certifications through multi-stakeholder processes with active involvement of workers in the industries.

20. **Assist business associations to create Codes of Conduct for their members**. Enable them to verify compliance.

21. **Enable government at all levels to procure slavery-free products and services**: Given limits of capacity for scrutinising products, this should commence with the most egregious products, such as bricks, and ensuring child labour is not

used on government infrastructure projects. Support creation and implementation of practical guidance.

22. **Promote consumer demand for slavery free practices in key sectors:** Provide information to the public about how to support legal work practices, especially in tea shops/hotels, brick making and foreign employment.

23. **Further research** During the research process, gaps in existing literature and knowledge were identified. Strategic future research projects include:

- Conducting a detailed assessment of NGO program outcomes to inform future partnerships and projects;
- Further baseline research on the scale of slavery in commercial sex, particularly in locations outside of Kathmandu and on transport routes;
- There is a need for participatory research with women affected by forced reproduction (pressure to continue having children until a male is born) to better define intervention strategies and services, including legal measures that should be supported to address this issue.

ABOUT THIS REPORT:

This report is divided into seven sections:

Section 1 lays out the methodology for the research including the number and types of organisations met, timeline, geographical focus and data collection challenges.

Section 2 provides an overview of the landscape of modern slavery in Nepal including analysis of the key drivers of slavery, the geographic concentrations of modern slavery and the sectors and people most affected.

Section 3 describes the governmental institutional framework and actual responses to slavery. It also provides some data on government spending on modern slavery.

Section 4 gives an overview of the organisations interviewed including their spending on modern slavery. It also provides an analysis of the monitoring and evaluation practices by organisations reviewed.

Section 5 looks in more depth at the types of interventions taking place and the strengths and weaknesses of each approach. It also provides analysis of the likely efficacy of these interventions.

Section 6 summarises strategic gaps and provides a road map for the eradication of modern slavery in Nepal in 20 years.

Appendices include: Laws and conventions on modern slavery in Nepal; examples of larger-scale programmes; results that organisations are measuring and examples of metrics used; example costs of interventions; a list of modern slavery focused organisations interviewed; the detailed recommendations for the activities described in Section 6; and the interview questions used with NGOs and international organisations.

Terminology used in this Report

This report uses the term “modern slavery” as a catch-all, to cover “trafficking in persons”, “slavery” and “forced labour”: terms that are defined in international law, and given effect in many countries.

Whatever term is used, all of these crimes share some common features. They involve a person or people possessing or controlling another person or people, in such a way as to significantly deprive them of their liberty, with the intention of exploiting them through their use, management, profit, transfer or disposal.

Where organisations have used specific terminology to describe their work, we have tried to be true to their self-description.

The images that appear in this report are for illustrative purposes only.
Photos of individuals does not imply they are victims of modern slavery

Section 1
Approach & Methodology

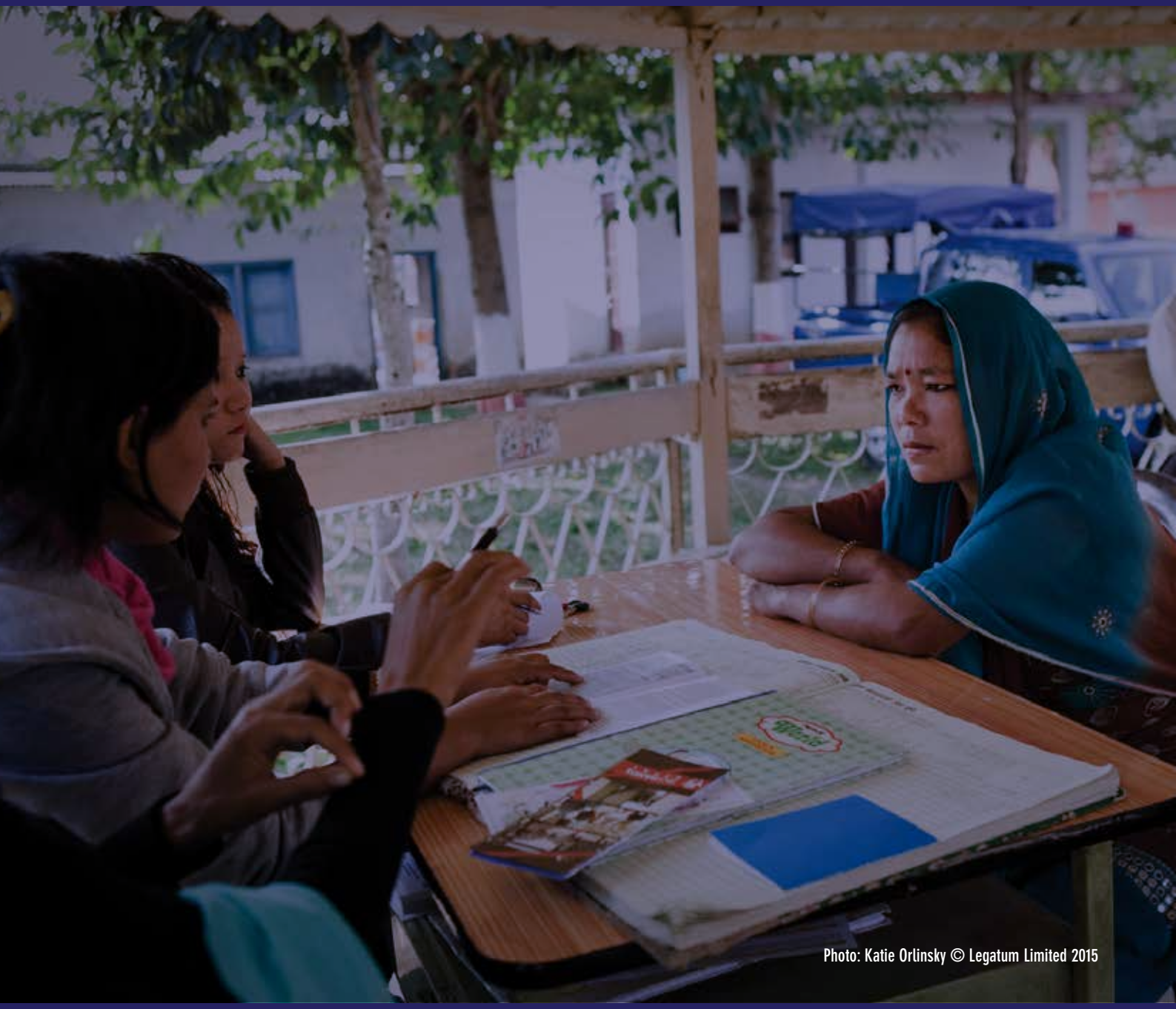


Photo: Katie Orlinsky © Legatum Limited 2015

Purpose and approach

The purpose of this study was to map and assess the coverage, cost, impact and effectiveness of existing responses and interventions to modern slavery in Nepal, as part of informing strategies to respond to and prevent modern slavery in the country.

The research involved a combination of secondary source reviews (desktop review of research and information about modern slavery in Nepal), and primary research (interviews with respondents with direct experience of undertaking work against forms of modern slavery using a semi-structured questionnaire). The interviews focused particularly on practical responses taking place (see interview questions in appendix 7). The report also draws on an analysis of survey data from the Global Slavery Index survey of modern slavery in Nepal, undertaken in 2014. This was a random sample, nationally representative survey that sought information regarding forced labour and forced marriage.

Interviews with agencies

There are a large number of agencies working against different forms of modern slavery in Nepal. The research identified an initial range of 88 organisations, and further in-depth research within districts would have identified many more. Of these, a sample of 55 were met and interviewed, as follows:

- 35 Nepali NGOs, with either a national or local remit;
- 8 national or local offices of international organisations (IOs) active in Nepal;
- 3 trade unions (two federations of unions and one sector union);
- 3 local government institutions; and
- 6 national government ministries or offices.

In this report, an 'NGO' is defined as an organisation with presence only in Nepal, while an 'international organisation' is one with a presence in multiple countries.

Sampling

Most organisations were identified by obtaining lists from funding agencies, from the Alliance Against Trafficking of Women and Children in Nepal (AATWIN) and through identifying organisations referenced through desk research. The research then aimed to ensure analysis of a good spread of issues of modern slavery as well as different approaches being used to address it. Geographically, the selection of respondents aimed to ensure good coverage of areas widely perceived to be significantly affected by forms of modern slavery, especially including the central region, Tarai areas, and districts of Banke, Sindhupalchowk and Kathmandu. Given that the desk research was indicating high levels of bonded labour in the Central and Eastern districts of the Tarai, efforts were made to ensure inclusion of agencies based there, even though the number of NGOs working on bonded labour in that region is more limited. Many of the national NGOs and IOs had operations in various parts of Nepal.

Most of those from whom an interview was requested were willing to participate. The listing of organisations interviewed is at Appendix 2.

The interviews

Most of the interviews took place over a 6 week period during April, May and June 2014, guided by detailed questionnaires for non-governmental and governmental organisations (see Appendix 7). Although most respondents were very knowledgeable and willing to share information about the work of their organisations, some of the questions were difficult for them to answer. In particular, the data collection faced challenges in the following areas:

- Obtaining specific quantitative data on the organisations' results, though some organisations were able to give detailed information about this.
- Some organisations did not have available information on the number of individuals removed from slavery or disaggregated figures by gender/adult/child.
- Many could not provide the costs per participant for various activities due to the complexity and inter-relatedness of the services provided, and the fact that such data had not already been prepared. However, most organisations were able to provide some useful cost information as well as information about overall expenditure, although for many government functions such as policing it was not possible to separate anti-slavery expenditures from other expenditures.
- Some respondents were not able to provide views about locations and types of modern slavery in other parts of the country, because they tended to focus on the form of slavery that they were addressing in their own region rather than having a broader awareness.
- There have been very few independent evaluations of anti-slavery work in Nepal, and the research was not able to obtain any copies. Likewise, although organisations expressed willingness to provide copies of reports they had sent to donors, they did not subsequently do so.

The respondents provided a rich source of insights into the main topics of the study and devoted considerable time (often as long as 2 – 3 hours) to participating in the interview. There was an evident and impressive determination to work for stronger and more united efforts to tackle modern slavery in Nepal.

In preparing the maps of areas identified with different forms of modern slavery, the researchers wish to thank the UN system in Nepal (through Mr. Narayan Raj Maharjan - www.un.org.np) for generously allowing use of their district mapping software.

Section 2
Nepal Modern Slavery Map and Description



Photo: Geneva Global/Jenna Mulhall-Brereton

Introduction

This section examines the major types of modern slavery that are present in Nepal, the industries affected and the gender/age disaggregation. For this study, modern slavery has been roughly grouped into four broad categories:

- Forced and/or bonded labour[15];
- Commercial sexual exploitation[16];
- Forced marriage (including child marriage)[17]; and
- Worst forms of child labour (including forms of modern slavery like child domestic servitude).[18]

This section provides a landscape of modern slavery in Nepal going through these four slavery types. The researchers recognise that these categories overlap and are imperfect, and are subject to different interpretations. These categories are used not in a precise way but to try to help group the discussion in this report around common themes.

Modern slavery in Nepal

In 2014, the Walk Free Foundation partnered with Gallup Inc. to trial using the World Poll as the vehicle for surveys of "modern slavery" at the national level. Results from this survey suggests that at a minimum, some 229,000 Nepali's are subject to some form of modern slavery in 2014.[19] Within this estimate, by far the largest proportion indicated having experienced forced labour (97%) rather than forced

[15] 'Forced labour" refers to work or service that is taken from a person under the menace of penalty and for which the person has not offered himself voluntarily. The term is defined in Article 2 ILO Convention on Forced Labour. Bonded labour or "debt bondage" usually refers to a worker pledging their labour, or the labour of others under their control as security for a debt; and either the real value of the work undertaken is never applied to paying off the debt, or the length and nature of the work that has to be undertaken to repay the debt is never properly limited or defined.

[16] Commercial sexual exploitation involves sexual exploitation resulting in material gain, and in the context of modern slavery, includes: forced prostitution of adults, which refers to situations where the sexual services of men and women are offered against their will, and they are unable to refuse or leave the situation, and sexual exploitation of children, which involves a third party offering the sexual services of boys and girls for material gain.

[17] As defined in the 1956 *Slavery Convention* Article 1(c) "forced marriage" or "servile marriage" refers to situations where any person, without the right to refuse, is promised or given in marriage on payment of consideration to her family or guardian; or the spouse, family or clan of a person has the right to transfer her to another person for value received; or a person on death of their spouse is liable to be inherited by another. The situation of child marriage is not always clear cut. Where children are under the age of 16, it is very likely that any "marriage" is forced as children of this age are unlikely to be able to meaningfully consent to marriage. However, where the situation involves, for example, children who are 16 and 17, who marry with their own consent and the consent of their parents, this will not necessarily constitute forced marriage. But if consent of either child is not present, this would constitute forced marriage.

[18] In international conventions, the category "worst forms of child labour" covers a broad range of practices, including all forms of slavery or similar practices, sale and trafficking of children, debt bondage, forced labour), the use of children in prostitution, pornography or production and trafficking of drugs, and work that by its very nature is likely to harm the health, safety and morals of children. See International Labour Organisation, *Worst Forms of Child Labour Convention C182* (ILO, 1999). Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312327.

[19] Conducted in 2014 as part of the Gallup World Poll, further information about sample size, sampling frame and questions used in the Nepal survey is available in *Global Slavery Index 2014* (Walk Free Foundation, 2014) 114-115. Available at: http://www.globalslaveryindex.org/download/.

marriage (3%).This estimate reflects the results of a nationally representative, random-sample survey undertaken in Nepal in 2014.

Given the limits of surveys in uncovering hidden populations, and that other estimates of related concepts such as forced and bonded labour place the numbers much higher[20], it is very likely that this survey estimate under-represents the true scale of modern slavery as it affects Nepalis.

The survey collected information on sector of exploitation. With regard to Nepal, three sectors were indicated: 'farming', 'domestic service' and 'manual labour/construction/factory work/manufacturing'. The category of farming was only picked up in relation to forced labour within Nepal, whereas the other two categories were found relevant both in and out of Nepal.

A review of the literature, and results from interviews undertaken for this report suggest that the three most common forms of modern slavery affecting Nepal are as follows:

- **Trafficking and forced labour of Nepali migrant workers** (men, women and sometimes children) in India, Middle East countries, Malaysia, and China. They are mostly exploited in domestic work, agriculture, construction and in commercial sexual exploitation.

- **Various forms of modern slavery involving children inside Nepal**, especially in domestic work, hotels, tea shops and restaurants, agriculture, brick kilns, night entertainment, and in embroidered textiles. This is categorised differently by different agencies, sometimes referred to as "child trafficking", "worst forms of child labour" or "child slavery".

- **Traditional and land tenancy-related forms of agricultural bonded labour,** as well as **bonded labour** in certain sectors such as brick kilns**.**

Although extensive exploitation (labour and sexual) in the night entertainment industry has been well documented, and it frequently crosses a line into conditions of slavery, there has not been sufficient focus on understanding or quantifying the forced labour and abuse of women and children in the sex industry within Nepal, especially outside of Kathmandu.

Drivers of modern slavery in Nepal

Although each form of modern slavery has specific causes, the key macro-level drivers in Nepal include:

- the extent of poverty and lack of opportunity
- reliance on risky migration for work
- discrimination against dalits and janajati
- gender-based violence and discrimination.

[20] For example, a UN 2011 report refers to a 'ballpark estimate" of 547,000 individuals in Nepal in forced and bonded labour. See further, *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013) 31-32. Available at http://www.un.org.np/reports/country-analysis-2011.

The extent of poverty and lack of opportunity:

Although Nepal has had an average 4% increase in GDP per year between 1990 and 2009, still, according to the Multi-Dimensional Poverty Index 2013, 44% of the population are in poverty[21]. Although there have been dramatic improvements in access to education and health, still 10% of 5 – 14 year olds do not attend school[22] and only 69% of students enrolled in grade 1 make it through to grade 8.[23] Of the students that complete final school exams, the pass rate remains low. This year (Nepali year 2070) only 44% of students passed the School Leaving Certificate (SLC) Examinations,[24] leaving many young Nepalis with restricted access to the formal job market. In many rural areas, children still have to walk long distances to attend secondary schools, and this difficulty in attending school makes them more vulnerable to child labour and trafficking as adolescents.

In a country where 80% of the population remain in rural areas, extreme poverty in many areas is a legacy of the lack of investment in infrastructure and services in regions outside the Kathmandu valley during the monarchy, which fuelled the Maoist uprising, leading to civil war, which in turn delayed the country's development until 2006. The most under-developed regions remain the Mid- and Far- West hills and mountains, where the effects of climate change are also adding to economic vulnerability. Here, child labour and migration for work are high. A second grouping of low performing districts is in the Central and Eastern Tarai areas. Across Nepal, in the past decade, significant investment has taken place through UN and multilateral funding, but until recently, the central government has not been able to lead effectively due to political instability.

Poverty is closely linked to landlessness, widespread among Dalits ("low caste" communities) especially in the Tarai regions. Alongside lack of access to sufficient productive land by many rural families, there has been a long-term lack of investment in skills training. For adolescents and young people of working age, this means they must often do whatever unskilled or hazardous work is available, and it makes them unlikely to question the offers of labour brokers. Work options for unskilled young women are particularly limited.

In addition, much of the recent progress against poverty is dependent on continuing international remittances and has not yet become self-sustaining. Families remain vulnerable to returning into extreme poverty due to economic shocks such as a death in the family, environmental disaster or national political upheaval.

Reliance on risky migration for work:

With a total population of 27.5 million[25], it is estimated that Nepal's economy needs to grow by 450,000–500,000 new jobs each year. However, Nepal is currently only creating some 380,000 jobs per year[26]. As well as poverty and lack of jobs,

---

[21] *Country Briefing: Nepal* (Oxford Poverty and Human Development Initiative, 2013). Available at: *http://www.ophi.org.uk/wp-content/uploads/Nepal-2013.pdf?79d835.*

[22] *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013). Available at http://www.un.org.np/reports/country-analysis-2011.

[23] *Education Flash Report 2012-2013* (Department of Education, 2013).

[24] "SLC Results Published 43.92% Student Among 566,085 Passed," (Nepal Hub, June 13 2014). Available at: http://www.nephub.com/slc-results-published-43-92-student-among-566085-passed/.

[25] *2012 Population Data*, (The World Bank, 2012). Available at: http://databank.worldbank.org/data/views/reports/tableview.aspx.

[26] *UNDP Country Program Document 2013 – 2017*, (UNDP, 2012). Available at: http://asia-pacific.undp.org/content/dam/rbap/docs/programme-documents/NP-CP-2013-2017.pdf.

environmental shocks linked to climate change are also propelling families to send young people abroad for work on either a seasonal or long-term basis. One study found that 59.7% of male migrants returning to the Mid-West and Far West Regions had migrated below the age of 20 years[27].

Official figures show that the number of Nepalese migrating abroad has increased five-fold since 2000.[28] In 2009, the World Bank estimated that 867,000 Nepalis were working in India[29]. Apart from migration to India, the Department of Foreign Employment estimates that around 900 Nepali youth leave for employment to countries other than India each day. Three million Nepalis have migrated for foreign employment through official channels, including 90,000 women.[30] The Ministry of Labour and Employment estimates that a similar number have gone overseas for employment through informal channels, without official approval.[31] According to Women's Rehabilitation Centre (WOREC), 90% of the 2.5 million Nepali women working abroad are undocumented. Without official approval, they do not receive pre-migration orientation, information about whom to contact if they are in difficulties, or access to insurance in case of accident or death while overseas.[32]

The Nepal Living Standards Survey (NLSS-III) revealed that 32.8 percent of all Nepali households have at least one member working and living abroad.[33] This has both real costs and benefits for families and individuals in Nepal. While risky migration is heavily implicated in subsequent explioitation, remittances sent from abroad (now contributing more than 23% of GDP), can also significantly contribute to bringing families out of poverty.

Discrimination against dalits and janajati:

Despite being officially abolished in 1963, the caste system and discrimination against indigenous populations (Janajati) are still determining factors in economic deprivation and lack of opportunities. Dalits make up 13% of the population, and indigenous ethnic groups make up 37%. Of the country's 100 ethnicities (with 125 documented languages), 22 are deemed to be "endangered" or "highly marginalized". Among dalits and janajati, intense structural discrimination relates closely to very low levels of education and, in many cases, low self-esteem. Dalits are often restricted to traditional caste-based occupations, facing social boycotts, threats, violence, forced eviction and destruction of property if they challenge these requirements. Both dalits and janajati are also affected by the fact that schools and other services have been created at a distance from many of their settlements. The

[27] *Integrated Biological and Behavioural Surveillance Survey among Male Labour Migrants in 11 Districts in Western and Mid-Far Western Regions of Nepal*, (Kathmandu: National Centre for AIDS and STD Control, 2008). Available at: http://pdf.usaid.gov/pdf_docs/Pnadu484.pdf.
[28] "Nepal: Protect Nepalese migrants from 'false promises' of work abroad," (Amnesty International News, 12 December 2011). Available at: http://www.amnesty.org/en/news/nepal-protect-nepalese-migrants-false-promises-work-abroad-2011-12-12.
[29] *Large scale migration and remittance in Nepal: Issues, challenges and opportunities; Nepal Migration Survey 2009,* (The World Bank, 2011). Available at: http://www.scribd.com/doc/59577574/Large-scale-Migration-and-Remittance-in-Nepal-Issues-Challenges-and-Opportunities.
[30] Department of Foreign Employment, Sept., 2013 - quoted in *Empowerment of Migrant Women Workers of Nepal*, UN Women, Nepal Country office, 2013.
[31] *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013). Available at http://www.un.org.np/reports/country-analysis-2011.
[32] "Illegal Employment Abroad Increases Health Risks for Nepalese Women," (Global Press Institute, June 11 2013. Available at: http://www.globalpressjournal.com/asia/nepal/illegal-employment-abroad-increases-health-risks/page/0/1.
[33] *Nepal Living Standards Survey,* (Central Bureau of Statistics, 2011). Available at: http://cbs.gov.np/wp-content/uploads/2012/02/Statistical_Report_Vol1.pdf.

shortage of safe drinking water and toilets in many dalit settlements means they face repeated illnesses, and the cost of treatment results in high levels of debt bondage. Children in these families suffer especially from diarrhoea, fever and chronic malnutrition.[34]

Gender based violence and discrimination:

Another fundamental reason for the high prevalence of modern slavery in Nepal is the extremely low status of women and the domination they often experience within their families. Forms of slavery such as forced marriage and forced reproduction, sex trafficking and domestic slavery exist alongside gender based violence such as marital rape, dowry-related violence and harmful practices such as Chhaupadi, where women are considered unclean during menstruation, pregnancy and post-delivery. At these times, especially in some parts of western Nepal, women and girls may be compelled to live in isolation, often in a shed. They may also not be permitted to attend school, and due to their isolation they may lack proper nutrition.

High levels of domestic violence and sexual exploitation are closely related to male supremacy in the family. Typically, there has been a culture of silence about exploitation, not only due to women's fears about renewed violence, but due to the weight of social traditions, lack of protection for victims, as well as the stigma faced by women and girls who report sexual exploitation. Due to women's lack of economic assets, lack of social safety nets and their restricted employment opportunities, rejection by family can be a terrifying threat.

Domestic violence and sexual exploitation of women and girls leads to their desperation to take up offers that would allow them to escape.

Examination of specific types of modern slavery

Forced or bonded labour

Results from the Global Slavery Index survey suggest that at a minimum, some 229,000 Nepali's are subject to some form of modern slavery in 2014.[35] Within this total, 97% of the sample indicated having been subjected to forced labour. Information from other recent reports suggests the the scale of forced labour within Nepal itself may be even higher. For example, the UN Country Assessment 2011 provided a "ballpark estimate" of 547,000 individuals in Nepal who are in forced and bonded labour.[36] A large proportion of these individuals are in traditional forms of agricultural

[34] *Forced Labour of Adults and Children in the Agriculture sector of Nepal,* (ILO Country Office for Nepal, 2013), no. 11. Available at: http://www.dol.gov/ilab/reports/pdf/Nepal_FL%20of%20Adults%20&%20Children%20in%20the%20Agriculture%20S.pdf.

[35] Conducted in 2014 as part of the Gallup World Poll, further information about sample size, sampling frame and questions used in the Nepal survey is available in *Global Slavery Index 2014*, (Walk Free Foundation, 2014) 114-115. Available at: http://www.globalslaveryindex.org/download/.

[36] *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013). Available at http://www.un.org.np/reports/country-analysis-2011.
As noted in this Assessment (p. 31), the ballpark estimates "are estimates only, indicating orders of magnitude. There are two main reasons for this lack of specificity. Firstly, there is a general lack of reliable data in Nepal. Secondly, some of the groups … are not specifically identified in the census. For most of these groups, data are derived from either administrative processes (e.g., for conflict-affected people), sample surveys (e.g., for under- and unemployed youth) or rapid assessments (e.g., for women subject to sexual abuse and exploitation)."

bonded labour, such as *Haruwa, Charuwa,* or *Haliya* while others are in domestic labour or bonded labour in brick kilns or other highly affected sectors.

Bonded labour
When households that are poor, landless and illiterate are faced with an economic emergency such as ill health, family death, or even simply not having money for food, they can only access loans from employers or landlords, because the families have no property to offer as collateral. Lenders then expect adult or child labour to be provided in return, and bonded labourers are expected to work long hours for wages far below the minimum wage rate. Bonded labour is also often hereditary, and even if families are officially freed, unless they have access to livelihoods and reliable income, they are likely to slip into new forms of modern slavery.

Organisations participating in the research identified the districts shown on the map below as those most severely affected by bonded labour:

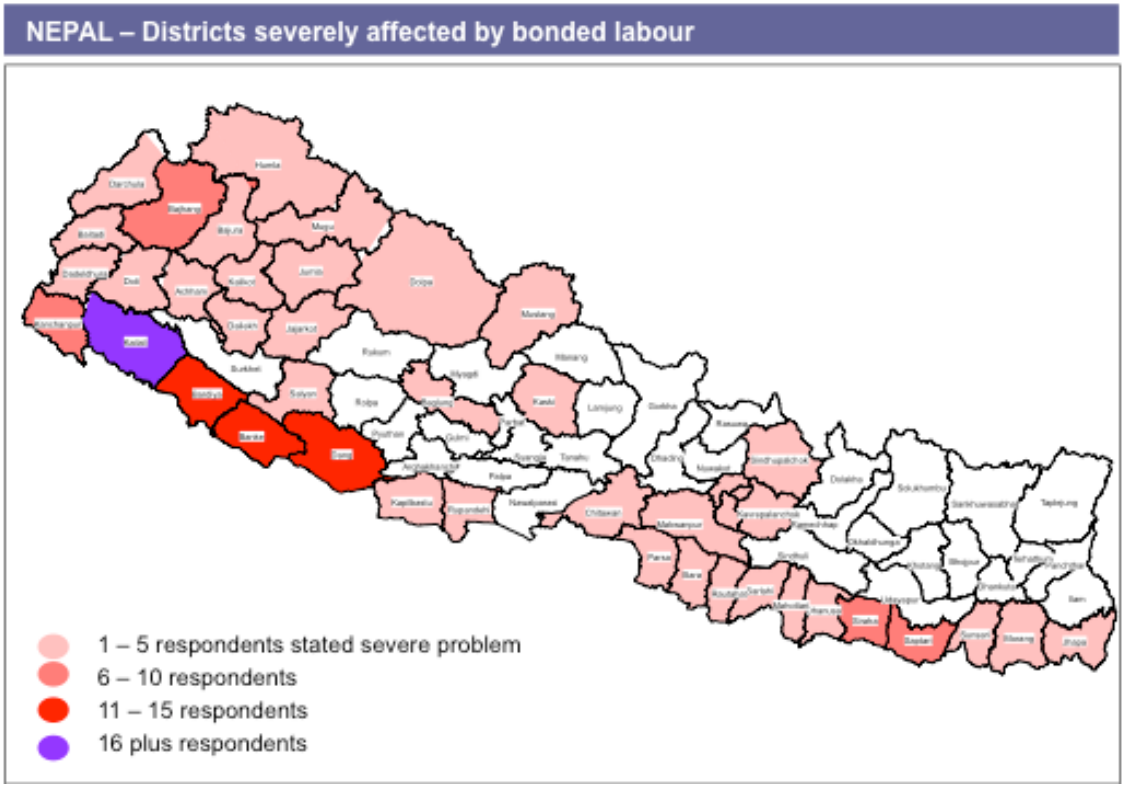


Fig. 1: Districts severely affected by bonded labour

In Nepal, traditional bonded labour takes different forms in different parts of the country. A system known as *haruwa* and *charuwa* evolved among the Madhesi people in the Eastern and Central *Tarai* districts (the Tarai are lowland agricultural areas across Nepal). Those exploited as haruwa and charuwa are dalits, with the men working as tillers (haruwa), and women, children, the elderly or physically weak family members working as cattle herders (charuwa) or as domestic servants. A survey of 110 haruwa-charuwa households in Siraha district carried out by Women's Rehabilitation Centre (WOREC) found that 72% of the respondents worked for 8-12 hours a day for their landlords while 24% worked13-17 hours for their landlords cutting firewood, growing crops, grazing cattle and doing domestic work.[37] For

[37] *Assessment of Socio-Economic Status of Bonded Labour (Haruwa/Charuwa) in Siraha district,* (WOREC, 2012).

haruwa, typically they must work between May – August and November – January. Half of the haruwa-charuwa households lack sufficient food for more than 6 months out of the year.

The work is required in exchange for land to cultivate or to repay a debt, but importantly, the worker is not free to work for another employer to repay their debt, without the landlord's permission. High caste, mid-sized and large landowners are those to whom the haruwa and charuwa are bound. Control is maintained by direct threats, and in the WOREC study, almost all respondents reported that they experienced different types of violence.[38]

There are 7 main affected districts in the Central and Eastern region, with approximately 70,000 haruwa-charuwa households, making up 9% of all households in these Districts. This makes it the largest form of bonded labour in Nepal at this time. An ILO study found that 95% of haruwa-charuwa households were in forced labour. A high proportion of the households are living in an agricultural area, lacking alternative local employment, and 82% of the affected households are landless or nearly landless. Only 2% of households have a family member who has received any kind of skills training. Among families in forced labour only 8% of over 15 year olds had completed primary education, and almost no women had completed primary education.[39]

In the areas with high prevalence of haruwa-charuwa, worst forms of child labour are also at a high level. For example, in 2008, in Dhanusa district where 19% of the population are in bonded labour, 10% of children aged 10 – 14 were estimated to be working, especially as domestic slaves or in brick kilns. In nearby Saptari district, where 10% are in bonded labour, about 11% of children aged 10 – 14 were engaged in similar worst forms of labour.[40]

In the Tarai of the West, Mid-West and Far West, the *Kamaiya* bonded labour system has been prevalent, affecting 32,000 households[41]. The exploitation of the kamaiya system intensified after the 1960s when there was large-scale migration into the Tarai from the hills and mountains. After 2000, the government officially abolished bonded labour and launched various programmes to rehabilitate and provide land to the Kamaiya households, ultimately reaching approximately 27,000 out of the 32,000 households, while several thousand did not receive rehabilitation support.

In the Far Western hill districts, *Haliya* is a third form of customary, inter-generational bonded agricultural labour, affecting approximately 20,000

---

[38] Ibid.

[39] *Forced Labour of Adults and Children in the Agriculture sector of Nepal,* (ILO Country Office for Nepal, 2013), no. 11. Available at: http://www.dol.gov/ilab/reports/pdf/Nepal_FL%20of%20Adults%20&%20Children%20in%20the%20Agriculture%20S.pdf.

[40] *District and VDC Profile of Nepal: A Socio-economic Development Database of Nepal,* (Intensive Study and Research Centre, 2010).
Data taken from various sources including Nepal Labour Force Survey 2008, CBS Nepal Demographic Survey 2010; Information provided by UNICEF, February 2013.

[41] Kristiina Mikkola*, Impact Assessment of Nepal Development Programme 2003 – 2007, Programme Impact on Freed Kamaiays and Haliyas in the Far West,* (Homa Thakali, 2008).
Available at: http://www.norad.no/globalassets/import-2162015-80434-am/www.norad.no-ny/filarkiv/ngo-evaluations/4a-impact-assessment-of-nepal-development-programme-freed-halaiyas-and-kamaiyas-in-the-far-west-nepal-2008.pdf.

individuals.[42] The haliya system does not have fixed daily working hours and if the individual is in long-term debt bondage, the worker must do whatever work the employer demands, in addition to agricultural work. As with haruwa-charuwa, food shortages at many times of year are acute. The ILO report noted that most haliya children are stunted, thin and physically weak due to the low level of child nutrition, linked with the family's condition of slavery.[43]

In some of the rural hill areas there is also a system of *Balighare,* through which dalit artisans work year round in return for payment in grain by masters.

Brick kilns are one of the key sectors affected by debt bondage. World Education International reports that there are an estimated 750 kilns in Nepal with 181,524 laborers, of whom 15.6% are children.[44] As is usual across South Asian countries, employers pay an advance to groups of workers who then move to the brick kilns from October to April. They are bonded to this work, unable to change employers and they work for much less than minimum wages. Because of costs incurred during the season and further loans taken from the brick kiln owner, many workers return to home villages with little or no pay and they are then recruited again in subsequent seasons, without any opportunity to exit the cycle of slavery.

In 2007, GEFONT (a national trade union federation in Nepal) carried out a survey of 1,135 brick kiln workers in 5 Districts in three regions of the country. They found that in 83% of cases, the amount of the advance was between NRs.1,500 – 5,000 (USD 15 - 50), for which, often, the whole family migrates to the kiln to work. In most cases, children work alongside their parents in the brick kilns, moulding the bricks or carrying them in and out of the kilns. 88% of the children in the study were not going to school, and health problems such as backache, headache, earache, fever and pain in hands or legs was common.[45]

Forced labour is also found in **domestic work**, affecting both adult and child domestic workers. USAID Counter-Trafficking programme reports that an estimated 20,000 - 25,000 Nepali women become involuntary domestic workers each year within Nepal.[46] GEFONT carried out a study in 2007 with a sample of 292 domestic workers in rural and urban settings. 60% were female and 70% were under 18. More than 60% of these domestic workers worked for more than 12 hours a day. More than one-third of those surveyed did not receive any salary. 40% had suffered psychological and physical violence, including punishments such as scolding, insults, deduction from salary and slapping.[47]

---

[42] Monthly Update –January 2014 (UN Resident Coordinator's Office Nepal, 2014). Available at: http://reliefweb.int/sites/reliefweb.int/files/resources/Nepal_Monthly_Update_2014-01.pdf.

[43] *Forced Labour of Adults and Children in the Agriculture sector of Nepal,* (ILO Country Office for Nepal, 2013), no. 11. Available at: http://www.dol.gov/ilab/reports/pdf/Nepal_FL%20of%20Adults%20&%20Children%20in%20the%20Agriculture%20S.pdf.

[44] *Naya Bato Naya Paila Report: Combating Exploitative Child Labor Through Education in Nepal*, (World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13981&lid=3.

[45] *Paying Back in Sweat and Tears: A Consolidated Report on the Studies of Kamaiya Liberation, Brick Kiln Workers and Domestic Labour in Nepal,* (Anti-Slavery International, 2007). Available at: http://www.ituc-csi.org/IMG/pdf/nepal_paying_back_in_sweat_and_tear.pdf.

[46] *Combating Trafficking in Persons Project - Fact Sheet* (USAID, September 2014). Available at: https://www.usaid.gov/sites/default/files/documents/1861/DGO%20-%20CTIP%20-%20sep%202014.pdf.

[47] *Paying Back in Sweat and Tears: A Consolidated Report on the Studies of Kamaiya Liberation, Brick Kiln Workers and Domestic Labour in Nepal*, (Anti-Slavery

Organisations participating in the research identified the districts shown on the map below as those most severely affected by forced labour in domestic work:

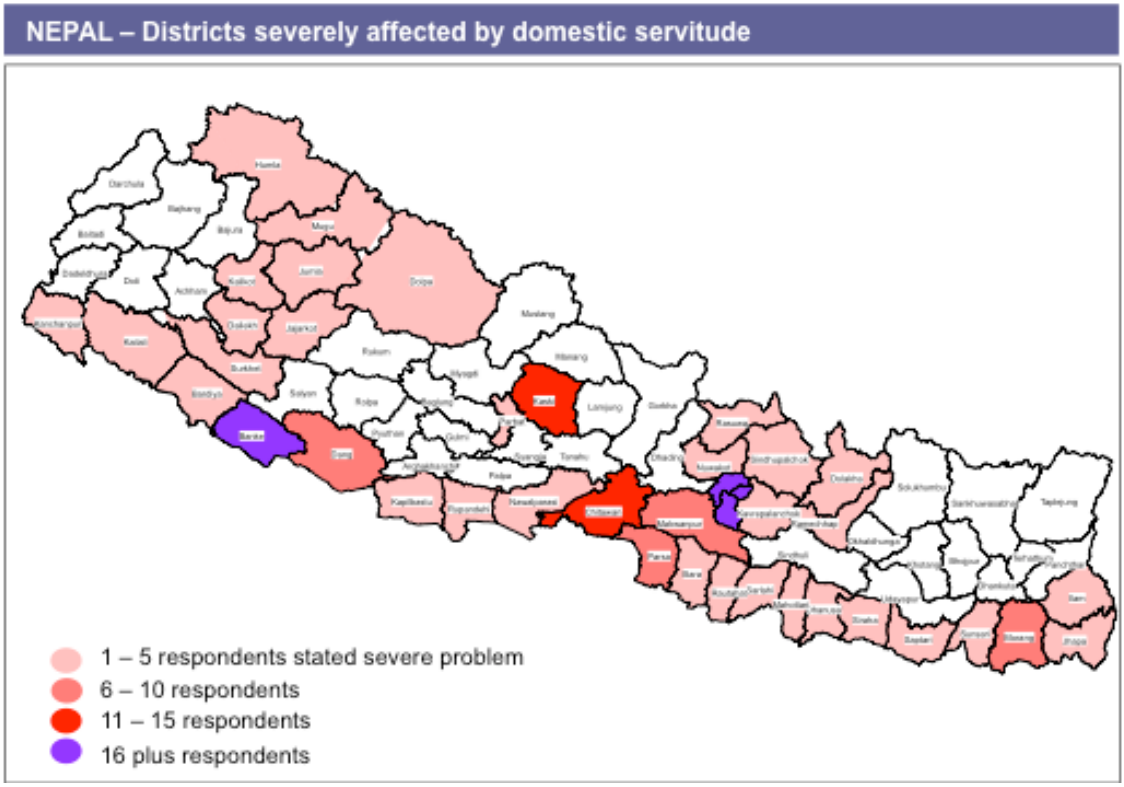


Fig. 2: Districts severely affected by domestic servitude

Extreme labour exploitation, unpaid labour, difficulties in changing employers and coercion for sex are also prevalent in the "**night entertainment industry**". In the Kathmandu Valley, an estimated 11,000 – 13,000 girls and women work in over 1,200 cabin restaurants, dance bars, folk singing restaurants and massage parlours.[48] The sector is heavily targeted by brokers and traffickers who take young women abroad for work that is in some cases well-paid short term employment, and in other cases turns out to involve sexual assault and forced labour.

Nearly one half of all entertainment workers in the Kathmandu Valley entered the industry before age 18. Most have come from rural areas in search of employment.[49] Domestic violence and sexual abuse at home is often a driving factor pushing girls to find jobs in one of the few employments open to uneducated and unskilled workers. One of the challenges facing the workers is that police have not been very responsive to their efforts to file cases, and one of the frequent complaints is of police financial and sexual harassment of the women and girls. This must be kept in mind when developing any responses to commercial sexual exploitation. Owners often compel the workers to drink with the customers (typically males aged 40 – 50) and there is pressure to do whatever the customers want. For

International, 2007). Available at: http://www.ituc-csi.org/IMG/pdf/nepal_paying_back_in_sweat_and_tear.pdf.

[48] *Trafficking and Exploitation in the Entertainment and Sex Industries in Nepal: A Handbook for Decision makers*, (Terre des Hommes, 2010). Available at: http://www.childtrafficking.com/Docs/handbook.pdf.

[49] Ibid.

many workers, the salary is very low or paid irregularly, while working hours are not limited.

Cabin restaurants and dance bars, with similar forms of exploitation of female workers are now spreading widely in Nepal. Most customers are Nepalese, though there are a few areas where tourists are the customers. The night entertainment industry is concentrated in major urban areas, such as Kathmandu and Pokhara and along the highways, and increasingly in other growing border towns, with girls and young women often recruited from nearby districts.

Another important trend is of trafficking of young women and girls to Khasa and Kuti, Tibet, usually from the bordering districts in Nepal. The women and girls work in similar entertainment sites, mainly used by transport workers in the border area. In common with similar businesses in Nepal, conditions vary, but sexual exploitation and risks of slavery are significant. In a Maiti Nepal study in 2011, out of a total 137 girls interviewed in Khasa who were working in restaurants, 50% reported that they were not able to leave the job and they were "working in harassed condition".[50]

Forced labour of Nepali migrant workers

In addition to forced and bonded labour inside the country, thousands of Nepali migrant workers are exploited outside the country. As noted above, almost one-third of Nepali families have a member working abroad. Survey data provides the best indication of the order of magnitude of the forced labour problem within the larger population of migrant workers. Results from the 2014 Global Slavery Index survey suggest that of the total estimated population of Nepalis who have experienced forced labour, some 43 percent of them were exploited outside Nepal.[51] Survey estimates, the literature and interviews suggest key sectors of exploitation include domestic work, agriculture and construction

A 2010 study, reviewing migration patterns over the previous 6 years identified the Terai region as producing the largest proportion of people who migrated abroad for work, with Dhanusa, Jhapa, Siraha and Morang as the top 4 source districts.[52] According to the Department of Foreign Employment, the major destination countries are Malaysia (31%), Qatar (28%), Saudi Arabia (20%) and United Arab Emirates (UAE) (13%). Due to the high costs of migrating for work using official processes, many migrants are unregistered or travel via India (for which they do not need a passport).[53] These migrants are particularly vulnerable. Many women have been migrating via India in order to circumvent the ban by the Nepali government on women going for work as domestic workers in UAE, Saudi Arabia and Qatar (since revoked except for women under 30).

Migrants who go to work in domestic service, construction and other low-skilled jobs in India, Gulf countries, Israel, Lebanon, Malaysia, South Korea and Hong Kong

---

[50] Cited in *Trafficking in Persons especially Women and Children in Nepal National Report* (National Human Rights Commission, 2011). Available at: http://www.nhrcnepal.org/nhrc_new/doc/newsletter/1592866493Report%20of%20Trafficking%20in%20Persons%20(Especially%20on%20Women%20and%20Children)%20National%20Report%202012-2013.pdf.

[51] *Global Slavery Index 2014: Nepal Country Study* (Walk Free Foundation, 2014). Available at: http://www.globalslaveryindex.org/country/nepal/.

[52] Jagannath Adhikari and Ganesh Gurung, *Foreign Employment, Remittance and Its Contribution to Economy of Nepal* (Ministry of Labour and Transport Management & International Organisation for Migration (IOM), 2011).

[53] Department of Foreign Employment statistics, http://www.dofe.gov.np/np/innerpage.php?page_id=102, quoted in *Foreign Labor Migration and Trafficking in Persons in Nepal: A Situational Analysis*, National Human Rights Commission, 2012)

often find that their passports are taken by brokers or employers; they are not allowed freedom of movement; are not paid for their work; and are subjected to threats, deprivation of food and sleep, as well as physical and sexual abuse and exploitation. In a World Bank 2009 study of Nepali migrant workers, 37% of migrant workers reported not receiving the salary they had been promised.[54]

Migrant labour is generally risky, and these risks are increased when labor brokers consciously give fraudulent information about job opportunities and conditions, while others fail to take responsibility for the work arrangements in the destinations. Of 115 migrant respondents interviewed in a study by Amnesty International in 2011, 108 said that their recruitment agents or brokers had deceived them about the terms and conditions of their employment contract.[55] Brokers charge exorbitant recruitment fees, and for families already in debt bondage the loans to send members overseas deepen their enslavement. These enormous debts also mean that workers feel they have to take whatever work they are given upon arrival, on any terms, in order to try to repay the loan.

Many brokers use false employment contracts and travel documents. In some cases they persuade district, village or municipal officials to falsify a child's age in order to get travel documents issued. There are approximately 976 recruiting agencies licensed by the Department of Foreign Employment (DoFE), most of which are based in Kathmandu[56], but there are approximately 30,000 local brokers who are generally unregistered, acting as intermediaries between the migrant and the recruiting agency. The DoFE, which gives approval for foreign employment, is also located in Kathmandu. These centralized structures tend to make migrants reliant on intermediary unregistered brokers known within the village.[57]

Commercial sexual exploitation

In 2011, the Nepal AIDS/STD Control Center estimated that there are 26,574 girls and women in the commercial sex industry. It is also estimated that over half of these are under 18, and that most are trafficked as minors for sexual exploitation.[58]

There is a clear overlap between the "entertainment industry" and the commercial sex industry, though many of the workers in the entertainment industry want to become organized or unionized so that their work in restaurants and bars can become safe and decent work and they do not want to be seen as sex workers. Apart from research about conditions of slavery affecting some of the girls and women in these restaurants and bars, there is little information available about the prevalence of slavery in other sites of commercial sexual exploitation, such as street, home or lodge based. Extensive programmes have been run focused on

[54] *Large scale migration and remittance in Nepal: Issues, challenges and opportunities; Nepal Migration Survey 2009,* (The World Bank, 2011). Available at: http://www.scribd.com/doc/59577574/Large-scale-Migration-and-Remittance-in-Nepal-Issues-Challenges-and-Opportunities.
[55] *False Promises: Exploitation and Forced Labour of Nepalese Migrant Workers,* (Amnesty International, 2011). Available at: https://www.amnesty.org/en/documents/ASA31/007/2011/en/.
[56] Information provided by Dept of Foreign Employment May 2011, to Amnesty International; Found in *False Promises, Exploitation and Forced Labour of Nepalese Migrant Workers*, Amnesty International, 2011.
[57] *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013). Available at http://www.un.org.np/reports/country-analysis-2011.
[58] *Naya Bato Naya Paila Report: Combating Exploitative Child Labor Through Education in Nepal*, (World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13981&lid=3.

prevention and treatment of AIDS and STDs with women in the sex industry, but based on information from the interviews, it is clear that because of the need for the health workers to maintain continued access to the women, it is challenging for them to try to remove individuals found to be in slavery, and they may not even have access to newly trafficked girls subjected to the highest levels of violence and captivity while being broken in for use in the industry.

In addition, many respondents reported that women and children continue to be trafficked to India and to many locations overseas for sexual exploitation. Due to the difficulty of research on this issue and lack of allocation of resources for research, there are no reliable estimates of the number affected.

Organisations participating in the research identified the districts shown on the map below as those most severely affected by commercial sexual exploitation:

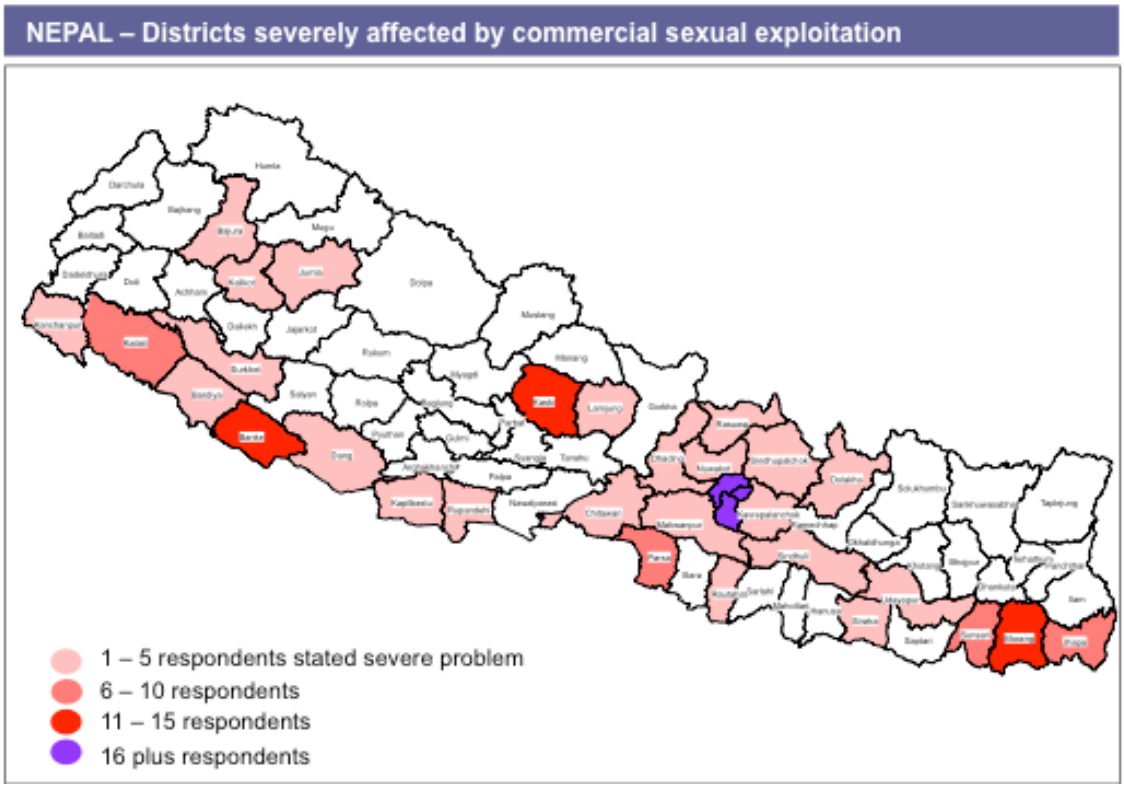


Fig. 3: Districts severely affected by commercial sexual exploitation

Forced marriage

With regard to forced marriage, in the 2014 Global Slavery Index survey, 3% of the sample (or approximately 6000 people) indicated having been subjected to forced marriage. Given high levels of child marriage in Nepal, it is entirely possible this represents an under-estimate of the true scale of the problem. According to Demographic and Health Surveys 2011, 41% of Nepali women aged 20 – 24 were married by age 18[59] and the Nepali Central Bureau of Statistics reports that as

[59] *Child Marriage Profiles: Nepal*, (United Nations Population Fund, 2012). Available at: http://www.devinfo.info/mdg5b/profiles/files/profiles/4/Child_Marriage_Country_Profile_ASINPL_Nepal.pdf

many as 16% are married before they are 15 years old.[60] Prevalence of child marriage is highest in the Mid-western Region (53%), followed by Far-western Region (48%), Central Region (40%), Western Region (36%), and Eastern Region (34%)[61]. Dalits and Muslim girls tend to marry at an especially young age. Nepal has the 8th highest rate of child marriage in the world[62], though the age of marriage is showing a rising trend in many areas.

The 1948 Universal Declaration of Human Rights states that marriage should be 'entered only with the free and full consent of the intending spouses.' However, in many cases of child marriage, parents and other relatives push children into marriage. A recent study found that 67% of girls who had married young did so due to parental pressure, with many of them citing that early marriages took place in order to save money spent on a girl's dowry.[63] Parents also worry about the threat to family honor if the girl has an affair. Girls may consent in some cases due to the marriage being suggested as a result of a teenage love affair (an increasing trend), or because they feel a sense of duty and respect towards their families. Especially in the case of under 18 year olds, consent cannot always be assumed to be 'free and full' and such early marriages are rarely in the best interest of the girl.

Organisations participating in the research identified the districts shown on the map below as those most severely affected by forced marriage, including child marriage:

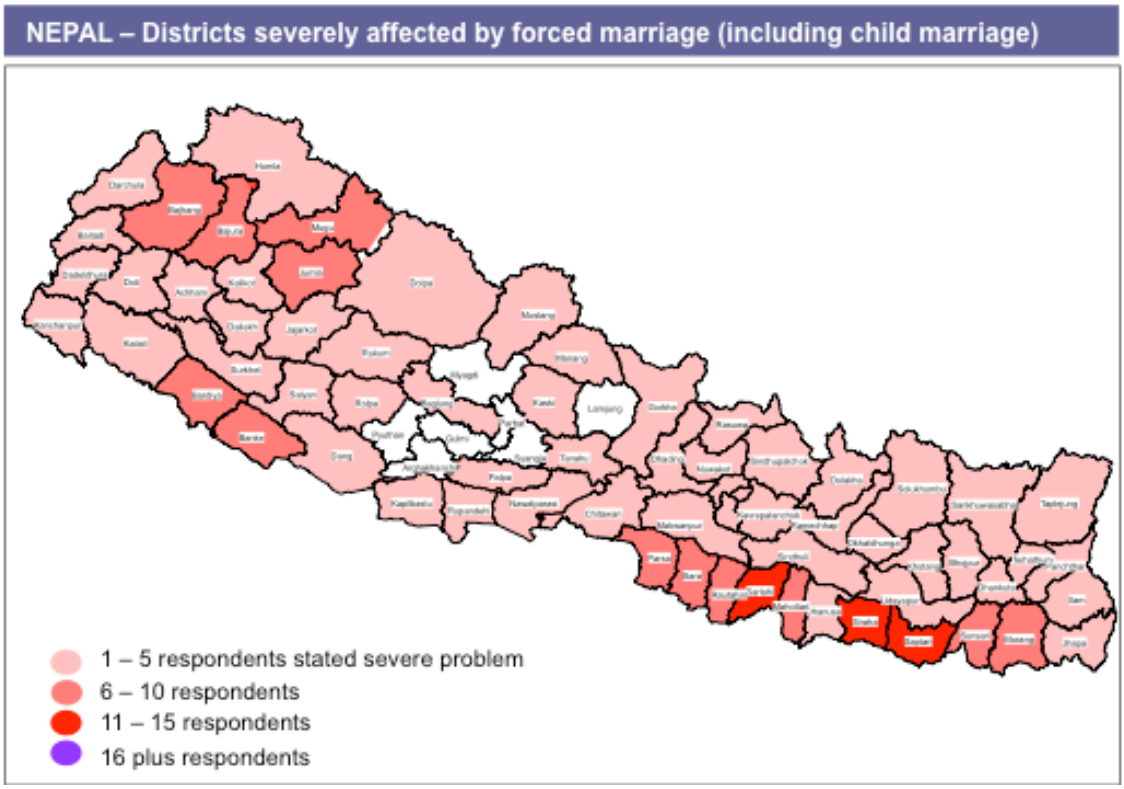


Fig. 4: Districts severely affected by forced marriage (including child marriage)

[60] *Volume I: National Population and Housing Census 2011*, (Central Bureau of Statistics, 2011). Available at: http://unstats.un.org/unsd/demographic/sources/census/2010_phc/Nepal/Nepal-Census-2011-Vol1.pdf.
[61] Ibid.
[62] *The Status of the World's Children 2011* (UNICEF, 2011). Available at: http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf.
[63] *Child Marriage in Nepal*, (Save the Children, Plan Nepal & World Vision, 2012). Available at: http://www.wvi.org/sites/default/files/Child%20Marriage%20in%20Nepal-%20Report.pdf.

Women's lack of control of their lives within many families in Nepal is also seen in the pressure they experience regarding giving birth to sons. This pressure, amounting in some cases to forced reproduction, leads to some women being prevented from using contraception until they have produced a son, and women who have given birth to two or more daughters being put under considerable pressure to become pregnant again quickly in the hope that the child will be male this time. This adds to their risk of maternal mortality and morbidity[64]. NGOs in Nepal report that pressure to continue giving birth to children and failure to give birth to boys is a frequent cause of domestic violence.

In addition to child marriages and reproductive coercion within Nepal, there is a pattern of trafficking for marriages to South Korea and Hong Kong. The 2011 annual report of the Special Rapporteur on Trafficking in Women and Children highlighted that there are about 500-600 Nepali girls and women who went to Korea for the purpose of marriage, 90% of whom were believed to be the victims of trafficking. The report explains that some are not allowed to go outside the household, or phone their family in Nepal, while suffering domestic violence and forced reproduction.[65]

Worst Forms of Child Labour

In international conventions, the category "worst forms of child labour" covers a broad range of practices, including all forms of slavery or similar practices (sale and trafficking of children, debt bondage, forced labour), the use of children in prostitution, pornography or production and trafficking of drugs, and work that by its very nature is likely to harm the health, safety and morals of children.[66] As a broad category, this section examines a range of situations involving children.

Child labour is a widespread problem in Nepal. The *Nepal Child Labour Report 2011* estimated that 1.6 million children aged 5–17 years are in child labour[67] and, of these, 621,000 (8% of all Nepalese children) are engaged in hazardous work: work that is likely to interfere with their health, physical, mental, moral or social development. About 40% of these children in hazardous work are boys and 60% are girls. 55% of working children are below the age of 14.[68] The incidence of child labour in Nepal is high by comparison with other countries in South Asia.

Also, levels of child trafficking (in the sense of moving children from one place to another for the purposes of exploitation), are high. For example, in a study

[64] *A Country Analysis with a Human Face, Common Country Assessment 2011* (United Nations Country Team in Nepal, 2013). Available at http://www.un.org.np/reports/country-analysis-2011.
[65] *Trafficking in Persons especially Women and Children in Nepal National Report* (National Human Rights Commission, 2011). Available at: http://www.nhrcnepal.org/nhrc_new/doc/newsletter/1592866493Report%20of%20Trafficking%20in%20Persons%20(Especially%20on%20Women%20and%20Children)%20National%20Report%202012-2013.pdf.
[66] International Labour Organisation (ILO), *Worst Forms of Child Labour Convention C182* (ILO, 2000). Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182.
[67] The Nepal Child Labour Report uses the ILO guidance on definition of "child labour" to include Worst Forms of Child Labour, employment below the minimum age, and hazardous work.
[68] *Nepal Child Labour Report*, (International Labour Organisation and Central Bureau of Statistics Nepal, 2012). Available at: http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_182988.pdf.

conducted for their National Conference of Trafficking Survivors in 2008, the Nepali NGO Shakti Samuha found that one-third of trafficking victims in their study were aged 12 - 18, and 15% of victims were trafficked under the age of 12 years.[69] Children are especially trafficked to India to work in domestic service, embroidery and clothing industries.

There is also a concern about the functioning of some orphanages and care homes, and cases where children have been taken from poor families on false documents to show to donors at the homes. It is a major challenge for government to regularly inspect around 800 privately-run child care homes across 46 districts, to prevent them being a focus for trafficking and other abuses. In addition there are cases being reported of children being trafficked for forced religious engagement.

Among the one-third of economically active 5 – 14 year olds, 82% work in agriculture and related jobs, and the rest work as domestic servants, porters, rag pickers, carpet factory workers, restaurant workers or in transport work.[70] Many children work long hours: About 15% of working children are working from 29 to 42 hours per week and about 10% of working children work more than 42 hours.[71] In each of these sectors, children face additional specific hazards, for example, carrying heavy loads or facing risks of sexual exploitation. Although child labour as a whole has reduced in the past decade, there has been an increase of children in harmful labour related to the night entertainment industry, street and highway trading (including cross-border portering of smuggled goods), brick making, zari (embroidery), motorbike and bicycle repair.[72] It is important to note that many of these children report that they are working in order to pay the costs of school attendance, indicating their commitment to go to school, and that programmes aiming to withdraw them from work must enable the families to improve their income as well as finding ways to cover school costs.

According to World Education's rapid assessments carried out through sample surveys in 2011, estimated numbers of children in the key sectors of worst forms of child labour are:

Worst Forms of Child Labour	**Number affected**
Domestic work	155,422 – 172,101[73]
Hotels, tea shops and restaurants	141,061[74]
Agriculture (ILO estimate)	Children in 69,738 households[75]

[69] Shakti Samuha, *National Conference of Trafficking Survivors of Nepal: Conference Report*, (Shakti Samuha, 2008). Available at: http://www.gaatw.org/new%20entries%20in%20website/Declaration%20National%20english.pdf.
[70] Central Bureau of Statistics, 2012, drawn from *Nepal Child Labour Report* Based on Data Drawn from the Nepal Labour Force Survey 2008, published 2012.
[71] *Nepal Child Labour Report*, (International Labour Organisation and Central Bureau of Statistics Nepal, 2012). Available at: http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_182988.pdf.
[72] *Eliminating Child Labour in Nepal: Facts, Figures, Commitments and Action*, (ILO, 2010). Available at: http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/projectdocumentation/wcms_182777.pdf/.
[73] *A Rapid Assessment of Children working in the domestic sector,* (National Labour Academy and School of Planning Monitoring Evaluation and Research, World Education & Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13987&lid=3. This includes children in rural areas who may also be in the count for agricultural labour, as they are often doing both.
[74] *A Rapid Assessment of Children working in tea shops and restaurants*, (National Labour Academy and School of Planning Monitoring Evaluation and Research, World Education & Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13984&lid=3.

Brick kilns (mainly 6 months of year)	28,300[76]
Portering (varies during different times of year)	12,828 – 21,380[77]
Commercial Sexual Exploitation	13,000[78]
Mining/stone quarrying	5,965 – in the 16 sample districts[79]
Embroidery (Zari)	7,000 [80]

Table 1: Number of children in different worst forms of child labour

Domestic servitude is one of the most prevalent forms of child slavery. Given the struggle for sufficient food and dearth of opportunities (including poor access to education) in many rural areas, parents send children to live with others as domestic labourers in the hope that this will offer them improved chances. In domestic work, children cook, clean, wash and care for young children and the elderly. In rural areas they also look after animals and do agricultural work. Although some of the patterns are changing, with most children now able to attend school, many of these children are confined to the employer's home and fields, working extremely long hours and vulnerable to physical, emotional and sexual abuse, especially because of their isolation. Although many urban centres (Kathmandu, Pokhara, Biratnagar, Bhaktapur) report a sharp fall in child domestic labour over the past 10 years, Nepalgunj, as a growing urban centre still reports increases. In 2011, World Education's rapid assessment found child domestics working in one in 20 households in Kathmandu. 42.5% were below 14 years and 93% were working intermittently for more than 12 hours per day. Less than one-quarter were paid for their work. Dang, Banke and Bardiya are three major sources of domestic child labour supply and, Banke, Kathmandu, and Dang are the 3 highest incidence "demand districts". [81] It is important to note that according to this study, many children feel that their circumstances with the employer (in terms of food, access to education and accommodation) are better than they would be at home, so efforts to protect children from hazardous work and other abuses need to ensure that social reintegration occurs in a way that truly improves their circumstances and opportunities.

---

[75] *Forced Labour of Adults and Children in the Agricultural Sector of Nepal*, (ILO Country Office for Nepal, 2013) no. 11. Available at: http://www.dol.gov/ilab/reports/pdf/Nepal_FL%20of%20Adults%20&%20Children%20in%20the%20Agriculture%20S.pdf. Data was collected in 2009, and it identified children in 69,738 households who were in bonded labour in agriculture, though it did not give an exact count of the number of children. The survey was on bonded labour of haruwa-charuwa in Eastern districts, and haliya in Far Western hill districts.

[76] *A Rapid Assessment of Children in the brick industry,* (National Labour Academy and School of Planning Monitoring Evaluation and Research, World Education & Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13985&lid=3 . Note that the estimate does not include very young infants who are mostly not actually working at the site (despite being in a hazardous environment).

[77] *A Rapid Assessment of Children working as porters,* (Child Workers in Nepal (CWIN), World Education and Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13988&lid=3.

[78] *Naya Bato Naya Paila Report: Combating Exploitative Child Labor Through Education in Nepal*, (World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13981&lid=3. World Education notes that age is very hard to determine in this sector. This estimate is based on earlier Ministry of Health data for total number of individuals in CSE, with an assumption based on other research findings that 50% are minors.

[79] *A Rapid Assessment of Children in the mining industry*, New Era, World Education and Plan Nepal 2012

[80] Estimate provided by World Education in interview with Walk Free, March 2014. Based on samples of factories visited as part of an Action Research in the Kathmandu Valley.

[81] *Naya Bato Naya Paila Report: Combating Exploitative Child Labor Through Education in Nepal*, (World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13981&lid=3.

In particular, respondents reported that as thousands of families emerged from the Kamaiya system of bonded labour, forced labour for Kamaiya children persisted, as girls were sold into service, usually at the age of 9 – 10, within what is known as the Kamalari system. However, strong efforts organized from within the most affected communities, and led by former child slaves, have led to significant reduction of use of Kamalari labour, though in some areas, the rescued children have been replaced with children from other communities. Rescued Kamalari children have not been given sufficient assistance for education and vocational training.

Children in families in bonded labour often have to work alongside their families and are more vulnerable to trafficking. The 2013 ILO report on bonded labour indicated that two-thirds of the working children in haruwa-charuwa households did not receive enough food every day, either in their own homes or in employers' houses. Three-quarters of these children did not go to school. Even those children who did manage to go to school faced severe discrimination: In Rautahat and Bara Districts it was reported that a Dalit child still cannot sit next to non-Dalit children.[82]

Likewise children in families working in **brick kilns**, as well as older adolescents working alone at brick kilns, are especially at risk, working very long hours without rest days, carrying heavy loads of bricks and breathing large amounts of dust. Due to seasonal migration to the kilns, these children also miss out on education, often ending up dropping out of school. About half of the number of child labourers in brick kilns are in the Kathmandu Valley and 50% are under 14 years.[83]

Children in forced labour in the **embroidery** industry face risks to their physical development through working long hours bent over, as well as facing risks to their eyesight. The industry has been growing in recent years and in response to rescue efforts, workshops have been shifting back into less vigilant home districts of the children. A 2011 survey of 100 zari factories in 3 districts of Kathmandu valley found 727 boys working, 70% under 14 years and 15% from India. The survey found the most disturbing and severe forms of exploitation, including many cases of malnourishment and torture, alongside generally long working hours (14 – 16 hours per day) and sleeping in the same squalid rooms where they work[84]

Large numbers of children work in **tea shops, restaurants and hotels**, often facing long hours of work unsuitable for children, in cramped and dangerous workplaces. The 2012 Rapid Assessment by the National Labour Academy found that approximately one-quarter of tea shops used child labourers. One-third of children in their study were under 14, and they were mostly doing dishwashing. It found that 80% worked more than 12 hours per day.[85]

Also, although long-distance child **portering** has reduced considerably due to construction of rural roads, children are involved in carrying goods from local markets and road sides to their remote home communities, often making multiple

---

[82] *Forced Labour of Adults and Children in the Agriculture sector of Nepal,* ILO Country Office for Nepal, Series no. 11 2013.
[83] *Naya Bato Naya Paila Report: Combating Exploitative Child Labor Through Education in Nepal*, (World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13981&lid=3.
[84] *Child Labour in the Zari Industry,* Child Development Society and World Education, 2013. Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13991&lid=3.
[85] *A Rapid Assessment of children working in tea shops and restaurants*, (National Labour Academy and School of Planning Monitoring Evaluation and Research, World Education & Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13984&lid=3.

trips within one day. The loads they carry are not appropriate for their age and size, resulting in long-term damage to health.[86] The rapid assessment carried out in 2011 found that 74% of child porters said they had health problems while at work, including back and neck pain and pain in joints and knees. 32% consume local beer and spirits, 17% smoke cigarettes or chew tobacco.[87]

The needs of **young people who were demobilized** from insurgent groups after the peace agreement have also not been sufficiently addressed. There was a National Plan and a Children Affected by Armed Conflict policy, but not enough has happened to implement these plans. Many of these young adults have serious difficulties in sustaining their lives and are deeply frustrated, since they missed out on education, do not have vocational skills, and are not properly integrated in their communities. Currently there are no effective follow up systems for tracking and supporting these young people.

Children's exploitation in the sex industry has been mentioned above.

Organisations participating in the research identified the districts shown on the map below as those most severely affected by Worst Forms of Child Labour:

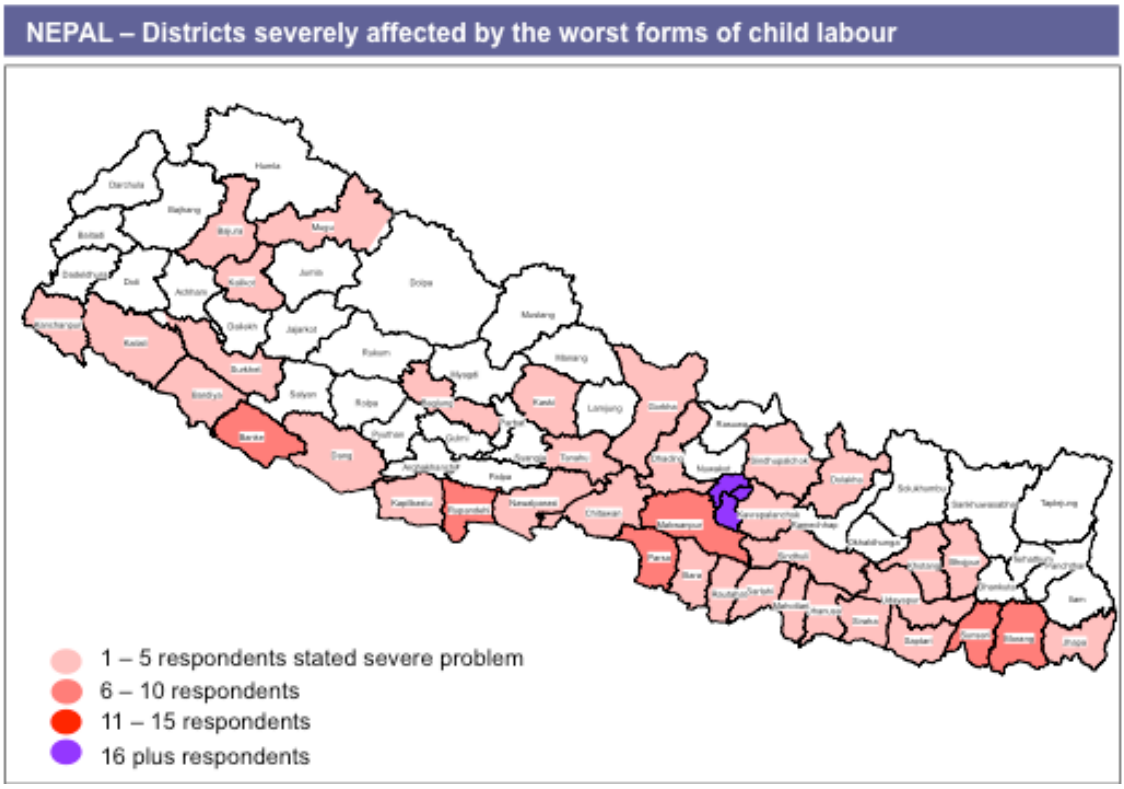


Fig. 5: Districts severely affected by worst forms of child labour

[86] *Naya Bato Naya Paila Report: Combating Exploitative Child Labor Through Education in Nepal*, (World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13981&lid=3.

[87] *A Rapid Assessment of Children working as porters,* (Child Workers in Nepal (CWIN), World Education and Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13988&lid=3.

Industries implicated in modern slavery

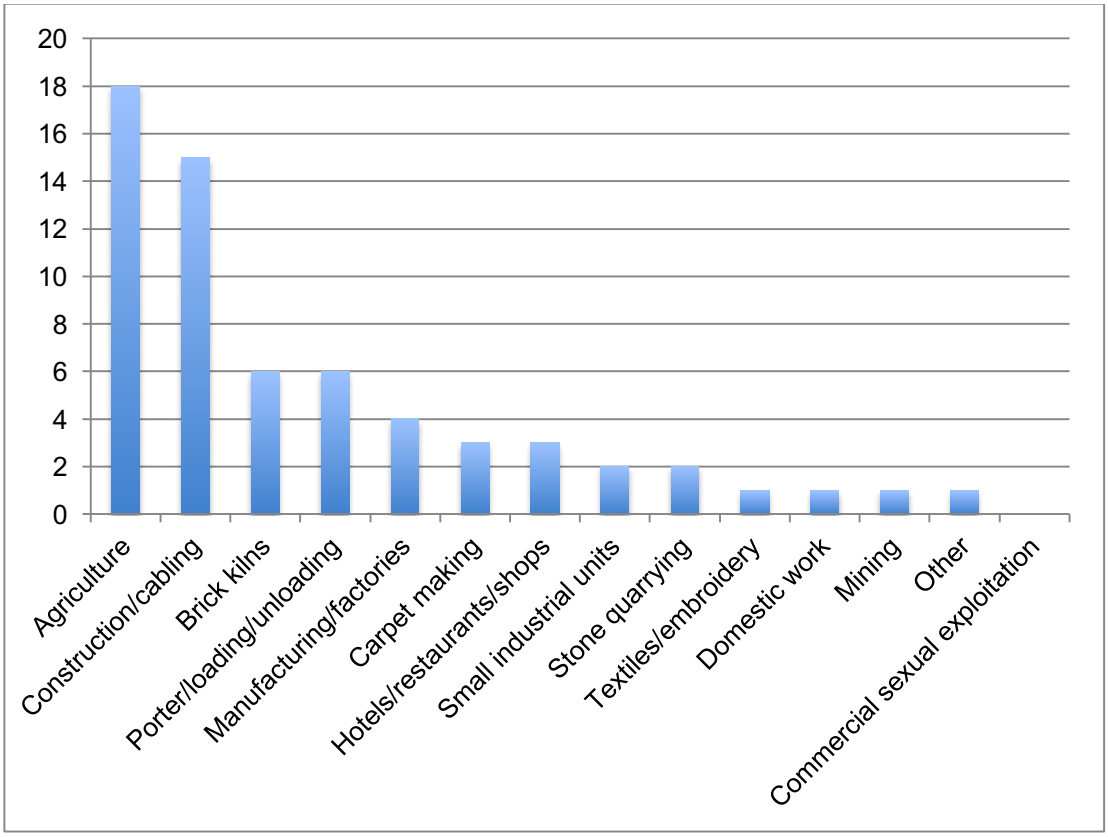
Key industries affected by modern slavery are especially: agriculture, domestic work, brick kilns, tea shops, hotels and restaurants, and the commercial sex industry. .

Figures 6 to 8 show the frequency of industries mentioned by respondent organisations as most affected by modern slavery of men, women and children across the whole country. 29 organisations provided information in response to this question.

Gender disaggregation

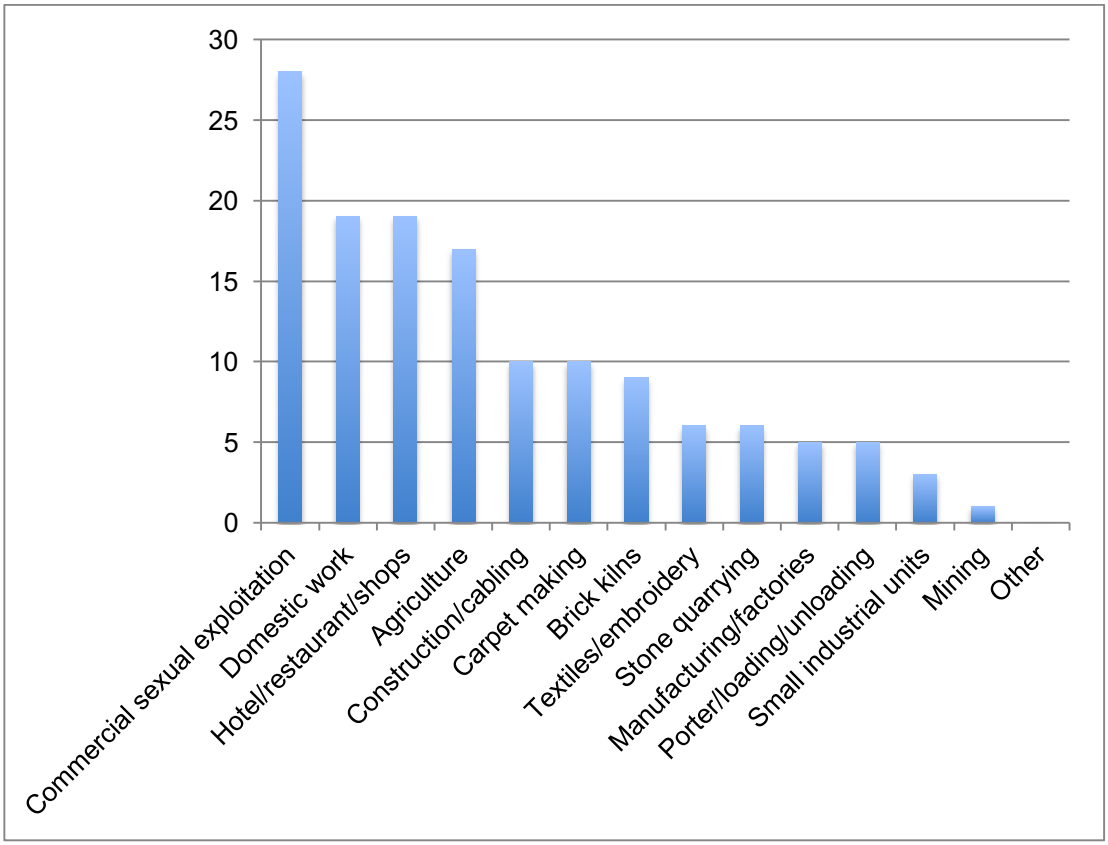
According to respondent interviews, men in modern slavery are most likely to be found in agriculture and construction.

*Figure 6: Respondent organisation views: Industries most affected by slavery **of men** across the whole of Nepal*



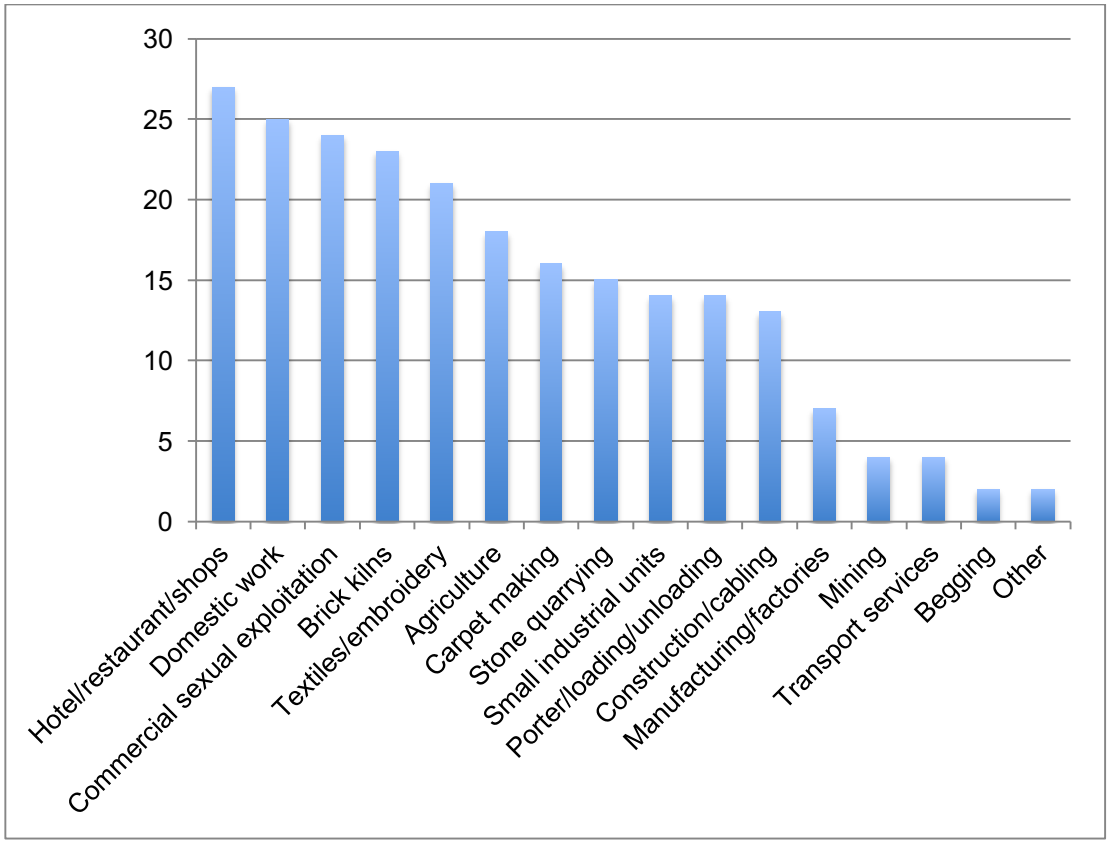
The sectors or industries where respondents perceive women are exploited include commercial sexual exploitation, domestic work and work in hotels, restaurants and shops, as well as agriculture.

*Figure 7: Respondent organisation views: Industries most affected by slavery **of women** across the whole of Nepal*



Slavery of children
Hotels, restaurants and shops, domestic work, commercial sexual exploitation and brick kilns were the most frequently cited industries perceived to be highly affected by slavery of children.

*Figure 8: Respondent organisation views: Industries most affected by slavery **of children** across the whole of Nepal*



Source areas for trafficking

The research also asked respondents to identify recruitment (source) areas for trafficking. The organisations identified the most severely affected districts for the trafficking of men as follows:

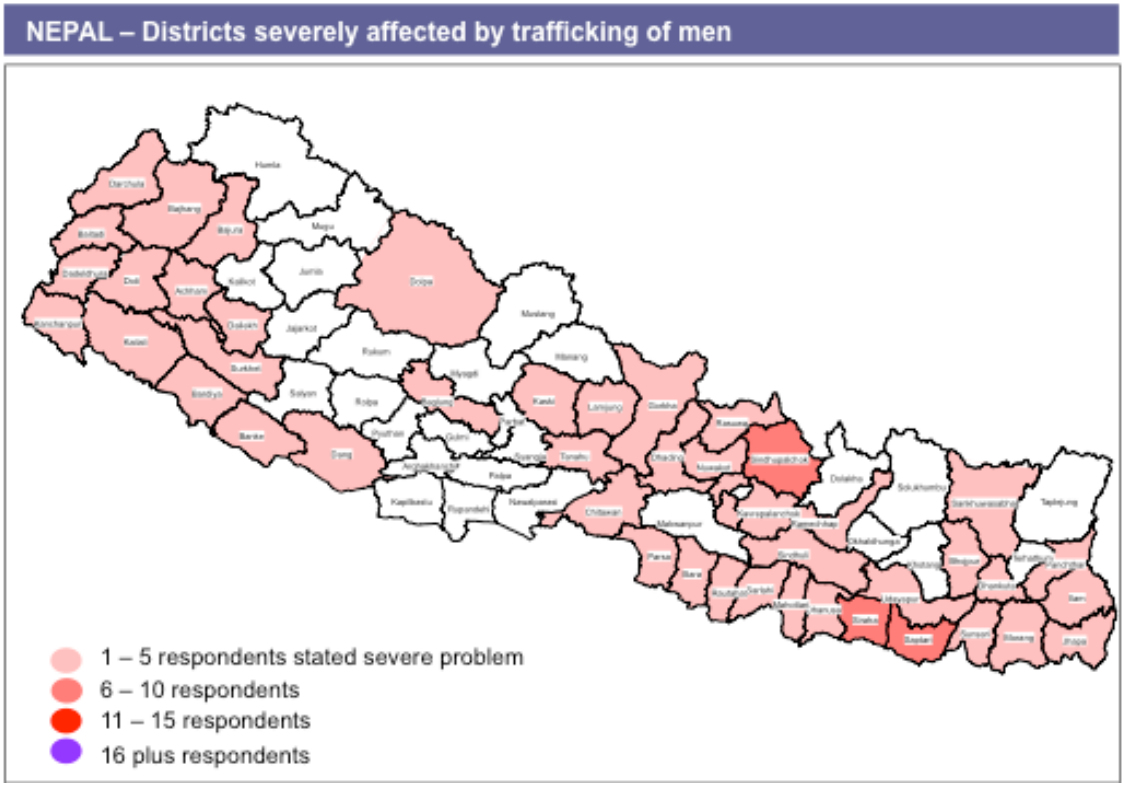


Fig. 9: Districts severely affected by trafficking of men

For trafficking of women, they identified the districts shown in the map below as those most severely affected:

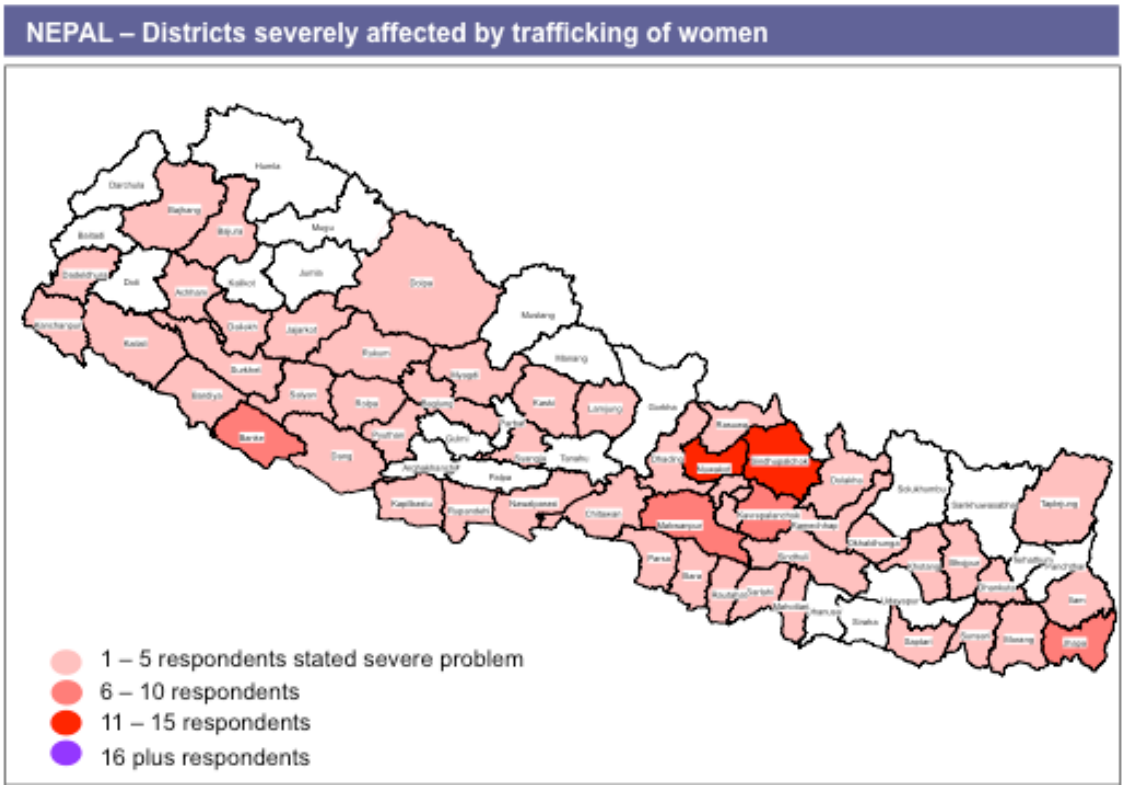


Fig. 10: Districts severely affected by trafficking of women

For the trafficking of children, they identified the districts shown below on map as those most severely affected:

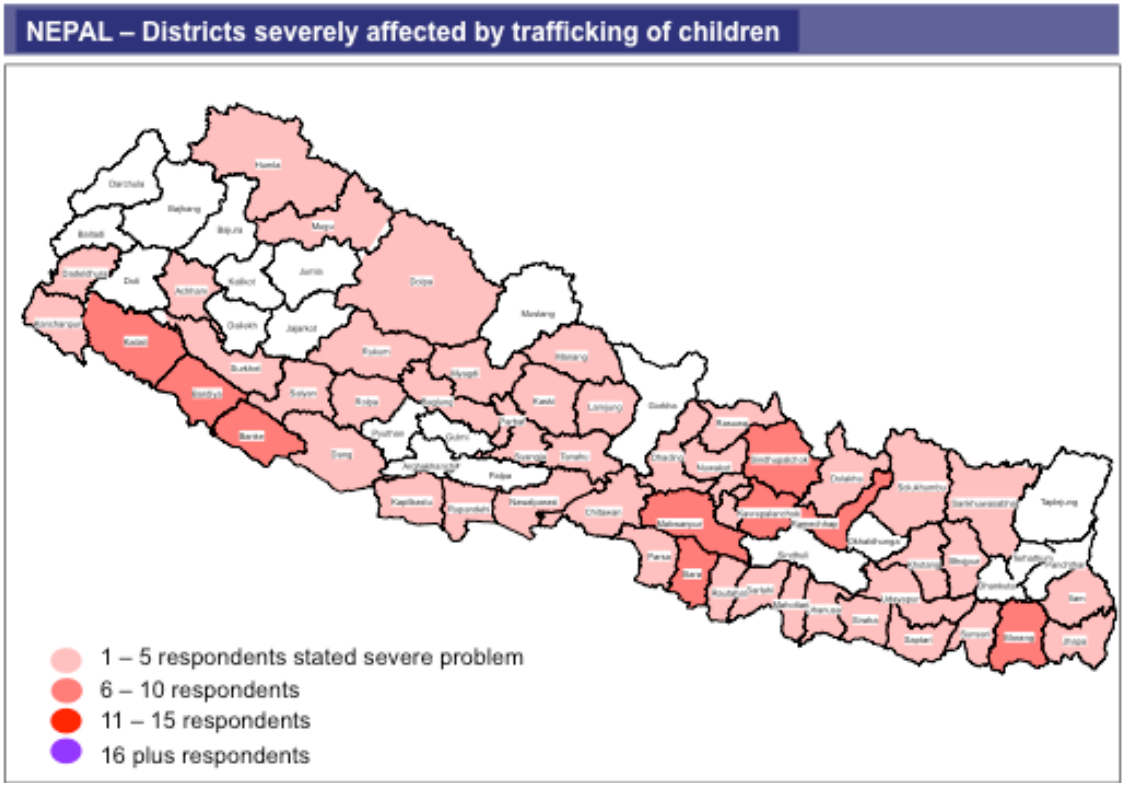


Fig. 11: Districts severely affected by trafficking of children

Section 3
Government Responses



Photo: Geneva Global/Jenna Mulhall-Brereton

National legal response

This section is divided into three sections: the first is on international laws and conventions to which Nepal is a signatory, the second section is on the constitution of Nepal and its federal laws, and the third section is on National Plans of Action.

Until 2014, progress in addressing all forms of modern slavery in Nepal has been hampered by instability in government and the inability to approve the new constitution. This has left most of the focus of political leadership on issues of the control of power and the extent to which power should be devolved within the country. From May 2012 to December 2013, there was no functioning parliamentary body. Nevertheless, a range of social and economic development programmes, such as improving schools, agricultural production and addressing poverty, that were initiated in partnership with the Nepal government by multilateral funding agencies such as World Bank, donor government agencies and UN bodies have been able to proceed. Funding from these agencies has sustained hundreds of locally-based NGOs who take up implementation of these programmes. Also, in many areas of the country, district government structures have continued to develop and function despite political conflict at the centre and lack of local elections.

International Laws and Conventions

The Government of Nepal has ratified a number of key UN and ILO Conventions that obligate state parties to eliminate and suppress slavery, forced/bonded and child labour, and forced marriage (see appendix 1). One important exception is the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, which Nepal has not signed or ratified. Under this Protocol, the signatory country is bound to prevent trafficking in persons, prosecute perpetrators and protect the human rights of victims. Government ministries have been progressing towards arranging this signing and ratification.

Similarly, Nepal has not yet ratified ILO Convention 189 – Domestic Work Convention, which would ensure greater rights for domestic workers and could have a protective effect for child domestic workers. It has not yet ratified the UN Convention on Rights of Migrant Workers and their Families, which would be highly relevant for Nepal .

Nepal's mechanisms for pursuing international trafficking cases are inadequate. In particular, it does not have an adequate mechanism in place with India for bilateral law enforcement or extradition. There are not written procedures or timeframes for repatriation of trafficking victims or for assisting with verifying documentation for victims between India and Nepal.

National Laws

Nepal's relevant national laws are also listed in appendix 1.

Constitution: The new Constitution published in September 2015 has not been fully analysed for this report. The Constitution states that "every person has the right against exploitation" and that "no person shall be subjected to human trafficking or bonded labor, and such an act shall be punishable by law. No person shall be

subjected to forced labor". An important measure in the Constitution is the statement that victims of such acts have a right to compensation from the perpetrator. The various social and economic rights included in the Constitution may also contribute to addressing the root causes of vulnerability to slavery and helping with reintegration of individuals coming out of modern slavery. The President is required to provide annual reports on progress in implementing the directive principles of the Constitution.

General Code: Within its General Code (*Muluki Ain*) in force since 1963, Nepal established the crime of trafficking in persons. In addition to human trafficking, the Muluki Ain criminalizes making another person into a slave, or bonded laborer.

Human Trafficking Act: With regard to Nepal's specific laws relating to modern slavery, the 2007 Human Trafficking and Transportation (Control) Act (HTTCA) and the 2008 Regulation are used to prosecute cases. The HTTCA criminalizes slavery, bonded labor, and the buying and selling of a person, however, it also criminalizes prostitution (including individuals who buy or sell sex). Although technically the Act includes both labour and sex trafficking, its emphasis is on sex trafficking. It has many gaps, including inadequate provisions to require effective compensation and not properly addressing repatriation and assistance to foreign nationals trafficked into Nepal.

The Act prescribes penalties ranging from 10 to 20 years' imprisonment. The Nepal National Human Rights Commission noted that in 2011 there were 118 cases of trafficking recorded by Nepal police: of these, 4 were trafficking within Nepal and 114 were cross-border trafficking. All the cases were related to sexual exploitation and none of the cases was reported as trafficking for marriage, labour exploitation or for removal of organs.[88] This reflects the typical restricted use of the Act only to prosecute international sex trafficking. The US government's Trafficking in Persons Report for 2013 reported that according to Nepal's Attorney General, at least 189 trafficking offenders were convicted under the HTTCA during the past year. In one case, a district court sentenced a sex trafficking offender to 170 years in jail, the longest sentence recorded in Nepal's history, and levied a substantial fine.[89]

HTTCA requires establishment of shelters for recovery of victims, as well as arrangements for family reconciliation. It states that a fund should be established for assisting victims, and it requires that victims right to confidentiality should be respected.

Foreign Employment Act: Nepal also passed the Foreign Employment Act (FEA) in 2007. The FEA outlines the necessary steps that foreign-based entities must take to obtain a license to employ Nepali workers and it regulates the activities of labour brokers. Recruitment agencies must provide migrant workers with a written copy of their contract in Nepali in advance of travel and must not charge migrants more than the government-imposed upper limit on service charges and promotional costs. It prohibits the falsifying or changing of these contracts. However, many agencies do not comply with any of these requirements.

The Act created a Foreign Employment Tribunal based in Kathmandu to deal with cases of fraud and exploitation. However, because it does not have branch offices outside of Kathmandu, it is difficult for victims outside of the capital to file cases.

[88] Office of National Rapporteur on Trafficking in Women and Children, *National Human Rights Commission – Nepal* (website). Available at: http://www.nhrcnepal.org/nhrc_contact.html.
[89] *Government of Nepal v Bajir Singh Tamang* (2012) Sindhupalchowk District Court.

Also, the Foreign Employment Act does not treat these cases as falling within the scope of police crime investigations, which tends to diminish the awareness of the criminality of the violations as well as the capacity to respond.

A recent Department of Foreign Employment drive called "Operation De Pogo" against fraudulent practices led to more than 200 manpower agencies being suspended and fined up to USD 2,000. Offences included overcharging migrants, establishing illegal branches, taking passports without permission, and making false promises about pay and conditions. Since August 2013, the government has also arrested 26 government officers for migration-related corruption.[90]

See notes below on additional government activities to protect migrant labourers.

Bonded Labour Act: Bonded labor is prohibited through the Bonded Labor (Prohibition) Act (2001). This prohibits labour provided by a person to a creditor without any wages or at low rates of wages to repay loans. This covers all types of bonded labour in the country, but it has mainly been considered in relation to Kamaiya bonded labour. All persons working as bonded labourers at the time of the commencement of the Act are freed from that labour and loans do not have to be repaid. The Act requires establishment of Freed Bonded Labourer Rehabilitation and Monitoring Committees in certain districts and sets out their functions, especially to pro-actively identify and arrange liberation and rehabilitation of bonded labourers. In addition, Welfare Officers are to assist freed bonded labourers. However, these Committees are not currently operating. The Act states that the government has the power to fix minimum wages for agricultural labourers. The Act prescribed penalties for offenders and established fines for anyone in violation of the law, ranging from between NRs. 15,000 (USD 150) to NRs. 25,000 (USD 250), alongside fines for any failure to return mortgaged property. Despite continued bonded labour of thousands of haruwa-charuwa households, no prosecutions have taken place.

In addition, although Haliya bonded labourers were technically already included in the 2002 Act, in 2008, Nepal declared Haliya bondage to be outlawed and all Haliya loans annulled.

Child Labour laws: A number of laws contain important provisions for protecting children from harmful forms of child labour. In particular, the Child Labour (Prohibition and Regulation) Act 2000 prohibits any employment of children under 14 and defines a child as a person below 16 years. It says that children aged 14 – 16 may not undertake more than 36 hours of work per week and prohibits the use of children under 16 in hazardous work, defining certain sectors such as agriculture as hazardous. However, the minimum age specified for hazardous work does not protect 16 and 17 year olds. Also, the Act does not clearly enable the authorities to reach and protect children enslaved in domestic work, in agriculture and many other informal sector jobs. It specifies that no child may be engaged in work against their will or through threats or fraud, with a penalty of imprisonment for up to one year, or fine of up to NRs.50,000 (USD 500). However, to the extent that the Act is used at all, it is generally implemented by Labour Officers who are only authorized to impose small fines and take some compensation from employers. For example, in

[90] Pete Pattisson, "Nepal's crackdown on migrant worker exploitation: more no go than pogo?" (*The Guardian*, May 2014). Available at: http://www.theguardian.com/global-development/2014/may/01/nepal-clampdown-migrant-worker-exploitation-operation-de-pogo

2012, prosecutions took place of 34 zari factory owners, but even when these owners were caught with large numbers of children on their premises, they were only required to pay a fine of approximately USD 105[91], implying that the state does not regard this as a serious crime. Use of the Act is regarded as a civil rather than criminal case, and Labour Officers are generally not clear about whether the Act authorizes them to inspect smaller, unregistered workplaces (which is normally where child labour is found). Improvement of the Act and additional training of Labour officials and NGOs is needed. Guidance is in preparation to be issued to Labour Officers.

Laws related to Marriage: The legal age of marriage in Nepal is 20 for both males and females, or 18 if the families consent. However, as noted above, high numbers of child marriages take place under the age of 18 and prosecutions do not occur. The *Muluki Ain* (General Code) criminalizes arranging or causing a forced or child marriage but is not enforced.

There are various laws drafted to improve criminal procedures and witness protections but work has not been completed due to the transitional government situation until 2014.

Supreme Court Directives on the entertainment sector: In 2008, the Supreme Court issued directives to the Ministry of Home Affairs to register establishments in the entertainments sector and enforce a code of conduct to protect the workers. This requires minimum salary, employee ID cards, and limits on working hours. In 2009, these businesses were required to register with the District Administration Offices, and the District offices were then required to supervise businesses' compliance with the code of conduct. This work was put under the responsibility of district-level Monitoring Action Committees. However, in the key districts of Nepal that are most heavily affected by exploitation of women and girls, there has been significant variation in whether these Committees were functioning. For example, Kathmandu district has only in 2014 advertised in the newspaper to inform establishments that they must register their businesses, and Kathmandu officials say they will be working with an INGO and local NGOs to prepare inspections of sites.

Law enforcement, prosecutions and court proceedings

A Nepal Police Women and Children's Service Centre has been established in each of the country's 75 districts to facilitate receipt of cases affecting women and children. In 2010, the government also established a special unit to investigate human trafficking within the Central Crime Investigative Bureau. Its functioning is not very well-known to agencies around the country, and trafficking cases are tending to be investigated through local Women and Childen Service Centres.

Victim identification and use of anti-trafficking laws have not been very effective in most district jurisdictions. According to the 2011 report of the Special Rapporteur on trafficking in Nepal, only 1/3 of trafficking cases brought to the police were registered. The report highlighted the reluctance of victims to report such crimes, for multiple reasons, mostly focusing on lack of confidence in the legal system to protect them or to deliver justice or to enable them to receive compensation.

[91] *Child Labour in the Zari Industry,* (Child Development Society and World Education, 2013). Available at: http://www.worlded.org/WEIInternet/inc/common/_download_pub.cfm?id=13991&lid=3.

Legal Training: Through the National Judicial Academy (NJA) (a statutory research and training body) the Government has provided training to criminal justice actors and prepared various guides for effective prosecution. In 2011, it published an Operational Guideline for Prosecution, and Court Proceeding of Human Trafficking Cases and Procedural Guidelines on Maintaining Privacy. The government has also conducted trainings for justice-related officials. Various trainings have been held for police in investigation of trafficking cases.

It should be noted that despite courts ordering compensation in some cases, no single victim has so far received compensation due to complicated and slow processes of extracting the fines from perpetrators and passing them to victims. The Ministry of Women, Children and Social Welfare is working to improve the administrative mechanisms for provision of compensation.

Overall, key challenges include:

- Some laws have overlapping provisions and there is some confusion over who should be implementing the measures.
- There is a lack of practical accountability mechanisms for police actions on the relevant crimes and police often do not have a victim-friendly approach.
- The legal framework relies on victims' willingness to continue with their cases, so if victims withdraw, the case collapses.
- Poor investigation techniques.
- Lack of a centralized police database system for collating data on all related crimes.
- Officials attempting to carry out enforcement are often faced with bribery or threats, as well as with interference by political party leaders.
- In the absence of any likely compensation, and facing seemingly interminable legal proceedings, even those victims who do begin legal proceedings then consistently settle with the perpetrators informally.

National Plans of Action and other government responses to modern slavery

The Nepal National 10 year Plan of Action against Trafficking in Persons 2011 was adopted in 2012 after extensive national consultation in all five development regions. It is much more comprehensive than the earlier NPA, especially through including trafficking within Nepal, and labour as well as sex trafficking.

The NPA includes detailed activities that have been used as the basis for many of the recommendations later in this report. The NPA listed activities include:

- Social mobilisation and economic development to prevent trafficking;
- Inspections and monitoring of the night entertainment sector;
- Public outreach and education about trafficking;
- Local safer migration desks;
- Rescue and repatriation of victims;
- Signing of international repatriation agreements;
- Setting and monitoring standards in shelter homes;
- Providing security, health support and right to identity of survivors;
- Family reintegration and support;
- Guidance on improving prosecutions, including reducing corruption and monitoring performance of the justice system;

- Increasing skills, resources and access to expertise of relevant government offices (including embassy staff), official watchdog bodies and civil society agencies;
- Strengthening coordination mechanisms between all those active against trafficking, as well as with other governments and cross-border agencies;
- That Nepal ratify the UN Trafficking Protocol.

To oversee its implementation, the inter-ministerial National Committee for Controlling Human Trafficking (NCCHT) is meeting regularly, including participation from selected civil society groups and trafficking survivors, and has now created three working groups, focused on issues of protection, prosecution and prevention. It has organized training for officials, as well as monitoring district level implementation and developing national statistics relating to human trafficking. Importantly, it has also worked with the relevant ministries to prepare an implementation plan for the National Plan of Action. As of 2014, the NCCHT only has 4 staff.

At local level, despite some district governments holding workshops focused on the National Plan of Action, the majority of District Committees for Controlling Human Trafficking are not yet functioning very effectively. In the previous year, the central budget for support for these DCCHTs was only approximately USD 37,500 (approximately averaging USD 500 per district). Some Village level Committees for Controlling Human Trafficking have been formed.

In addition to being responsible for implementation of the NPA, the Ministry of Women, Children and Social Welfare (MoWCSW) has created safe homes for women suffering gender based violence as well as 84 Women's Community Service Centres. It has also supported 8 rehabilitation centres for victims of trafficking and has created a hotline for reporting violence against women.

The government has endorsed National Minimum Standards for Victim Care and Protection (from rescue through to reintegration) and Standard Operating Procedures for rehabilitation centres, and the NCCHT has begun visiting the 8 shelters that are partially supported by the Ministry of Women, Children and Social Welfare, in order to compare their performance with the SOP. In 2012, the government also adopted Psychosocial Counseling Guidelines. One critical need is to strengthen, build the capacity, and upgrade the resources available to the MoWCSW for this work.

In addition, the government has introduced a human trafficking chapter on "trafficking and forced sex work" into the Social Study textbook for Grade 10 in the schools, and intends to introduce chapters on similar topics for Grade 7 and 8. The Ministry of Law has also conducted a legal awareness programme (including trafficking) with 50 Village Development Committees, and is planning to extend this to all VDCs.

Nepal has a Special Rapporteur for Human Trafficking, which is an independent position, created under an MOU between the National Human Rights Committee (also an independent but constitutionally recognised body) and the Ministry of Women, Children and Social Welfare. The role of this office is to monitor trafficking; coordinate efforts against trafficking; publish annual reports; and strengthen national commitment to improve the human rights of trafficking victims in the country. However, due to very limited resources, the Special Rapporteur is confined within the role s/he can play. As of May 2014, the position was not filled.

The following sections outline government actions and programmes in relation to the main types of modern slavery (in addition to the law enforcement roles described above):

Relevant Government programs

Bonded Labour
Following the Bonded Labour Prohibition (Regulation) Act, the government issued identification to many kamaiya families in the west of Nepal, and with support from ILO provided small amounts of land for resettlement as well as job training. Although much of this support came some time after they left the kamaiya system and not all households were identified and reached, the packages of assistance were a significant source of assistance to households that were otherwise destitute. When the government abolished the haliya system, there were also agreements for initiating their rehabilitation, but progress with haliya rehabilitation has been slow. Due to limited access to rehabilitation support, haliya organisations say that lack of employment, proper shelter and alternative livelihood opportunities are compelling many haliyas to consider going back to work as bonded labourers. A high-level task force, the Haliya Rehabilitation and Monitoring Task Force, has been established to facilitate the implementation of various policies and programmes. Haruwa and charuwa bonded labourers in the central and eastern parts of Nepal have not been assisted by these rehabilitation measures, although there was an ILO programme to work against child labour in these households.

An important government initiative that could benefit bonded labourers is the *Janata Awas* (People's Home) programme, through which the government has begun providing basic brick and tin roof housing (costing approximately USD 1,600 per home) for dalit and Muslim households. Insecurity of shelter is one reason bonded labourers find it hard to assert independence from slaveholders.

Forced labour of Nepali migrant workers
The Government adopted a Foreign Employment Policy in 2012 to increase access of Nepali workers to the global labor market by increasing their skills, and knowledge, and seeking to create appropriate mechanisms for managing foreign labour migration. The Department of Foreign Employment continues to work to improve compliance of labour recruitment agencies and brokers, for example through registering over 767 recruitment brokers, and providing training to over half of these. However this is not reaching the estimated 30,000 local brokers operating in Nepal. Also, although many recruitment agencies have had their licenses cancelled, one of the challenges is that such agencies may have multiple registrations and therefore de-registered agencies may be able to continue their operations. So far there are no known cases of criminal prosecution of recruitment agencies for facilitating human trafficking.

The government has set up Migrant Resource Centres in Kathmandu and other districts to provide information to potential migrants. It has recognised the need to get accurate information through to migrant workers at local level, though facilities have not yet been created in many places to do this. It has also created a Labour Desk at the main international airport to assist migrants.

As part of registering for foreign employment, migrants must undertake two days of pre-departure orientation. However, these orientation programmes have been

widely criticized for not being properly delivered, leaving migrants in ignorance about destination countries, their rights as workers and how to access help when in difficulties. Also because most women going for foreign employment do not obtain formal visas, they do not benefit from this training.

In response to cases of slavery and exploitation of Nepali migrant workers, safe houses have been created at Nepalese embassies in six of the main destination countries and Nepal continues to fund its embassies to assist in repatriating trafficking victims. Nepal has bilateral agreements or MOUs in place with 8 destination countries, and has posted labour attachés in each of those countries.

A Foreign Employment Promotion Board and a Foreign Employment Tribunal have been created to oversee the welfare and protection of migrants and to provide access to justice. Using insurance funds that all officially registered migrant labourers are required to pay, the government is mandated to give financial assistance to workers returning with disabilities or injuries or to families of workers who die overseas. So far up to the middle of 2014, it has provided assistance to 802 families of workers who died overseas, and to 414 families to bring the bodies of their family members back to Nepal. It has assisted 91 workers injured overseas and has supported 36 workers to return to Nepal. Much of the fund remains unspent, with a surplus in 2014 of more than USD 14 million,[92] a huge amount by comparison with funds spent through government departments. It can be difficult for injured or disabled returnees to access financial assistance because they must show documentation of their work overseas, and many of those who are most in need of support have had their papers confiscated.

Other Relevant Action Plans

In addition to the NPA against Trafficking, Nepal also has a 2010 National Action Plan against Gender Based Violence, and international funding has supported a wide range of activities alongside the government on GBV, an issue that is closely related to trafficking of women and girls.

Nepal has a National Steering Committee and a high level inter-ministerial committee that coordinates child labour eradication initiatives, headed by the Ministry of Labour and Employment, though it does not seem to be meeting regularly. The Government also has a National Master Plan on Child Labour seeking to eliminate all forms of child labour, through addressing its root causes, especially those linked with poverty. The latest version of this Master Plan has not been finally approved and published as of 2014. The main agency responsible for coordinating action under the plan is the Ministry of Labour and Employment, which has created a Child Labour Elimination Section to undertake this work. The government approves and promotes the functioning of the child helpline phone number 1098 and toll free number 104.

Although the Department of Labour has a labour inspectorate tasked with handling all labour code violations, officials reported that with only 10 field offices, it is not sufficient to monitor and respond to child labour. The Department has approximately 144 staff, with 101 in the field offices, with multiple labour regulation responsibilities and each covering a wide area. According to the US Department of Labor 2012 Findings on the Worst Forms of Child Labor, inspectors do not have

[92] Pete Pattisson, “Nepal's crackdown on migrant worker exploitation: more no go than pogo?” (*The Guardian*, May 2014). Available at: http://www.theguardian.com/global-development/2014/may/01/nepal-clampdown-migrant-worker-exploitation-operation-de-pogo

sufficient guidance on how to effectively address child labor, and they do not maintain records on labor inspections conducted, so it is not clear what proportion of child labor violations were found or punished through the labour inspections process.[93] The Ministry of Labour and Employment is currently formulating guidelines for Labour Officers to assist them in dealing with cases of child labour.

The Central Child Welfare Board (CCWB) (under the Ministry of Women, Children and Social Welfare) also has important responsibilities. At local level, District Child Welfare Boards (DCWB) are responsible for rehabilitation and assistance to children who have been removed from child labour. The CCWB has produced a training manual and case management system for assisting these children and provided training to Child Rights Officers in each District. The Government does not yet collect full data on cases reported. Officials are also concerned that there is not a well-established referral system for children removed from labour to be assisted in relation to the wide-ranging needs that they present.

While there is little if any government action in relation to forced marriage generally, many of the District Child Welfare Boards (DCWB) are connected with local initiatives to reduce child marriage, especially through awareness raising linked with Child Clubs, which are present in many of the villages. 60% of the country's 18,000 Child Clubs are linked with DCWBs.

At the Village Development Committee (VDC) level, 1,051 VDCs (1/4 of the country's VDCs) have formed Village Child Protection Committees (VCPC). Some of these are receiving training through support by an international organisation.

The Ministry of Federal Affairs and Local Development (MoFALD) has launched a local governance and community development programme, which includes a component of child-friendly local governance and poverty reduction actions. In future, this can be aligned with actions to reduce child labor, reintegrate former child slaves and reduce children's vulnerability to modern slavery.

A number of district authorities have given support to families whose children are at risk of trafficking or child labour, though centralized information about this is not available. The Department of Labour and Employment has supported several local initiatives to address the risks of child labour (such as 4 non-formal education centres in Kathmandu), but the scale of these initiatives is quite small.

An important part of the government's strategy at national and district level is to try to reduce the number of out of school children (currently at around 1.1 million children, with government estimating 600 million who have never been to school). Currently the focus is on identifying these children, mapping their locations and working with schools and district authorities to get them enrolled. For example, mapping was carried out in 14 districts with support from UNICEF and US Department of Labor, leading to identification of 150,000 children. The government is also working with international agencies to improve and expand the country's school system. The Education Guarantee Scheme with a current budget of USD 1.2 million identifies out of school children, including child labourers and channels support through VDCs to ensure they are enrolled in school. The Government also implements a cash transfer programme and school feeding programme in several districts to assist out of school children to attend school (funded by the World Bank).

[93] *2014 Findings on the Worst Forms of Child Labor: Nepal* (United States Department of Labor, 2014). Available at: http://www.dol.gov/ilab/reports/child-labor/nepal.htm.

In 2013, the government committed to provide support to assist children coming out of *Kamalari* child domestic servitude. These are children (mostly girls) of former *Kamaiya* bonded labourer families who were then taken into domestic servitude due to poverty. Their treatment in slavery came to national attention due to large demonstrations by *Kamalaris* (who were then attacked by a police charge outside the Prime Minister's office) following the death of a child slave that required proper investigation. Civil society groups and the *Kamalari* movement formed a committee that pressured the government, finally leading to talks, at which the government declared all the *Kamalaris* to be freed, and committed to provide scholarships and rehabilitation for them.

Internationally, Nepal is closely involved with the South Asia Initiative to End Violence against Children (SAIEVAC) which is a SAARC related body which enables the exchange of good practices in programmes and policies on child trafficking, child marriage, child labour, CSE, and corporal punishment.

In relation to preventing all forms of modern slavery, the government's support for a Self Employment Programme for youth and small scale entrepreneurs is relevant. This provides loans to those aged 18 – 50, especially youth, women, dalits and other underprivileged groups. Up to January 2013, this had provided approximately USD 6 million in loans, reaching 4,500 individuals.

In addition, the national Women Development Programme operates 1,400 cooperatives with 700,000 women members, focused on savings and credit and skill development. These groups also take up issues of gender based violence and trafficking at local level. Women and Development Offices in the 75 districts also raise awareness on relevant issues through women's groups linked with their offices.

Government expenditure on countering modern slavery

Expenditures listed below are examples of Nepal government spending on programmes directly relevant to modern slavery. So far, expenditure has been very low, compared to the scale and severity of the problem. Some of these funds are provided from INGOs and bilateral programmes, channeled through government departments.

Name of organisation/funding	2012 budget on modern slavery (Approx. amounts in USD)	Form of modern slavery
Department of Labour, including the Labour Inspectorate (not including salaries)	USD 235,300	One of the responsibilities of Labour Offices is to inspect workplaces for labour violations including child labour.
Education Guarantee Scheme	USD 1,200,000	Funds provided for books, school costs, uniform for disadvantaged children, to help ensure school attendance. This benefits (but is not restricted to) child labourers who are being integrated in schools.
Funds for District Committee for Controlling Human Trafficking (total for all districts)	USD 37,500	For activities of DCCHT against all forms of trafficking.

Name of organisation/funding	2012 budget on modern slavery (Approx. amounts in USD)	Form of modern slavery
Rehabilitation Fund (allocated amount 2012/13)	USD 90,800	All forms of trafficking. This is mostly spent on shelters that served approximately 1,400 residents in 2013
Nepali embassies/consulates in India, UAE, Saudi Arabia, Qatar, Malaysia, Kuwait	USD 93,000	Funds to help with shelter and repatriation of migrant labourers in difficulties. Relevant for those in forced labour, CSE
Child Labor and Rehabilitation Fund	USD 117,650	Fund available to assist child labourers (Currently it is mostly used for NFE centres in Kathmandu)
Central Child Welfare Board – for training and other support to District Child Welfare Boards and all other Board activities.	USD 716,000	Helps with their work to assist child labourers (though the budget covers many other activities as well)
Financial assistance fund for migrant workers	Current surplus of funds available: Approx. USD14,000,000	Payments to migrant workers and families when migrants are exploited, disabled or die while employed overseas.

Table 2: Examples of Nepal government expenditure on countering forms of modern slavery.

Section 4
Organisational Analysis



Photo: Geneva Global/Jenna Mulhall-Brereton

Organisations interviewed:

The research included a total of 55 in-depth interviews with organisations working directly on modern slavery, or having responsibilities relevant to this issue. This included:

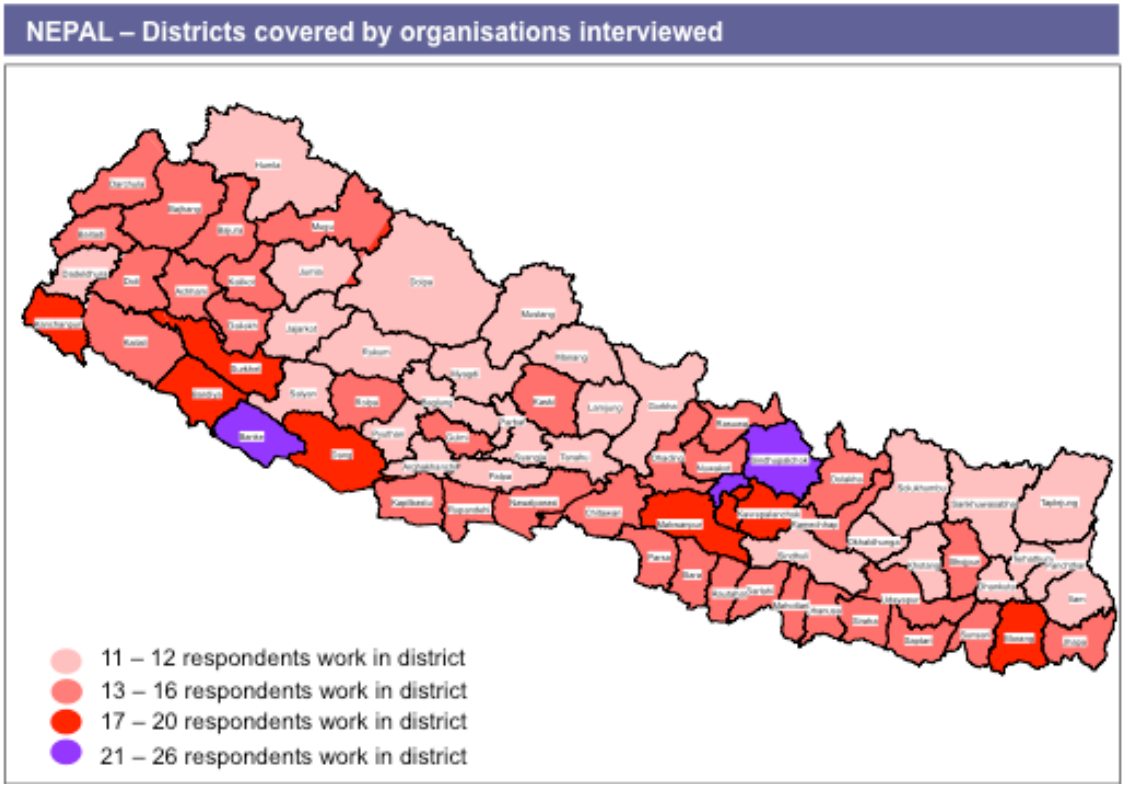
- 35 national and local Nepali NGOs;
- 8 national or local offices of international organisations;
- 3 trade unions (two federations of unions and one sector union);
- 3 local government institutions; and
- 6 national government ministries or offices.

The listing of organisations interviewed is at appendix 2 and the interview questions used for NGOs and international organisations in at appendix 7

Geographic focus:

The map below shows the frequency of areas of the country covered by these organisations and institutions. Note that 11 of the respondents had programmes that have effects across Nepal:

Figure 12: Districts included in programmes of organisations interviewed for the research



In general, the pattern of geographic locations of respondents is well matched with the areas widely perceived to be significantly affected by forms of modern slavery, especially with the organisations' greater presence in the central region, Tarai areas, and districts of Banke, Sindhupalchowk and Kathmandu. However, given the shortage of primary research on prevalence of forms of modern slavery in different regions, it is likely that these perceptions are themselves influenced by the

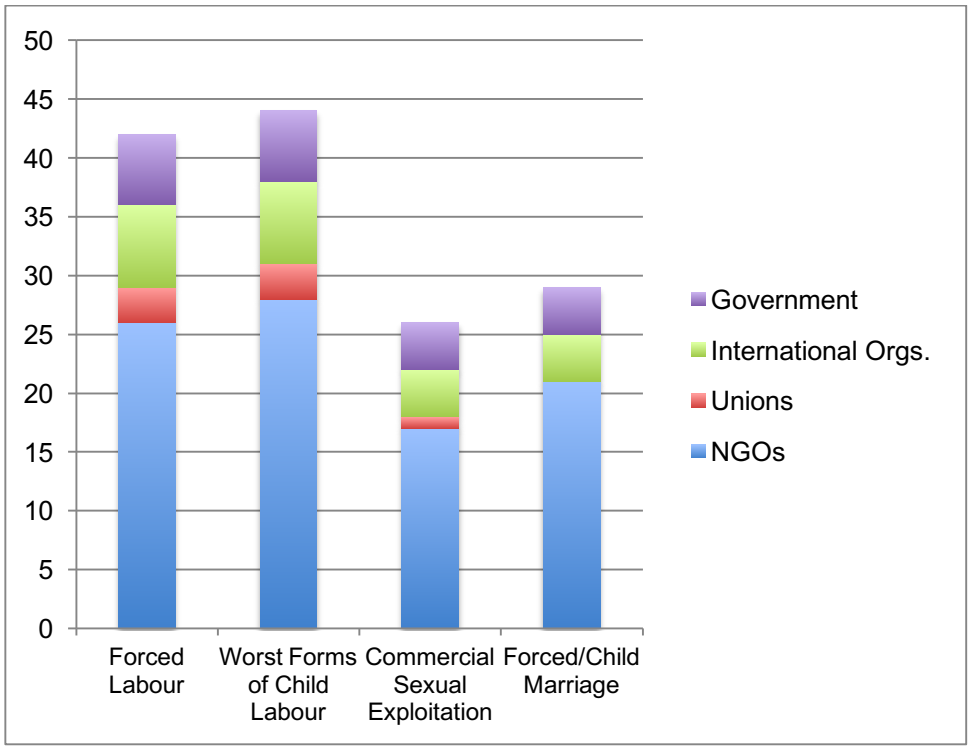
presence of NGOs, who are able to observe and bring attention to the issues of modern slavery in the locations.

When respondents were asked about geographic areas needing more interventions, the most frequently cited areas were in the Mid West and Central regions, and the most frequently cited zones were Bagmati and Karnali. In addition, 7 respondents highlighted the needs of the Tarai (lowland) belt, while 5 mentioned hilly areas in general.

Types of modern slavery and sectors addressed through interventions:

Using the 4 categories specified in the research, the most frequent categories of modern slavery worked on by the 55 organisations were Worst Forms of Child Labour and forced labour, with many organisations also focusing on commercial sexual exploitation and forced or child marriage. Figure 13 below shows the number and type of organisations working on the different types of modern slavery.

Figure 13: Number and type of organisations working on each type of slavery



The majority of organisations undertake work in more than one of these broad sectors but typically the organisations had a leading sectoral focus. The activities of each respondent are summarized in appendix 2. For the 46 non-governmental organisations, the most common of these was on community-based work to address **trafficking of women and children** generally (whether within or outside of Nepal). Among the respondents, 13 were generally seeking to raise awareness and create local structures through which people could prevent women and children leaving with traffickers and respond quickly to cases arising. Such programmes did not have a specific industry focus, and aimed to protect all those who are vulnerable.

Their anti-trafficking work often naturally linked with stopping children locally from being in WFCL. In addition, five organisations were more focused on stopping **child labour** generally than on trafficking, though their work was often characterised by the same sort of community-based awareness efforts.

In addition to this general focus on stopping child labour by five NGOs, there were four NGOs strongly focused on removal of children from **WFCL in urban neighbourhoods** (in small workshops, domestic work, hotels, restaurants). As well as these general anti-child labour initiatives, 9 organisations targeted specific industries that are exploiting children: Four focused on bringing children out of **domestic servitude**, three on **brick kilns**, one on **embroidery** and one on **carpets/garment** production. One organisation was focused on recovery of children coming out of **armed groups**. Overall, work against modern slavery in Nepal has a core focus on ending exploitation of children in key sectors.

7 organisations targeted their work at the "**nightime entertainments**" sector, working for the safety, pay and dignity of women workers and trying to help children come out of this hazardous work.

It is noteworthy that only one organisation interviewed was directly targeting **commercial sexual exploitation** as such, focusing on removal of children alongside delivery of HIV/AIDS/STD preventive services to women. While many of those assisting women/child workers in the entertainments sector acknowledged the vulnerability of workers in restaurants and dance bars to sexual exploitation and were working to prevent this, they did not seem very aware of or active against slavery in more narrowly focused commercial sex. There did not seem to be much communication between the groups working on HIV/AIDS prevention, especially in locations outside of Kathmandu and those working to prevent exploitation of workers in the entertainments sector.

10 groups had specific programmes organized against **child marriage**, usually based on community mobilisation. International support for these programmes up to now has built a significant scale of response to child marriage in Nepal, but some of the groups are now struggling for funds.

Although many anti-trafficking groups included a focus on preventing unsafe international migration, there were 8 organisations that focused as their primary activity on **safer migration and assistance to those victimized abroad**. These included two organisations run by migrant workers.

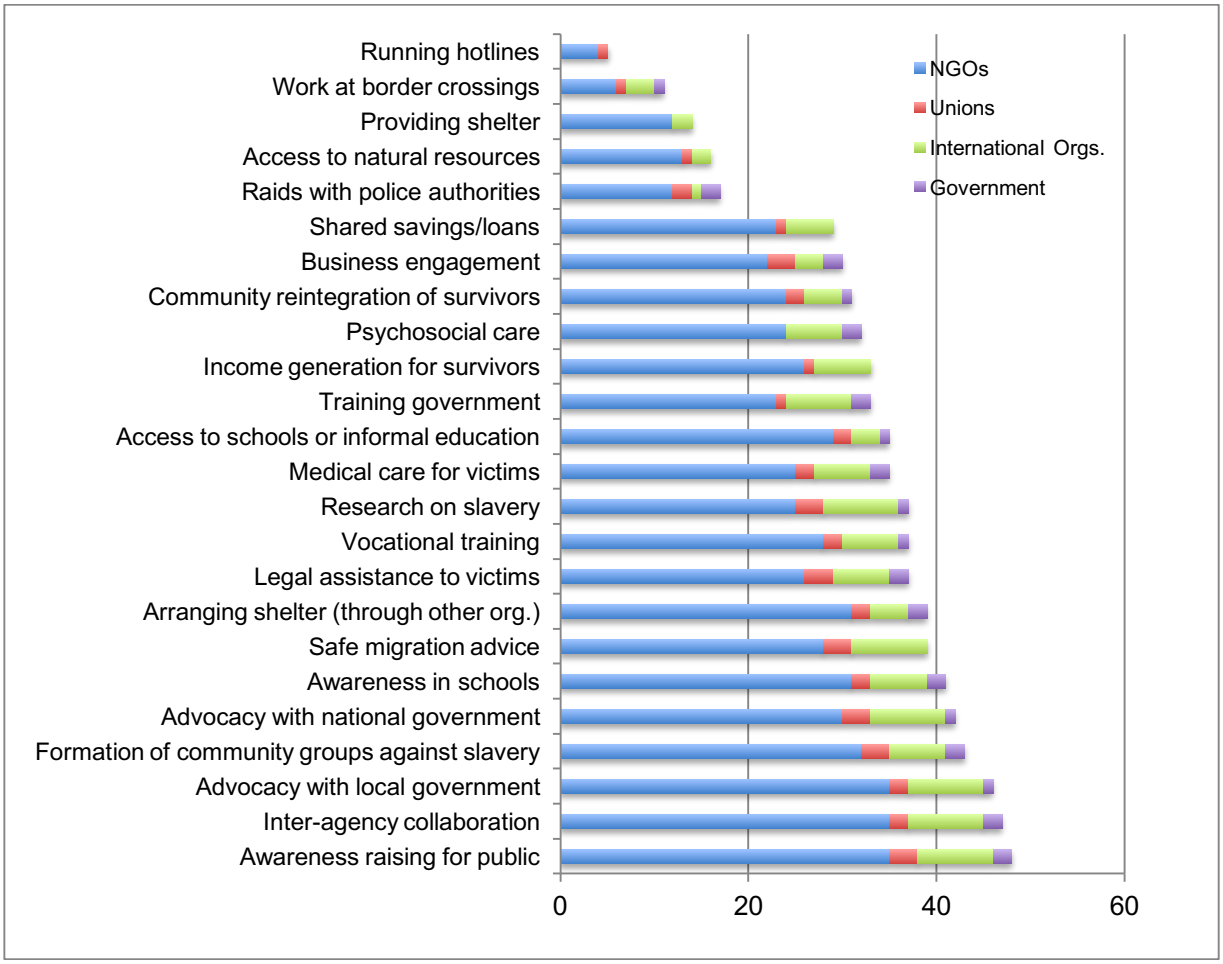
8 organisations had a core focus on **agricultural bonded labourers** and assistance to former bonded labourers.

The researchers did not interview all agencies acting against modern slavery in Nepal, but based on the research team's familiarity with anti-slavery work in Nepal, the sectoral focuses described above seem to be a fairly accurate representation of the proportions and spread of sectors covered by anti-slavery work generally in the country. A possible exception to this is that the researchers may have interviewed a slightly disproportionate number of groups working against agricultural bonded labour. The presence of such groups may be over-represented in the sample.

Types of Intervention

The types of activities carried out by Nepali anti-slavery organisations are very broad, with most organisations recognizing the need for a range of interventions to support the protection of the target groups. Evaluation of the effectiveness of particular approaches is included in Section 5 below. Figure 14 shows the frequency with which respondents stated that they undertook certain activities.[94]

Figure 14: Types of intervention carried out by the respondent organisations



On the whole, organisations do not separate their work of preventing slavery from their delivery of services to survivors. Although some funding streams are targeted, for example, at shelters or prevention or legal work, in practice, most local organisations undertake a mixture of activities, even though their work is sometimes constrained by tightly defined donor projects.

Awareness raising activities are carried out almost universally by organisations and range from one-time "street theatre" or video showings, to creation of in-depth "REFLECT" processes whereby local groups can come to understand root causes of modern slavery and undertake sustained action to address those causes. Most organisations form or support community groups to take action, and the majority form connections with schools to raise children's awareness on various related

[94] Note that although the government supports a hotline and shelter homes, it was not mentioned in the answer to the relevant question so is not reflected in Figure 14.

topics. Given that almost all communities are affected by risky migration, the majority also have a component of safer migration awareness-raising within their work.

Physical **rescues** of victims, involving the police, are quite rare, with only 15 groups sometimes carrying out such raids. They are not a core or regular activity for any groups.

Those who work to support the **recovery and reintegration** of survivors offer a broad range of services, with a majority making referrals to other NGOs' shelters when needed (only 14 organisations directly provide shelter), referring survivors for vocational training (though the costs of this are often too high for most groups to do it regularly), as well as referring survivors for medical care and legal aid. Income generation support for survivors is an important component for many groups, though shortage of funds is a challenge. Groups reintegrating children in the community typically try to get them enrolled in school and some keep track of their attendance. The majority of groups assisting survivors provide some form of psychosocial care, and some have had short trainings in counselling (typically 5 days), but only a few have regular access to a counsellor who has longer-term psychological or therapeutic training. This is a major gap in provision, given the severe mental health needs of some of the survivors.

Nearly all respondents were involved in some form of **inter-agency collaboration**, especially at district level. Also, the liaison between local groups and local government is significant. The majority of locally-based NGOs expect to regularly **work with Village Development Committee and district offices**, arranging services for survivors, for example, involving them in integrating children in schools and providing vocational training. For several agencies this engagement was a careful strategy, where they were tracking the deepening commitment by local government, in terms of budget allocations and actual provision. **Engagement with national government** is significant, but not as frequent as with district government. Most groups are part of inter-agency efforts targeted at various aspects of national government policy, and advocacy efforts have persisted despite the fragility and frequent changes of government. The current National Action Plan against Trafficking was the result of a widespread engagement of civil society in providing feedback and suggestions. Many groups were also closely involved in feeding in ideas for the revised Constitution and more recently, several anti-trafficking groups took a leading role in advocating for equal citizenship rights in the Constitution. Awareness of the need for advocacy and policy engagement is an important strength of the Nepali anti-slavery movement, perhaps having its roots in the democratisation efforts from the 90s onwards.

International agencies have undertaken in-depth work with various ministries to put updated and adequate national policies in place, and they are increasingly supporting government-linked structures to directly implement programmes. One example of this is the new work being undertaken by International Labour Organisation to "mainstream" anti-child labour efforts within the annual planning of local authorities.

Various organisations had particular specialisms. The sample of agencies interviewed (as listed in appendix 2) included:

- 14 agencies providing **shelter** to survivors;
- 10 agencies working to prevent trafficking at **border crossings**;
- Five organisations directly providing **hotline services**;
- Two organisations specializing in provision of **legal aid** to slavery survivors;

- Three **trade unions**, and one NGO with a core activity of unionisation;
- At least three NGOs whose primary group formation method focused on **micro-credit,** with many other NGOs developing self-help savings and loan activities;
- At least four NGOs were investing significant effort in transferring **land rights** to those coming out of slavery;
- Two migrant rights organisations focus on **tracing migrant workers in difficulties** overseas;
- At least 8 organisations specialize in provision of **non-formal education** for children coming out of WFCL;
- At least 4 organisations have developed skills in **engaging with religious leaders and local healers** with a view to preventing child marriages;
- At least 5 NGOs were led by slavery survivors and focused on **leadership and capacity development of survivors**;
- One organisation provides **psychological care services** and training;
- All the groups working to remove children from slavery in urban areas have **dialogue with local businesses**, and the groups working in brick kilns try to do this in collaboration with brick kiln owners;
- Four organisations run or support **Migrant Resources Centres**;
- One supports a significant programme of **vocational training for potential migrants**.

Other common themes in the work were:

- Basing the community mobilisation around the **self-organisation of women**, and reduction of gender-based violence; and
- **Children and adolescents taking leadership** in local awareness raising and vigilance.

Analysis of beneficiaries

Because the activities of the organisations varied considerably, the research specifically focused on asking about the number of people clearly identified as coming out of slavery through the efforts of the organisation. The methods through which people came to freedom were also varied, from direct rescue, to transition through non-formal education out of WFCL, to development of sufficient independent income to be able to reject control by slaveholders.

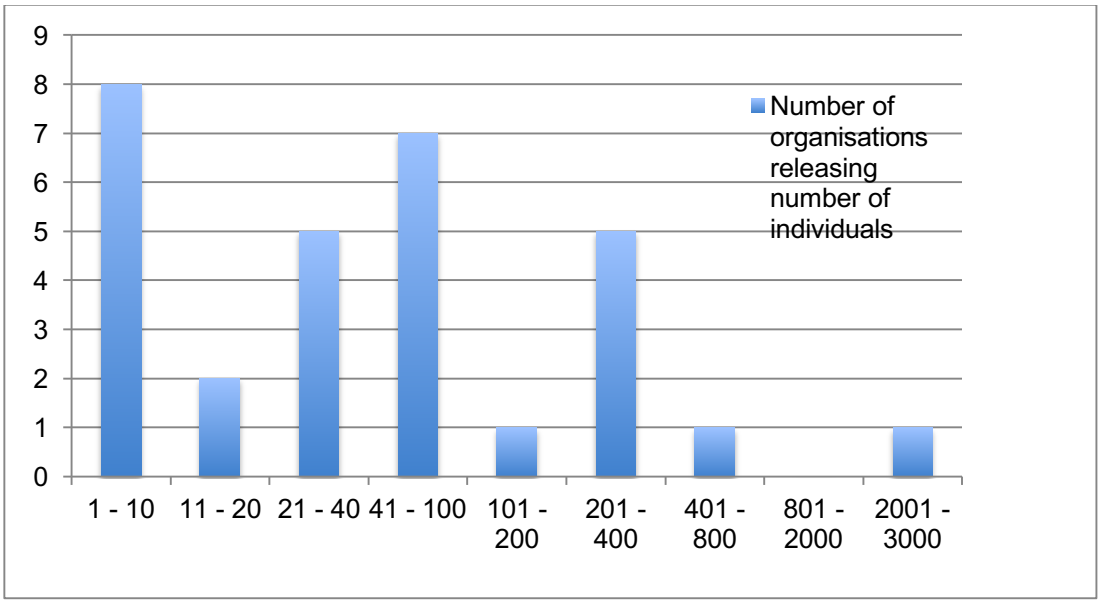
Tracking the movement of individuals out of slavery is not straightforward, and some organisations did not have robust systems in place to do this. 35 out of the 46 non-governmental organisations stated that their work directly helped individuals come out of slavery (note that some organisations were providing specialist services). Out of the 35, 30 provided either estimated or actual data for the number of men, women, girls and boys rescued during the past year.

The following graph shows how many organisations directly helped different numbers of individuals coming out of modern slavery. Between all of these groups:

- The total number of men coming out of slavery was: **450**
- The total number of women coming out of slavery was: **509**
- The total number of children coming out of slavery was: **4842**
  4027 girls, and **714** boys (a few organisations could not separate statistics for children by gender)

Note that one organisation alone stated that 2,600 girls came out of slavery in the past year due to its support for groups working with Kamalari domestic workers. Removing this outlier from the pool of responses, the mean number of individuals rescued by each of 29 organisations in the past year was **110**, and median was **45**.

Figure 15: Number of organisations by total number of individuals coming out of slavery during the past year.
(Note: bands for number of releases are not evenly spaced)



Size and grant management experience of organisations

Most of the respondents do not have a large number of staff working on issues related to modern slavery. The staffing levels of the respondent organisations varied considerably. Figure 16 shows the number of organisations according to the number of full-time equivalent staff they employ (working on all issues). Note that the two federations of unions could not provide a total for the number of staff, and government offices were not asked this question. The total number of organisations responding to this question was 43.

Figure 16: Number of organisations by number of paid staff

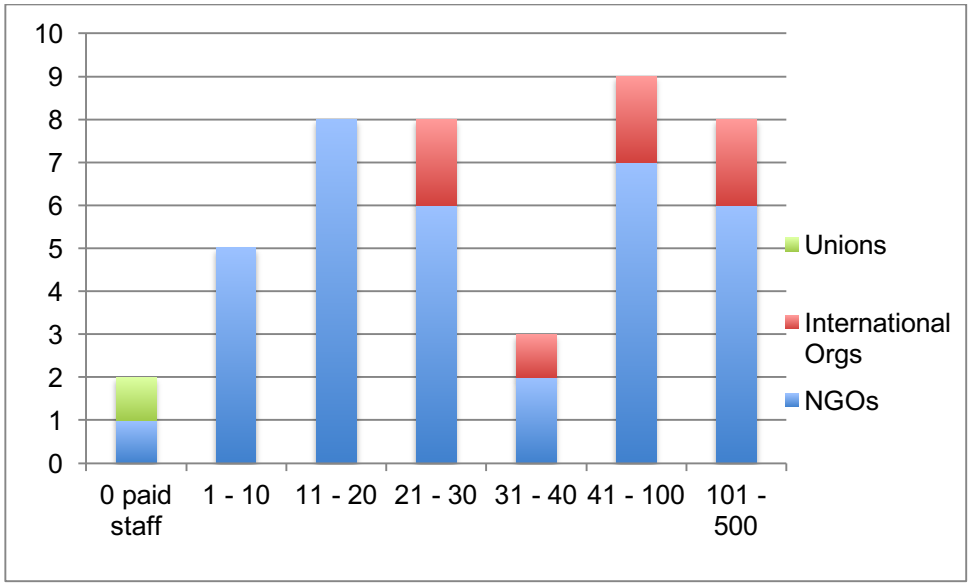
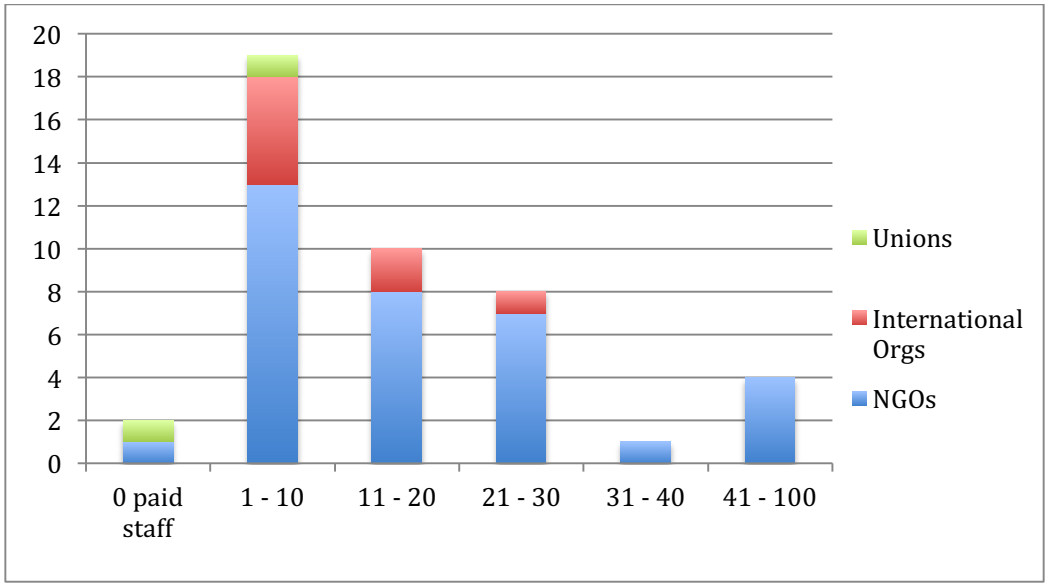


Figure 17 shows the number of organisations according to the number of full-time equivalent staff they employ specifically to work on slavery related issues. The ratio of administrative/office-based management staff to field-based/service delivery staff was approximately one to three. The data shows a broad distribution, with 13 of the sample of organisations only having between one and 10 paid staff working on slavery, and four NGOs having a large group of employees working on slavery (with 78 staff being the maximum number cited).

Figure 17: Number of organisations by number of staff working on modern slavery



It is worth noting that government offices with relevant responsibilities are not generally highly staffed:

- Zonal Labour Offices, undertaking labour inspections including for child labour (among other tasks) in 10 districts had 90 full time staff with only 12 factory inspectors and officer level employees[95].

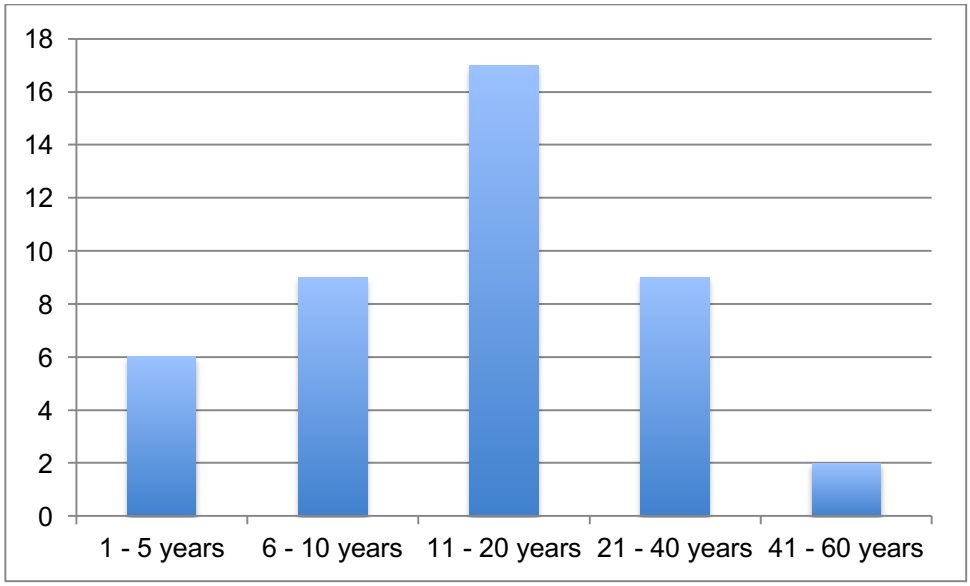
[95] Factory inspectors are the ones considered as labor inspectors as per the mandate.

- The national Department of Labour had altogether 122 staff (32 at HQ and 90 in Labour offices around the country).
- The Central Child Welfare Board (part of MoWCSW, responsible for child protection across the country) had 120 staff across the 75 Districts.
- The Social Welfare Division/Public Health Section of a sub-metropolitan city had 24 staff.
- The NCCHT had 4 staff.
- The Nepal Police, Women and Children Services Directorate had 11 staff.
- The Department of Foreign Employment (responsible for managing the foreign labour migration of hundreds of thousands of workers each year) had 160 staff.

Experience of managing grants

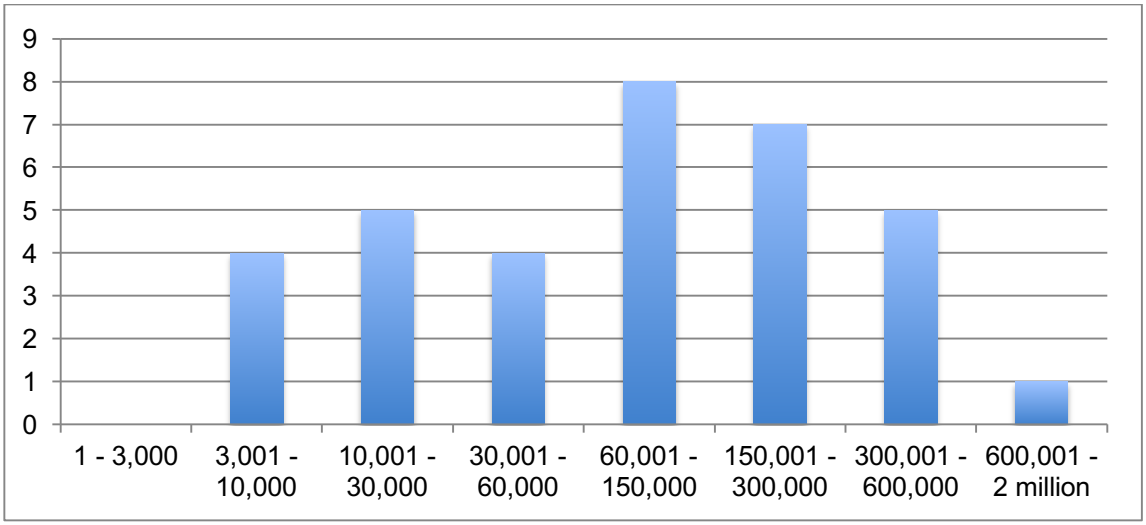
Nearly all the organisations have many years experience of managing funds, with more than one-quarter having over 20 years of experience. 45 out of the 46 NGOs, international organisations and trade unions had experience managing formal grants, and 43 were able to say how many years they had been doing this. Figure 18 shows the number of organisations by number of years of experience of managing grants.

Figure 18: Number of organisations by number of years of grants management experience.



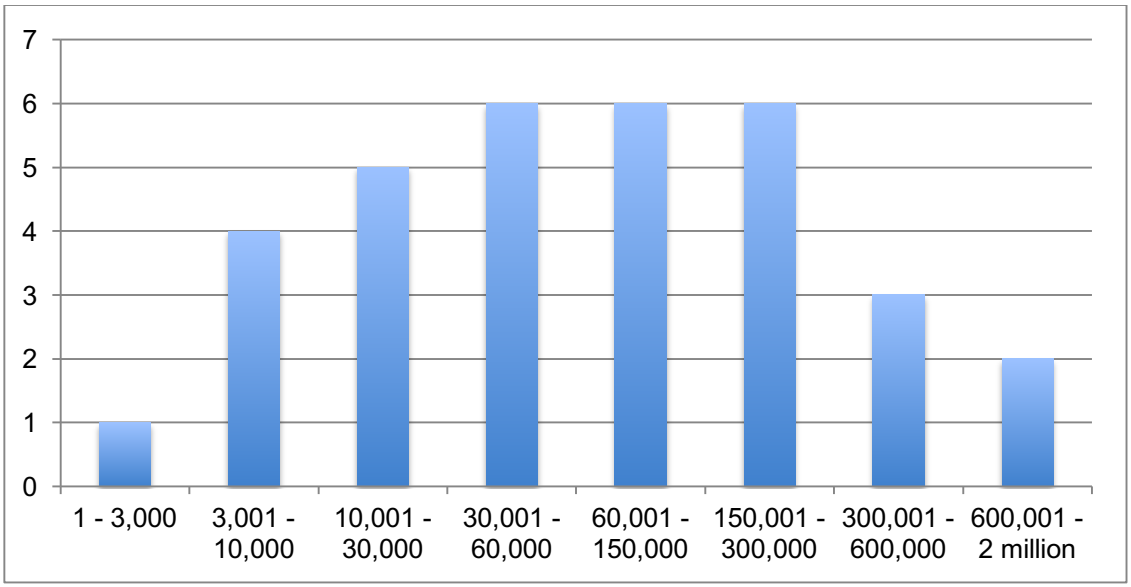
34 respondents stated the amount of the largest grant their organisations had managed. 25 had managed grants over USD 30,000, and 13 out of these had managed a grant over USD 150,000.

Figure 19: Number of organisations by largest grant managed – in USD



35 respondents also reported on the size of their expenditure specifically on anti-slavery work during the current year. Only two NGOs did not have funds for anti-slavery work during the year. Of the remainder, 23 had grants over USD 30,000, and 11 of these had grants over USD 150,000. The total expenditure, between all the respondents who provided figures, was USD 6,387,158.

Figure 20: Number of organisations by anti-slavery expenditure during current year – in USD



Monitoring and evaluation

In general the respondents have good capacity for tracking their activities. Although nearly all the respondents gave examples of what they measured and were able to give many examples of the results they had gained, most did not share actual M&E reports. Organisations also did not provide any external evaluation reports.

NGOs and international organisations report on their results directly to their donors, and based on the examples of measures used, it seems that the majority of organisations have experience in collecting information and reporting on results. Most were readily able to provide information such as numbers of active groups, numbers receiving trainings etc. According to this information, the research has ranked **40** of the organisations as having high capacity to provide basic monitoring data about their work, if they are given some guidance and prior discussions with the funding agency, **5** as having a medium capacity (where in-depth support might be needed) and **1** as having low capacity (no prior experience).

Appendix 3 lists the main examples of what respondents measure (or try to measure), in order to assess their achievements, as well as the indicators that they use (or would like to use) for these measurements. It is important to note that many of these indicators could be classified as Outcome metrics, rather than Activity metrics. This shows that respondents were clear about the need not simply to measure and report on services delivered or activities carried out but also to be aware of the actual changes achieved through those activities.

Capacity to scale up operations

The research found 42 of the 46 organisations showed good potential for immediately taking on or scaling up effective initiatives as part of a future strategy for eliminating modern slavery in Nepal.

In general, local organisations in Nepal are capable and committed. They seem to be open to collaboration and joint advocacy, and they understand the interconnected nature of issues relating to slavery. Given the challenging context in Nepal, they have proved adaptable and resilient. International organisations have invested considerably in their knowledge of donor requirements, and most organisations have the basics of management and accounting infrastructure in place. However, in order to achieve eradication of modern slavery in Nepal, there would need to be carefully-planned support for the capabilities of hundreds of small NGOs in the country, so that they could manage operations at a more significant scale and could orient their actions toward transformative strategies. Each programmatic component of the national strategy would need to consider the specific training needs required to implement the proposed work.

The capacity to scale up anti-slavery work in Nepal also benefits from the presence of many specialist organisations, for example those with legal knowledge, psychosocial care expertise, income generation and micro-credit experience, as well as social mobilisation expertise. In addition, within the international organisations there is good experience in developing policies alongside government and a recognition of the need to strengthen the structures of government, rather than multiplying parallel and unsustainable structures. As national government becomes more stable, these international organisations are focusing effort on "mainstreaming" key activities within core government roles and providing resources (such as technology) to government offices. Also, several bilateral donor government funders based in Nepal have considerable experience in managing large programmes with multiple implementing partner agencies.

In particular, the slavery elimination strategy for Nepal needs to focus on partnership with existing capabilities and commitments within the NCCHT, police Women and Children units, women development programme, and child welfare

structures, as well as at district, municipal and VDC level. Similarly, it needs to maximize the potential of the other major international investments continuing in Nepal, such as in the education, health, forestry, governance and transport sectors.[96]

[96] See for example, the *Foreign Aid to Nepal* database at: http://portal.mof.gov.np/ and the *Aid Management Portal*, at: http://amis.mof.gov.np/visualization/launchDashboard.do?reset=true&id=3.

Section 5
Gap Analysis and Intervention Effectiveness Analysis



Photo: Alice Carfrae © Legatum Limited 2015

Introduction

Part 1 of this section summarises interventions taking place with regard to the four categories of modern slavery, as well as indicating the major gaps and strategic considerations in relation to future work against each type of slavery. There are many other interventions taking place, often in particular locations, but only the larger scale or most widespread activities are listed.

Part II looks at the effectiveness of these interventions.

This analysis guides the selection of strategic recommendations in Section 6.

Part 1: Gap analysis

Forced and bonded Labour

Overview
In relation to forced and bonded labour, the most common activities being carried out in Nepal are shown below. These activities relate to work against forced labour inside Nepal and to assist Nepalis found in forced labour outside of Nepal:



Fig. 21: Activities against forced labour

Gap Analysis and Strategic Considerations

a) **Forced labour outside Nepal:**

- The Nepal government's responsive capacity through its embassies in destination countries for tracing and arranging release of its citizens in slavery is not sufficiently staffed, resourced and developed. Also, MOUs are not yet in place with some destination countries to facilitate cooperation. A repatriation agreement is not yet in place with India.
    - *Increasing this capacity and creating these agreements should be a high priority.*
- Mechanisms of legal accountability of local labour brokers (approximately 30,000) are not effective. Criminal penalties against fraudulent brokers and manpower agencies are not sufficient.
    - *The legal framework and its implementation should be improved so that it prevents the fraudulent operations of local brokers, and criminal penalties should be strengthened.*
- The Foreign Employment Business Association's Code of Conduct is not sufficiently implemented and compliance is not sufficiently required. In particular, manpower agencies are not taking responsibility for the behaviour of local brokers they work with or of the placement agencies/employers who are assigning workers to jobs in destination countries.
    - *Business associations and individual agencies should enforce their standards so that exploitative practices can be excluded.*
- The reach of government and civil society into communities that are severely affected by fraudulent brokers is insufficient, and awareness raising has tended to be reliant on short-term projects.
    - *Best practices in identifying highly affected communities should be widely used and funding provided to enable government and NGO structures to reach locations where people are most at risk. Additional Migrant Resources Centres and helpdesks at VDC offices are needed throughout the country. Systems should be put in place at district level to handle complaints and claims for compensation in regard to foreign employment exploitation and fraud.*
- There is not an accurate understanding of exactly which behaviours and decisions by migrants result in fewer cases of exploitation and coercion overseas or result in them being able to quickly remove themselves from slavery. Current assumptions about what results in safer migration may not be accurate.
    - *Research on outcomes of migration based on information held by migrants should be undertaken and awareness raising programmes should then be adapted according to the data generated.*
- There is also not good data about what makes reliable information accessible and usable by potential migrants.
    - *Research on this topic should be undertaken and programmes adapted accordingly.*
- Pre-departure preparation and vocational skills training is not reaching the most vulnerable migrants, especially domestic workers. Workers going to India receive almost no official attention or protections. Required health checks for workers applying for visas are often bypassed and migrants are not aware of the insurance and complaints systems.

- *All migrants should receive high quality pre-migration orientation, and skills training for those migrants most at risk should be a high priority.*

- Support for effective investment of remittances, especially by the poorest, is at an early stage.
  - *Trainings on effective use of remittances should be expanded and partnership and engagement of local cooperatives, and local enterprise development should be facilitated.*
- Many low caste and *janajati* migrants lack citizenship documents, which makes them reliant on exploitative brokers and on more risky migration routes.
  - *Outreach programmes to help socially-excluded groups to obtain their citizenship documents should be expanded.*
- Shelters for returning, often traumatized, migrants are under-funded and transitional reintegration support is inadequate.
  - *Funding for such shelters should be provided, with assistance for reintegration.*
- Returning migrants who are eligible for financial assistance do not know how to access it and usually do not have the necessary documentation.
  - *Foreign Employment Promotion Board should disseminate information about complaints procedures more widely and make its complaints system more responsive and accessible, especially for rural-based migrants.*

b) **Forced labour inside Nepal:**

- Although there are some significant programmes of income generating support in poor communities, they tend not to address the exploitative patterns of debt, sometimes including debt bondage, and so their effectiveness and sustainability is reduced.
  - *Anti-poverty and income generation programmes should develop capacity for community organising to resist exploitative debt systems and debt bondage.*
- Minimum wage laws are not sufficiently enforced, especially for the most vulnerable workers in the informal economy, especially in the "entertainments" sector, domestic work and brick kilns. There are not enough labour inspectors and their reach is insufficient.
  - *Labour offices around the country should increase their staffing and resources and be enabled to undertake inspections within informal economy sectors. Clear minimum standards for operation should be developed and enforced for brick kilns, perhaps in combination with targeted technology transfer to modernize their production. After local elections, VDCs and DDCs could declare and publicize local minimum wages, to supplement national minimum wage regulations.*
- Trade unions do not have sufficient reach outside urban areas and into informal sector businesses, such as the "entertainments" sector.
  - *Unions should prioritize outreach to these vulnerable workers.*
- There is a gap, especially at national level, in understanding the continued patterns of control by landowners over agricultural bonded labourers (especially regarding Haruwa-Charuwa bonded labour).
  - *Further research and exposure should be arranged so that bonded labour issues are widely understood.*
- There is a continued inadequacy of response, as well as lack of consistency of provision by government between different forms of bonded labour, partly due to shortage of resources but also due to limited data availability. Packages of support for bonded labourers have been limited to Kamaiyas,

and although many Haliyas have been identified, the support has not yet reached them. Haruwa-Charuwa bonded labourers have not yet been identified. Efforts to address landlessness are not reaching most bonded labourers.
    - *Funding streams should be developed to provide support to enable sustained freedom of bonded labourer families, consistently across different types of bonded labour. This should include ensuring that district level land reform bodies are working effectively and giving priority to former bonded labourers.*
- Legal penalties for bonded labour are inadequate and are not enforced. The law enforcement response to violence against workers and failure to pay wages is not adequate. It is too difficult to get cases registered and properly pursued.
    - *The government should review whether the Kamaiya Labour Act needs strengthening. Law enforcement officers should be trained in relevant elements of law for processing such cases, including how to receive complaints, investigate and collect evidence. Affected groups should be given legal awareness training.*
- The Supreme Court's directives regarding the "entertainments" sector have not yet been enforced, so government officials are not taking action to prevent abuses in most areas.
    - *Monitoring Action Committees in all highly affected areas should take up their responsibilities for inspection and regulation, pending legislation that might integrate these inspections within labour offices' responsibility.*

Commercial Sexual Exploitation

Overview

In relation to commercial sexual exploitation, the most common activities being carried out in response are shown below:



Fig. 22: Activities against CSE

Gap Analysis and Strategic Considerations

In relation to CSE, the main gaps and recommended strategies are as follows:

- Although attention is being given to sexual exploitation taking place in the "entertainment" sector, the spread of the sex industry along highways, bars and roadside areas across Nepal is receiving much less attention, though some HIV/AIDS prevention projects are involved. While recognizing that some of the women working at these sites are doing so as a means of survival and without evident force or coercion, it is also true that, children and adults who are clearly working under force or coercion at these emerging sites are not being identified and released. The situation is not well understood and due to the hidden nature of the problem, effective strategies for assisting with release have not been developed. When NGOs make offers of shelter and transitional support for women in sexual exploitation, women often do not think they will be sufficiently secure regarding future livelihoods and protection.
    - *Further baseline research is needed on the scale of slavery in commercial sex, especially on transport routes and other emerging sites, as well as research on which types of assistance might be effective.*
- Strategies enabling more women and children to come out of sexual exploitation would also require additional shelter for some of them. Also some existing shelters are under-funded and staff are not sufficiently trained and resourced to follow minimum care standards. Although many shelters offer committed care through listening and trying to resolve

practical challenges, there is a shortage of trained therapeutic care for traumatized or depressed individuals. Vocational training and preparation for other jobs are not sufficiently developed.
    - *Additional properly funded shelter places should be developed. Training for project staff in tested therapies should be provided through qualified psychotherapists who can provide on-going monitoring and mentoring for these staff. Opportunities for appropriate skills training and links to mainstream jobs should be further developed. District authorities should play a leading role in ensuring adequate vocational support and income generation opportunities for survivors.*
- Transitional housing arrangements are not generally available and reintegration assistance is underfunded. Reintegration is sometimes hampered by lack of citizenship documents. Also, many survivors are living in isolation, dealing with the long-term effects of slavery without support.
    - *Transitional hostels for working women and greater investment in follow-up support for reintegrated survivors. Processes for obtaining citizenship documents should be streamlined, for trafficking survivors. Programmes to enable survivors to come together for mutual support should be resourced.*
- Currently, rates of arrest and prosecution for slaveholders and traffickers are very low.
    - *Legal awareness training for at-risk groups, access to free legal aid, training of law enforcement officers and judiciary (especially in victim-friendly procedures, case registration, gathering evidence and investigating cases), and upgrading of court facilities should be expanded. Procedures for victims to actually obtain compensation should be expedited. (This recommendation applies to all forms of modern slavery).*

Forced marriage including child marriage

Overview

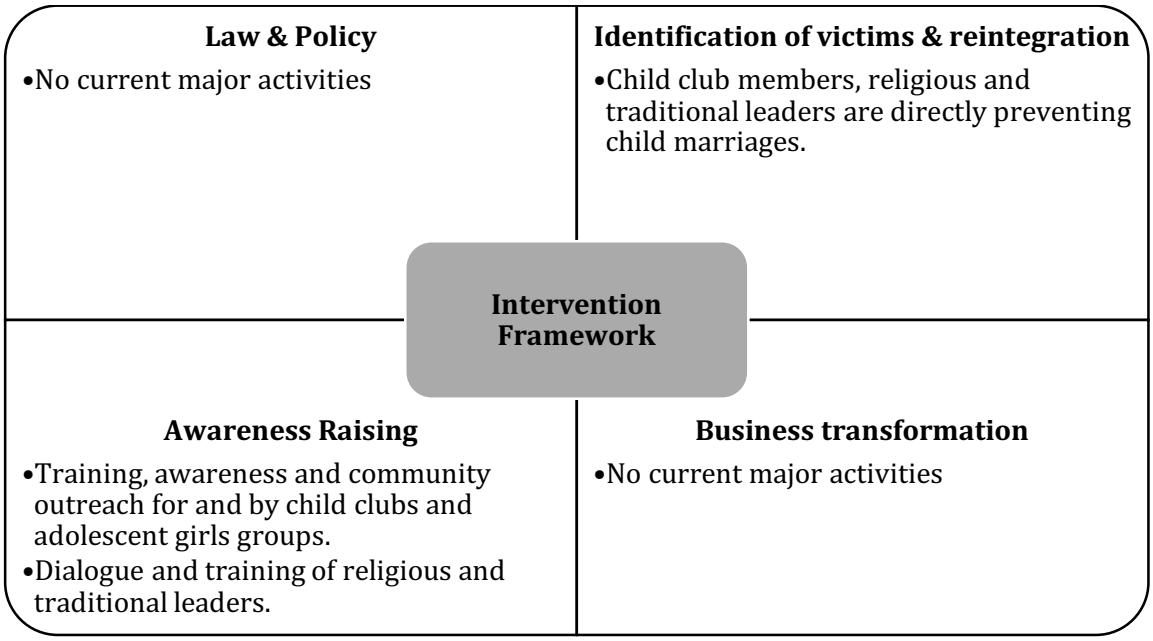


Fig 23: Activities against forced marriage

Gap Analysis and Strategic Considerations:
In relation to forced marriage, the main gaps and recommended strategies are as follows:

- Legal cases are not being taken up to enforce action against child marriage.
    - *Law enforcement officials and relevant child protection officers should be aware and enabled to use the relevant elements of the legal code.*
- Although local mobilisation through child clubs and outreach to religious leaders seems to have significantly contributed to raising the age of marriage in some areas as well as helping girls to resist pressure to marry, resources to sustain and expand these programmes are not sufficient.
    - *Learning from recent programmes, curricula and support should be provided especially in highly affected communities for child clubs, adolescent girls groups and religious leaders to prevent child marriages, in connection with DCPCs and VCPCs.*
- There is significant cultural change for teenagers, with teenage relationships becoming more commonplace. There is a gap in helping parents and adolescents to adjust to these normative changes, for adolescents to learn decision-making skills about relationships, and to sustain the priority for girls to continue in education, while delaying marriage and pregnancy.
    - *Culturally appropriate interventions to avoid forced or early marriage need to be developed and expanded within the context of these rapid social changes. Adolescent-friendly health services should strengthen young people's access to information and care. Schools should provide enhanced reproductive health education and life skills.*
- According to a recent study of child marriage, only 56% of respondents had registered their marriage.
    - *Making registration of marriages compulsory would promote marriage at the proper age. Programmes working in highly affected regions should prioritize registration of marriages as part of expanding vital registration throughout the population.*
- There is an almost complete lack of open public dialogue and responses to the coercion experienced by many women to continue having babies until they produce a male. In the context of domestic violence, emotional pressure and inability to leave the family, this situation of forced reproduction should be a high priority slavery-related issue for Nepal.
    - *Research with affected women should begin to identify the scale of the problem as well as to define the services and interventions, including legal measures, that should be supported to address this issue.*

Worst Forms of Child Labour

Overview

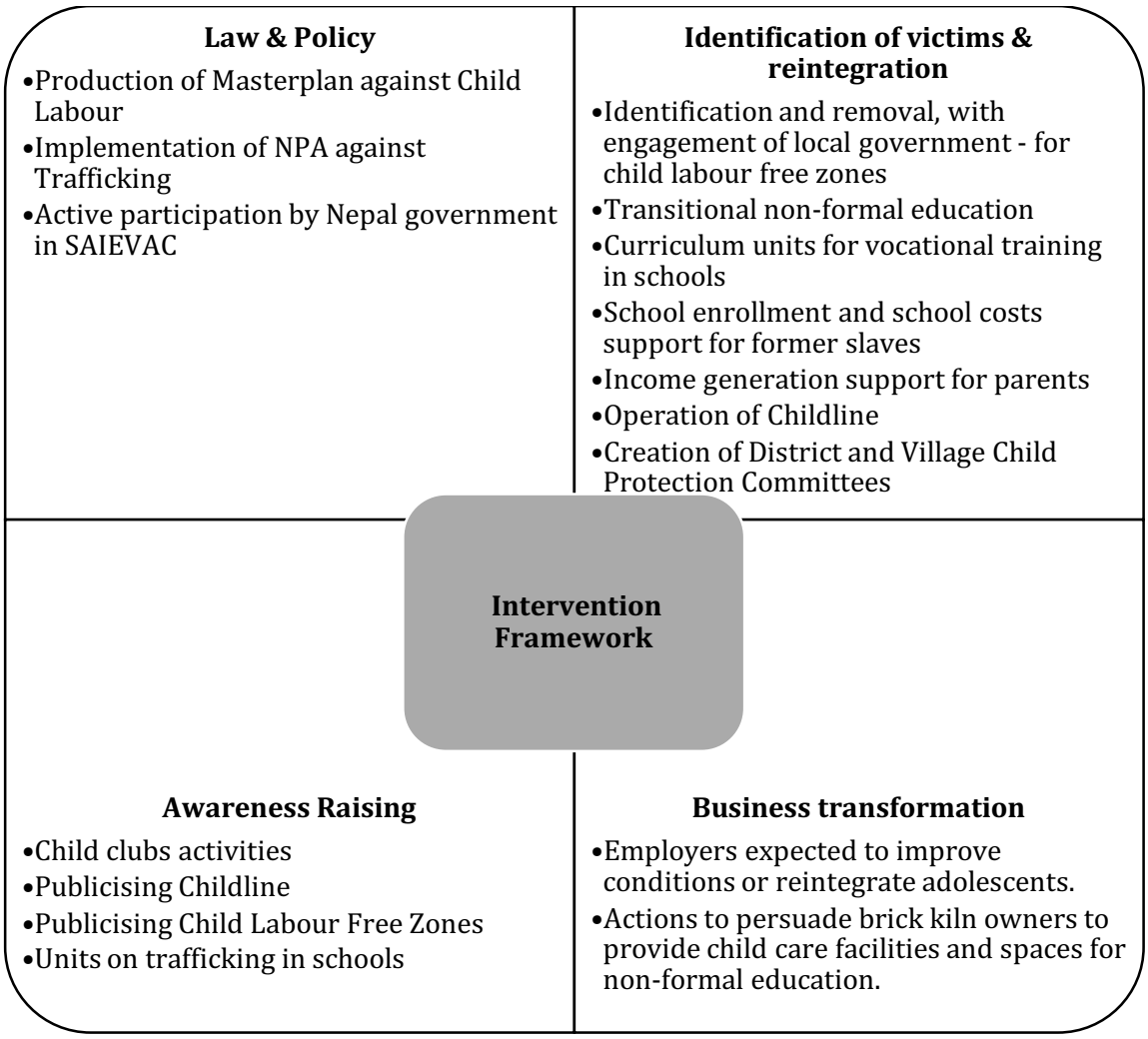


Fig 24: Activities against WFCL

Gap Analysis and Strategic Considerations

In relation to Worst Forms of Child Labour, the main gaps and recommended strategies are as follows:

- Despite significant successful outreach against WFCL in some municipalities and villages, a large number of children are not yet being identified and assisted. Also, the challenges of assisting large numbers of children and improving their home family's situation makes officials and civil society cautious about removing children from places where they are currently at least fed and sheltered by employers. There is insufficient guidance for those involved, to help them judge (for example) between situations where an older adolescent can remain in non-harmful employment, those where a child should make a transition away from an employer and those where a slaveholder should be prosecuted.
    - *Existing successful programmes including those offering NFE should be scaled up to identified high prevalence areas, and national policies on child labour and child protection should provide clear guidance for local action. Budgets and referral relationships for reintegration support should be strengthened.*
- Despite the progress of school sector investment, access to quality education is very limited in some areas, especially with teacher shortages. Low caste, former child labourers and other socially excluded children are

especially affected, and challenges of adolescent girls' school attendance are often not being addressed. Subsidies for school attendance are not always reaching families in greatest need and when provided, they do not always result in actual attendance, due to poor monitoring and follow up.
    - *As part of the expansion of free education, key officials must be made accountable for the attendance of all children at school (in other words education of 5 – 14 year olds should become compulsory). Teachers should be trained to end discrimination and educational neglect of certain children such as dalits. Teachers should receive specific training and support to integrate former child labourers. The key social and economic barriers to sustained attendance should be identified and addressed, including parental worries about risks to adolescent girls. Provision of school lunches should be expanded. The quality and relevance of education should be improved, especially by ensuring that teachers are appointed to fill vacancies, that they work for the full hours of teaching each day and that relevant vocational components continue to be expanded. Teachers must also be trained on alternative discipline measures to corporal punnishement.*
- Parents often let adolescents enter situations of exploitation thinking they will get worthwhile skills. Vocational training programmes are not sufficiently available, especially in areas where children are at the highest risk of trafficking and WFCL.
    - *Appropriate skills training programmes for older teens need to be rapidly expanded, especially targeting areas where WFCL remains prevalent.*
- As noted under "Forced Labour" above, the number and reach of labour officers is insufficient, so that many informal sector workplaces continue to use children in WFCL.
    - *The pro-active responsibilities of labour officers across sectors of work should be clarified through the new guidelines currently being formulated by the Ministry of Labour and Employment and adequate resources provided. Upon publication of the guidelines, labour officers need to be accountable for implementation.*
- Penalties for holding children in conditions of modern slavery are insufficient and exploitation of child labour is not generally seen as a criminal offense. It is not included on the police investigation cases list. Victim compensation requirements and payment for back-wages are not clearly defined and implemented.
    - *Criminal penalties should be further defined and increased, and training provided to those responsible for implementation. Compensation and back wages should be consistently required when cases are pursued*.
- As noted in the section on legal provisions, child labour protection legislation does not meet international standards.
    - *Legislation should be updated to meet these standards.*
- Tens of thousands of children in families in bonded labour remain in WFCL because national efforts against bonded labour are under-resourced and because land reform efforts are not reaching their families.
    - *As noted above, provision of packages of transitional support should be made to families in bonded labour, including removal of children from WFCL.*
- Childline operators are not yet functioning in each district.

    - *The reach of Childline and its local tracing and referral systems should be made national*.
- Lack of repatriation agreements as well as technical rules preventing district officers using travel budgets outside of Nepal are delaying return of children in slavery from neighbouring countries, especially India.
    - *Agreements for voluntary repatriation, practical arrangements as well as a more flexible approach to use of budgets for rescue of Nepali children should be rapidly concluded*.
- There are insufficient transitional shelter places for children rescued from WFCL.
    - *Short-term shelter places should be made available in each region.*
- Budgets for reintegration support for rescued children are insufficient, and there are generally not clear definitions of the responsibilities for resettlement and on-going visits, despite the emergence of DCPCs.
    - *National minimum standards for reintegration support and clear responsibilities should be assigned, with adequate budgets.*
- There has been good progress in reduction of acceptance of child domestic servitude in some areas, but in emerging and transitional neighbourhoods children are still widely used.
    - *Successful strategies used in some municipalities and villages need to be replicated in areas that still have high prevalence and where use of children is not yet publicly rejected. Further media initiatives (documentaries, radio programmes) should expose the problem.*

Part 2: Effectiveness of interventions per type of modern slavery

For the purpose of this study, "effectiveness" is understood to mean that the intervention prevents modern slavery, removes people from situations of modern slavery, reduces the impunity of offenders, or increases justice for victims, while complying with internationally agreed human rights standards. In other words, that the intervention makes a significant contribution towards the elimination of the targeted type of slavery, at least within the area of the actual intervention. Judgements on this mostly had to be made on the basis of organisations' descriptions of their results, as independent or formal evaluations were not available.

Note that while assessing the effectiveness of current interventions, the present under-funding of activities is not taken into account i.e. an activity is not rated as ineffective because it is not yet delivered on a large enough scale or because staff are not sufficiently resourced to perform their roles as effectively as possible.

Intervention	**Awareness Raising**	**Law & Policy**	**Liberation & Reintegration**	**Business Transformation**	**Effective**	**Likely effective with MINOR adaptations**	**Likely effective with SIGNIFICANT adaptations**	**Not effective**
Forced Labour								
Prosecution of traffickers/fraudulent manpower agencies *(also for other forms of modern slavery)*							x	
Suspensions of corrupt officials						x		
MOU with destination countries to protect migrants						x		
Implementation of NPA against trafficking *(also for other forms of modern slavery)*						x		
Legal awareness for high risk groups *(also for other forms of modern slavery)*						x		
Legal training law enforcement/judiciary						x		
Legal aid to victims *(also for other forms of modern slavery)*						x		
Advocacy for improved laws *(also for other forms of modern slavery)*						x		
Advocacy for protective entitlements						x		
Creation of community-based vigilance						x		
Tracing/rescue of individuals						x		
Self-help groups – savings and livelihoods						x		
Vocational training – survivors and migrants						x		
Enrolling vulnerable workers in unions						x		
Collective bargaining for paying wages						x		
Shelter, social reintegration *(also for*						x		

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Effective	Likely effective with MINOR adaptations	Likely effective with SIGNIFICANT adaptations	Not effective
other forms of modern slavery)								
Drop-in centres for high-risk workers						x		
Migrant Resources Centres						x		
Posting labour attaches at embassies							x	
Financial assistance for exploited migrants							x	
Packages of support for bonded labourers							x	
Obtaining citizenship documents						x		
Outreach within communities against trafficking *(also for other forms of modern slavery)*						x		
Media reports on trafficking and on abuses against migrant workers *(also for other forms of modern slavery)*						x		
Trainings to journalists *(also for other forms of modern slavery)*						x		
Radio broadcasts and PSAs *(also for other forms of modern slavery)*						x		
Pre-departure migrant worker orientation trainings – including information on access to govt. insurance scheme							x	
Business association Codes of Conduct							x	
Registration of “entertainments” sector businesses							x	
Commercial Sexual Exploitation								
Note also some of the interventions above that are relevant								
Setting national standards for operating shelters						x		
Identification and rescue of children from sites of CSE							x	
Survivors mutual support groups						x		
Psychosocial and health care							x	
Trainings to health and transport workers						x		
Outreach by survivors						x		
Forced Marriage								
Child club members, religious leaders directly preventing child marriages						x		
Training, awareness and community outreach for and by child clubs and adolescent girls groups						x		
Dialogue and training of religious and traditional leaders						x		
Worst Forms of Child Labour								
Production of Masterplan against Child Labour					Document not yet seen			

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Effective	Likely effective with MINOR adaptations	Likely effective with SIGNIFICANT adaptations	Not effective
Active participation by Nepal government in SAIEVAC						x		
Identification and liberation with engagement of local government – for child labour free zones							x	
Non-formal Education						x		
Curriculum units for vocational training in schools						x		
School enrollment and school costs support for former slaves							x	
Income generation support for parents							x	
Operation of Childline						x		
Creation of District and Village Child Protection Committees							x	
Child club outreach activities						x		
Publicising Childline						x		
Publicising Child Labour Free Zones						x		
Curriculum units on trafficking in schools						x		
Employers expected to improve conditions or reintegrate adolescents							x	
Brick kiln owners expected to provide child care facilities and spaces for non-formal education						x		
Mobilisation of labour officers and implementation of labour inspections						x		

Table 3: Effectiveness of interventions

Analysis of promising interventions and strategies:

The following are examples of existing programs that are making an important contribution and could be scaled up as part of a programme for eradication of modern slavery in Nepal.

Forced Labour

1. Pre-departure skills training for migrants

Logic: It has been found that migrant workers with some professional training can earn more and have more bargaining power. One programme has been providing 2 month training courses in construction for migrants and then tracking their progress once they go for work. Now they intend to provide training for domestic workers going abroad.

Strengths and Weaknesses: These courses are not yet sufficiently available (only reaching relatively small numbers of trainees). Also in order to benefit the most vulnerable, they should not require significant expense for participants' travel and accommodation.

M&E Measures: Actual jobs attained with proper pay; and tracking of decent work in destination areas.

Key results: Higher income of trained migrant workers.

Example costs: Cost per person for 2 months construction training: USD327. A shorter training for domestic work should be possible.

2. Migrant information centres
Logic: The centres can help migrants understand what documents the manpower agency should provide to them, and can give them information about insurance, safer ways to send remittances etc. The centres are an important resource for families when a migrant has gone missing overseas or has died while overseas. These have been created at district level in several areas and are being developed in 18 districts.
Strengths and Weaknesses: In a few districts, migrants are required by officials to go to talk with the information centre before obtaining documents for their passport. This is important because it stops the broker from deterring them from obtaining information.
Not enough research has been done about which steps migrants can take that actually give them the most protection. It is hard for some migrants to get to the centre from where they live.
M&E Measures: Numbers using the centre; number of repeat visits. Number gaining legal aid and pursuing legal cases through to a conclusion. Number of migrants in difficulties overseas who are able to be located and assisted.
Key results: Better quality information is available to migrants and prospective migrants in multiple districts. 11,000 people accessed information about safer migration through Resources Centres during the first phase of the programme.
Example costs: Estimated per person costs: USD16; estimated costs for one centre for one month: USD250 - USD400.

3. Use of migrant networks in destination countries, when a migrant worker is in difficulties
Logic: Groups of workers from the same country can be helpful in tracing where an individual is working, helping to remove someone from slavery, or getting the authorities to assist in a case. A migrant led NGO in Nepal has been using these connections in key destination countries very effectively.
Strengths and Weaknesses: Migrant networks are motivated to assist and sometimes have better access to local information than embassies. Success depends on the extent of their contacts. Existing efforts are under-staffed.
M&E Measures: Number traced; number assisted/repatriated.
Key results: Large number of individuals traced and families assisted.
Example costs: Cost for returning one individual from abroad (not including flights): USD200

4. Development of community organising practices and use of participatory research/dialogue methods in highly affected locations
Logic: If social mobilizers have tools for participatory research and dialogue, then groups can identify key issues and plan effective actions. The REFLECT system (www.reflect-action.org) has been particularly useful for this. Some organisations have focused on helping local communities to consider why trafficking and bonded labour is happening to their families and how to address the root causes.
Strengths and Weaknesses: When carried out carefully, it means that changes can be sustained and the intervention becomes comprehensive, driven by the specific context of each location. When there is insufficient investment in field staff training and regular presence, the intervention will be ineffective. Its effect can also be reduced if the support organisation wants to avoid challenging local power structures (even within the local group itself) and if the voices of the most marginalized are not brought to the fore.

M&E Measures: Number of communities fully eradicating forms of modern slavery; their capacity measured against clear benchmarks for sustaining elimination of slavery; actions taken to address root causes and specific results gained; level of awareness among local residents; financial commitments for survivor support by VDC/District; incidents demonstrating resistance to traffickers or to bring trafficking victims home.
Key results: Communities supported through participatory methods have advocated for vital protective services, brought back children from slavery, stopped traffickers, developed income generation activities and are committed to sustaining their efforts against slavery, due to a deep rejection generated against all forms of exploitation. The work has been further developed through networking such groups together. For example, one organisation now believes that 42% of its 70 local groups meet standards for eradication of slavery and self-sustained efforts.
Example costs: Social Mobilizer to support approx. 15 – 18 local groups: USD180 per month; REFLECT 5-day training for 25 facilitators USD1,875; REFLECT support for one group for 9 months of intensive meetings, including facilitator: USD1,250.

5. Outreach led by trafficking survivors
Logic: Some survivors are committed to helping prevent others from entering slavery and their experiences equip them well to convince others of the risks. There are rural and urban programmes supporting slavery survivors to provide safer migration counseling, help with reintegration of newly returned survivors and advocate for more effective government actions.
Strengths and Weaknesses: Survivors tend to sustain their efforts and do not see their work on a "project" basis. In some cases, working together on outreach can be part of their own recovery. To work well, the survivors' own experiences must be supplemented with specialized training e.g. in migrant rights, legal issues and documentation. Regular support and help with related costs must be provided.
M&E Measures: Number of individuals counseled by survivors; number of cases they have assisted with; measurement of group's work against benchmarks for capacity.
Key results: Community-based groups with active leadership and participation by survivors are showing strong sustained efforts against slavery (see point 4 above).
Example costs: 3-day training for 20 survivors: USD600; running costs for community-based survivors group per year (not including training days): USD500

6. Use of radio for awareness raising
Logic: Radio PSAs and talk shows can reach remote communities, providing vital information, for example about how to access services such as Migrant Resources Centres. Open dialogue on radio can help change social norms that permit modern slavery.
Strengths and Weaknesses: The quality of the programming can be variable, partly depending on the level of funds and access to trained journalists. Radio can be used effectively to hold officials and politicians to account for their responsibilities and can give a voice to survivors and local NGOs that have in-depth experience.
M&E Measures: Number and length of broadcasts; Changes in levels of knowledge and awareness; audience feedback to radio programmes.
Key results: Not clearly measured yet
Example costs: Radio programme - one 30 minute episode including production and broadcasting (including) interviews and field reporting: USD120. One PSA jingle: USD1 when contracted for two year period.

7. Joint savings groups and micro-finance, including through local cooperatives
Logic: In combination with rights-based community organising, many groups find that local savings groups can help stop slavery through lending to members during

emergencies and, once they have sufficient collective funds, making loans for income generation activities. Such groups, building up their economic strength, can increase workers bargaining power when faced with threats, sexual exploitation or failure to pay wages.
Strengths and Weaknesses: Economic empowerment is a key component to sustained liberation. By rotating their own funds, self-help savings groups can be a highly cost effective way to progressively enable people to come out of slavery. While people may be motivated by economic opportunity to participate in a group, the regular meetings can be a forum for learning and action against forms of slavery.
Financial resources can be mishandled by people without experience or adequate training, and who are under economic pressures and crises. Groups may not get good quality advice about loans to make or income generation activities to begin. When losses are made, it can lead to disillusionment. If groups take too long to develop enough resources, then the poorest members may not sustain their involvement. Also high levels of expected weekly savings may be a barrier for poor people. In the absence of rights-based community organising, self-help groups may not challenge exploitation or slavery.
M&E Measures: Levels of joint savings and sustained regular savings by each member; Amount of funds in circulation as loans; Number of members making decent income (helped to come out of slavery) through investments made with group funds; percentage of such groups achieving benchmarks for success.
Key results: Many organisations now have dozens of local SHGs that are self-sustaining in their savings and loans, and some have built up a "corpus fund" that means that collectively they can determine their own priorities, aside from donor agency constraints. One such group could indicate 100 former bonded labourers now functioning independently of the landlord due to participation in a cooperative. The same group had a corpus fund of USD50,000.
Example costs: Social mobilizer to support SHGs: USD80 - USD180 per month; Individual micro-finance loans: USD200 - USD1,000.

8. Joining and mobilizing trade unions
Logic: While the role of self-help groups and women's groups may not be well understood by employers, they often recognize the role of unions and are ready to negotiate. Likewise, workers can readily understand the importance of collective bargaining with the support of a union. Through the union structure, workers can engage other groups of workers to give them support when needed, and can access legal aid. Through unions, workers can change workplace practices that could otherwise cross the line into slavery.
Strengths and Weaknesses: As with other forms of community organising, unions work effectively when union outreach workers are regularly engaged and build rapport with workers. Unions have a well-recognized historic role in Nepal. However, unions are not active in many of the crucial sectors where modern slavery is most prevalent and find it hard to sustain their activities with highly mobile or geographically isolated groups of workers.
M&E Measures: Numbers of members; increase in wages; commitment of dues by members; increased knowledge and awareness of members.
Key results: Especially in the "entertainments sector" some of the women workers are joining a union and successfully using the union to intervene, especially when they are not paid for some months or when facing other kinds of exploitation. In other contexts (e.g. domestic work), participation in a union can give individuals who were in slavery a platform to be heard.
Example costs and issues affecting costs: Education in functioning of trade union, 7 day training, 30 people: USD3,500; local rally: USD200; REFLECT-based regular unionization class for domestic workers: USD700.

Commercial Sexual Exploitation

1. Use of Public Interest Litigation (PIL) to improve legislation
Logic: Litigation can compel action in a way that other forms of advocacy might not.
Strengths and Weaknesses: Strength depends on high quality legal skills and availability of adequate evidence.
M&E Measures: Whether the court rules in favour of the PIL and the quality of the subsequent ruling by the court.
Key results: Successful use of Public Interest Litigation by a legal advocacy NGO has required the government to amend the Human Trafficking and Transportation Act Section 15(6). The litigation focused on the effect of this section which was to deter victims from coming forward to testify because if they then were accused of changing their statement or did not appear in court, they could be liable to 3 months – 1 year imprisonment.
Example costs and issues affecting costs: One PIL: USD500 - USD1,500 (depending on the quality of lawyers).

Forced Marriage

1. Child clubs and adolescent girls groups
Logic: By investing resources in raising awareness within these groups, the programmes can reach the vulnerable target group, as well as having multiplier effects through the outreach of the children themselves. Young people are effective transmitters of normative change, and sometimes have more time as well as mutual support available to engage in local outreach. Due to their participation in education, they are sometimes more ready to absorb new information.
Strengths and Weaknesses: Communities often want to support and listen to their young people. Across Nepal there are over 18,000 child clubs based in all kinds of communities, and some NGOs have particularly focused on developing adolescent girls groups. There is a good base of experience. Specially designed curricula have been prepared and used to promote local leadership by children in preventing child marriage. A recent study cited the activities of child clubs, adolescent and girls groups as very useful in preventing child marriage.[97]
However, because of their wide presence, child clubs are often targeted as vehicles for all kinds of programmes. Because adolescents grow up and may move away, there can be a lack of continuity in their efforts.
M&E Measures: Average age of marriage in participating communities; number of VDCs ending child marriage; range of activities undertaken by the groups and level of participation; examples of marriages prevented and individuals' personal resistance to early marriage.
Key results: Programmes have documented their progress in raising the age of marriage in their target areas.
Example costs: Social mobilizer for supporting approx. 10 child clubs per month: USD160; Child club stationery and meeting costs for one year (not including staffing): USD250; 7 days children's campaign in one VDC: USD600.

2. Engaging religious leaders and healers against child marriage
Logic: Religious leaders and traditional healers have a crucial role in marriages, through officiating and appointing an auspicious date. When they do not cooperate with marrying children, it is hard to go ahead. Also, they are key influential people

[97] *Child Marriage in Nepal*, (Save the Children, Plan Nepal & World Vision, 2012). Available at: http://www.wvi.org/sites/default/files/Child%20Marriage%20in%20Nepal-%20Report.pdf.

within the communities, who can affect long-term normative change. Many groups arrange trainings and dialogue with local religious leaders and traditional healers, so that they become pro-active against child marriage. One group had developed in depth dialogue with Muslim leaders about Koranic guidance against child marriage and in support of education, leading to them speaking out against child marriage.
Strengths and Weaknesses: Strength depends on the quality and intensity of the engagement with leaders, and sustaining contact with them. They don't always respond positively.
M&E Measures: Number trained; commitment of trainees to resist child marriage; refusal to set auspicious date for people who seem to be under-age; average age of marriage in target communities.
Key results: Rising average age of marriage; in many cases leaders have followed through on their commitments.
Example costs: Training costs per day for 25 – 30 people: USD275

Worst Forms of Child Labour

1. Improving and strengthening statutory coordinating bodies
Logic: State bodies such as Village Child Protection Committees, Village Committees for Combating Human Trafficking, and District Child Welfare Boards can have local government support that can lend continuity and enable proper access to entitlements and services. In order to take up their roles with confidence and effectiveness, such local bodies need regular in-depth training, especially as members rotate on and off the committees. Because the members serve in other civil society groups and sometimes live in a wide range of local settlements, they can spread awareness and help deal with problems occurring in those communities. One international agency is investing training in Village Child Protection Committees, while another is gradually merging its own local groups into the official Village Committees for Combating Human Trafficking. Another is piloting work with district authorities to help them mainstream child labour prevention and reintegration throughout all their relevant budgeted activities and services. The Central Child Welfare Board is providing trainings and guidance to District Child Welfare Boards to improve their protection of children in difficult circumstances, including trafficked children.
Strengths and Weaknesses: Potential sustainability and avoiding duplication of local structures with similar responsibilities. Committees can have a clearly mandated and recognised role, as well as authority to deal with questions such as welfare of individual children. They can be a cost effective way to share work around a large number of people.
Members on such committees may represent the more powerful and literate groups and may not have direct experience of the issues they are trying to address. They may not identify solutions that would address root causes of key social problems. Intensive training is needed to address potential lack of knowledge and awareness of how to do their work. Integrating past survivors in the decision making of different coordinating bodies could also help address this gap.
M&E Measures: Improvements in competency of such bodies, including ability to mobilise local and national resources to address local problems; self-sustained actions.
Key results: Currently the strategy is fairly new, and major results are not yet clear.
Example costs: Training for 15 people for 3 days: USD450; Village Child Protection Committee annual running cost and 3 day training: USD800.

2. Running Non-Formal Education centres to transition children into formal schools

Logic: Children coming out of WFCL sometimes need accelerated education in order to later join local schools at an appropriate grade level. Also, when older adolescents are working during some hours of the day, they may not be available during normal school hours. Also providing NFE centres can be a way for NGO staff to develop contact with a child and make an assessment of their situation. Many organisations, local authorities and the national Labour Department support non-formal education centres as part of local campaigns to remove children from Worst Forms of Child Labour.
Strengths and Weaknesses: NFE centres may have more flexibility to adjust to learning challenges facing children who have been in difficult circumstances as well as being able to provide vocational training and human rights awareness alongside the regular curriculum. The quality of education depends on the resources invested and training of staff. Also, in some cases the NGO's provision of NFE has meant that they have not pursued a tougher approach against the employer, when prosecution might have been appropriate, or when a child would have benefited from returning home sooner. Agreements made with employers to allow a child to go to the centre can be seen as an endorsement of child labour during the rest of their time.
M&E Measures: Number of children benefiting and having continuity of attendance/completing the programme; academic progress made by the children; enrollment in regular schools after NFE; removal from WFCL.
Key results: Some have been successful in enabling children to gain basic literacy and integrate in government schools. Engagement from NGO staff has often resulted in improved treatment by employers, as well as putting pressure on employers so that children can be returned to family. Where employers do not let children come to the NFE, some NGOs have pursued a legal approach, recognising this as a sign that the child is being exploited.
Example costs: Costs vary considerably depending on the venue where it is provided, the salary levels and number of teachers, number of children, and whether snacks are provided. 10 - 12 months, 30 – 40 children: USD3,100.

3. Developing micro-enterprise skills of adolescents
Logic: If older adolescents have access to ways to earn money locally, they will be less vulnerable to trafficking and WFCL, and girls will be less vulnerable to early marriage. One organisation has developed a step by step curriculum for girls to identify their skills and interests while learning about managing a business. The Self-Employment Education Programme teaches about savings and credit while helping participants decide on a particular activity, for which they are then supported. Also, if vocational training is integrated at schools, parents and children are more likely to see the value of continuing to attend.
Strengths and Weaknesses: In-depth preparation and market assessments can lead to sustainable and worthwhile investments. Lack of preparation, lack of on-going support and poor decisions about which skills to develop lead to wasted effort and resources.
M&E Measures: Completion of trainings; earning decent income; sustained participation in group activities; increased confidence to take up other challenging issues.
Key results: One such programme had provided vocational training to 1,832 older adolescents including 797 girls coming out of CSEC.
Example costs: Groups arranging vocational training quoted costs varying from USD100 – USD1,000 per person, depending on the length of training and whether start-up materials were then provided to the person. Typical costs were USD200 - USD400 per person.

4. Running child labour eradication campaigns in municipalities

Logic: A systematic, neighbourhood based approach, with municipal or VDC leadership can identify each child in WFCL and take action for their release. Well-publicized opposition by the authorities, backed by media outreach, can help change views on what is acceptable. A number of urban municipal areas have posted billboards to warn against child labour and some Chambers of Commerce have given public support to such campaigns. One Municipal Social Welfare department has organized child labour surveys carried out by volunteer youth throughout each ward, with local groups also making house to house visits to improve conditions of adolescent workers and to remove those most at risk. NFE centres prepare children for integration in schools.
Strengths and Weaknesses: Official leadership can enable employers to make better decisions. Work against child labour has not always been backed by strong legal action or by clear criteria for the circumstances in which a child should definitely be removed from where they are living and working. Also, some authorities have been aware of migrant child labourers from other countries but not addressed their needs due to the challenges of repatriation.
M&E Measures: Reduction in prevalence of WFCL; number of children reintegrated with families; number of campaigns run in each VDC; public statements by officials denouncing WFCL and promoting their swift and safe reintegration.
Key results: The programme mentioned above is seeing year by year reductions in the number of child labourers found in their surveys.
Example costs: Ward level child protection committee cost per year: USD50; Cost per ward for annual house to house survey by youth volunteers: USD150; one billboard to display child labour free zone message: USD50. These costs do not include staffing costs.

5. Running a hotline
Logic: A hotline is an essential mechanism through which children and adults can bring attention to situations where they are in crisis, including those relating to slavery, enabling government and civil society to respond. This is especially important as most forms of modern slavery are well hidden. The government approves and supports Childline, operated by NGOs. Childline receives calls about trafficked and otherwise exploited children. In some locations, volunteers put posters and stickers in small shops and other locations where child labourers go.
Strengths and Weaknesses: Childline now has operators in 14 districts, but it does not have responsive capacity in all areas. The quality of response also depends on facilities available, the training of staff and the level of cooperation between service providers.
M&E Measures: Number of cases responded to; assistance provided.
Key results: The research has not obtained information on results of provision of the service.
Example costs and issues affecting costs: Running hotline: USD3,000 per month.

6. Conducting raids to release children
Logic: In situations where children are in slavery, the authority of the state should be mobilized to safely remove them and enforce legal sanctions against slaveholders. One organisation began trying to help children working in embroidery factories by requesting employers to allow them to come to an NFE centre. Faced with resistance, or making children work longer hours to make up for time in education, the organisation worked with the local authorities to arrange raids to release the children and reintegrate them with their families.
Strengths and Weaknesses: Rescue operations lead to immediate removal of children from danger and harmful exploitation. Children have often been warned by slaveholders that police will arrest and abuse them, so the raid is a frightening event for them. Further effective legal action also depends on the correct procedures and

collection of evidence at the time of release. The results from rescues also depend on the quality of reintegration services once children are back with family, as well as the available resources to help change the circumstances of children's original vulnerability, to prevent re-trafficking.
M&E Measures: How many individuals were released; filing of legal cases; information regarding follow up with children returned home.
Key results: Such operations are not often carried out, and results were not available for this research.
Example costs and issues affecting costs: N/A

7. National advocacy by former child domestic workers
Logic: Intense coordinated pressure building is sometimes needed to secure rights for former slaves. Survivors of the kamalari (child domestic worker) system joined in protests nationally when the local authorities refused to investigate what was believed to be a killing of a kamalari child by her employers. When their protests were faced with police violence, civil society groups became organized in support of the young women. Finally the national government met with them, agreed to an investigation and to providing school support to former kamalaris. Such support has not yet been fully implemented.
Strengths and Weaknesses: The responsiveness of other civil society sectors and media to the violent actions against the protestors shows a strength of solidarity between movements and support toward youth leadership. While this mobilisation gained immediate results, due to the transitional nature of government, there is a need for consistent follow up and renewed pressure.
M&E Measures: Government commitments to fulfill demands of the movement.
Key results: Commitments for school costs support
Example costs and issues affecting costs: N/A

8. Decisions by employers only to employ adults
Logic: If adults are receiving proper wages, it tends to reduce pressures for children to work. One example was that the Western Regional Transport Entrepreneurs Organisation decided that it would employ only adults as conductors or helpers on vehicles, because child workers would not have proper identification and would be unable to get compensation in the case of injury or death. They viewed it as irresponsible to employ children. To enforce its decision, the organisation provides all adult employees with identity cards.[98]
Strengths and Weaknesses: When leading employers make these decisions, it helps create normative change and allows official enforcement to concentrate on remaining sites of child labour. One challenge is that many older teens, especially 16 – 17 year olds need to earn income within safe jobs, and it does not help poor families to entirely exclude them from work.
M&E Measures: Lack of children in the workplace.
Key results: In this example, the employer only allowed adults to work.
Example costs and issues affecting costs: N/A

[98] *A Rapid Assessment of Children in the Urban Transport Sector,* (New Era, World Education & Plan Nepal, 2012). Available at: http://www.worlded.org/WEIInternet/resources/publication/display.cfm?txtGeoArea=INTL&id=13983&thisSection=Resources.

Section 6
Synthesis & Strategic Recommendations



Photo: Katie Orlinsky © Legatum Limited 2015

Synthesis and strategic recommendations

Earlier sections of the report have analysed the key issues of modern slavery in Nepal, identifying geographic and sectoral concentrations. The report has outlined existing government actions as well as the strategies, promising practices and capacities of NGOs and international organisations. Given this context, Section 6 looks at how government and civil society can unite to carry out major programs and activities to progressively and sustainably eliminate forms of modern slavery in Nepal. It makes recommendations about overarching approaches as well as critical next steps.

Citizenship: A guiding theme for promoting freedom from modern forms of slavery

As Nepal continues to deepen and strengthen its democracy, a fundamental principle to guide future work against modern slavery should be "citizenship for all". Citizenship status (for all eligible Nepalis) is crucial to tackle slavery for three reasons:

Firstly, the continuation of slavery is linked with ways of thinking about the unequal citizenship or non-citizenship of women, children, dalits, and certain janajati groups that filter, cloud and confuse an assessment and decisive response to the individual's actual condition. **The indicators that the person is in slavery are what should trigger equal protection and reintegration**.

Secondly, on a practical level, citizenship documentation serves to facilitate key rights that can help prevent slavery, such as opening a bank account and accessing a legal passport, as well as helping to regularize land rights and other key formal entitlements.

Thirdly, for individuals at risk, their own knowledge of citizenship is an antidote to internalized acceptance of exploitation, helping people to defend themselves against human rights abuses.

The idea of equal citizenship therefore forms a common ground between the state and vulnerable individuals so that both can exercise a political will for freedom.

Specific strategies for improving Nepal's response to different forms of modern slavery are highlighted in the tables below. In addition, there are several cross-cutting approaches that government and civil society are developing that are particularly relevant and timely, and should be reinforced:

Overarching approaches

The following 5 points are approaches that are emphasized throughout the recommendations.

1. **Extending the reach of formal employment arrangements:** Prevention of enslavement is currently hampered by the poor reach of labor rights enforcement into the informal sector. More than 70% of economically active workers are in the informal sector.[99] Isolation of individual workers (for example in domestic work) and lack of recognition as workers (for example in dance bars and restaurants) leaves women and children particularly at risk. To help protect informal workers from slavery, their workplaces need to be registered within the formal economy. This would extend legal

[99] International Labour Organisation, *Informal Economy* (website). Available at: http://www.ilo.org/kathmandu/areasofwork/informal-economy/lang--en/index.htm.

requirements of labour inspection into their workplaces, as well as contracts of employment and minimum wage rates. It would also encourage a more pro-active role of trade unions in enrolling the workers and making services available to them.

2. **Resourcing and investing in sustainable state anti-slavery mechanisms**: Donor and government support for Nepal's effort against modern slavery should be carried out in a way that strengthens the emerging state/civil society mechanisms for addressing these needs. With an elected national government in place, and upcoming local elections, some INGOs are realizing that their strategy could focus on enabling state-led mechanisms to speed up and expand their capacity to accomplish anti-slavery work directly. More specifically, this could mean:

- Enabling the National Committee for Combating Human Trafficking (NCCHT) to become a strengthened inter-ministerial Secretariat against Slavery and Human Trafficking, with adequate resources, technical personnel and institutional authority to coordinate the key responses to slavery. It would have an enhanced role in drawing together each of the relevant ministries such as Ministry of Labour and Employment (including Department of Foreign Employment), Ministry of Women, Children and Social Welfare, Ministry of Home Affairs, Ministry of Foreign Affairs, and Ministry of Land Reform and Management so that "joined up government" underpins the country's responses. This would include ensuring that NCCHT has capacity to track performance of each key government office in fulfilling its responsibilities in the National Plan. This collaboration should be replicated at the District and Village level through DCCHTs and VCCHTs, coordinated by district level Women and Children Offices.
- Enabling the Central and District Child Welfare Boards, in close connection with Village Child Protection Committees to take responsibility for the well-being of every child affected by forms of modern slavery and to be able to monitor fulfilment of responsibilities at local level.
- Ensuring the mainstreaming and full integration of responses to slavery within annual planning and budgeting at national, district and VDC level, including ensuring that the next National Masterplan on Child Labour is adequately funded and its work fully coordinated with the NCCHT.

3. **Supporting activities led by those most affected by slavery**: At the same time, civil society initiatives (with international support) could concentrate on developing channels for survivors of child labour, trafficking and bonded labour to take a lead in preventing further abuses. Further evaluation is needed, but there seems to be experiential evidence that survivor-led groups are especially effective in three key dimensions:

- Changing the social acceptability of violations of human rights;
- Sustaining their own efforts beyond the lifetime of donor projects; and
- Being able to reach into vulnerable parts of the community with highly credible and realistic messages.

4. **Enabling locally-based NGOs and social movements to address root causes and recover their role as innovators**: During the interviews, several NGOs gave examples of how the programmes agreed with funders had limited their flexibility for innovation and for being attentive to emerging aspects of the problem. Small budgets also made it difficult for NGO field staff to be regularly present in the most affected rural communities. It could be productive for funders to invest in deeper critical thinking by NGOs, and to encourage a culture of flexibility within shared goals.

The researchers also noted a trend among hard-pressed NGOs to offer informal and consensual steps between the perpetrator and the victim in the face of different kinds of modern slavery, including not facilitating victims to start legal cases even in quite egregious cases of child slavery. In some cases this consensual approach was in the best

interests of the victim, but in other cases, it neither served the victim nor reinforced a clear and unequivocal rejection, endorsed by government, of severe human rights abuses. Regular delivery of significant sanctions for perpetrators is an important component of addressing root causes of slavery.

5. **Mobilizing local businesses and cooperatives towards inclusion of the most vulnerable**: Institutionalizing efforts against modern slavery will require businesses and cooperatives to ensure that they offer work opportunities as well as fair access to credit to the most vulnerable.

Recommended priority actions

Set out below is a summary of 22 large-scale interventions towards long-term elimination of modern slavery. These are recommended as the highest priority activities that could be shaped into coherent and budgeted programs. Based on the findings of this research, the scale of reach of the activities suggested below, combined with careful targeting, would ensure that over a 20 year period, levels of modern slavery in Nepal would be minimised. The interventions comprehensively tackle the main root causes that lie within the control of the country, and they would enable Nepal to move progessively toward elimination of modern slavery in a sustainable way. Details of these recommendations are also included in appendix 4.

These recommendations have been developed bearing in mind that, in March 2012, as a result of a wide process of research and consultation with experts, survivors and practitioners, the Government of Nepal approved a National Plan of Action against Trafficking in Persons. The Plan requires development of programmes and collaboration by key ministries as well as local agencies of government and civil society. In light of that major national initiative, the recommended activities below are built around the high level strategies described in the National Plan, as well as adding a broader emphasis on issues such as bonded labour, worst forms of child labour and child marriage. The activities described below should be adapted in the light of the publication of the NPA implementation plan by the Nepal government, which took place after preparation of this report. The government has also updated the National Masterplan against Child Labour, but at the time of research, the Masterplan was not yet finally adopted, so it was not available to guide recommendations.

Law and Policy

1. **Strengthen the legal framework**: Update all relevant legislation and elements of the criminal code, including: **criminal laws** to ensure penalties are appropriate for the severity of the crimes, and that entitlements are in place for victim restitution and compensation; **labour laws** for example to ensure domestic workers are covered; **child labour protection** laws to ensure these meet international standards; and continuing to improve procedures for **issuing citizenship documents** to address barriers to access. Ratify the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons and ILO Convention 189 on Domestic work.

2. **Improve inter-governmental cooperation**: Agree and implement voluntary repatriation arrangements with India, Bangladesh and China, improve existing MOUs with 8 countries, and agree several other MOUs with key destination and transit countries.

3. **Improve performance of law enforcement officials with regard to investigations and victim treatment**: Focus widespread training on local and border police; Women and Children Service Centre staff; National Investigation Department; Child Rights and

Labour Officers; criminal justice and labour officials. Upgrade national capacity to collate data on criminal proceedings on all related cases.

4. **Ensure access to legal aid and compensation for victims:** With regard to survivor-sensitive proceedings, train Bar Association members and invest in court facilities for survivor-sensitive proceedings. Strengthen procedures for transferring compensation to victims. Ensure that returned foreign migrants who have suffered exploitation and fraud can lodge their complaints and claims for compensation through procedures at district level.

Awareness-raising

5. **Use mass media:** Regularly broadcast Public Service Announcements and television documentaries on trafficking risks, safer migration and bonded labour, as well as producing a multi-part series for radio on related issues. Mobilise print and online journalists.

6. **Alert key public service workers:** Train all village health volunteers, such as the Female Community Health Volunteers, and groups of transport workers in each district and municipality on how to identify and provide a first response to modern slavery cases.

Identification of victims and reintegration

7. **Carry out social mobilisation for prevention and liberation in the most affected wards across Nepal**: Enable several NGOs per district to identify and select approximately 8,000 most highly affected wards and form self-determining freedom groups with survivor participation. Use REFLECT-type processes[100] to enable local analysis and 4-year comprehensive actions to eliminate forms of modern slavery, including legal awareness training, formation of mutual support groups for survivors, carrying out group savings/loan and income generation activities (linking with cooperatives), vocational training, and outreach to potential migrants. These groups would especially focus on improving performance of social protection schemes in health and education and access to fair credit. Develop migrant help desks at 1,300 VDCs and Resources Centres in each district. Train and support 1,300 Village Committees for Controlling Human Trafficking (VCCHT) and 75 District level CCHTs. Enable 1,300 Village Child Protection Committees (VCPC) to monitor and respond to movement of children into risky circumstances.

8. **Remove children from harmful child labour**: Support door to door and worksite level identification of children in all municipalities; extend the child helpline to all districts; enable prosecution of illegal exploitation of children and implement Child Rights Officers' decisions about best interests of children and arrangements for family reintegration and on-going support. Create approximately 200 Non-Formal Education centres to help with transition of children to school. Provide vocational training for older adolescents.

9. **Enable child clubs and adolescent groups to take the lead in preventing child marriage and child trafficking, and engage local religious/traditional leaders:** Provide intensive support to approximately 6,000 existing child/adolescent groups for awareness, outreach and direct prevention. Provide training to local religious leaders and traditional leaders.

[100] See www.reflect-action.org REFLECT is a participatory method for problem analysis and action planning for which there has been wide training and use throughout Nepal and which has been used by local groups with good results.

10. **Improve child protection at children's homes:** Provide compulsory 5 day training for 800 private children's homes on child protection standards and carry out unannounced inspections as well as pre-arranged support visits.

11. **Provide transitional support for families coming out of bonded labour**: Identify approx. 70,500 households still in bonded labour and promote their participation in social mobilisation activities of local freedom groups (described above). Provide a rehabilitation package including access to land, housing support and children's education.

12. **Provide transitional support for individuals coming out of commercial sexual exploitation**: Compile information on successful methods of reaching children and trafficking victims in CSE to help them to leave, including through safer livelihood options. Provide shelter as needed, vocational training, equipment and follow up support for approximately 30,000 individuals.

13. **Improve existing shelters, create new ones, and develop alternative care practices:** Provide facility improvement and staff training for approximately 20 shelters, including exposure to alternatives to shelter-based care. Provide mental health and trauma training for staff of approximately 50 organisations. Support approximately 15 new small shelters. Support inspections of all shelters through District Child Welfare Boards and Women Development Officers.

14. **Provide practical protections for migrant workers:** Provide pre-departure training to all migrant workers and vocational training to approximately 10,000 domestic workers per year. Appoint labour attachés at 6 additional overseas embassies and adequate resources to 14 Nepal embassies for shelter and repatriation of victims. Support a migrant-led responsive system in 14 key countries. Train key staff at 10 border locations and in each district about repatriation arrangements.

15. **Strengthen coordinating mechanisms at ministerial level**: Emerging from the existing National Committee for Controlling Human Trafficking (NCCHT), establish a permanent Secretariat on Slavery and Trafficking (with senior leadership) to coordinate and support federal ministries and local action.

16. **Provide resources for independent feedback on progress**: Support the existing Nepal Special Rapporteur on Modern Slavery and Human Trafficking to give regular feedback on all above programmes as well as a comprehensive report on progress every two years.

Business transformation:

17. **Enable workers in high risk industries to join and activate trade unions.** Do this through supporting union outreach activities in each district.

18. **Require business registration for high risk workplaces in Nepal.** This will make it possible for officials to undertake inspections and will raise the awareness of employers that they are likely to come under government scrutiny. In addition, require households using domestic workers to register with the authorities and issue proper work documents.

19. **Create voluntary "slavery-free" certification systems for several high risk products:** Create and market these certifications through multi-stakeholder processes with active involvement of workers in the industries.

20. **Assist business associations to create Codes of Conduct for their members**. Enable them to verify compliance.

21. **Enable government at all levels to procure slavery-free products and services**: Given limits of capacity for scrutinising products, this should commence with the most egregious products, such as bricks, and ensuring child labour is not used on government infrastructure projects. Support creation and implementation of practical guidance.

22. **Promote consumer demand for slavery free practices in key sectors:** Provide information to the public about how to support legal work practices, especially in tea shops/hotels, brick making and foreign employment.

Conclusion

Nepal has been one of the countries of the world with the highest prevalence of different forms of modern slavery, such as Worst Forms of Child Labour, bonded labour and, in recent decades, the enslavement of large numbers of its migrant workers, especially women. These high levels of modern slavery have had many causes, including: a historic neglect of investment in its rural areas; deep social discrimination and economic exclusion of women, low caste groups, and some janajatis; poor access to education, sources of fair credit and skills training; and poor functioning of legal protections.

However, many positive factors are now converging so that Nepal is much better placed to be a leader in slavery eradication efforts, potentially providing an early example of what a concerted and internationally supported programme could achieve. These factors include:

- The ending of civil war and the possible emergence of greater political stability.
- Significant investments in education, communications and transport infrastructure as well as initiatives against poverty.
- Presence in many parts of the country of a multitude of local NGOs that have skills in social mobilisation and are oriented towards addressing the causes of modern slavery at local level.
- The existence within the country of a range of models of effective intervention against many of the forms of modern slavery. Much of this testing of interventions has already taken place.
- An openness to cooperation between officials and civil society in many areas, and some highly motivated units of government with relevant expertise at national level.
- Presence of international organisations that have a long track record of support for successful programmes in Nepal and experience supporting government in developing policies.

As indicated above, the early phase of the programme would need to focus on improvements in the legal framework and a major injection of awareness of the realities of slavery, to create a public environment of aversion to each form of modern slavery present in the country. During this phase, intensive work would be needed to identify concentrations of modern slavery within local areas and industries, and to scale up tested interventions targeted to those areas. When early interventions complete the process of elimination in particular locations, it will be important to continue to transfer resources and effort into further areas where the need is greatest. Throughout the evolution of the programme, the leadership of individuals freed from slavery will be crucial, guiding resources toward the most effective approaches, and showing those still in slavery that independence from exploitation is realistic.

Key challenges for mounting a major 20 year national programme would include: identifying and training enough people to take responsibility for the different components; rapidly creating mechanisms of funding and accountability (including preventing corruption) to run the programme; and above all, not allowing the flow of resources itself to divert communities, organisations, officials and individual actors from the united and relentless effort to ensure freedom for all of Nepal's citizens.

Appendices



Photo: Geneva Global/Jenna Mulhall-Brereton

Appendix 1

Summary of International Laws and Conventions to which Nepal is a signatory, and National Laws are in place:

Type	Name	States Party	Strengths, weaknesses, gaps, opportunities	Strategy considerations
UN Convention	Slavery Convention	Y		
UN Convention	Supplementary Slavery Convention	Y		
UN Convention	Optional UN protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	Y		
UN Convention	UN Convention on the Rights of the Child	Y		
UN Convention	UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	N	Progress has been made through the National Plan of Action. Ratification would help further clarify the scope of the issue of trafficking in Nepal.	Key ministries are already committed to ratifying the Protocol
UN Convention	Convention on the Elimination of All Forms of Discrimination against Women	Y		
UN Convention	Convention on the Rights of Migrant Workers and their families	N	Ratification of this would focus attention on the equal treatment of migrant workers with local workers. Also it asserts the basic human rights of undocumented as well as official migrants.	Nepal should be encouraged to ratify this Convention.
SAARC Convention	Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.	Y	There are efforts to improve this. The present wording tends to narrow the focus to trafficking for commercial sexual exploitation.	With its comprehensive National Plan of Action, Nepal is well positioned to work for improved SAARC cooperation on the issue.
ILO Convention	Forced Labour Convention	Y		
ILO Convention	Abolition of Forced Labour Convention	Y		
ILO Convention	Minimum Age Convention	Y		
ILO Convention	Worst Forms of Child Labour Convention	Y	There are gaps in Nepal's compliance with this.	Some improvements in national law are needed.
ILO Convention	Domestic Workers Convention	N	This would be extremely relevant for Nepal because of the extent of	Nepal should be encouraged to ratify through international

Type	Name	States Party	Strengths, weaknesses, gaps, opportunities	Strategy considerations
			slavery in domestic work.	collaboration.
Constitution	Safeguards against forced labour, servitude, slavery and trafficking	Y	New constitution is likely to strengthen protections. Clarity on the equal citizenship of all Nepalis (especially women) is needed and is closely related to slavery issues.	Information about protections afforded by Nepal's constitution could be a component of public awareness campaigns.
National Law	Bonded Labour (prohibition) Act, and declaration of liberation of Haliya	Y	Not enforced sufficiently. It does not comprehensively define and prohibit forced labour.	Support for practical national programmes against bonded labour is needed, to uphold this law.
National law	Criminal code "Muluki Ain" elements	Y	Although it prohibits slavery, it does not comprehensively define or impose penalties for slavery.	
National Law	Children's Act	Y	Has some confusion and overlaps and focuses on welfare more than on rights.	Nepal is replacing with a new Act, which can be made more comprehensive.
National Law	Child Labour (Prohibition and Regularize) Act	Y	Insufficiently enforced, not fully compliant with international conventions. Penalties are insufficient.	
National Law	The Human Trafficking and Transportation (Control) Act	Y	Insufficiently enforced, and much of the wording is not comprehensive.	
National Law	Foreign Employment Act	Y	Insufficiently enforced, especially with regard to local brokers.	Promote enforcement through engagement with brokers
National Law	Domestic Violence Act	Y		
National Law	Civil Code, Procedural Law and Sentencing Policy	Y	Current civil code is not victim friendly and does not emphasize collection of evidence by the state as the basis for procedures.	Government has drafted new code, procedural law and sentency policy, and can be encouraged to include modern slavery issues, to make the response more victim friendly and evidence based.

Appendix 2

Organisations interviewed for the research

Type of org	Name	Focus within Modern Slavery	Key interventions
Union	Gefont	Forced Labour WFCL	• Work against bonded labour • Work to prevent enslavement of migrant workers • Protection of entertainment sector workers
NGO	Aawaaj	Forced Labour WFCL CSE Forced Marriage	• Anti-trafficking groups • Community-based work against child marriage • Emergency shelter for victims of violence
NGO	Backward Society Education	Forced Labour WFCL Forced Marriage	• Assistance to former bonded labour families • Advocacy for rights of former bonded labourers • Access to natural resources for former bonded labourers
NGO	Community Development Forum	Forced Labour WFCL CSE	• Income generation with bonded labourers • Anti-trafficking awareness
NGO	Chhori	Forced Labour WFCL CSE	• Outreach/counseling to women in entertainment sector • Shelter, therapy, voc. training, reintegration • Advocacy
NGO	Child Development Society	Forced Labour WFCL Forced Marriage	• Removal of children from slavery in stone quarries, embroidery, brick kilns and arranging school attendance • Advocacy
NGO	Community Rural Development Society	Forced Labour WFCL	• Helping bonded labourers access rights • Community awareness centres • Safer migration work
NGO	Concern for Children and Environment	Forced Labour WFCL	• Removal of children from slavery in brick kilns and arranging school attendance. • Advocacy
NGO	Dalit Feminist Women's Organisation	Forced Labour CSE	• Group discussions • Network of dalit women for vigilance • Advocacy
NGO	Dalit Janchetna Sangham	Forced Labour WFCL CSE	• Group formation, capacity building bonded labourers • Land rights, livelihoods • Advocacy
NGO	Dalit Samrakychyan Manch	Forced Labour WFCL	• Group support for local and national advocacy • Take up legal cases • Economic strengthening via a cooperative
NGO	Gramin Mahila Srijansil Parivar	Forced Labour WFCL CSE Forced Marriage	• Community & survivors group formation and organising against slavery and trafficking • Early marriage prevention • Advocacy
Union	Home Workers Trade Union	Forced Labour WFCL	• Campaign for ILO convention 189 • Building the union, getting more members

Type of org	Name	Focus within Modern Slavery	Key interventions
International Organisation	International Labour Organisation	Forced labour WFCL	• Safer Migration policy work • Formalizing the informal economy • Mainstreaming work against child labour in local and national government
International Organisation	International Organisation for Migration	Forced Labour CSE WFCL	• Working for health protection of migrant workers • Safer migration • Support for Migrant Resources Centres
NGO	Karnali Integrated Rural Development Resources Centre	Forced Marriage WFCL	• Child/girls groups preventing child marriage and trafficking • Training religious leaders
NGO	New Awareness Women and Child Protection Centre	Forced Marriage WFCL	• Removal of child labourers and enrollment in school • Reintegration with parents with income support • Media work
International organisation	Plan Nepal – Mid- and Far West Office	Forced Marriage, Forced Labour WFCL	• Early marriage prevention • Work against child domestic slavery
NGO	Pravasi Nepal Coordinating Committee	Forced labour WFCL	• Information for potential migrants and help for migrants in difficulties – international rescue • Shelter home for male returnees • Advocacy
NGO	Rural Development Foundation	Forced Labour WFCL CSE Forced Marriage	• Work against child labour in municipalities • Savings/credits with bonded labourers • Health work with women and children in sexual exploitation, removal of children
NGO	Rural Society Upliftment Forum	Forced Marriage WFCL	• Eradication of child marriage • Work with religious leaders • Advocacy
NGO	Safer Society	Forced Marriage	• Work with child clubs against child marriage • Media work • Training of community leaders
International Organisation	Save the Children Mid West Region	Forced Marriage WFCL CSE	• Strengthening government linked structures for child protection
NGO	Shakti Samuha Bardiya programme	Forced Marriage WFCL CSE Forced labour	• Survivors group – fighting traffickers using foreign employment to lure. Savings groups • Adolescent and child groups
NGO	SWAN	Forced labour WFCL Forced Marriage	• Ending child domestic slavery • Land rights campaign
International Organisation	Swiss Development Corporation	Forced labour	• Safer migration project – information, vocational training, shelter, legal, schools • Improving government performance on international migration

Type of org	Name	Focus within Modern Slavery	Key interventions
			• See also description in appendix 7
NGO	UNESCO club	WFCL Forced Marriage	• Removing children from labour, school enrollment • Support for families for reintegrated children • Preventing child labour
NGO	Women Forum for Women	Forced Labour WFCL CSE	• Getting women workers in entertainment sector organized for collective bargaining • Drop in centre • Legal aid and policy advocacy
International organisation	World Education	Forced Labour CSE WFCL	• Prevent trafficking through safe migration networks • Curriculum Development • Family financial planning • See also description of child labour programme in appendix 7
International organisation	Save the Children	Forced Marriage WFCL Forced labour	• Support for anti-child marriage programmes • Action against child labour in brick kilns
NGO	Pourakhi	Forced Marriage WFCL Forced Labour	• Running Radio programme on safer migration • Legal cases against traffickers via paralegals • Emergency shelter
Union	Nepal TUC	Forced Labour WFCL CSE	• Improved labour rights in entertainments sector • Anti-child labour campaigns • Unionization in garment/carpet factories
NGO	Protection Nepal	Forced Marriage WFCL	• Awareness raising on child marriage, child labour and removal of children from labour • Violence against women, incl. trafficking
NGO	Child Welfare Society	Forced Marriage WFCL	• Work to improve situation of child domestic workers • Strengthen girls to act against child marriage, trafficking etc.
NGO	Saathi	Forced Labour CSE	• Assistance to women/girls in entertainments sector • Interception of women/girls in process of trafficking, awareness raising. • Shelter home
NGO	HimRights	Forced labour CSE WFCL Forced Marriage	• Child anti-trafficking surveillance groups • Safe migration counseling desks at district offices • Formation and mobilizing of VCPCs
NGO	Forum for Women Law and Development	Forced Labour CSE WFCL	• Legal aid to trafficking victims • Advocady for reform of laws, use of PILs • Training of police and officials on legal matters
NGO	Children and Women in Social Service and Human Rights (CWISH)	Forced labour WFCL	• Advocating for adult domestic workers, and formalizing their work. • Child domestic workers – securing release and safe opportunities.
NGO	CeLRRD	Forced Labour CSE	• Community identification of cases and promoting legal action • Train police and officials on legal matters

Type of org	Name	Focus within Modern Slavery	Key interventions
NGO	Transcultural Psychological Organisation	Forced Labour CSE WFCL	• Psychological support for youth affected by armed groups. • Training anti-trafficking groups in psychological support • Preparation of standards of care
NGO	Mahila Atmanirvarata Kendra	Forced labour Forced Marriage WFCL	• Reduce child trafficking and reintegrate children • Social mobilisation against women's trafficking
NGO	Women Skill Creation Centre	Forced Labour Forced Marriage WFCL	• Community organising against trafficking, and child labour • Rescue and help to recover
NGO	Kirdarc – Surkhet	Forced Marriage CSE	• Discussion centres for adolescents and helping with their outreach
NGO	Shakti Samuha	Forced Marriage CSE WFCL	• Prevention of trafficking through adolescent groups and survivor groups • Shelters/hostels • Access to legal rights
NGO	Biswas	Forced Labour CSE WFCL	• Supporting entertainments workers for their rights • Helping them take up other jobs
International organisation	The Asia Foundation	Forced Labour CSE WFCL Forced Marriage	• Locally-based trafficking prevention work, mostly safer migration • Work with govt on curriculum for schools • Strengthen shelter work, create minimum standards • Improving prosecution and access to justice
Government office	Bagmati Zone Labour Office	Forced labour WFCL	• Inspecting workplaces and tackling child labour
Government office	Central Child Welfare Board, MOWCSW	WFCL Forced Marriage CSE	• Regulate children's homes • Support local child protection mechanisms such as District Child Welfare Boards, to help all children in crisis. • Trains relevant government officers
Government office	Child Rights Office, Banke	WFCL CSE	• Rescues trafficked children, helps with removal of children from WFCL, assists shelters. • Awareness raising on children's rights
Government office	Department of Labour	Forced Labour WFCL	• Manages Labour Offices around the country to carry out inspections and actions against child labour and in support of minimum wages • Has responsibility for implementation of national masterplan against child labour. • Vocational training and NFE centres
Government office	Lalitpur Sub-municipality Social Welfare Division	WFCL	• Organises campaign against child labour across the sub-municipality, including child protection committees, mobilisation of volunteers, rescue of children, running of NFEs
Government office	Ministry of Land Reform	Forced Labour	• Arranges provision of land, shelter and livelihood support for former Kamaiyas • Will be responsible for Haliya rehabilitation packages.
Government office	Ministry of Women Children and	CSE WFCL Forced Marriage	• Coordinates Nepal's representation on South Asia Initiative to End Violence against Children (SAARC body)

Type of org	Name	Focus within Modern Slavery	Key interventions
	Social Welfare – especially Department of Children and NCCHT		• Coordinates national efforts under National Plan of Action against trafficking. • Support DCCHTs, support operating standards of shelters and arrange funding. • Help arrange repatriations via embassies. • MOWCSW also has Women Development Programme
Government office	Nepal Police – Women and Children Services Directorate	CSE Forced Marriage	• Training local units to address cases of trafficking
Government office	Department of Foreign Employment	Forced Labour	• Check authenticity of work documents for migrant workers • Oversee pre-departure training courses • Help workers check status of the issuing of permits • Call centres for giving advice to migrant workers.

Appendix 3

Results that organisations are currently measuring, and examples of metrics used.

Each respondent organisation was asked about
i) What they measure in order to assess their achievements, and
ii) What are the indicators they use in order to carry out these assessments.

The responses have been separated into metrics that could be seen as measuring Outcomes, and metrics that seemed to be measuring the Activities implemented. Note that some of the indicators listed as Outcome metrics can be seen as intermediary outcomes, where the actions described are showing a positive behavior change by targeted actors, but not necessarily a final outcome in terms of the targeted participants/beneficiaries.

What agencies find important to measure	Outcome metrics used	Activity metrics used
Law and Policy		
Practical use of legal measures	Number of cases won	Number of cases filed
	Number of appropriate sentences issued against perpetrators	Number of police, law enforcement and judiciary trained
	Number of successful Public Interest Litigations	
Improved implementation of laws, regulations, and entitlements	Specific actions taken by Monitoring Action Committee in relation to entertainments sector.	
	Number of workplace inspections carried out.	
	Number of VDCs where allocation of funds for dalits is not misused.	
	Amount of budget allocations toward key protective entitlements for survivors such as vocational training, educational scholarships.	
	Number of former slave households being issued land	
	Number and amount of compensations provided to survivors	Number of compensation cases submitted e.g. to Foreign Employment Board.
	Number and amount of fines imposed on employers using child labour	
	Qualitative improvement in treatment of victims and of their cases by police and by other law enforcement officials.	
Recognition by government of key issues	Qualitative examples of acknowledgement by government bodies e.g. of haruwa-charuwa bonded labour and need for action, or of need for a law relating to entertainments sector.	
	Number of government agencies fully integrating key issues such as child labour	

What agencies find important to measure	Outcome metrics used	Activity metrics used
	within annual plans and budgets.	
	Number of districts having high quality Plans of Action against human trafficking.	
Improved laws and policies	Number of important conventions ratified, or improved laws passed.	
	Number of Supreme Court Directives making important improvements.	
Performance of local government bodies	Number of Village Child Protection Committees or other bodies such as DCCHT taking specific actions and meeting specific criteria for their performance.	
	Number of local governments creating child labour free zones.	
	Number of VDCs creating safe migration help desks.	
Awareness-raising		
Access to safer migration information	Number of migrants more carefully examining the claims of brokers and documents received. Number of migrants challenging illegally high fees.	Number receiving information or reached through outreach. Number using migrant resources centres.
	Number of migrants practicing safer migration behaviors (e.g. safer routes)	Number of safe migration desks created at VDCs
High level of knowledge and awareness	Qualitative examples of children and adolescents sharing their knowledge of child rights and protection issues.	Number of listener groups created (for radio programmes).
	Percentage of improvement in baseline and endline measures of awareness.	Number/frequency of radio broadcasts on relevant issues
	Percentage change in acceptability of child labour	
	Number of media reports on key issues.	
Identification of victims and reintegration		
Improved income and security of income	Number of families able to provide for children's education	Number of families receiving income generation support
	Number getting decent jobs after vocational training	Number completing vocational training
	Number of households with improved food sufficiency, especially number of months of sufficiency.	
	Number of participants contributing funds to group activities and to group savings. Level of increase.	Number setting up their own business
	Amount of increase of wages paid to workers	
	Total amount of funds held by Self-Help Groups; total amount in circulation for income generation.	
	Number of share croppers with share of inputs/produce that is deemed to be fair.	
	Number of former slaves having access to land and housing.	
Empowerment of former	Number taking action to pressure	Number joining union; number

What agencies find important to measure	Outcome metrics used	Activity metrics used
slaves and those at risk to assert their rights	employers for wages and respectful treatment.	of unions becoming engaged with modern slavery issues.
	Number actively and regularly participating in groups – especially women, discriminated castes, landless people.	Number of community groups created to work against modern slavery
	Qualitative examples of group being seen as a key resource e.g. members alerting group to presence of trafficker.	
	Qualitative examples of collective actions for specific rights (eg. Citizenship certificates) or for justice if there are violations	Number of groups sustaining themselves.
	Number of victims sustaining their legal cases.	
	Number of community-based groups where they have eradicated forms of modern slavery and can sustain it through their own efforts – achievement of specific benchmarks for this.	
	Number of girls objecting to early marriage.	
	Participation of survivors in international anti-slavery forums.	
	Number of groups that are part of a wider network or coalition for relevant human rights. Existence of a common platform for their issues.	
Removal of girls and trafficking victims from CSE	Number of girls and women deciding to leave exploitation.	
Provision of shelter		Number receiving shelter
		Specific improvements in quality of service at shelters
Removal of individuals from slavery	Number of individuals rescued or brought back from trafficking situations.	Number of victims traced.
	Lower prevalence of child labour	Number of calls on helpline.
	Lower number of children entering child labour or being trafficked.	
Reduction in child marriage	Number of VDCs becoming child marriage-free (i.e. no child marriages in past 2 years.	Number of child marriages prevented.
	Number of religious leaders refusing to marry or set an auspicious day for child marriages.	
Successful reintegration	Number of reintegrated survivors meeting defined standards for sustained well-being.	Number of individuals reintegrated in families or communities.
Access to and use of education	Number continuing school attendance.	Number of children receiving scholarships or assisted to go to higher levels of education.

What agencies find important to measure	Outcome metrics used	Activity metrics used
	Number proceeding to higher levels of education	Number using NFE centres
Improved access to government entitlements	Number actually receiving key entitlements	
Freedom from bonded labour	Number of individuals sustainably working independently of landowners who previously controlled them.	Number getting officially recognized as bonded labourers.
	Number of individuals sustainably free from loans and renouncing illegal loans.	Number receiving packages of assistance.
	Number of individuals who feel they are treated with respect by landowners.	
Psychological recovery		Number reached through counseling
		Number reached with art therapy
		Number of counselors trained.
Business transformation		
Employers taking responsibility for welfare of children at risk	Number of employers providing facilities e.g. for NFE at brick kilns	
	Number of employers stopping all use of child labour	Number of employers reached through awareness programmes.
Employers stop use of bonded labour or other forms of modern slavery	Number of employers paying fair wages	
	Number of employers issuing employment papers	

In addition to measuring the benefits to their target group, a number of organisations also focused on increasing their own capacity as an organisation, especially by achieving a deeper understanding of the issue they are addressing and by being able to identify individuals most in need of their help. Some also found it important that their organisation should be seen as a source of sound information and guidance for decision makers.

Appendix 4

Detailed recommendations for slavery eradication in Nepal

Outcome 1: *Effective laws, policies, programmes preventing modern slavery are implemented and fully funded in every jurisdiction*	
Current state and gaps	**Strategic recommendations**
Prevention:	
1. Identification of individuals in highest risk of slavery. ▪ Some municipalities have carried out detailed household and worksite studies of child labour. ▪ Some NGOs have done outreach to high risk sites for child sexual exploitation, to identify the presence of children who should be assisted. ▪ Child clubs and traditional leaders in some areas have become vigilant against imminent child marriages. ▪ Some NGOs have used data on returning trafficking victims to identify areas where new community-based preventive work should be done. ▪ The Central Child Welfare Board has begun training owners of private child care homes and DCWBs have carried out some inspections. Gaps: Despite these initiatives, most of those at greatest risk of slavery do not yet get identified and targeted for preventive actions.	Using existing data on likely worst affected areas, systematic initiatives should be taken to identify those at risk of slavery: ▪ Municipalities and village social welfare institutions should conduct household and work site level studies of who is in child labour, to enable removal of all those in WFCL. ▪ MOWCSW and NGOs should compile information on successful ways to reach children and trafficking victims in CSE, especially those in the most violent and coercive situations, so that such programmes can be expanded. ▪ Curriculum materials and practical support should be provided to all child clubs, and dialogue developed with traditional leaders, so they are vigilant against child marriage. ▪ Good practices in identifying high trafficking communities should be used to select key areas for expansion of preventive programmes. ▪ CCWB should expand trainings and regular inspections of 800+ children's homes across 46 districts.
2. Measures to reduce vulnerability through social mobilisation ▪ There have been widespread awareness campaigns on key issues, with some organisations developing innovative efforts to ensure community-based analysis of the problem, and sustained implementation of actions. ▪ Official District Committees for Combating Human Trafficking (DCCHT) and in some places Village CCHTs have been created to coordinate preventive activities by government and NGOs. Gaps: ▪ Geographic coverage by in-depth and long-term programmes has been limited. Budgets for travel and for locally-based social mobilizers in order to sustain accompaniment of groups in remote communities have been	▪ Form and give in-depth support for large numbers of local groups of the most vulnerable individuals in high risk communities. These groups should enable residents to develop well-informed views on why trafficking, bonded labour, child labour and unsafe migration are taking place, and how they can address the root causes. ▪ Ensure that such groups participate in awareness training about the relevant laws in Nepal. ▪ Support returned survivors, returnee migrants, or survivors of WFCL who are interested to undertake outreach to reduce vulnerability in their communities. ▪ Support child clubs and adolescent groups, especially integrating the most marginalized children, to be aware of risks of slavery and spread awareness in their communities. ▪ Enable DCCHT and VCCHTs to further develop to help coordinate these initiatives. ▪ District Women and Children Officers should work

insufficient.	with Village Child Protection Committees or other local bodies to keep up to date records of children moving out of the area without their parents, including destination and purpose.
3. Measures to reduce vulnerability of potential migrant workers ▪ Measures exist in the Foreign Employment Act and Policy to help reduce vulnerability. ▪ Migrant Resources Centres are in process of establishment in 18 Districts. ▪ Recent prosecutions against exploitative manpower agencies may help improve behavior of some agencies and brokers. Gaps: ▪ In many areas of the country, potential migrants remain dependent on local unregistered brokers. This reliance is often due to inaccessibility of legitimate migration services and lack of knowledge by migrants about what to expect from recruiters. ▪ There is currently no mechanism for accountability of these local brokers, apart from community pressure in certain places. ▪ Despite government requirements for pre-departure orientation, most migrants do not receive any useful briefing on their rights in the destination country. ▪ Health checks are often by-passed, and migrants are not aware of the insurance and complaints systems in place. ▪ Protections for migrants crossing borders to India and China seem to be particularly absent.	▪ Develop practical mechanisms of accountability of local brokers, so that registered manpower agencies avoid use of exploitative brokers. For example DoFE will set a maximum number of 1 to 4 brokers per manpower agency in a district. Manpower agencies will carry out an annual documented review of performance of their brokers, with manpower agencies equally legally responsible for brokers' violations. Brokers will only be appointed by one manpower agency and will have received DoFE accredited training and licensing. ▪ Create easy ways for migrants to report fraud and for potential migrants to obtain information about exploitative brokers. ▪ Ensure migrants are aware of the legal limits on broker charges and are able to obtain an itemized receipt for recruitment fees. ▪ During the government's negotiations of MOUs with destination countries, Nepal should ensure that the overseas employers (rather than the migrants) are required to pay the recruiter's fees. ▪ Migrants should be enabled to demand their legal right to receive their work contract in Nepali. Manpower agencies should provide this well in advance of migrants leaving their home area. ▪ Develop Migrant Resources Centres in each district to improve local access to guidance for migrants and returnees. Ensure that all migrants visit the centre while applying for passports. Create help desks for potential migrants at VDCs. ▪ Ensure that all migrants receive a full pre-departure orientation from an approved agency. Orientation programmes should be independently inspected. ▪ Decentralize access to health checks and ensure regular scrutiny of the authorities providing the checks.
4. Access to education ▪ There have been improvements in attendance at government schools during the last 10 years. Methods have been piloted for calculating the number of out of school children. ▪ Support has been given to creating non-formal education centres to help transition children to school and ensure that child workers do not miss out on education entirely. ▪ Units of vocational training are being introduced to make school more relevant to children most at risk of child labour. ▪ Units on risks of trafficking are being introduced in the curriculum. ▪ Subsidies for school costs are being provided	▪ Ensure that the School Sector Reform Plan is sufficiently funded and that corruption in school management, especially through local political parties, is stringently penalised. ▪ Make education not only free but compulsory and ensure that schools vigorously track and re-enroll children who drop out. ▪ Link the development of sufficient transitional schooling with systematic processes of identifying child labourers. Government authorities and NGOs should work together to provide NFE places, as needed. ▪ Include components against discrimination as well as special issues affecting the education of former child labourers in teacher training, and regular in-service trainings.

in many places to the most deprived children. Gaps: ▪ Delivery of quality education is a crucial gap in many areas. Availability of teachers and attendance of teachers is often a problem. Parents and children may perceive that there is little to be gained from school attendance. Certain groups such as dalits still experience severe discrimination in the classroom, and challenges for attendance of adolescent girls have not been overcome in many areas. ▪ Most children in child labour are not yet reached through non-formal education programmes and most support for NFE depends on INGO time-limited grants. ▪ Withdrawal of children from work and reintegration with family is hampered because it is hard to enroll them back at school and to ensure they are credited with periods of earlier education. ▪ Subsidies for school attendance are at a low level and sometimes fail to reach the families most in need. Receiving the subsidies does not always lead to children regularly attending school.	▪ Ensure that support for school costs reaches at-risk children. ▪ Continue to expand availability of high quality vocational training through schools as well as teaching of units on slavery-related issues. ▪ Corporal punishment is addressed
5. Access to adequate income: ▪ Under the MoWCSW, the Women Development Programme operates 1,400 cooperatives with 700,000 women members, focused on savings and credit and skill development. ▪ Anti-trafficking, child labour and child marriage work at local level often includes assistance for skills training, income generation and savings groups. ▪ Safer migration programmes are beginning to offer skills training for potential migrants, for example in construction and domestic work, to enhance their professional skills and bargaining power with brokers and employers overseas. ▪ Safer migration programmes are also beginning to give support to trainings on use of remittances by families of migrant workers, to help reduce future vulnerability. ▪ In some sectors, trade unions have helped their members achieve regular basic wages. Gaps: ▪ Projects providing income generation support and savings group formation do not have closely targeted reach into enough of the vulnerable communities, and these programmes often do not tackle the exploitative debt and bonded labour that may jeopardize the results of the programme. ▪ Support for skills training of migrant workers and effective investment of remittances is at an early stage.	▪ Both state supported and NGO supported economic empowerment, revolving funds and skills training/job placement programmes should be significantly expanded, linked with research on the areas/social groups identified as highly vulnerable to slavery, and should have an explicit focus on rights to freedom. ▪ Programmes supporting pre-departure skills training of migrant workers (especially for example training of women migrants in use of home appliances) and effective investment of remittances should be expanded, especially to the lowest income families. Local Cooperatives should be engaged in this process, and with helping local enterprises to develop. ▪ See recommendations below on formalising employment in order to improve wages.

▪ Most low skilled workers are not reached by efforts to enforce minimum wages and social security provisions.	
6. Citizenship rights and access to legal protections: ▪ Recent government-organized outreach has helped many people obtain their citizenship documents. ▪ Some anti-trafficking programmes include a component of legal rights awareness, and can arrange referral of individuals to expert lawyers or legal NGOs offering help with cases. Gaps: ▪ Large numbers of low caste and socially excluded janajati individuals, especially women, as well as bonded labourers and trafficking victims still face significant problems in obtaining citizenship documents, meaning they cannot open a bank account, carry out legal transactions, or get legal travel documents. ▪ Individuals who are most at risk are rarely aware of key legal rights.	▪ Expand citizenship registration drives and work with NGOs and community organisations to enable socially excluded groups to obtain citizenship documents. ▪ Ensure that individuals who are unable to gain parental affirmations can use other mechanisms to obtain citizenship documents. ▪ Scale up legal trainings within local community groups and access to expert, committed lawyers. Promote involvement of Bar Association members in offering free services.
7. Formalization and inspections of high risk sectors: ▪ Labour inspectors sometimes inspect brick kilns and other facilities where child labour is found. ▪ Ministry of Labour and Employment is developing new guidelines for District Labour Offices, which should provide greater clarity on their role with regard to inspections and legal enforcement. ▪ Trade unions have helped restaurant and hotel workers, as well as agricultural workers to become union members and have successfully negotiated cases, such as non-payment of wages. ▪ Employers' Associations in some areas have developed and used a code of conduct and become involved in anti-child labour campaigns. Gaps: ▪ There are not enough labour inspectors and they are not made responsible for small, unregistered workplaces, agricultural or domestic workers, so they do not encounter most of those in modern slavery. In most of these workplaces workers do not have work contracts or fixed hours of work and child labour laws are often ignored. ▪ Trade unions do not have enough reach outside urban areas or into informal sector businesses.	▪ The government should require formal registration of businesses within high risk sectors (such as restaurants, small workshops, construction firms) as well as formalization of labour relationships in agriculture and domestic work, so that workers have employment contracts, minimum wages, and regular hours of work, as well as complaints systems. Set clear minimum standards for functioning of brick kilns, possibly linked to technology upgrading programmes. ▪ Following local elections, VDCs and DDCs should declare and publicize the level of minimum wages locally to reinforce national minimum wages regulations. ▪ VDCs and municipalities should be strengthened to conduct inspections in conjunction with the Labour offices in their area. There should be an increased number and clearer mandate for labour inspectors, ensuring that reports are collated centrally on inspections undertaken and resulting actions. ▪ Employers' Associations should be engaged in promoting decent work.
Protection and restoration:	
8. Enabling people to leave slavery:	▪ Nepal should have labour attachés in all the main

▪ Nepal has posted labour attachés in 8 overseas embassies who assist exploited migrants to return home. ▪ A small number of migrant worker organisations have developed expertise in liaising with groups of migrant workers in destination countries to find and help rescue workers in situations of slavery and other difficulties. ▪ Labour officials in some parts of Nepal require employers of child labourers to enable children to return home. ▪ The government supports NGOs to run Childline, a helpline for children in difficult circumstances, through which rescues of children in slavery can be arranged. ▪ Many households in Haliya bonded labour have been identified to be provided packages of support (land, housing, help with income generation, school support) to help them come out of bonded labour in a sustainable manner. ▪ Some child rights groups have pressured managers of "cabin restaurants", massage parlours and dance bars to allow children to go to shelters and leave the situation, providing comprehensive support. ▪ Health interventions in sites of CSE are sometimes able to help children and others in exploited condition to come out of slavery. Gaps: ▪ Embassies in key countries are under-resourced to be pro-active in arranging liberation of Nepalis in situations of slavery. ▪ Labour officials have multiple districts under their jurisdication and do not have adequate resources or clear mandate to consistently release children from situations of exploitation. ▪ Childline only has local operators in 14 districts. ▪ Haliya households have been identified but resources have not yet been provided to help them come out of bonded labour. Individuals in haruwa-charuwa bonded labour have not been officially identified yet. ▪ Interventions in sites of sexual exploitation struggle to develop credible alternatives for women and girls that ensure their safety and a better future. In some cases they are not able to remove children because owners hide them. ▪ District officials have difficulty rescuing Nepali citizens in India and returning children back to India due to rules that prevent funding of officials' expenses outside the country.	destination countries, with access to resources and accountability to promptly help rescue workers from slavery and arrange voluntary repatriation. Performance of embassies abroad in acting to protect Nepalis should be a high priority. ▪ Migrant worker organisations should be enabled to have more outreach staff and resources in key countries. Collaboration with Nepali diaspora groups should be part of the agreed arrangements between diplomatic missions, Labour attachés and destination governments for rescue and repatriation of those in slavery. ▪ Action by labour officials to remove children from WFCL should be linked with comprehensive identification and inspection activities described above. ▪ Childline Nepal should have more local operators and further develop its referral systems. ▪ Create a national programme of release for all those identified in bonded labour, with packages of transitional support, and with strong emphasis on land and livelihoods. ▪ Expand interventions to release children and trafficking victims in sectors at high risk of sexual exploitation, based on methods with demonstrated success. ▪ Ensure that the auditor general allows officials to expend funds on traveling to India to arrange rescue of victims. ▪ Ensure there are repatriation agreements and protocols in place that officials can follow for cross-border release of victims. ▪ Although responsibility for release of victims of different forms of slavery may remain with different parts of government, channel the reporting of actions and referrals through a strengthened NCCHT, so that there is consistency of action and equal rights to assistance.
***9. Providing safe transitional shelter, if needed*:** ▪ Several NGOs run shelters for trafficking	▪ Increase the number and adequate funding of shelters around the country, as well as developing legally-based guidelines and availability of support

victims and for rescued children, and the government gives partial support for 8 shelters. ▪ The government has created a set of national minimum standards for care of survivors and for operating shelters, and has begun carrying out some inspections of shelters. Gaps: ▪ There are not enough shelter places or alternative community-based care/support options for those needing to be released. There are no shelters for internally trafficked men. Existing shelters are often under-funded. ▪ Residents do not have enough access to on-site mental health care support or vocational training opportunities. While residents must be protected from re-victimization, in some cases this extends to unjustified restrictions on adults freedom of movement and decisions of where to live. ▪ Shelter staff are not fully trained in the new standards and how to apply them to their work. ▪ There are insufficient transitional housing options for those leaving shelters.	for extended family and community-based survivor care, as appropriate. Provide more emergency shelter spaces for children, as well as exploring the need for a shelter for men and adolescent boys taken out of situations of slavery, including CSE. ▪ Pilot and expand effective methods for providing in-depth mental health support through professionals and trained lay counselors. ▪ Expand access to vocational training and to transitional housing opportunities. ▪ Arrange and require trainings of all shelter staff in the national minimum standards and operating procedures. Ensure there are regular inspections of shelters and follow up on needed improvements. ▪ Ensure the engagement of trained DCWB members in verifying shelter management decisions on best interests of children.
10. Helping survivors rebuild their lives: ▪ Some migrant workers returning from slavery have received financial assistance from the migrant welfare fund, as well as group-based support from NGOs in home areas. ▪ Children released from WFCL have been helped by NGOs to enroll in schools and parents assisted with income-generation support. ▪ Trafficking survivors have been assisted by NGOs through home/family assessments, participation in income generation activities and vocational training. Some district offices have also provided income generation and vocational training assistance. ▪ Most former Kamaiya bonded labourers have received land, help with housing and school support. Gaps: ▪ Most exploited migrant workers do not know how to access the financial assistance fund and if they do, they struggle to obtain this assistance, especially due to lack of documentation of their situation. ▪ Responsibilities and procedures for ensuring safe long-term reintegration of slavery survivors have not been adequately specified or funded. ▪ Support for school attendance is insufficient, and many parents of released children do not have access to support to improve their economic circumstances.	▪ Ensure that mechanisms and guidelines are in place for rapidly providing financial assistance (from the different established funds) to all those officially found to be in any form of modern slavery, regardless of whether they proceed with criminal prosecutions. ▪ Specify which government agency should ensure that all those released are visited regularly, provided with counseling if needed, and that their progress toward reduced vulnerability is documented. Local health centres may have a key role in this. Ensure that training and resources are available to fulfill these tasks. Create clear national minimum standards for reintegration support. ▪ Engage the relevant state bodies (VCPC, DCWB, VCCHT) to help survivors access all the different kinds of support that are available. Create clear referral arrangements that function within and between districts. ▪ Expand access to quality vocational training, including basic literacy, as needed. ▪ Ensure that children of survivors receive adequate support for school attendance. ▪ Help survivors form mutual support groups, with training for advocacy. ▪ Enable survivors to become part of groups doing joint savings, financial literacy and access to fair credit. ▪ Ensure survivors, especially former bonded labourers, benefit from access to land and shelter, where possible. Extend the *Janata Awas* (People's Home) programme to identified bonded labourer

▪ Funds for support for returning trafficking survivors are insufficient and access to vocational training, as well as quality and length of training, is often inadequate. ▪ Survivors often exist in isolation, without mutual support or a voice in public policies. ▪ Although relevant NGOs and District staff may be well connected within the District, referral procedures to other parts of the country are not clearly specified, and particular services needed by survivors are not consistently available. ▪ Apart from Kamaiyas, other bonded labourers are not yet receiving practical support.	households. Ensure bonded labourers are prioritized within revived efforts of district land reform commissions.
Criminal Justice:	
11. Strengthening legislation ▪ Existing laws prohibit all forms of slavery and specify penalties and assistance to victims. Gaps: ▪ Penalties are not always commensurate with the crime (e.g. child labour penalties do not match severity of the crime). ▪ Victim compensation requirements and procedures are not prescribed clearly enough. ▪ Although the existing Kamaiya Labour Act covers all forms of Bonded Labour, this is not clearly understood and the Act needs to be updated especially to clarify entitlements of former bonded labourers to support for economic and social reintegration. ▪ Child Labour Protection legislation does not meet international standards, for example, with regard to age restrictions. ▪ The Supreme Court's directives regarding dance bars, cabin restaurants, massage parlours, beauty parlours and restaurants have not yet been included in legislation. Provisions for monitoring and inspection are not consistent with provisions for other kinds of workplaces.	▪ Review all of the key legislation and the criminal code in relation to slavery-related crimes, especially with regard to appropriate penalties and entitlements to victim restitution and compensation. Update all the relevant laws as recommended in the National Plan of Action (page 24). ▪ Ensure that the Bonded Labour Act is further clarified to show that it includes all forms of bonded labour and entitlements and procedures for economic and social reintegration. ▪ Ensure Child Labour Protection legislation meets international standards. ▪ Ensure that dance bars, cabin restaurants, massage parlours, beauty parlours and restaurants are covered by legislation to ensure they are included in inspection and monitoring regimes, and workers have protection and rights, in line with international standards for decent work.
12. Rights to citizenship and identity: ▪ Issuing of citizenship certificates and ID cards currently relies on parental affirmations or land documents. Gaps: ▪ Trafficking survivors and their children, as well as bonded labourers, and individuals vulnerable to slavery often have difficulty providing necessary documents or affirmations.	▪ Make adequate legal provision for issuing ID cards and citizenship certificates to victims/survivors, enabling DCCHT or other specified public bodies to recommend individuals when necessary.
13. Improve the skills and knowledge of law enforcement officials: ▪ Provision of training to justice related officials and police is increasing, using the Operational Guidelines for securing evidence, carrying out investigations and for court proceedings.	▪ Provide basic orientation on forms of modern slavery in Nepal, and trainings on crimes and penalties related to slavery to police, with more in-depth trainings for prosecutors, and with specific updated trainings for immigration and border control staff, judiciary, labour attachés in embassies, child rights and labour rights officers.

Gaps: ▪ Across all the relevant officials (for example, police, immigration and border control staff, judiciary, prosecutors, labour attachés in embassies abroad, child rights and labour rights officers), there is not generally a comprehensive awareness of different forms of modern slavery. ▪ Service seekers, lawyers and NGO workers report that it is difficult to get police to register cases or to pursue suspects if they have absconded. In addition, Labour officials tend not to use legal prosecutions in cases of child labour. ▪ Not enough police and court officials have been trained in child/victim-friendly procedures or in the new Operational Guidelines. ▪ Police (including Women and Children Cell officers at police stations), prosecutors, and court officials are not sufficiently aware of the key laws covering forms of slavery.	▪ Scale up the trainings for court officials and police using the Operational Guidelines for prosecution, investigations and court proceedings. ▪ Scale up trainings for judges on child/victim-friendly procedures in court. ▪ Strengthen the skills and resources for Women and Children Service Centres at police stations for receiving cases, monitoring progress in registering, investigating and proceeding with cases relevant to their mandate. ▪ Provide an induction package for new officials in government offices, to include their specific responsibilities under legal provisions regarding modern slavery. ▪ Strengthen the awareness and skills of the National Investigation Department of the Police Crime Investigation Department to be able to respond to tip offs and conduct intelligence gathering. ▪ Ensure that reports on filing of relevant cases with the court system and by Labour officials, or decisions not to file cases, are collated centrally by the Attorney General and by the Department of Labour, with regular scrutiny of decisions not to file cases and of whether the appropriate sections and Acts were used when filing cases and drawing up charge sheets. ▪ Ensure that applications for bail are very carefully considered in the light of victim protection and sustaining progress with the prosecution. ▪ Statistical information on all case filings, convictions, awards of compensation etc should be strengthened by including related cases in a central police database, through which the attorney general could provide information to the NCCHT.
14. Address corruption of officials ▪ Especially in relation to foreign migration issues, there have been examples of officials suspended for corrupt practices. Gaps: ▪ The risks of police, local administrators or foreign employment officials being investigated, sanctioned or prosecuted for corrupt behavior are not yet sufficiently significant to curb corruption. ▪ Political parties, both locally and nationally, remain strong drivers of pervasive corruption, hampering national efforts to eradicate forms of modern slavery, for example through pressuring for transfer of officials who actively combat corruption.	▪ Ensure training of police and officials in relevant departments on codes of conduct in operation for their roles. ▪ Apply a computer-based vetting system for employment of police and other officials. ▪ Extend the jurisdiction of the Commission on Investigation of Abuse of Authority to include immigration issues. ▪ Strengthen the Foreign Employment Tribunal to address corruption of officials as well. ▪ Work with a parliamentary committee to periodically monitor and take action against corruption.
15. Improve victim support, court processes and facilities: ▪ Some district Bar Associations, as well as NGOs, are facilitating good quality legal advice and support for victims who are pursuing their cases. ▪ Some districts have made good progress in	▪ Work with District Bar Associations and expand the work of legal support NGOs, so that survivors have high quality support as they pursue their cases. ▪ Invest in improvements in court facilities (e.g. for in-camera hearings) and available trained staff to enable the Operational Guidelines to be followed. ▪ Make provision for continuous hearing of slavery-

improvements in facilities and processes, promoting faster progress with cases and a more child/victim-friendly environment. Gaps: ▪ Not all victims are accessing expert legal guidance on their cases and regular support to sustain the cases. ▪ Many courts need physical enhancements and facilities to create a child/victim friendly environment. They also do not have enough appropriately trained staff available in order to adequately follow the Operational Guidelines.	related cases and support the efficient functioning of fast track courts. ▪ Extend and strengthen the work of the Foreign Employment Tribunal at district level through connections with the district court, labour office and Chief District Officer.
16. Ensure confiscation of assets and court-awarded compensation ▪ MoWCSW is developing improved procedures for delivering compensation to victims. Gaps: ▪ Judges do not often award compensation to victims in slavery-related cases. ▪ Even once awarded, a separate, complex procedure is needed to exact the payment from the perpetrator, and compensation is not reaching the victims.	▪ Work to upgrade legal provisions on the right to victim compensation. ▪ Improve post conviction procedures for ensuring confiscation of assets and enabling court awarded compensation to reach victims effectively. ▪ Provide training to relevant court officials and police in following the procedures and ensuring that victims receive compensation.
Collaboration	
17. Strengthen international cooperation against modern slavery: ▪ Nepal has MOUs in place with 8 countries receiving high numbers of Nepali migrant labourers, to specify arrangements for contracts, pay and obtaining visas. ▪ Nepal is taking an active role in the South Asia Initiative to End Violence Against Children (SAIEVAC), which is a SAARC inter-governmental institution which also addresses child slavery issues. It is sharing good practices and policy improvements between member countries. ▪ Nepal's Childline is increasingly connected to Childline services in India, to better assist trafficked children. Gaps: ▪ MOUs have not been created with some of the significant destination countries, and MOUs are not specific enough about voluntary repatriation procedures, care of survivors, extradition and prosecution arrangements. ▪ Nepal has not yet ratified some of the key international agreements that could facilitate inter-governmental cooperation: The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, the Convention on Rights of Migrant Workers and Convention on Rights of Domestic Workers. ▪ The SAARC anti-trafficking convention is primarily focused on sex trafficking, and	▪ Agree MOUs with additional countries that are destinations for large numbers of Nepali workers, to help build cooperation with those governments for prevention of modern slavery. Improve on existing MOUs to ensure they specify adequate arrangements for voluntary repatriation, prosecution as needed. ▪ Ratify the UN Protocol, as well as the UN Conventions on Rights of Migrant Workers, and Domestic Workers. ▪ Work together with other SAARC member countries to update and strengthen the SAARC Convention on Trafficking. ▪ Ensure that formal agreements as well as practical mechanisms are in place across national borders, for regular dialogue between officials, NGOs, police etc to improve response and work together for protection of migrants. ▪ Continue to strengthen practical support between helpline services with neighboring countries.

needs updating and improving. ▪ Mutual voluntary repatriation and survivor care agreements have not been completed with neighboring countries.	
18. Create a national system for mutual accountability for collective efforts against slavery: ▪ The National Committee for Combating Human Trafficking (NCCHT) is now functional, with District Committees in place, as well as piloting of VCCHTs. NCCHT is coordinating certain actions of training and shelter inspections and promoting the National Plan of Action against Trafficking. ▪ There is an NPA Implementation Plan (not yet published), and ministries are being encouraged to request budgets for their components of the Plan. ▪ There is increasing understanding by INGOs that major programmes should be aligned with the priorities of the NPA and other national initiatives to combat modern slavery. They are seeking to strengthen key institutions that hold public responsibilities. ▪ There are important pilot initiatives to assist local government to integrate relevant components in their annual planning and budgeting. Gaps: ▪ There is not yet adequate engagement with NCCHT by key departments involved in anti-slavery enforcement, foreign employment and labour rights. There seems to be a significant gap between government offices focused on trafficking and those responsible for migration. ▪ NCCHT does not have sufficient staff or budget to fully implement its responsibilities under NPA. ▪ DCCHTs and VCCHTs do not have enough resources and training. ▪ Government sponsored national governance, environmental and anti-poverty programmes have not yet maximized opportunities to integrate anti-slavery components, especially training of frontline staff.	▪ Linked with the NPA, the NCCHT should be assigned additional expert staff and resources to serve as the focal point for monitoring, coordinating and supporting national performance against slavery. ▪ Relevant ministries should provide periodic information on implementation of their responsibilities under NPA and other aspects of anti-slavery work, including for example reports on legal case data. ▪ Ensure provision of clear guidelines, regular training and funding for DCCHTs and VCCHTs. ▪ Continue to ensure constructive alignment of INGO supported programmes in support of the national anti-slavery effort. ▪ Fully integrate anti-slavery components within national initiatives such as LGCDP, MSFP and PAF. ▪ Provide additional expertise to units of government (local and national) during the planning process, to plan and budget for including anti-slavery measures.
19. Strengthen key independent Nepali watchdog institutions: ▪ National Human Rights Committee and the country's Special Rapporteur on trafficking have produced useful reports and guidance on relevant issues. Gaps: ▪ The current vacancy for the role of Special Rapporteur has not been filled.	▪ Ensure there is a clear ongoing mandate and resources especially for National Human Rights Committee and parliamentary committees to review results being achieved by all relevant bodies against slavery. Ensure they can focus attention when cases or issues of slavery are not gaining a proper response by officials.

Outcome 2: *Modern slavery is socially unacceptable*	
Current state and gaps	**Strategic recommendations**
20. Use mass media to generate general public awareness: ▪ Newspapers regularly report issues in relation to modern slavery, especially regarding foreign migration issues. NGOs have provided trainings to journalists, including confidentiality and protection issues for survivors. ▪ Many NGOs commission jingles or run regular short broadcasts on local radio, including interviews on slavery-related issues. Gaps: ▪ The quality of reporting and of the radio broadcasts could be improved, in some cases. Radio broadcasts have a low budget, so they mostly rely on interviews rather than livelier programming.	▪ A comprehensive national media strategy should include public service broadcasts and documentaries to alert the public about different forms of modern slavery and how to respond if they identify a case. ▪ Provide resources and training to NGOs to sustain and strengthen their use of local radio, possibly creating a high quality series on slavery, with support for creation of listener groups in highly affected areas. ▪ Enable them to improve use of social media. ▪ Enable NGOs to use mobile phones for regular updates to participants as well as for mass awareness.
21. Use local communications and outreach to raise awareness of local groups: ▪ NGOs and INGOs have created anti-slavery and safer migration posters, documentaries and leaflets. These have been widely used by their groups. Gaps: ▪ Organisations sometimes do not like to use the publications of other organisations. ▪ Ideas communicated in these materials may not be realistic for the targeted communities or be closely focused on the choices they face.	▪ Carry out research to better understand the decision making processes and factors of the target groups, so that messages are better selected and more relevant. ▪ Develop and disseminate anti-slavery outreach tools especially focused on members of local groups such as micro-credit, forestry, children and adolescents. ▪ Ensure that the social mobilisation strategy through local groups is tied together with a communication strategy and messaging.
22. Government to take a visible public stance against forms of modern slavery: ▪ Some local governments have put up billboards and public notices designating the municipality as a "child labour free zones", and taking action against employers keeping child labourers in hazardous conditions. ▪ National government has published a newspaper advertisement confirming the abolition of bonded labour. Gaps: ▪ Publicly visible commitments by government are rare.	▪ Local government (districts, municipalities, VDCs) should identify ways to publicly display their determination to act against all forms of modern slavery, and ensure that such displays are backed by relevant practical steps.
23. Promotion of vigilance of key public workers against modern slavery: ▪ Some transport workers, health volunteers and professionals have been made aware of slavery-related issues, with good results. Gaps:	▪ Carry out regular and systematic orientations for public transport workers including airline staff, taxi drivers and rickshaw pullers, as well as health workers to be aware of signs of movement of people into slavery or that an individual is already in slavery, and appropriate actions

▪ Training of such workers has not been extensive or regular.	to take.
24. Promotion of Childline and other sources of assistance: ▪ In areas of operation, posters and leaflets have been distributed, with resulting increases in the number of calls. Gaps: ▪ There has not been sufficient investment in public awareness about Childline.	▪ Increase display of posters and include Childline in mass media outreach, as well as other appropriate sources of assistance, helping people know what slavery might look like and what to do if they have a concern. ▪ Display and regularly renew posters at key border crossings and bus stops.

Outcome 3: *No business provides good or services affected by modern slavery*	
Current state and gaps	**Strategic recommendations**
25. Creating protections through trade unions: ▪ Some trade union organising has taken place targeting bonded labourers and others at risk in carpet weaving, agriculture, transport and "entertainments", and in some places workers have been able to resolve cases of exploitation (contributing to prevention of slavery) with employers. Gaps: ▪ Some of the key informal sectors are hard for unions to reach or to sustain their contact with workers.	▪ Trade unions and confederations of trade unions should support outreach to workers in identified vulnerable sectors, for example, the "entertainments" sector, brick kilns, domestic work and agriculture. They should enable workers to become members and understand how to build collective power in support of decent work, as well as how to take cases of non-payment, coercion, sexual harassment and violence to the union for assistance.
26. Setting standards through business registration processes: ▪ Some municipalities have required a commitment against child labour as part of the annual business registration process. ▪ Some municipalities have required that businesses in the "entertainments" sector should register with them, as a precursor to carrying out inspections. Gaps: ▪ Efforts to register and inspect businesses in the "entertainments" sector have not been vigorously pursued.	▪ Local government should extend registration of businesses to those sectors currently in the informal sector, where workers are known to be vulnerable to forms of modern slavery, such as in the "entertainments" sector. This will make it possible for them to undertake inspections and will raise awareness of employers that they are likely to come under government scrutiny. ▪ All municipalities should require commitments against child labour and for basic labour protections in their annual business registration renewal processes and should ensure that businesses are in compliance, through working with labour officials to carry out inspections.
27. Setting standards through business association codes of conduct and multi-stakeholder sectoral certification and independent verification of businesses: ▪ Some business associations (such as the Nepal Association of Foreign Employment Agencies) have created Codes of Conduct with relevant clauses, to which their members are expected to	▪ All business associations should require members to comply with Codes of Conduct that protect workers against forms of modern slavery. ▪ In key sectors, such as brick production, foreign labour recruitment, hotels, and construction, there should be joint work between businesses, workers representatives/unions, government and

comply. ▪ The "Clean Brick" and "Better Brick" standard setting and outreach processes have been developed to protect labour and environmental rights. Gaps: ▪ Business associations have not always taken action against members not in compliance with association codes of conduct.	specialist NGOs to define appropriate standards, provide technical support to businesses, carry out independent inspections and certification, and help to market certified products to consumers. (See recommendation below regarding public sector purchase of goods certified as free from slavery (including worst forms of child labour). ▪ These recommendations run alongside strategies for government enforcement, as self-regulation is likely to be insufficient.
28. Address slavery through procurement policies: ▪ Some organisations have requested their staff not to do business with services such as tea shops where child labour is being used. Gaps: ▪ Currently there are no other examples in Nepal of government bodies or large businesses that have organized their purchasing systems in order to exclude slave made goods and services.	▪ Government bodies at every level, large businesses and large NGOs should enforce procurement policies to exclude purchase of goods and services affected by slavery. Given limits on capacity, this should begin with the most egregious and obvious areas of procurement likely affected, where a level of local control is possible. For example, they should ensure that construction of their buildings only uses bricks independently certified as meeting labour rights standards. They should monitor construction contracts (for example for road construction and drainage) to make sure that child labour is not used.
29. Exercise of responsibility by manpower agents sending workers overseas: ▪ Some employment agencies show some responsibility and behave legally with migrant workers, for example, helping them understand the context where they will be working and cooperating with skills training providers to recruit workers with basic training. Gaps: ▪ Many manpower agencies are not taking responsibility for fraudulent behavior of their staff or the local brokers who refer workers to them. They are overcharging workers, changing work contracts once workers are in transit, not checking workers' health properly, not providing contracts in Nepali, not preparing workers to understand their rights in the destination country, and a range of other illegal behaviors amounting to being complicit in enslavement of Nepali citizens.	As self-regulation is likely to be insufficient, see also points 3 and the sections on criminal justice, above. ▪ Registered manpower and recruitment agencies should take full responsibility for their "supply chain" of local brokers, including cutting contracts with local brokers that behave unethically or illegally; and this needs to be backed up by enforcement action. ▪ They should abide by government rules on limits for recruitment fees, as well as other requirements such as contracts in Nepali, proper health checks, and pre-departure orientation. ▪ They should verify the authenticity and real working conditions of the employment opportunities they offer, enable workers to understand what to do if they are in difficulties, and should take full responsibility for assisting and repatriating workers if employers exploit or enslave them. Register all local agents they work with. ▪ They should cooperate with government to arrange for destination country employers to pay recruitment fees rather than the worker having to cover those costs. ▪ They should work with skills training providers to upgrade the professional skills of workers especially for domestic work. ▪ They should cooperate in the development of an independently verified certification for foreign employment agencies that observe high standards of service to migrants.
30. Action by consumers:	▪ A mass media campaign should be undertaken

▪ There is a significant market for some categories of fair trade products in Nepal, which would tend to avoid forms of modern slavery. ▪ Migrant Resources Centres and other forms of outreach to migrant workers help them to identify higher risk offers of employment and can sometimes help migrants check the registration status of manpower agencies. Gaps: ▪ Generally, awareness of Nepali consumers is quite low on the issue of slave made goods. Currently there is not an economic advantage for products and services to clean up their supply chains. ▪ Relevant information is not easily available for migrants about fraudulent or safer employment brokers. Poor literacy, transport costs, lack of citizenship documentation and lack of information leave many migrants reliant on brokers who approach them through personal contacts.	to encourage people to select businesses (e.g. tea shops, street vendors) and products (e.g. "better bricks") that are using adult labour or labour of older adolescents in safe, legal and decent work. ▪ Householders needing domestic workers should select adult workers and provide proper contracts of employment and working conditions. ▪ Migrant Resources Centres in each District and help desks at VDC level should help potential migrant workers identify safer channels for recruitment.

Appendix 5

Examples of Larger Scale Programmes

Note: These summaries were prepared by the researchers, not by the organisations themselves.

Example 1: *Naya Bato Naya Paila* (New Path New Steps) programme

Lead organisation:	World Education, with Terre des Hommes
Period:	2009 – 2013 (Phase II)
Funding:	US Dept. of Labor: USD4,674,000; Matching funds: USD405,132
Aim:	To eliminate Worst Forms Child Labour in 6 sectors: domestic servitude, restaurant-entertainment (where engaged in commercial sexual exploitation), embroidery, portering, brick kilns and mining.
Location:	27 districts of Nepal

Key components:

- Helping child labourers access **education and skills**: 61% accessed non-formal education; 23% were supported to attend formal schools; 7% were enrolled in vocational training. In embroidery and commercial sexual exploitation the goal was complete removal from the work: Use of case management approaches to work through the challenges for removal of children from CSE.
- Creation and strengthening of **Child Protection Committees** to coordinate all those with relevant concerns and responsibilities.
- Supporting key districts to identify and **plan for enrolment** of out of school children.
- **Improving education at formal and alternative schools** so they could better serve children withdrawn from labour or at risk. For example, helping schools introduce pre-vocational skills so that education is seen as more useful. Also, helping ensure state support and integration of madrassas, to improve education for Muslim children
- **Supporting Child Clubs** to advocate with the authorities to provide mandated scholarships and support, as well as spreading awareness of illegality of child labour.

Notable strategies:

- In CSEC, the focused **case management approach** was important, alongside counselling, use of drama and photography to help the girls deal with complex psychological issues.
- Provision of **income generation activities** and links with microfinance institutions for parents of children who were committed to removing their children from labour, for example, helping brick kiln families invest in their agricultural land, so they are not reliant on their children working. Some were then able to leave children with relatives in the home village while they went for work at the brick kilns.
- **Child clubs** were effective in enabling authorities to issue mandated scholarships and raise awareness against child labour.
- **Media mobilisation**

Challenges:

- For children in many sectors, it is hard to concentrate during non-formal education due to long working hours. For example some children working at brick kilns were too exhausted to benefit significantly.
- Intervention in the embroidery sector was particularly difficult with factory owners responding to the creation of NFE classes by denying breakfast to those joining the classes and requiring them to work extra hours late at night to compensate for missed work time. As a result, the local partner gained support of local authorities to carry out a raid, rescuing 127 children and carrying out reintegration of the children.

Example M&E measures:

- Number of children assisted and which educational interventions they received;
- Number completely removed from certain types of WFCL;
- Which sectors of child labour they came from;
- Completion of educational programme;
- Average class days attended before and after; average % marks in school exams;
- Number of beneficiaries from school supplies (uniforms, stationery etc).

Example results:

- 10,303 working children provided with education;
- 9,831 at risk children prevented from entering child labour through education and other services;
- Children participating in educational coaching classes on average increased their class attendance from 52% to 70%, and achieved a 10.6% increase in their exam grades;
- 12,467 children benefited from improved schools;
- Vocational training provided to 1,832 older adolescents including 797 girls coming out of CSEC;
- 6,324 families supported to improve livelihoods so they could remove children from labour. Many of these families showed improved nutrition and food security;
- Developed pre-vocational education programme at 36 schools in collaboration with Curriculum Development Centre of Ministry of Education. Integration with Ministry could allow for national scale-up.
- Built capacity of government to identify and plan for 150,000 out of school children. In partnership with Central Child Welfare Board and Ministry of Labour and Employment, gave training to District Child Welfare Boards regarding tackling child labour.
- Created 150 Child Protection Committees in the programme area to respond to child labour and other protection issues and do outreach at village level. (For example, helping to get children at brick kilns enrolled in local schools).
- Brought 42 madrassas into the mainstream school system.
- Carried out in-depth research, including prevalence estimates, on child labour in 6 different key sectors.
- Media mobilisation led to national TV broadcasting documentaries on brick and zari industries as well as on domestic slavery.

Example 2: Safer Migration Initiative (SAMI)

Lead Organisation:	Helvetas Swiss Intercooperation Nepal and Ministry of Labour and Employment
Period:	2011 – 2012 (pilot); 2013 - 2017
Funding:	Swiss Agency for Development and Cooperation: 2011 - 2012: Approx. USD1.3 million; 2013 - 2017: Approx. USD8 million
Aim:	Migrants and their families reduce the social and economic costs of foreign employment and increase its benefit; Government of Nepal creates systems to effectively implement the Foreign Employment Policy 2012
Location:	Currently: 18 Districts plus Kathmandu

Key Components:

- **Disseminate information**, primarily to potential migrants, in 18 districts and Kathmandu and at the international airport/transport hubs;
- Facilitate **access to justice** through legal and paralegal aid to migrants who have been cheated or enslaved, shelter and a better functioning government complaint handling system;
- Provide **pre-departure vocational skills training** for migrants including women domestic workers. Establish a mechanism to fund and monitor vocational trainings for migrants;
- Provide **psychosocial support** in selected districts;
- **Advocate** for the protection of migrants;
- **Strengthen the service providing capacity of key concerned government agencies**

Notable strategies:

- Developing responses (shelter provision as well as tracing and assistance in destination countries) through **organisations led by migrants**. In particular supporting use of migrant networks in Gulf countries and Malaysia to trace and assist victims of exploitation.
- **Close work within relevant government departments** and through District Development Committees.
- **Expansion of information services to districts where they are more accessible** to potential migrants. Developing awareness raising in schools, so that children can help refer people for advice, as well as using local radio.
- **Expansion of training to women** who are especially vulnerable as domestic workers. It has been found that skilled labourers earn one-third more than unskilled, and tend to pay lower fees before they leave the country.
- Efforts to develop **effective systems of government data management** especially regarding visa applications and complaints by returning migrants.
- Employment of social workers by local partners to **help address difficulties by family members left behind** and improve use of remittances.
- Improve the **monitoring system for manpower agencies**.

Challenges:

- Implementation of programme activity through government, including legal remedies in response to complaints against brokers and employment agencies, has tended to be slow, especially due to the transitional government situation.
- Economic pressures on migrants, especially young and female migrants, mean that it is difficult for them to use the sound information provided, and they remain under intense pressure to take up risky offers. Reliance on local

networks tends to make them dependent on labour brokers who operate in their villages.
- More research is needed about which strategies have best chances of protecting migrants.

Example M&E measures:
- Number accessing information, and number of repeat visits to information centres
- Number participating in pre-departure vocational training, and number then accessing decent work (continued follow up when in destination country)
- Number gaining legal aid and pursuing legal cases through to a conclusion.
- Number of migrants in difficulties who were able to be located and assisted.

Example results from pilot phase (primarily in 2 districts):
- 11,000 people accessed information about safer migration, especially through Migrant Resource Centres. Centres are also used by relatives of migrants to report on exploitation of migrants or report they are missing.
- 485 participated in pre-departure skills training (typically 2 months vocational skills training)
- 400 received free legal aid
- 310 women who had been victimized overseas received shelter and psychological support.

Example 3: Combating Trafficking in Persons Programme

Lead Organisation:	The Asia Foundation
Period:	2010 - 2015
Funding:	USAID: USD6.79 million
Aim:	Strengthen protection services for TIP survivors; Build capacity of the judiciary and law enforcement agencies to effectively enforce legal measures and increase prosecution; Prevent trafficking by building awareness among groups that are vulnerable to sex and labor trafficking.
Location:	6 districts, and national policy work.

Key components:

- Improve **national policies and procedures for services** to trafficking victims. Develop curricula and provide training to shelters, counsellors and law enforcement. Assist Government of Nepal to centralize TIP data collection and monitoring system.
- Improve **enforcement, prosecution** and strengthen coordination between law enforcement and victim care services. Deliver training on victim confidentiality, evidence collection and witness protection. Provide legal aid to trafficking survivors.
- Create collaboration between local government and civil society networks to **prevent trafficking**. Create Safe Migration Networks to refer people for advice and support. Mobilize media to raise public awareness. Provide financial advice and vocational skills for those most vulnerable to trafficking.

Notable strategies:

- Establishment of village level Safer Migration Networks with participation from representatives of different local civil society groups, who conduct outreach on issues affecting migrant workers.
- Efforts to set national standards for care of victims and other nationally agreed procedures related to trafficking enforcement and protection.
- Integration of information on safer migration into the school curriculum, through the new vocational training unit for Grades 6 – 12, beginning with two day training of teachers on these issues.

Challenges:

- Locally based groups like Safe Migration Networks need considerable resourcing in order to develop and sustain their role.
- Local shelters also need a high level of support and intensive on-going training of staff in order to provide high quality services.
- Victims of trafficking can sometimes be effectively reached and assisted by survivor groups, so their participation in national anti-trafficking programmes needs to be strengthened.
- Fully achieving the potential of such programmes requires strong collaboration with multiple national ministries that sometimes do not work very closely together. The separation between officials working on migration and those working against trafficking is particularly challenging.

Example M&E measures:

- Number of functioning Safe Migration Networks
- Number of family members participating in training for effective use of remittances.
- Development and adoption of national procedures related to protection and prosecution issues, and minimum standard setting guidance notes.

- Trainings provided to law enforcement and judicial officers.

Example results, up to 2013:

- Created 250 Safe Migration Networks, (covering 80% of the Village Development Committees in these districts). These networks are increasingly transitioning to become Village Committees for Combating Human Trafficking (VCCHT), the institutional mechanism for addressing trafficking.
- Trained over 3,000 participants in how to prepare for effective use of remittances from migrant family members.
- Strengthened the operational capacity of 7 shelter homes for trafficking survivors regarding victim-centric approaches. Developed the National Minimum Standards for Victim Care and Protection as well as Standard Operation Procedures for Rehabilitation Centres with the Ministry of Women, Children, and Social Welfare, now being implemented by the National Committee on Combating Human Trafficking.
- Trained 207 judicial and law enforcement officials on rights-based framework for effectively investigating, prosecuting, and adjudicating human trafficking cases. This training contributed to 28 convictions (including 3 landmark cases) in 2012. Developed Victim/Witness Protection Guidelines, as well as a Raid and Rescue policy, Standard Operation Procedures for Investigation, and Standard Operation Procedures for Adjudication and Prosecution to be adopted by Ministry of Women Children and Social Welfare, national police and National Judicial Academy respectively.

Appendix 6

Cost analysis

This section presents the average cost of a range of activities pursued by organisations. Only those for which relevant costs are available have been listed.

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Unit cost definition	Average cost (USD)	Strategic considerations
Forced Labour							
Legal awareness for high risk groups *(also for other forms of modern slavery)*					3 day training for 15 – 30 people	USD900	Provides introductory training on legal rights to activists in highly-affected communities
Legal training law enforcement/judiciary					5 day training, 25 – 30 people	2,750	Provides professional level training for officials for effective enforcement.
Legal aid to victims *(also for other forms of modern slavery)*					Average cost for legal aid per case	275	Provides support from a lawyer to take forward a survivor's case.
Creation of community-based vigilance					Social mobilizer salary costs per month (supporting approx. 15 groups)	180	Enables formation and regular support of local action groups.
					REFLECT training 25 faciliators 5 days	1,875	Enables local people to lead REFLECT process with other residents.
					Community mobilizing training for field staff – 1 month 1 person	300	Provides skills for undertaking group formation and social mobilisation
					Cost per local group: stationery, refreshments, events per year	500	Groups are source of social action against forms of slavery.
					Intensive REFLECT	1,250	Creates sustained capacity for

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Unit cost definition	Average cost (USD)	Strategic considerations
					group over 9 months incl. facilitator costs		addressing root causes of social problems within a group.
Tracing/rescue of individuals					Facilitating international return of 1 survivor not incl. staffing/travel	200	Enables survivor to come back to Nepal from overseas
Self-help groups – savings and livelihoods					Revolving loans to individuals for income generation	200 - 1,000	Enables people at risk or leaving slavery to have independent income.
Vocational training – survivors and migrants					Skills training for 1 individual	100 - 1000	Enables the individual to earn income
					Construction training 1 migrant worker 2 months	327	Increases likelihood of safe work for migrant labourer.
					Start up materials for 1 individual for income generation	300	Enables the individual to earn income.
Enrolling vulnerable workers in unions					Trade union education 7 days 30 people	3,500	Enables workers to understand and promote trade union formation
Shelter, social reintegration *(also for other forms of modern slavery)*					Basic emergency shelter, 6 staff	15,000	Provides only emergency accommodation
					Small shelter providing range of services maintaining good operating standards	50,000	Provides transitional shelter plus activities, referrals, counseling.
					Stay at shelter 6	500	Provides transitional shelter.

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Unit cost definition	Average cost (USD)	Strategic considerations
					months 1 person – not incl. staffing		
Drop-in centres for high-risk workers					1 centre including rental, staffing, activities for 1 year	5,000 - 10,000	Enables workers to access group support, learning activities, legal aid, health and other referrals.
Migrant Resources Centres					Monthly running costs incl. staff, 1 Centre	250 - 400	Allows potential migrants to get reliable information and families of migrants in difficulties to get help.
					Cost per person for use of centre	16	As above
Packages of support for bonded labourers					Provision of housing per household	1,600	Gives labourer security in independence from landowner.
					Provision of land for farming 1 household	1,700	Enables household to earn some independent income. This is needed for areas where public land is not available to allocate to former bonded labourers.
Radio broadcasts and PSAs *(also for other forms of modern slavery)*					1 30 min. radio broadcast – incl interviews, field reporting	120	Provides information about the issues to a wide audience.
					30 second jingle – per 4,000 broadcast	4,000	Reminds wide audience about the issue.
District Committee for Controlling Human Trafficking					1 DCCHT costs for 1 year	520	Enables coordination of actions by groups and officials across a District
Commercial Sexual Exploitation							

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Unit cost definition	Average cost (USD)	Strategic considerations
Note also some of the interventions above that are relevant							
Survivors mutual support groups					Survivors group 1 year 15 – 20 people not incl training and income generation	500	Provides mutual support, resources for outreach and dealing with situations arising.
Psychosocial and health care					Para-counselor training 10 days 25 people	1,000	Enables NGO workers to better support survivors psychologically (does not include trainer costs)
					Counselor with professional skills – 1 day to see approx. 6 survivors	20	Provides counseling support to individuals
Forced Marriage							
Child club members, religious leaders directly preventing child marriages					1 Child club running costs per year: stationery, meeting costs	250	
Training, awareness and community outreach for and by child clubs and adolescent girls groups					Intensive 7 days outreach and campaigning across 1 VDC	600	Enables young people to communicate with many residents across the VDC to address child protection issues.
Dialogue and training of religious and traditional leaders					Training per day 25 – 30 people	275	Enables traditional leaders to take responsibility for preventing child marriage.
Worst Forms of Child Labour							
Non-formal Education					10 months provision of NFE centre, 30 – 40	3,100	Enables children to gain basic skills and transition to regular school.

Intervention	Awareness Raising	Law & Policy	Liberation & Reintegration	Business Transformation	Unit cost definition	Average cost (USD)	Strategic considerations
					children		
School enrollment and school costs support for former slaves					School attendance costs 1 child 1 year (uniform, stationery)	35	Helps parents afford to send children to school.
Income generation support for parents					Supplies (livestock, small trading etc)	100 - 400	Helps parents be able to feed and shelter children
Operation of Childline					Operation costs 1 month	3000	Helps children in crisis obtain assistance.
Creation of District and Village Child Protection Committees					1 VCPC: 1 year running costs including 3 day training	800	Enables VCPC to take responsibility for child protection issues in the VDC.
Publicizing Childline					1,000 posters	320	Informs people how to contact Childline.

Appendix 7

Interviewer name:
Date:

Walk Free Fund Country Study NGO/IO Questionnaire

Walk Free is an international NGO committed to ending all forms of modern slavery. We are undertaking this research together with Alliance against Trafficking of Women and Children in Nepal (AATWIN) in order to prepare a report on which forms of slavery are most common and in which areas, how organizations are responding and where are the gaps in context of Nepal. A similar study has already been conducted in Bihar, and is being conducted in 4 other Indian states at this time. We hope the study will help anti-slavery organizations, the government and funding agencies to move towards a comprehensive strategy for ending slavery and give them information about effective anti-slavery interventions that could be scaled up.

Our definition of slavery is that: **A person is in slavery when he or she does not have the liberty to leave their work or resist that work because he or she is under the control of another person for the purpose of economic exploitation.** So our understanding of slavery includes forced and/or bonded labour; commercial sexual exploitation; forced marriage (including child marriage); and worst forms of child labour (including forms of slavery like child domestic servitude). Trafficking is the way that people are put into slavery.

The information that you provide will be used to prepare this report. Please don't give us any information that is confidential to your clients. Also, we won't publish any financial costs that you give us without checking with you.

1. Name of Organisation	
2. Name of key contact person	
3. Job title	
4. Location of main HQ office	
5. Phone number	
6. Email of contact person	
7. Is email in English OK?	Yes / No

1. About the Organization's activities/strategies:

8. Insert answers in the table below:

a) What are the 3 most significant anti-slavery activities your organisation does – the ones you think are achieving the most?

b) How many people participated in these during the whole of 2013?

c) How do you do the work (literally what would we see happening if we visited the work), what are your activities to combat slavery?

d) Who are the main targeted participants/beneficiaries? (e.g. girls at risk of trafficking or male migrant workers, women and girl survivors of sex slavery etc)

e) Why do you think each of these approaches that you have explained is effective in helping to bring slavery/trafficking to an end (how does it help to eliminate the problem altogether)?

f) What are the main results you are getting (what are the outcomes that are most satisfying to you)? Try to quantify these (e.g. 95% of returned survivors still out of slavery after 2 years; 140 women survivors got decent jobs in past year)

9. Considering these 3 main activities: (Apart from limited resources) what are any gaps or weaknesses you see in these approaches? What would you improve if you had the chance?

10. Do you have any documents describing your organization's work (e.g. annual reports, reports to donors, evaluations)?
Yes/No If yes, please give us a copy in electronic format and on paper.
Copy obtained: Yes/No
Can we cite/refer your report in this study?: Yes No Need Consent

11. What are all the anti-slavery interventions that the organisation is performing? Tick the relevant intervention: (show list on separate sheet)

#	**Interventions**	
1	awareness raising to general public	
2	training to government or enforcement units (eg police force)	
3	business engagement regarding their supply chains	
4	awareness raising/ education in schools	
5	inter-agency collaboration and coalition work	
6	micro-finance or shared savings/loans by local group to prevent trafficking	
7	formation of community groups for identification, prevention and freeing activities	
8	running hotlines	
9	safe migration advice or assistance	
10	work at border crossings	
11	research on modern slavery	
12	raids with police authorities on slavery sites	
13	Providing your own shelter facilities to victims	

14	Arranging shelter facilities for victims	
15	medical care to victims	
16	psychosocial support to victims	
17	legal assistance to victims	
18	Vocational training to adult victims and adolescents (incl. job training/placement)	
19	education/transitional schools for child victims	
20	survivor community reintegration/home visits for returned survivors	
21	organisation of income generation activities/micro-finance for victims	
22	access to natural/productive resources for victims/those at risk	
23	Advocacy with local government officials (e.g. for improved actions against slavery, or provision of assistance to survivors)	
24	Advocacy with state or national government (e.g. for improved actions against slavery, or provision of assistance to survivors)	
25	other (please specify)	

12. For each intervention ticked, please identify the Category of slavery targeted and the Districts in which the intervention is being implemented. (If certain activities are all done together in the same Districts, they can be grouped together to save re-writing)
***Category of Slavery: F** = Forced and/or bonded labour; **C** = commercial sexual exploitation; **M** = forced marriage (including child marriage); and **W** = worst forms of child labour (including forms of slavery like child domestic servitude)

#	Interventions (or groups of interventions)	Category of slavery*	Geographical location
1			
2			
3			

13. If your organisation had more funds available, what anti-slavery activities would be a top priority for you to develop? State category of slavery and activity *(e.g. Worst Forms of Child Labour – run vocational trainings for adolescents)*

14. Are you specifically helping individuals to get out of slavery (e.g. through rescues/collective action or pressure on traffickers to return individuals or parents taking children out of labour)? Yes/No

If so, how many individuals has your organization helped to sustainably get out of slavery (through all interventions) in 2013?

Adults_____Men _____ Women _____Children _____
Girls_____Boys_____

15. How many staff does your organization have (FTE)? (total)

_____
Of these staff, how many are:

- Field staff/frontline service providers/community mobilizers?

  _____

- Administrative/research/technical/managerial?

  _____

16. How many staff do you have working on anti-slavery programs (FTE)? (total)

_____

Of these staff, how many are:

- Field staff/frontline service providers/community mobilizers?

  _____

- Administrative/research/technical/managerial?

  _____

17. What other anti-slavery organizations do you frequently work with (NGOs, government organisations, INGOs)?

_____

18. We know that measuring the effectiveness of the work can be difficult. We are interested to learn more about how organisations are measuring their effectiveness.

What do you measure in order to keep track of your achievements? What indicators or metrics do you use to count or measure these things? Please give 3 – 4 specific examples of the important indicators that you count up and report on:

What you measure	**What metric you use**
Example: Success in reintegrating former slaves	*How many are still out of slavery 2 years after they are freed*

19. Has your organization ever had an external evaluation of your anti-slavery program? Yes/No

If yes, would you be willing to give Walk Free a copy of the evaluation report, on a confidential basis? These will only be used for internal purposes to help develop a best practice evaluation methodology. (If they are willing to share these please obtain them in electronic and paper formats).

Copy obtained? (Y/N)

Can we cite/refer to your report in this study?: Yes No Need Consent

2. Types of slavery you are addressing, and locations

20. What are the main categories of slavery you are working against? (tick)

Category of slavery	
Forced Labour (including bonded labour)	
Commercial Sexual Exploitation	
Forced Marriage (including child marriage)	
Worst Forms of Child Labour (including child domestic slavery)	

21. In the anti-slavery work you are doing through your field staff, research or other direct activities, in which specific industries, sectors or workplaces are you regularly addressing modern slavery and/or addressing trafficking? (Tick in the chart below – and mark with "**S**" if people are **in slavery in this industry in your area** and/or "**T**" if people are being **trafficked away from the area** into these industries) (show printed list)

#	Sector	Men	Women	Children
1	Agriculture			
2	Brick Kilns			
3	Textile/embroidery industry			
4	Manufacturing - factories			
5	Construction/cable/electrical			
6	Domestic work			
7	Fish or shrimp processing			
8	Fishing boats			
9	Small industrial units (e.g. car repair, food packaging)			
10	Commercial sexual exploitation			
11	Military or insurgency related work/child soldiers			
12	Weaving and carpet making			
13	Begging			
14	Stone quarrying			
15	Mining			
16	Hotel/restaurant/shop work			
17	Porter/loading/unloading			
18	Other (please specify)			

22. Do you have any research reports, situational analysis or baseline surveys you can give to us that show the level and nature of the problem of slavery that you are addressing? Yes/No
If yes – obtain in electronic format as well as printed, if possible
Copy obtained? Yes/No
Can we cite/refer to this report in this study?: Yes No Need Consent

23. If you are working against **trafficking to other areas**, what are the main locations where individuals are being trafficked **to**?

---

24. If you are working to **assist slaves trafficked into your area**, what are the main locations where individuals are being trafficked **from?**

---

3. Expenditure and Grant management

25. Does your organization have experience managing grants? Yes/No

How many years have you been managing grants? _____

26. In the last 3 years, what was the amount of the largest one-year grant the organization has managed (get information in Local Currency if USD amount not available but change to USD for the excel)?
Amount of grant (in one year): _____ (show currency)

27. What are you spending in this current financial year on your ***anti slavery*** activities?

Amount of funding: _____ (show currency)

We are trying to better understand how much different interventions cost. Please provide estimates if exact figures not available

28. For each of the 3 main activities you mentioned in the first question, please can you quantify or estimate the cost per participant/beneficiary (ask in local currency but convert to dollars in excel)? Please provide separate estimates for separate programs. (e.g. for each shelter resident, it costs us around LC 800 from when they first walk in, to when we finish reintegration; for each vocational training participant, it costs around LC 500 for the complete training plus toolkit)

29. Are there other activities or "units of service" for which you can give an estimated cost? (e.g. cost for one client to be given legal assistance throughout their case; cost for one session of counselling for one client).

4. Slavery and trafficking across the whole country

30. Thinking about the country as a whole, please can you mark up on separate maps the areas that you think are most severely affected by the use of slavery:

a) Bonded labour (in that place)

b) Domestic servitude (in that place)

c) Commercial Sexual Exploitation (in that place)

d) Worst Forms of Child Labour (in that place)

e) Forced marriage (including child marriage) (in that place)

f) Trafficking of men

g) Trafficking of women

h) Trafficking of children

For f), g) and h) – also write onto the map, if you have information about where they are trafficked TO, and for what kinds of slavery.

31. Geographically, where do you see important gaps - where there is a large problem and insufficient action to tackle it? Please also include the types of interventions missing in each geographic area.

32. Thinking about the country (or state) as a whole, which industries or sectors are most affected by slavery? (show list again)

#	Sector	Men	Women	Children
1	Agriculture			
2	Brick Kilns			
3	Textile/embroidery industry			
4	Manufacturing - factories			
5	Construction/cable/electrical			
6	Domestic work			
7	Fish or shrimp processing			
8	Fishing boats			
9	Small industrial units (e.g. car repair, food packaging)			
10	Commercial sexual exploitation			
11	Military or insurgency related work/child soldiers			
12	Weaving and carpet making			
13	Begging			
14	Stone quarrying			
15	Mining			
16	Hotel/restaurant/shop work			

17	Porter/loading/unloading			
18	Other (please specify)			

5. Walk Free's Online Directory

32. Please seek their permission to publish the following details about their organization online as a reference guide to other organizations in the field and to increase their international visibility:

- The name of their organization.
- Location of their operations.
- Types of slavery they work on.
- Details for a contact point (e.g. phone number or email).

Willing to share these details?: Yes/No