In 2022, Nepal made moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Nepal announced the liberation of the Haruwa-Charuwa agricultural bonded laborers and promised to establish a recovery program and provide restitution for this group. The police also removed 27 children exploited as bonded laborers from brick kilns in southern Nepal and the Nepal Child Rights Council provided assistance to 11,696 children across 47 districts through 417 children's homes. However, children in Nepal are



subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking, and forced begging. Children also perform dangerous tasks in producing bricks. Nepal's law related to child trafficking is insufficient because it does not clearly criminalize recruitment, harboring, receipt, or transportation in the absence of force, fraud, or coercion. The law prohibiting the use of children in illicit activities is also insufficient because it does not prohibit the use of children in the production of drugs. In addition, the Ministry of Labor, Employment, and Social Security lacks sufficient resources and labor inspectors to adequately enforce laws related to child labor. Moreover, the government did not publicly release information on its criminal law enforcement efforts.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table I provides key indicators on children's work and education in Nepal.

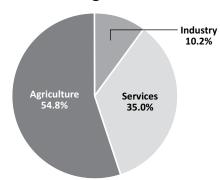
Table I. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|---------|------------------|
| Working (% and population) | 5 to 14 | 20.4 (1,093,497) |
| Attending School (%) | 5 to 14 | 93.0 |
| Combining Work and School (%) | 7 to 14 | 22.0 |
| Primary Completion Rate (%) | | 103.6 |

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2017–2018. (2)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

| Sector/Industry | Activity |
|-----------------|---|
| Agriculture | Farming, including tending livestock and harvesting caterpillar fungus (yarsagumba) (3,4) |
| Industry | Producing bricks, including loading and unloading of mules and donkeys (5,6) |
| | Quarrying, collecting, and breaking stones,† and quarrying and collecting sand (7) |
| | Construction,† activities unknown (3,8,9) |
| | Weaving carpets† (8,9) |
| | Producing embellished textiles (zari)† and embroidery (8,10) |
| | Producing metal crafts† (11) |
| Services | Domestic work (3,12,13) |
| | Working in mechanical shops, including for cars and motorbikes† (8) |
| | Vending, including as shop keepers, shop sales assistants, and tailors (3) |

MODERATE ADVANCEMENT

Table 2. Overview of Children's Work by Sector and Activity (Cont.)

| Sector/Industry | Activity |
|---|---|
| Services | Working in transportation,† portering, and collecting recyclable waste (8,9,14) |
| | Working in hotels,† restaurants,† tea shops, and in entertainment,† including as dancers† (8,13,15) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, sometimes as a result of human trafficking (13,16) |
| | Forced labor in embellishing textiles (zari), weaving carpets,† and domestic work (8,17) |
| | Forced labor in agriculture, producing bricks, quarrying, and breaking stones† (5,8) |
| | Use in illicit activities, including the cultivation and trafficking of drugs (8) |
| | Forced begging (16,18) |

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

Nepali women and girls are subjected to commercial sexual exploitation, sometimes as a result of human trafficking, both within and outside Nepal, including to India, the Middle East, Asia, and Sub-Saharan Africa. (13,19) Traffickers use the open border between India and Nepal to transport women and children for sex trafficking. (13) One study found that 17 percent of workers in the adult entertainment sector are under age 18, and 62 percent of adult women in that industry started as minors, some as young as 7 years old. (20)

More than half the children working in Nepali brick kilns are from India. (5) Children engaged in the production of bricks are exposed to hazardous working conditions, including carrying heavy loads and using dangerous machinery. (5) Most child labor occurs in the informal sector, including brick kilns. (7) Research indicates that climate-related disasters have often led to child labor, including increased levels of child labor following the 2017 floods in southern Nepal. (21) Moreover, children in Nepal's unregistered shelters are exploited in forced begging and children are trafficked into exploitative or fraudulent orphanages, which suffer from lack of government oversight, where they are used to solicit money from foreign donors. (22,23)

Some children, particularly girls, face barriers to accessing education due to a shortage of sanitation facilities, geographic distance, costs associated with schooling, need to complete household chores, and an absence of parental support. (24-26) In Nepal, lack of separate toilet facilities for girls deters them from attending school, especially when they are menstruating. (24) Barriers to attending school for school-age boys include pressure to find employment or migrate to work outside of Nepal, and issues with drugs and alcohol. Children with disabilities face additional barriers to accessing education, including denial of school admission. (7) Furthermore, pandemic closures affected nearly 9 million children and a substantial number of children from rural areas suffered from learning loss due to an unavailability of alternative learning modalities. (8,17,27) School closures during the pandemic disproportionately affected girls, who are expected to perform household services, and children with disabilities. (8) Refugee children in Nepal face legal obstacles regarding access to education resulting from lack of official recognition and official documentation by the Nepali government. (8,28) The government, however, allows NGOs to provide primary and secondary-level schooling to refugee children without documentation. (28)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nepal has ratified all key international conventions concerning child labor (Table 3).

[‡] Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Table 3. Ratification of International Conventions on Child Labor

| | Convention | Ratification |
|---------|--|--------------|
| KETTOEN | ILO C. 138, Minimum Age | ✓ |
| | ILO C. 182, Worst Forms of Child Labor | ✓ |
| | UN CRC | √ |
| | UN CRC Optional Protocol on Armed Conflict | ✓ |
| | UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
| | Palermo Protocol on Trafficking in Persons | ✓ |

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Nepal's legal framework to adequately protect children from the worst forms of child labor, including a lack of prohibitions for using children in the production of drugs.

Table 4. Laws and Regulations on Child Labor

| Meets International Standards | Age | Legislation |
|-------------------------------------|--|---|
| Yes | 14 | Section 3 of the Child Labor (Prohibition and Regulation) Act (29) |
| No | 17 | Section 3, 28(b) of the Child Labor (Prohibition and Regulation) Act (29) |
| Yes | | Schedule I of the Child Labor (Prohibition and Regulation) Act (29) |
| Yes | | Section 4 of the Bonded Labor (Prohibition) Act; Section 4 of the Child Labor (Prohibition and Regulation) Act; Sections 2–4 and 15 of the Human Trafficking and Transportation Control Act; Section 4 of the Labor Act (29-32) |
| No | | Sections 3, 4, and 15 of the Human Trafficking and Transportation Control Act (32) |
| Yes | | Article 66(3)(d) of the Act Relating to Children 2018; Sections 3, 4, and 15 of the Human Trafficking and Transportation Control Act; Sections 16(2) and 16(3) of the Children's Act (32-34) |
| No | | Section 16 of the Children's Act (34) |
| Yes | 18 | Section 7 of the Military Service Regulation 2069 (35) |
| N/A* | | |
| No | | Article 39 of the Constitution (36) |
| Yes | 14 | Article 31 of the Constitution; Section 6 of the Free and Compulsory Education Act (36,37) |
| Yes | | Section 16D of the Education Act; Section 20 of the Free and Compulsory Education Act; Article 31 of the Constitution (36-38) |
| | International Standards Yes No Yes Yes No Yes No Yes No Yes No Yes No Yes No Yes | International Standards Yes 14 No 17 Yes Yes No Yes No Yes 18 N/A* No Yes 14 |

^{*} Country has no conscription (36)

The minimum age for hazardous work is not consistent with international standards because it does not prohibit children age 17 from engaging in hazardous work. (29) Furthermore, the types of hazardous work prohibited for children do not include brickmaking and stone breaking, sectors in which there is evidence that work involves carrying heavy loads and being exposed to hazardous substances. (5,29) However, Nepal's National Master Plan on Child Labor (2018–2028) has identified children working in brick kilns as a group particularly vulnerable to hazardous child labor. (39,40) In addition, the law related to child trafficking is insufficient because it does not

MODERATE ADVANCEMENT

clearly criminalize recruitment, harboring, receipt, or transportation of children in the absence of force, fraud, or coercion. (32,41) The law prohibiting the use of children in illicit activities is insufficient because it does not prohibit the use of children in the production of drugs. (42) Furthermore, although the Constitution prohibits the recruitment of children by non-state armed groups, there is no specific legislation penalizing this practice. (36) Nepal ratified the Palermo Protocol in 2020 and the government is in the process of aligning its legal framework for human trafficking with international standards, including broadening its definition of human trafficking and better addressing child trafficking. (10,43)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role & Activities |
|--|---|
| Department of Labor (DOL), Ministry of Labor, Employment, and Social Security (MoLESS) | Enforces labor laws, including those involving child labor. (10,44) Conducts studies, provides training on child labor prevention, and monitors Nepal's child labor prevention program. (44) |
| Nepal Police | Investigate crimes involving women and children, including crimes related to human trafficking, through the Anti-Human Trafficking Bureau (AHTB). (45) Assist in children's rescue, rehabilitation, and coordination for the arrest of perpetrators in cases of the worst forms of child labor. (46) In cases of hazardous child labor, coordinate with and hand over cases to MoLESS. (10,17) |
| Monitoring Action Committees, Ministry of Women, Children, and Senior Citizens (MWCSC) | Investigate reports of commercial sexual exploitation at the district level, including the exploitation of children in the adult entertainment sector. (47) Contribute to investigations through Helpline No. 104 and Child Helpline 1098. Provide temporary shelter to child survivors through the Nepal Child Rights Council (NCRC) and support operations of the victim services center for children. (48) |

Labor Law Enforcement

In 2022, labor law enforcement agencies in Nepal took actions to address child labor (Table 6). However, gaps exist within the operations of the Department of Labor (DOL) that may hinder adequate labor law enforcement, including insufficient human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2021 | 2022 |
|--|--------------|---------------|
| Labor Inspectorate Funding | \$5,710† (4) | \$15,720‡ (8) |
| Number of Labor Inspectors | 16 (49) | 11 (8) |
| Mechanism to Assess Civil Penalties | Yes (31) | Yes (31) |
| Training for Labor Inspectors Provided | Yes (17) | Unknown (8) |
| Number of Labor Inspections Conducted at Worksite | 1,830† (4) | 2,544‡ (8) |
| Number of Child Labor Violations Found | 16† (4) | Unknown (8) |
| Number of Child Labor Violations for Which Penalties Were Imposed | 15† (4) | Unknown (8) |
| Number of Child Labor Penalties Imposed that Were Collected | 15† (4) | Unknown (8) |
| Routine Inspections Conducted | Yes (4) | Yes (8) |
| Routine Inspections Targeted | Yes (4) | Yes (8) |
| Unannounced Inspections Permitted | Yes (31) | Yes (8) |
| Unannounced Inspections Conducted | Yes (4) | Yes (8) |
| Complaint Mechanism Exists | Yes (17) | Yes (8) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (17) | Yes (8) |

[†] Data are from July 2020 to July 2021.

[‡] Data from July 2021 to July 2022.

Only 11 of 28 labor inspector positions in Nepal are currently filled, and these inspectors oversee a workforce of approximately 8.7 million workers. (8,49,50) The ILO and NGOs report the number of labor inspectors and inspections in Nepal is insufficient given the size and population of the country. (8,50) During the reporting period, inspectors did not receive adequate training or refresher on laws related to child labor or hazardous work for children. (8) Reports confirm that funding for the Ministry of Labor, Employment, and Social Security (MoLESS) remains low and indicate that addressing child labor is a low funding priority for the government. (8) According to NGOs, more than 70 percent of child labor occurs in the informal sector, including in companies with fewer than 10 employees and those that are not registered with the government. (8,10,23) However, the government conducted most of its labor inspections in the formal sector and rarely conducted unannounced inspections. (8)

NGOs report that the fines and employer-paid compensation outlined in the Child Labor (Prohibition and Regulation) Act are not adequate deterrents to child labor violations. (8,10) Cases are also often resolved through negotiation, and MoLESS encourages mediation over prosecution, resulting in mild punishments for perpetrators. (8,41) In addition, business owners reportedly pressure labor inspectors to settle disputes outside courts and officials request bribes to move cases forward. (8) Furthermore, NGOs stated that officials are sometimes paid to not move child labor cases forward, or parents are given nominal compensation to abandon cases. (8) While the Supreme Court compiles case data on cases heard by the labor court, it does not disaggregate data regarding child labor.(22)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Nepal took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2021 | 2022 |
|---|--------------|-------------|
| Training for Criminal Investigators Provided | Yes (17) | Yes (8) |
| Number of Investigations | Unknown (17) | Unknown (8) |
| Number of Prosecutions Initiated | Unknown (17) | Unknown (8) |
| Number of Convictions | Unknown (17) | Unknown (8) |
| Imposed Penalties for Violations Related to the Worst Forms of Child Labor | N/A (17) | N/A (8) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (17) | Yes (8) |

In 2022, the Government of Nepal announced the liberation of the Haruwa-Charuwa agricultural bonded laborers who belong to impoverished and marginalized Dalit communities. The ILO previously estimated that over 120,000 adults and children were in forced Haruwa-Charuwa labor. (51) Although the Bonded Labor Prohibition Act of 2002 abolished bonded labor in Nepal, the Haruwa-Charuwa were not previously part of government liberation or victim services programs. (30,51) As part of the Haruwa-Charuwa freedom proclamation, the government also promised to establish a victim services program and provide restitution for this group. (52)

Within the federalist government structure, child rights committees, which are formed at the provincial and local levels, coordinate with Nepal Police on child labor issues. (8) However, the government lacks both the human resources and financial capacity to enforce laws prohibiting crimes related to child labor or to maintain a centralized database of criminal cases involving child labor, including child trafficking. (8,10,11,53) The Nepal Police do, however, collect and disaggregate data related to human trafficking cases; in fiscal year 2021–2022, the Nepal Anti-Human Trafficking Bureau (AHTB) reported identifying 209 trafficking victims and temporarily detaining 284 suspected traffickers. However, 109 suspected traffickers absconded, and only 174 suspected traffickers were officially arrested. (54) Moreover, during the reporting period, AHTB conducted trainings for 66 police personal on investigating human trafficking and legal procedures. (55)

MODERATE ADVANCEMENT

The government convicted fewer traffickers during this reporting period compared to the previous year, and corruption as well as official complicity in trafficking crimes remains a concern. The AHTB and other enforcement agencies lacked resources to coordinate with NGOs or victims and were unable to register cases against traffickers. (23) Moreover, most human trafficking cases were treated as labor violations that MoLESS resolved with minor fines rather than opening criminal investigations. (56) The AHTB lacked a victim-centered approach to handling serious cases, and law enforcement relied on civil society to identify trafficking cases, undermining evidence collection and prosecution efforts. (23)

According to reports, in November 2022, Nepal Police released 38 Indian nationals, including 27 children, who had been exploited as bonded laborers in brick kilns in southern Nepal. (57) However, the government did not make efforts to investigate and prosecute suspects for bonded labor crimes and did not provide data on other bonded labor cases. (23) Moreover, cases of bonded labor are rarely reported to the police. (56)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanism to Coordinate Government Efforts on Child Labor

online trafficking to some districts. (55)

Role & Activities

| Coordinating Body |
|------------------------------|
| Child Labor Prevention and |
| Occupational Safety Section, |
| MoLESS, and MWCSC |
| |

Coordinates policymaking and monitors implementation of child labor inspection guidelines. (44) Consists of an Under Secretary, one section officer, and one factory inspector. (58) Confers with the MWCSC, the National Child Rights Council, MoLESS, and District Labor Offices. (59) The National Child Labor Elimination Committee operates under the direction of the Secretary of MoLESS. There is also an ongoing interagency working group to address child labor and a Child Rights System at the local level. (8) In fiscal year 2021–2022, MoLESS declared 22 municipalities as "child friendly governments," integrating child participation and child-friendly practices in local governance. (55,60) The MWCSC coordinates the implementation of anti-human trafficking laws, policies, and programs at the central, district, and local levels of government. (4,23) During the reporting period, the MWCSC provided anti-human trafficking training to rehabilitation centers. (55) In conjunction with the AHTB, the MWCSC also provided information-awareness programs on cybercrime and

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including updating existing policies to better align with the constitutional transition to federalism.

Table 9. Key Policies Related to Child Labor

| Policy | Description & Activities |
|--|--|
| National Master Plan to End Child Labor (July 2018– July 2028) | Prioritizes ending the worst forms of child labor by 2022, and all forms of child labor by 2025. (17) Includes a strategy to establish at the local and provincial levels a fund to help release child victims. (17,61) The Nepal Master Plan-II (NMP-II) has incorporated five strategies to eradicate child labor, including regular search and monitoring, victim release, and services for survivors. (8) The National Plan of Action designates the Ministry of Land Management, Cooperatives and Poverty Alleviation as the lead ministry to establish targeted programs for children involved in forced child labor and their families, particularly in the agricultural sector. (8,48) The ministry carries out awareness programs through cooperatives at local and provincial levels. (8,48) Ensures the poverty alleviation program provides economic empowerment to families to decrease the number of children from economically disadvantaged and marginalized families entering the labor market. (48) The NMP-II includes some indicators to ensure that inspections are performed properly. (8,17) Research was unable to determine if the action plan carried out any activities to address child labor during the reporting period. |

Table 9. Key Policies Related to Child Labor (Cont.)

| <u> </u> | , |
|---|---|
| Policy | Description & Activities |
| School Education Plan | Expands access to education to all children, improves the quality of education, and facilitates improved management and governance of schools. The program will impact 8.2 million schoolchildren in Nepal. (62) The New School Education Plan succeeded the former School Sector Development Plan, which was discontinued in July 2022. (63) For fiscal year 2022–2023, the program launched the School-Based Assessment pilot study to assess new curricula introduced for elementary education and draw recommendations for wider implementations. (64) The program also hosted capacity-building projects for local governments and teachers. (64) The policy implemented a web helpdesk for local governments for technical and administrative support. (64) |
| National Plan of Action on Combating Trafficking in Persons, Especially Women and Children (2011–2022) | Promoted and protected the rights of human trafficking victims and survivors, and outlines policies for prosecuting and sentencing human traffickers. (65,66) During the reporting period, the government drafted a new national plan of action against human trafficking to replace the current action plan and better align with the Palermo Protocol. The action plan will be finalized and released in 2023. (55) |

[‡]The government had other policies that may have addressed child labor issues or had an impact on child labor. (10)

The Fifteenth National Plan of Nepal (2019/2020–2023/2024) includes ending child labor as one of its objectives and makes necessary legal provisions to end all forms of child labor and increase the target number of inspections for child labor in each Nepali fiscal year, which begins and ends in July. (8,10,67)

Nepal's new federalist structure replaced all districts with newly drawn provinces. There are 753 new municipalities from 77 districts along with new local governance. (68) However, Nepal requires improved coordination across all levels of government and guidance on responsibilities to effectively address gaps in implementation of services under the new federalist structure. (68) The absence of new policy frameworks for a multitude of issues and a lack of data to inform actions have reduced child labor abuses to a low priority. (68)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the inadequacy to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

| Program | Description & Activities |
|--|--|
| Child Rights, Rescue and Rehabilitation Program† | NCRC coordinates and facilitates monitoring, evaluation, and reviewing of local child rights on the provincial and local levels. (17,69) In fiscal year 2021–2022, the council provided protection to 11,696 children, including shelter, family reintegration, education support, and medical treatment. (8) The council also supported 10,905 children in 417 children's homes across 47 districts. (8) In addition, the NCRC monitored 164 children's homes across 43 districts and provided services to 72 children removed from unregistered shelter homes while reintegrating 1,200 children with their families. (55) During the reporting period, 308 local municipalities adopted the Child Rights Protection and Promotion Procedures and child rights committees were formed in 222 local governments. (8) The child protection procedures include collecting data on child labor and child trafficking, removals, and services for survivors, and establishing funds at the local level to support children who are at risk of child labor. (55) Child welfare officers were appointed in 219 local governments and children's funds were established in 195 local municipalities. (8) Child rights committees served more than 406,000 children. (68) |
| Helpline and Hotline Programs† | Child Helpline—1098 is an MWCSC- and Child Workers in Nepal-funded helpline. (7) Responds to calls about missing children, child abuse, child labor, child trafficking, and child sexual abuse in 18 locations in Nepal and Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka. (10,70) NGO and government officials stated that the response time to investigate allegations of child labor reported through the helpline is slow. (8) National Center for Children at Risk—Hotline No. 104 is a hotline operated from Kathmandu, which is jointly run by the Central Child Welfare Board and Nepal Police. (17,47) These hotlines cover cases for 74 out of the total 77 districts in Nepal. (8) According to the Nepal Police, four to five children on average are removed from child labor every month in the informal sectors, such as transportation, domestic work, tea shops, and restaurants through the complaints received through Hotline No. 104. (41) The NCRC reported that the agency removed 69 children from potential hazardous work conditions through the hotlines and provided them with victim services and shelter. (22) The government installed two digital boards with information on human trafficking awareness in border crossing areas and other key locations. (55) |

MODERATE ADVANCEMENT

Table 10. Key Social Programs to Address Child Labor (Cont.)

| • | |
|----------------------|---|
| Program | Description & Activities |
| Support for Schools† | MoLESS program that supports schools for children ages 5 to 16 who are at risk of working in the worst forms of child labor. Provides scholarships to cover associated schooling costs for children outside the Kathmandu Valley to attend a local public school and works with local NGOs to verify that children are attending classes. (71) The government continues to provide lunches and sanitary napkins to encourage students to attend school to reduce the likelihood of their entry into child labor. (22) In fiscal year 2021–2022, the Ministry of Education provided scholarships worth \$300 (40,000 rupees) per child for 250 child laborers and children who experienced homelessness. (8) |

For information about USDOL's projects to address child labor around the world, visit https://www.dol.gov/agencies/ilab/ilab-project-page-search † Program is funded by the Government of Nepal.

The government of Nepal allocated \$35,380 (45.3 million rupees) for activities to eliminate child labor in fiscal year 2022–2023. Activities include contributions to the Child Labor Elimination Fund and the Rehabilitation Fund, awareness programs against child labor, and consultations with local governments to declare municipalities free of child labor. (8) Although Nepal has programs that target child labor, gaps exist in these social programs, including a lack of programs that support child victims of commercial sexual exploitation and children working in the production of bricks.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Nepal (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area | Suggested Action | Year(s) Suggested |
|------------------------|---|----------------------|
| Legal Framework | Raise the minimum age for entry into hazardous work to 18 years old. | 2009 – 2022 |
| | Ensure that the types of hazardous work prohibited for children are comprehensive and include sectors in which there is evidence of child labor, including brickmaking, breaking stones, and weaving carpets. | 2015 – 2022 |
| | Ensure that the legal framework comprehensively and criminally prohibits the human trafficking of children without requiring proof of the use of force, fraud, or coercion. | 2015 – 2022 |
| | Ensure that the law criminally prohibits the use of children in illicit activities, including the production of drugs. | 2015 – 2022 |
| | Ensure that the law criminally penalizes the recruitment of children under age 18 by non-state armed groups. | 2016 – 2022 |
| Enforcement | Ensure that the criminal and labor law provisions against child labor are meaningfully enforced against perpetrators, and cases are resolved through prosecution, where appropriate, rather than negotiations and minor fines. | 2018 – 2022 |
| | Ensure that the Ministry of Labor's budget is sufficient to adequately enforce child labor laws. | 2016 – 2022 |
| | Expand child labor enforcement through complaint based and routine targeted inspections, including unannounced inspections, to all sectors, including the informal sector and small factories that employ less than 10 workers. | 2018 – 2022 |
| | Increase the number of labor inspectors from 11 to 218 to provide adequate coverage of the labor force of approximately 8.7 million people. | 2010 – 2022 |
| | Provide training to labor inspectors on laws related to child labor, including its worst forms, on an annual basis. | 2019 – 2022 |
| | Publish data on criminal law enforcement actions, including training for criminal investigators and the number of investigations conducted, prosecutions initiated, convictions achieved, and penalties imposed for child labor crimes. | 2009 – 2022 |
| | Create and utilize a centralized database to track and monitor cases of child labor, disaggregated by type of activity and gender, including labor court data related to child labor. | 2009 – 2022 |
| | Investigate, prosecute, and, where appropriate, convict and sentence perpetrators of bonded labor. | 2022 |
| | Ensure the government investigates and criminally prosecutes cases of human trafficking and bonded labor. | 2022 |
| Government Policies | Ensure that the implementation of services under the new federalist system, including a new policy framework to address child labor abuses, is carried out. | 2018 – 2022 |

[‡] The government had other social programs that may have included the goal of eliminating or preventing child labor. (10,11,55,72,73)

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

| Area | Suggested Action | Year(s) Suggested |
|--------------------|--|----------------------|
| Social Programs | Conduct research to determine the types of work activities carried out by children, including in the construction sector, to inform social policies and programs. | 2019 – 2022 |
| | Ensure that survivors calling the national helpline receive timely support and intervention. | 2022 |
| | Eliminate barriers to education for children with disabilities and refugee children and address barriers related to lack of sanitation facilities at schools, long distances to schools, fees associated with schooling, pressure to find work, migration to work outside of Nepal, and issues with drugs and alcohol. | 2013 – 2022 |
| | Create social programs that support all victims of commercial sexual exploitation and children working in the brick industry. | 2018 – 2022 |

REFERENCES

- I UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 15, 2023. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. http://data.uis.unesco.org/
- 2 ILO.Analysis of Child Economic Activity and School Attendance Statistics from Labour Force Survey (LFS), 2017–2018. Original data from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. Analysis received March 2023. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 3 ILO and Central Bureau of Statistics of Nepal. Nepal Child Labour Report 2021. ILO. 2021. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-kathmandu/documents/publication/wcms_784225.pdf
- 4 U.S. Embassy- Kathmandu. Reporting. February 11, 2022.
- 5 ILO, UNICEF, and Central Bureau of Statistics of Nepal (CBS). Report on Employment Relationship Survey in The Brick Industry in Nepal. Kathmandu: ILO, UNICEF, and CBS, January 29, 2021. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilokathmandu/documents/publication/wcms_767621.pdf
- 6 World Education, Inc. Nepal: Sakriya–Civil Society Action to End Exploitative Child Labor: Technical Progress Report. September 30, 2021.
- 7 U.S. Embassy- Kathmandu. Reporting. February 3, 2020.
- 8 U.S. Embassy- Kathmandu. Reporting. January 13, 2023.
- 9 Human Rights Watch. "I Must Work to Eat:" Covid-19, Poverty, and Child Labor in Ghana, Nepal, and Uganda. New York, May 26, 2021. https://www.hrw.org/report/2021/05/26/i-must-work-eat/covid-19-poverty-and-child-labor-ghana-nepal-and-uganda#
- 10 U.S. Embassy- Kathmandu. Reporting. January 15, 2021.
- 11 U.S. Embassy- Kathmandu. Reporting. January 22, 2019.
- 12 World Education, Inc. Sakriya—Civil Society Action to End Exploitative Child Labor. April 2019: Technical Progress Report. Source on file.
- 13 Sunuwar, Dev Kumar. Indigenous Women and Girls Disproportionately Trafficked in Nepal. Cultural Survivor, July 21, 2021. https://www.culturalsurvival.org/news/indigenous-women-and-girlsdisproportionately-trafficked-nepal
- 14 The Unforgotten.Waste Pickers in Nepal. Kathmandu: The Unforgotten. Accessed February 23, 2022. https://unforgotten.org/nepal/
- 15 Thakur, Kamlesh. Child labor rampant in Dhanusha. Dhanusha: My Republica. June 3, 2019. https://myrepublica.nagariknetwork.com/news/child-labor-rampant-in-dhanusha/
- 16 Children Rescue Mission. Trafficking of Girls in Nepal. Accessed: 2023. https://childrenrescuemission.org/trafficking-of-girls-in-nepal/
- 17 U.S. Embassy- Kathmandu. Reporting. January 14, 2022.
- 18 U.S. Embassy- Kathmandu. Reporting. February 12, 2021.

- 19 Nepali Sansar. Human Trafficking in Nepal Relentless Fight for Rights Continues! August 9, 2018. Accessed 2019. https://www.nepalisansar.com/special-stories/human-trafficking-in-nepal-relentless-fight-for-rights-continues/
- 20 Meredith Dank, et al. Prevalence of minors in Kathmandu's adult entertainment sector. Freedom Fund. April 2019. https://dlr4g0yjvcc7lx.cloudfront.net/uploads/20190612195109/ Prevalence-of-minors-in-Kathmandus-adult-entertainment-sector-FINALprint.pdf
- 21 End of Violence Against Children. How the Climate Crisis is Driving Violence Against Children--and What We Can Do About It. November 14, 2022. https://www.end-violence.org/articles/how-climate-crisis-driving-violence-against-children-and-what-we-can-do-about-it#:~:text=Child labour often increases after,in brick kilns and agriculture.
- U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 15, 2023.
- U.S. Department of State. Trafficking in Person Report- 2022: Nepal. Washington, D.C., July 19, 2022.
- 24 Shrestha, Elisha. Without proper sanitation facilities, girls keep missing school during menstruation. The Kathmandu Post, December 31, 2019. https://kathmandupost.com/national/2019/12/31/without-propersanitation-facilities-girls-keep-missing-school-during-menstruation
- 25 The Educational Equality Institute Girls Education In Rural Nepal. Accessed January 2, 2023. https://theeducationalequalityinstitute.org/the-girls-education-in-rural-nepal/
- 26 The Advocates for Human Rights. Nepal-Stakeholder Report for the United Nations Universal Periodic Review. January 2021. https://www.theadvocatesforhumanrights.org/Res/nepal_upr_submission_education_child_labor_final_for_website.pdf
- 27 UNICEF. Continuing Children's Education in Nepal During the COVID-19 Pandemic. 2021. https://www.unicef.org/nepal/media/14216/file/Child_and_Family_Tracker_-_Education.pdf
- 28 Online Khabar. 5 major issues that refugees in Nepal are living with. June 20, 2022.
 - https://english.onlinekhabar.com/major-issues-refugees-in-nepal.html
 Government of Nepal. Child Labour (Prohibition and Regulation) Act,
- 2056 (2000), No. 14. Enacted: June 21, 2000.
 https://www.warnathgroup.com/wp-content/uploads/2017/10/Nepal-Child-Labor-Act.pdf
- 30 Government of Nepal. Bonded Labor (Prohibition) Act, 2058 (2002), No. 21. Enacted: April 20, 2002. http://www.ilo.org/dyn/natlex/natlex4.detail?p lang=en&p isn=71670
- 31 Government of Nepal. Labour Act. Enacted: September 4, 2017. Source on file.
- 32 Government of Nepal. Human Trafficking and Transportation (Control) Act, 2064 (2007). Bikram Era. Enacted: July 24, 2007. Source on file.
- Government of Nepal. Act Relating to Children 2018, (Children's Act, 1990), Act Promulgated to Amend and Codify Laws related to Children. Enacted: September 18, 2018. Source on file.

MODERATE ADVANCEMENT

- 34 Government of Nepal. Children's Act, 2048 (1992). Enacted: May 20, 1992. http://www.lawcommission.gov.np/en/archives/14005
- 35 Government of Nepal. Military Service Regulations. 2013. Source on file.
- 36 Government of Nepal. Constitution of the Kingdom of Nepal. Enacted: 2015. http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/100061/119815 /F-1676948026/NPL100061 Eng.pdf
- 37 Government of Nepal. Free and Compulsory Education Act, 2075. (2018). Source on file.
- 38 Government of Nepal. Education Act, 2028 (1971). Enacted: August 9, 1971. Source on file.
- 39 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 21, 2021.
- 40 Government of Nepal. Master Plan on Child Labor (2018–2028). Kathmandu. 2018. Source on file.
- U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. June 28, 2019.
- 42 ILO Committee of Experts. Observation concerning Minimum Age Convention, 1973 (No. 138) Nepal (ratification: 1997). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100 COMMENT ID:3957776
- 43 The Himalayan Times. Trafficking laws incompatible with Palermo Protocol. July 27, 2021. https://thehimalayantimes.com/nepal/trafficking-laws-incompatible-with-palermo-protocol
- 44 MoLESS. Child Labor Prevention and Occupational Safety Section- Job Description. Kathmandu. Accessed February 16, 2023. https://moless.gov.np/en/department
- 45 Government of Nepal. Women, Children and Senior Citizen Service Directorate. Nepal Police. Accessed: March 3, 2022. https://old-cid.nepalpolice.gov.np/index.php/cid-wings/women-childrenservice-directorate
- 46 Paudel, Nayak. Nepal Police sets up separate bureau to look into human trafficking cases Kathmandu: The Kathmandu Post, May 12, 2019. https://kathmandupost.com/national/2019/02/04/nepal-police-sets-upseparate-bureau-to-look-into-human-trafficking-cases
- 47 U.S. Embassy- Kathmandu. Reporting. October 3, 2019.
- 48 U.S. Embassy- Kathmandu official. E-mail communication with USDOL official. June 23, 2022.
- 49 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. March 3, 2022.
- 50 ILOSTAT. ILO Labor Force Statistics (LFS)- Population and labour force. Accessed January 31, 2023. Labor force data is modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report https://ilostat.ilo.org/data/
- 51 The Freedom Fund. The Freedom Fund welcomes the Government of Nepal's liberation of the Harawa-Charawa, a crucial step towards thousands being freed from bonded labor. July 18, 2022. https://freedomfund.org/press-release/harawa-charawa_liberation_ announcement/
- 52 Khabarhub. Haruwa-Charuwa demand rehabilitation program. March 15, 2023.
 - https://english.khabarhub.com/2023/15/296747/
- 53 U.S. Department of State. Trafficking in Person Report- 2021: Nepal. Washington, D.C., July 1, 2021. https://www.state.gov/reports/2021-trafficking-in-persons-report/nepal/

- 54 Government of Nepal. Anti Human Trafficking Bureau 3 Year Statistical Data. Nepal Police. Accessed January 17, 2023. https://www.nepalpolice.gov.np/other links/index/10/
- 55 U.S. Embassy- Kathmandu. Reporting. February 10, 2023.
- 56 U.S. Department of State official. E-mail communication with USDOL official. January 18, 2023.
- 57 Kumar, Laxmi Mohan. Nepal Police rescues 38 Indians, including children and women working as bonded labourers in brick factories. The Logical Indian. November 12, 2022. https://thelogicalindian.com/trending/nepal-police-rescue-38-indians-working-as-bonded-labourers-in-brick-factories-38609
- 58 U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. February 17, 2021.
- 59 U.S. Embassy- Kathmandu. Reporting. May 5, 2023.
- 60 National CFLG Forum. Child Friendly Local Governance (CFLG). Accessed March 3, 2023. https://ncflgforum.org/#:~:text=CFLG is a strategic framework,, structures, policies and processes.
- Himalayan News Service. Government drafts action plan to eliminate child labour Kathmandu: The Himalayan Times, February 1, 2020. https://thehimalayantimes.com/kathmandu/government-drafts-action-plan-to-eliminate-child-labour
- 62 Government of Finland. Nepal School Education Sector Plan (SESP). December 10, 2021. https://um.fi/special-target-groups/-/asset_publisher/hVUm8qOoXH3u/ahaKytInterventionType/id/56977264
- 63 Ghimire, Binod. New school reform plan set for rollout despite two previous flops. The Kathmandu Post, January 22, 2022. https://kathmandupost.com/national/2022/01/20/new-school-reform-planset-for-rollout-despite-two-previous-flops
- 64 Government of Nepal. Nepal School Sector Development Plan/School Education Sector Plan–Budget Review Meeting 2022. Asian Development Bank. June, 2022. https://www.britishcouncil.org.np/sites/default/files/
 - schoolsectordevelopmentplantechnicalassistance_q2_newsletter_2022.pdf
- U.S. Embassy- Kathmandu official. E-mail communication to USDOL official. March 18, 2020.
- 66 Government of Nepal. National Plan of Action against Trafficking in Persons, Especially Trafficking in Women and Children 2068. Kathmandu: Ministry of Women, Children and Social Welfare, 2012. Source on file.
- 67 Government of Nepal, National Planning Commission. The Fifteenth Plan (Fiscal Year 2019/20–2023/24). Kathmandu: March 2020. https://www.npc.gov.np/images/category/15th_plan_English_Version.pdf
- 68 Nepal: Sakriya—Civil Society Action to End Exploitative Child Labor Technical Progress Report. World Education Inc. October 31, 2022. Source on file.
- 69 Government of Nepal. National Child Rights Council. Kathmandu, Nepal: December 2020. Source on file.
- 70 Child Helpline International. Session 59 Nepal. Recommendations made under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. September 2011. https://www2.ohchr.org/english/bodies/crc/docs/ngos/Nepal_CHI_CRC60. pdf
- 71 U.S. Embassy- Kathmandu. Reporting. January 13, 2017.
- 72 U.S. Embassy- Kathmandu. Reporting. January 12, 2018.
- 73 Hamro Samman Fiscal Year 2021: Fourth Annual Report. Winrock International, 2021.