

Context Analysis

Tackling Child Labour and Modern Slavery

This context analysis is a result of study and review of information in process to development of proposal for “Tackling Child Labour and Modern Slavery”. The reports aims to analyze the situation of children, child labour and trafficking in Nepal and the proposed three corridors within Nepal framed based on the Context Analysis. This short context analysis report has been prepared by the joint team of Dr. Dovind Koirala, PHD, Development Economics and Mr. Himal Poudel, Communication and Learning Officer from ECO-Nepal rooster. This analysis mainly deals with children who originate from remote rural areas and who have migrated to urban areas where they are engaged in various forms of child labour and are prone to trafficking.

Background on Child Labour

ILO adopted its Minimum Age Convention (No. 138) in 1973, which requires states to design and apply national policies to ensure the effective abolition of all forms of child labour and to set the minimum age of employment at 14. Despite widespread ratification and international attention the effective abolition of all child labour proved to be a difficult task. Two major considerations became apparent after ratification. There was a growing understanding that not all forms of child labour are equally harmful.

“In reality, children do a variety of work in widely divergent conditions. The work takes place along a continuum. At one end of the continuum, the work is beneficial, promoting or enhancing a child’s physical, mental, spiritual, moral or social development without interfering with schooling, recreation and rest. On the other end, it is palpably destructive or exploitative. There are vast areas of activity between these two poles, including work that need not impact negatively on the child’s development. [UNICEF 1997:24]

These two realizations resulted in the decision to concentrate on the worst forms of child labour, while continuing to pursue the wider goal of reducing child labour in all its forms and adhering to the age limits. Further, ILO convention 182 in Geneva defines 2 categories of worst forms of child labour:

- The unconditional worst forms, including slavery and practices similar to slavery such as debt bondage, prostitution and pornography, participants in armed conflicts and illicit traders.
- The hazardous worst forms, which are all sorts of work that expose children to danger and jeopardise their physical and moral health, and all forms of work conducted by any child below 18 years of age that equals or exceeds 43 hours a week.

The Convention explicitly calls for immediate and effective measures to secure the prohibition and elimination of these worst forms as a matter of urgency. Because of their harmful nature both categories of work are prohibited for children under the age of 18.

Country Situation

Nepal is a small landlocked country in the Himalayas, bordering with India in the South, East and West, and China in the North. Geographically, its 147,181 square kilometres can roughly be divided into three parts. The northern Mountain (or Himalayan) region comprises approximately 35% of the country. The central strip of the country, which comprises about 42% of the land area, is known as the Hills. The remaining 23% of the country is known as the Terai region, the southern belt of the country.

Due to a lack of an uneven distribution of cultivable land, families are forced to find other livelihood opportunities for their survival. As a result there is many (temporary) labour migration of farmers from rural areas to urban areas such as the Kathmandu Valley and to urban terai cities in Nepal, or abroad, with India being the main destination. They find work as laborers in industries such as stone quarries, carpet factories, and brick kilns, in construction, or in comparatively easier and safe sectors like transport sector, restaurants and hotels etc. Children are not unaffected by this trend. When it comes to unconditional worst forms of child labour, trafficking for prostitution and in circuses in India is highly prevalent.

Human development and socio-economic condition of people too remains low in Nepal.

Human Development and schooling status of Nepal:

	HDI	Life expectancy at birth	Expected years of schooling	Mean years of schooling	Gross national income (GNI) per capita	HDI rank 2014	HDI Rank 2015
Sri Lanka	0.766	75	14	10.9	10,789	72	73
Maldives	0.701	77	12.7	6.2	10383	105	105
India	0.624	68.3	11.7	6.3	5663	131	131
Bhutan	0.607	69.9	12.5	3.1	7081	132	132
Bangladesh	0.579	72	10.2	5.2	3341	140	139
Nepal	0.558	70	12.2	4.1	2337	144	144
Pakistan	0.55	66.4	9.1	5.1	5031	145	147
Afghanistan	0.479	60.7	10.1	3.6	1871	169	169

Source: Human Development Report 2016, 2015

Source: Human development Report 2016, 2015

The frequent prevalence of child labour in Nepal should be seen in this economical context. Children are expected to contribute to household activities from a very early age. These activities vary from simple household chores at home, which can be combined with education and which are harmless for the children, to activities that require more time and effort from the children. These activities result in irregular school attendance or total school dropout.

Children in Nepal work in a wide scale of activities ranging from helping out the family with agricultural activities, which is relatively harmless to the child's development, to fulltime labour that exposes them to physical and mental dangers. Similarly scores of children are trafficked for prostitution and circus workers to India exposing them to physical and mental dangers and inability to return back home. Most important to note is that the majority of children work in the informal sector. Though child labour is declining at the rate of 100,000 every year, Nepal still accounts for 1.6 million children between (5-17 years) in child labour. Of these 621,000 are estimated to be engaged in hazardous work. Estimates suggest that 60 per cent of children in hazardous workplace are girls. (Child Labour Act, 1992)

The Nepal government data presented below shows how the trafficking of women and female child is growing on all counts.

Reported Cases of Trafficking in Nepal, 2068/69-2072/73:

	2068/69	2069/70	2070/71	2071/72	2072/73	Trend (%)
	1	2	3	4	5	
No. of cases	118	144	185	181	212	12.4
No. of victims	143	166	296	280	352	19.7
Victims/case	1.2	1.2	1.6	1.5	1.7	6.5
Women	67	61	160	131	241	29.2
Female child	63	97	136	112	109	11.6
% female	90.91	95.18	100.00	86.79	99.43	

Source: NLSS

The number of female headed household in Nepal is in a growing trend because of the migrant work trend among male to foreign countries including India. This trend makes children more vulnerable to child labour and trafficking from intruders with malaise interest including from own family members in absence of the father figure. Another notable trend as a result of male migration for work is the illicit affairs of females resulting in unwanted child birth that are usually thrown away in fear of societal hatred. Female awareness and empowerment, and female engagement in issues of child labour.

Year	% female headed HH
1995	13.6
2003	19.6
2011	26.6

Source: NLSS

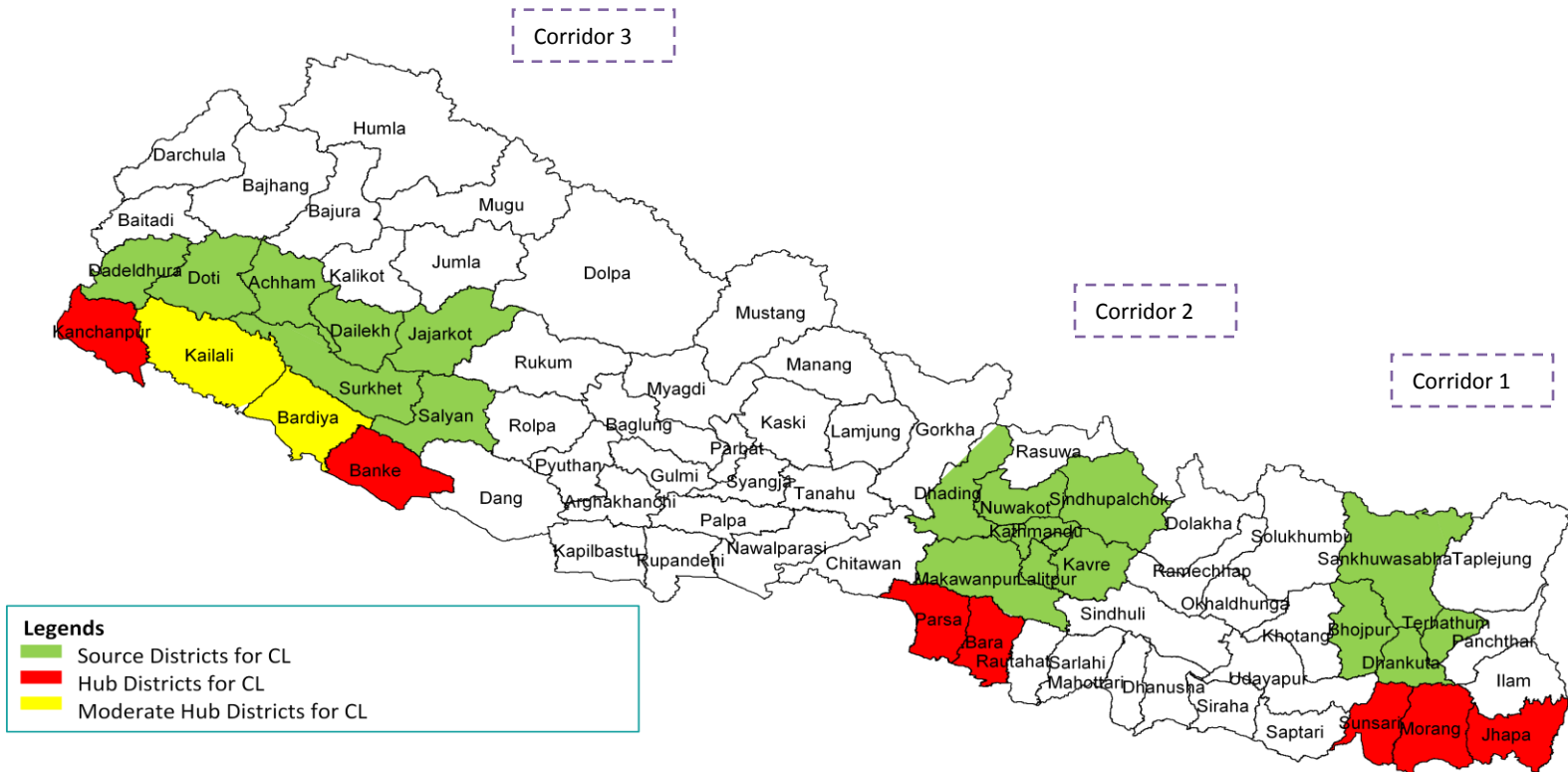
Relating with the Current Proposal

The proposed project adopts integrated area-based models for creating child labour free communities including child slavery of any forms. The proposed project aims to provide support to the children and their families, schools and teachers, relevant national and local government bodies, social partners, non-government organization, towards strengthening institutional capacities of the implementing partners and improving legislation, aimed at the elimination of the both unconditional and hazardous forms of child labour, and promoting safe and constructive work condition at houses and in community as a whole.

Integrated area-based models for creating child labour free communities has been envisioned through multiple discussions with consortia members and field visits. These areas are believed to be both source and hub for child labour and trafficking as well. Interventions focusing in these areas are regarded crucial to reduce child labour and trafficking as a whole in Nepal. Hilly districts of western regions (corridor 3) have always been source of child labour, child trafficking (as circus workers, girl child for prostitution, and beggars in India). The *choupadi*, seclusion during menstruation and child birth, and *Kamaiya and Kamlari*, male and female slave systems still have their remnants though been declared abolished and illegal in districts of western regions of Nepal. Similarly, Nuwakot, Sindhupalchowk, Kavre, Dhading and Makwanpur in our proposed Corridor 2 (central region) are source districts of child labour and trafficking. The child labourers originating from these districts have huge concentration in Kathmandu valley districts, while all forms of trafficking go via Kathmandu valley through Bara and Parsa. In regards to the Corridor 1 (eastern region), hill districts are source of child labour and trafficking similar to the other two corridors. The *Terai* districts bordering India are hub for child labour and exit point for trafficking. These selected districts for programme interventions have development indicators much below the national average.

A corridor map and demographics of districts from proposed corridor is provided below.

Map with Corridors:



Demographics of Corridor Districts:

Source: CBS, 2011

	Districts	Population	Households	Av. family size (No.)	Area (sq km)
Corridor 1 (Eastern Region)	1 Bhojpur	566,661	132,838	4.3	2,218
	2 Dhankuta	643,136	126,283	5.1	1,188
	3 Terhathum	294,621	58,270	5.1	2,491
	4 Sankhuwasabha	270,009	63,565	4.2	1,784
	5 Morang	101,709	22,409	4.5	679
	6 Sunsari	289,455	69,600	4.2	2,542
	7 Jhapa	188,186	48,414	3.9	2,191
	Total	2,165,591	472,965	4.6	10,902

Corridor 2 (Central Region)	1 Dhading	389,959	86,605	4.5	1,396
	2 Nuwakot	278,761	61,950	4.5	1,121
	3 Sindhupalchok	964,709	220,851	4.4	1,855
	4 Kavre	200,446	48,354	4.1	1,193
	5 Kathmandu	263,835	51,301	5.1	1,502
	6 Lalitpur	330,581	82,036	4.0	1,546
	7 Bhaktapur	701,037	114,691	6.1	1,190
	8 Makwanpur	321,962	70,799	4.5	2,063
	9 Bara	243,575	46,813	5.2	1,462
	10 Parsa	493,017	96,330	5.1	2,337
	Total	4,187,882	879,730	4.8	15,665

Corridor 3 (Western Regions)	1 Dandeldhura	108,734	9,494	11.5	2,531
	2 Achham	133,464	25,802	5.2	2,322
	3 Jajarkot	886,706	170,077	5.2	1,360
	4 Salyan	43,798	9,942	4.4	1,544
	5 Dailekh	768,404	148,283	5.2	1,180
	6 Surkhet	183,918	40,720	4.5	1,507
	7 Banke	360,104	75,294	4.8	2,451
	8 Kailali	1,740,977	469,145	3.7	395
	9 Bardiya	210,878	42,333	5.0	2,877
	10 Kanchanpur	269,372	62,967	4.3	1,373
	11 Doti	106,772	25,367	4.2	3,313
	Total	4,813,127	1,079,424	4.5	20,853

TOTAL	11,166,600	2,432,119	4.6	47,420
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NEPAL	26,620,809	5,659,984	4.7	147,182
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